
SUBSTITUTE HOUSE BILL 2265

State of Washington 62nd Legislature 2012 Regular Session

By House Labor & Workforce Development (originally sponsored by Representatives Probst, Haler, Haigh, Rivers, Zeiger, Seaquist, Sells, Jinkins, Roberts, Hunt, Santos, Kelley, Finn, and Ryu)

READ FIRST TIME 01/31/12.

1 AN ACT Relating to establishing Washington works payments to
2 increase graduation rates, address critical skill shortages, increase
3 student success, and narrow the educational opportunity gap; amending
4 RCW 43.79A.040, 43.79.010, 83.100.230, 28C.18.020, and 28C.18.060; and
5 adding a new chapter to Title 28C RCW.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** (1) The legislature finds that:
8 (a) Economic strength is directly interconnected with education;
9 (b) Increasing graduation rates improves economic competitiveness;
10 (c) Graduation or completion of a credential is only the beginning
11 for each student, and should be followed by success in the workplace;
12 and
13 (d) Most students seek a degree or certificate that results in a
14 good job.
15 (2) The legislature therefore makes it an economic priority for
16 Washington to:
17 (a) Increase graduation and completion rates;
18 (b) Increase graduation and completion rates in fields addressing
19 critical skill shortages;

1 (c) Increase employment and continued education after graduation or
2 completion; and

3 (d) Narrow the educational opportunity gap for disadvantaged
4 students and minority students.

5 (3) The legislature intends that the state of Washington
6 distinguish itself in the national and global economy by becoming the
7 fastest-growing provider of highly skilled workers for targeted
8 industries. The legislature further intends that the percentage of
9 households in the state of Washington living in the middle income
10 bracket or above, as defined in RCW 28B.145.060, increase over time.

11 (4) To achieve these objectives, the legislature intends to
12 establish Washington works indicators for the state and for local
13 school districts, community and technical colleges, four-year
14 institutions of higher education, and workforce development councils.
15 The legislature also intends to establish the Washington works account
16 to reward districts, colleges, institutions, and councils for
17 performance on these Washington works indicators.

18 NEW SECTION. **Sec. 2.** The definitions in this section apply
19 throughout this chapter unless the context clearly requires otherwise.

20 (1)(a) "Board" means the workforce training and education
21 coordinating board unless the voting membership of the higher education
22 coordinating board's successor includes representatives of local school
23 districts, community and technical colleges, four-year institutions of
24 higher education, and workforce development councils.

25 (b) "Board" means the higher education coordinating board's
26 successor if the voting membership of the successor includes
27 representatives of local school districts, community and technical
28 colleges, four-year institutions of higher education, and workforce
29 development councils.

30 (2) "Director" means the director of the board.

31 (3) "Employment and continued education" means that, within one
32 year of graduation or completion, a student either has an annual income
33 that exceeds the federal poverty level, as determined by the United
34 States department of health and human services for a family of four, or
35 is enrolled in postsecondary education.

36 (4) "Four-year institutions of higher education" means the state

1 universities, the regional universities, and the state college, all as
2 defined in RCW 28B.10.016.

3 (5) "Graduation or completion" means:

4 (a) For high schools, receipt of a high school diploma;

5 (b) For community and technical colleges, receipt of a credential,
6 certificate, or degree;

7 (c) For four-year institutions of higher education, receipt of a
8 baccalaureate degree; and

9 (d) For workforce development councils, as defined by the workforce
10 training and education coordinating board.

11 (6) "Graduation or completion in fields addressing critical skill
12 shortages" means graduation or completion in the fields of aerospace,
13 biology and biomedical sciences, computer and information sciences,
14 engineering and engineering technologies, health professions and
15 clinical sciences, mathematics and statistics, and physical sciences
16 and science technologies, and also graduation or completion in fields
17 identified by the board pursuant to section 3 of this act.

18 (7) "Student achievement initiative" means the performance funding
19 system for community and technical colleges, as designed and adopted by
20 the state board for community and technical colleges.

21 (8) "Washington works indicators" means:

22 (a) Increasing graduations and completions;

23 (b) Increasing graduations and completions in fields addressing
24 critical skill shortages;

25 (c) Increasing employment and continued education after graduation
26 or completion; and

27 (d) Narrowing the educational opportunity gap for disadvantaged
28 students and minority students.

29 (9) "Workforce development council" means a local workforce
30 investment board as established in P.L. 105-220 Sec. 117.

31 NEW SECTION. **Sec. 3.** By July 1, 2012, and each July 1st
32 thereafter, the workforce training and education coordinating board
33 shall develop a list of fields addressing critical skill shortages that
34 are currently or are expected to be in high economic demand, as
35 measured by unfilled jobs, projected expansion of job fields, and other
36 relevant analyses. The list shall be developed in consultation with
37 the higher education coordinating board or its successor and the state

1 board for community and technical colleges. Requests from workforce
2 development councils to add a field to the list may be considered, but
3 the field may be added only if relevant analyses clearly demonstrate
4 that the field is currently or is expected to be in high economic
5 demand. The list must augment the fields specified in section 2(6) of
6 this act and must include fields requiring all levels of postsecondary
7 education. The list must provide a brief summary of skills serving
8 economically strategic industries where there is a need to increase the
9 number of graduations and completions in the state. The list shall be
10 distributed to state education agencies, local school districts,
11 community and technical colleges, four-year institutions of higher
12 education, and workforce development councils, and shall be published
13 on the board's web site.

14 NEW SECTION. **Sec. 4.** Local school districts, community and
15 technical colleges, four-year institutions of higher education, and
16 workforce development councils are encouraged to redistribute resources
17 and realign course offerings to increase graduations and completions in
18 fields addressing critical skill shortages, and to improve performance
19 on other Washington works indicators. The office of the superintendent
20 of public instruction, the state board for community and technical
21 colleges, the higher education coordinating board, and the board are
22 encouraged to identify and publicize best practices for increasing
23 graduations and completions in fields addressing critical skill
24 shortages, and improving performance on other Washington works
25 indicators.

26 NEW SECTION. **Sec. 5.** Local school districts, community and
27 technical colleges, four-year institutions of higher education, and
28 workforce development councils must request social security numbers
29 from students before graduation or completion, and must include this
30 request as part of standard student registration forms. A student must
31 be given an opportunity to decline to provide his or her social
32 security number for this purpose or, if provided for another purpose,
33 to object to the use of his or her social security number for this
34 purpose. If a student declines to provide or objects to the use of his
35 or her social security number, the student's records must be excluded

1 from the analysis of employment and continued education required under
2 section 6 of this act.

3 NEW SECTION. **Sec. 6.** (1) By July 1, 2012, and each July 1st
4 thereafter, the board shall collect and analyze data on Washington
5 works indicators other than employment and continued education from the
6 education data center in the office of financial management and, if
7 necessary, from the office of the superintendent of public instruction,
8 the higher education coordinating board or its successor, four-year
9 institutions of higher education, and the workforce training and
10 education coordinating board. To the maximum extent possible, the
11 board shall rely on data the board has for other purposes or data from
12 the education data center and may not require additional data unless
13 necessary to meet the requirements of this section. The board shall
14 analyze data on Washington works indicators in consultation with the
15 higher education coordinating board or its successor, and the workforce
16 training and education coordinating board.

17 (2) By July 1, 2013, and each July 1st thereafter, the board shall
18 analyze employment and continued education. The analysis shall be
19 conducted using social security numbers to match graduation and
20 completion data with employment and earnings data. The board shall
21 analyze employment and continued education in consultation with the
22 education data center, the employment security department, the higher
23 education coordinating board or its successor, and the workforce
24 training and education coordinating board. The board also may analyze
25 employment and continuing education in consultation with the wage
26 record interchange system in the federal department of labor, if
27 allowed and appropriate, and other accurate sources of employment and
28 earnings data, if necessary.

29 (3) The board shall publish the analyses required under this
30 section on its web site. The analyses must include aggregate data as
31 well as data disaggregated by local school district, four-year
32 institution of higher education, and workforce development council,
33 unless based on fewer than ten individuals.

34 (4) The education data center must update data-sharing and research
35 agreements under RCW 43.41.400, consistent with applicable security and
36 confidentiality requirements, to facilitate the work of the center
37 under this section.

1 NEW SECTION. **Sec. 7.** (1) By July 1, 2012, and each July 1st
2 thereafter, the board shall measure performance on Washington works
3 indicators using the metrics described in this subsection, which assign
4 points for each indicator and result in a single numeric score for each
5 local school district, four-year institution of higher education, and
6 workforce development council.

7 (a) For local school districts, the board shall award:

8 (i) One point for each percent of growth in the extended graduation
9 rate described in RCW 28A.175.140;

10 (ii) An additional point for each percent of growth in the extended
11 graduation rate for disadvantaged students and minority students; and

12 (iii) Beginning July 1, 2013, an additional point for each percent
13 of growth in the employment and continued education rate.

14 (b) For four-year institutions of higher education, points shall be
15 awarded as described in (b)(i) of this subsection unless the particular
16 institution elects to design its own performance funding system as
17 described in (b)(ii) of this subsection:

18 (i) For four-year institutions of higher education that do not
19 elect to design performance funding systems, the board shall award:

20 (A) One point per student for growth in the number of students who
21 earn baccalaureate degrees;

22 (B) An additional point per student for growth in the number of
23 students who earn baccalaureate degrees in fields addressing critical
24 skill shortages;

25 (C) An additional point per student for growth in the number of in-
26 state disadvantaged students and in-state minority students who earn
27 baccalaureate degrees; and

28 (D) Beginning July 1, 2013, an additional point per student for
29 growth in the number of students who achieve employment and continued
30 education.

31 (ii) For four-year institutions of higher education that elect to
32 design performance funding systems, the board shall award points to a
33 particular institution, consistent with that institution's system. The
34 institution's system must use all four of the metrics described in
35 (b)(i) of this subsection. The institution's system must award at
36 least one-half point, but not more than two and one-half points per
37 metric.

1 (c) For workforce development councils, the board shall award
2 points using a metric that is substantially similar to the metric for
3 four-year institutions of higher education as set forth in (b)(i) of
4 this subsection.

5 (2) In measuring performance under subsection (1) of this section,
6 the board shall make statistical adjustments for student demographics,
7 which may include, at the board's discretion, the number of students
8 eligible for free and reduced-price meals, special education and
9 English language learner students, students of various racial and
10 ethnic backgrounds, and student mobility. The board also may collect
11 additional contextual data from existing sources.

12 NEW SECTION. **Sec. 8.** The state board for community and technical
13 colleges shall have sole responsibility for keeping, analyzing, and
14 making public student achievement data, and disbursing rewards to
15 community and technical colleges, consistent with the student
16 achievement initiative. By July 1, 2012, and each July 1st thereafter,
17 the state board for community and technical colleges shall measure
18 performance on Washington works indicators using the metrics described
19 in this section, which assign points for each indicator and result in
20 a single numeric score for each community and technical college. The
21 board shall award points for increasing the levels of achievement
22 attained by students consistent with the student achievement
23 initiative.

24 NEW SECTION. **Sec. 9.** (1) By July 1, 2012, and each July 1st
25 thereafter, the board shall disburse funds from the Washington works
26 account as rewards for local school districts, four-year institutions
27 of higher education, and workforce development councils, for
28 performance on Washington works indicators through student-focused
29 strategies, as measured by the board under section 7 of this act.

30 (a) The amounts available to be disbursed to local school
31 districts, four-year institutions of higher education, and workforce
32 development councils shall be proportionate to the amounts appropriated
33 for public schools, and four-year institutions of higher education in
34 the 2007-2009 operating budget, and allocated for workforce development
35 councils in the 2007-2009 biennium, as calculated by the office of
36 financial management.

1 (b) The amounts disbursed per point awarded under section 7 of this
2 act shall be set by the board.

3 (c) In disbursing funds as rewards, the board has discretion to
4 distinguish between actual performance on Washington works indicators
5 through student-focused strategies and the appearance of performance
6 through data manipulation or other nonstudent-focused means.

7 (2) By July 1, 2012, and each July 1st thereafter, the state board
8 for community and technical colleges shall disburse funds from the
9 Washington works account as rewards for community and technical
10 colleges for student achievement, as measured by the state board for
11 community and technical colleges under section 8 of this act.

12 (a) The amount available to be disbursed to community and technical
13 colleges shall be proportionate to the amounts appropriated for
14 community and technical colleges in the 2007-2009 operating budget, as
15 calculated by the office of financial management.

16 (b) The amounts disbursed per point awarded under section 8 of this
17 act shall be set by the state board for community and technical
18 colleges.

19 (3) Both the board and the state board for community and technical
20 colleges may recommend improvements to these disbursement systems to
21 the legislature.

22 NEW SECTION. **Sec. 10.** The Washington state apprenticeship and
23 training council may:

24 (1) Request that the board measure the performance of any or all
25 apprenticeship programs on Washington works indicators using a metric
26 that is substantially similar to the metric for four-year institutions
27 of higher education set forth in section 7(1)(c) of this act, and
28 making statistical adjustments for student demographics as set forth in
29 section 7(2) of this act; and

30 (2) Recommend to the legislature a source and a mechanism for
31 disbursing funds as rewards to apprenticeship programs for performance
32 on Washington works indicators through student-focused strategies.

33 NEW SECTION. **Sec. 11.** (1) The Washington works account is created
34 in the custody of the state treasurer.

35 (2) All funds appropriated to the Washington works account by the
36 legislature, all funds distributed to the account by the governor, and

1 all contributions, payments, grants, gifts, and donations to the
2 account from other public or private entities must be deposited into
3 the account.

4 (3) Expenditures from the account may be used only for rewards for
5 local school districts, community and technical colleges, four-year
6 institutions of higher education, and workforce development councils
7 for performance on Washington works indicators as provided in sections
8 7 through 9 of this act.

9 (4) Only the director or the director's designee may authorize
10 expenditures from the account.

11 (5) The account is subject to allotment procedures under chapter
12 43.88 RCW, but an appropriation is not required for expenditures.

13 **Sec. 12.** RCW 43.79A.040 and 2011 1st sp.s. c 37 s 603 are each
14 amended to read as follows:

15 (1) Money in the treasurer's trust fund may be deposited, invested,
16 and reinvested by the state treasurer in accordance with RCW 43.84.080
17 in the same manner and to the same extent as if the money were in the
18 state treasury, and may be commingled with moneys in the state treasury
19 for cash management and cash balance purposes.

20 (2) All income received from investment of the treasurer's trust
21 fund must be set aside in an account in the treasury trust fund to be
22 known as the investment income account.

23 (3) The investment income account may be utilized for the payment
24 of purchased banking services on behalf of treasurer's trust funds
25 including, but not limited to, depository, safekeeping, and
26 disbursement functions for the state treasurer or affected state
27 agencies. The investment income account is subject in all respects to
28 chapter 43.88 RCW, but no appropriation is required for payments to
29 financial institutions. Payments must occur prior to distribution of
30 earnings set forth in subsection (4) of this section.

31 (4)(a) Monthly, the state treasurer must distribute the earnings
32 credited to the investment income account to the state general fund
33 except under (b), (c), and (d) of this subsection.

34 (b) The following accounts and funds must receive their
35 proportionate share of earnings based upon each account's or fund's
36 average daily balance for the period: The Washington promise
37 scholarship account, the college savings program account, the

1 Washington advanced college tuition payment program account, the
2 accessible communities account, the community and technical college
3 innovation account, the agricultural local fund, the American Indian
4 scholarship endowment fund, the foster care scholarship endowment fund,
5 the foster care endowed scholarship trust fund, the students with
6 dependents grant account, the basic health plan self-insurance reserve
7 account, the contract harvesting revolving account, the Washington
8 state combined fund drive account, the commemorative works account, the
9 county enhanced 911 excise tax account, the Washington international
10 exchange scholarship endowment fund, the toll collection account, the
11 developmental disabilities endowment trust fund, the energy account,
12 the fair fund, the family leave insurance account, the food animal
13 veterinarian conditional scholarship account, the fruit and vegetable
14 inspection account, the future teachers conditional scholarship
15 account, the game farm alternative account, the GET ready for math and
16 science scholarship account, the Washington global health technologies
17 and product development account, the grain inspection revolving fund,
18 the industrial insurance rainy day fund, the juvenile accountability
19 incentive account, the law enforcement officers' and firefighters' plan
20 2 expense fund, the local tourism promotion account, the pilotage
21 account, the produce railcar pool account, the regional transportation
22 investment district account, the rural rehabilitation account, the
23 stadium and exhibition center account, the youth athletic facility
24 account, the self-insurance revolving fund, the sulfur dioxide
25 abatement account, the children's trust fund, the Washington horse
26 racing commission Washington bred owners' bonus fund and breeder awards
27 account, the Washington horse racing commission class C purse fund
28 account, the individual development account program account, the
29 Washington horse racing commission operating account (earnings from the
30 Washington horse racing commission operating account must be credited
31 to the Washington horse racing commission class C purse fund account),
32 the Washington works account, the life sciences discovery fund, the
33 Washington state heritage center account, the reduced cigarette
34 ignition propensity account, and the reading achievement account.

35 (c) The following accounts and funds must receive eighty percent of
36 their proportionate share of earnings based upon each account's or
37 fund's average daily balance for the period: The advanced right-of-way
38 revolving fund, the advanced environmental mitigation revolving

1 account, the federal narcotics asset forfeitures account, the high
2 occupancy vehicle account, the local rail service assistance account,
3 and the miscellaneous transportation programs account.

4 (d) Any state agency that has independent authority over accounts
5 or funds not statutorily required to be held in the custody of the
6 state treasurer that deposits funds into a fund or account in the
7 custody of the state treasurer pursuant to an agreement with the office
8 of the state treasurer shall receive its proportionate share of
9 earnings based upon each account's or fund's average daily balance for
10 the period.

11 (5) In conformance with Article II, section 37 of the state
12 Constitution, no trust accounts or funds shall be allocated earnings
13 without the specific affirmative directive of this section.

14 **Sec. 13.** RCW 43.79.010 and 2007 c 215 s 5 are each amended to read
15 as follows:

16 (1) All moneys paid into the state treasury, except moneys received
17 from taxes levied for specific purposes, and the several permanent
18 funds of the state and the moneys derived therefrom, shall be paid into
19 the general fund of the state.

20 (2) Beginning July 1, 2013, if the office of financial management
21 determines that moneys paid into the general fund in a fiscal year
22 exceed moneys paid into the general fund in the prior fiscal year:

23 (a) The office shall calculate a percentage of the increased moneys
24 that is equal to or greater than the percentage of the 2007-2009
25 operating budget appropriated for public schools, and the corresponding
26 amount.

27 (i) At least one-fourth of the amount calculated under this
28 subsection (2)(a) shall be appropriated by the legislature to the
29 Washington works account; and

30 (ii) The remaining amount shall be appropriated by the legislature
31 for public schools, and this appropriation shall be in addition to
32 appropriations made pursuant to RCW 83.100.230, and other, continuing
33 appropriations for public schools.

34 (b) The office shall calculate a percentage of the increased moneys
35 that is equal to or greater than the percentage of the 2007-2009
36 operating budget appropriated for community and technical colleges, and
37 the corresponding amount.

1 (i) At least one-fourth of the amount calculated under this
2 subsection (2)(b) shall be appropriated by the legislature to the
3 Washington works account; and

4 (ii) The remaining amount shall be appropriated by the legislature
5 for community and technical colleges, and this appropriation shall be
6 in addition to appropriations made pursuant to RCW 83.100.230, and
7 other, continuing appropriations for community and technical colleges.

8 (c) The office shall calculate a percentage of the increased moneys
9 that is equal to or greater than the percentage of the 2007-2009
10 operating budget appropriated for four-year institutions of higher
11 education, and the corresponding amount.

12 (i) At least one-fourth of the amount calculated under this
13 subsection (2)(c) shall be appropriated by the legislature to the
14 Washington works account; and

15 (ii) The remaining amount shall be appropriated by the legislature
16 for four-year institutions of higher education, and this appropriation
17 shall be in addition to appropriations made pursuant to RCW 83.100.230,
18 and other, continuing appropriations for four-year institutions of
19 higher education.

20 **Sec. 14.** RCW 83.100.230 and 2010 1st sp.s. c 37 s 953 are each
21 amended to read as follows:

22 (1) The education legacy trust account is created in the state
23 treasury.

24 (2) Money in the account may be spent only after appropriation.

25 (3) Expenditures from the account may be used only ((for deposit
26 into the student achievement fund and)) for expanding access to higher
27 education through funding for new enrollments and financial aid,
28 ((and)) for other educational improvement efforts, and as specified in
29 subsections (4) and (5) of this section.

30 (4) During the 2009-2011 fiscal biennium, moneys in the account may
31 also be transferred into the state general fund.

32 (5) Beginning July 1, 2013, if the office of financial management
33 determines that moneys paid into the education legacy trust account in
34 a fiscal year exceed moneys paid into the account in the prior fiscal
35 year:

36 (a) The office shall calculate a percentage of the increased moneys

1 that is equal to or greater than the percentage of the 2007-2009
2 operating budget appropriated for public schools, and the corresponding
3 amount.

4 (i) At least one-fourth of the amount calculated under this
5 subsection (5)(a) shall be transferred to the Washington works account;
6 and

7 (ii) The remaining amount shall be appropriated by the legislature
8 for public schools, and this appropriation shall be in addition to
9 appropriations made pursuant to RCW 43.79.010, and other, continuing
10 appropriations for public schools.

11 (b) The office shall calculate a percentage of the increased moneys
12 that is equal to or greater than the percentage of the 2007-2009
13 operating budget appropriated for community and technical colleges, and
14 the corresponding amount.

15 (i) At least one-fourth of the amount calculated under this
16 subsection (5)(b) shall be transferred to the Washington works account;
17 and

18 (ii) The remaining amount shall be appropriated by the legislature
19 for community and technical colleges, and this appropriation shall be
20 in addition to appropriations made pursuant to RCW 43.79.010, and
21 other, continuing appropriations for community and technical colleges.

22 (c) The office shall calculate a percentage of the increased moneys
23 that is equal to or greater than the percentage of the 2007-2009
24 operating budget appropriated for four-year institutions of higher
25 education, and the corresponding amount.

26 (i) At least one-fourth of the amount calculated under this
27 subsection (5)(c) shall be transferred to the Washington works account;
28 and

29 (ii) The remaining amount shall be appropriated by the legislature
30 for four-year institutions of higher education, and this appropriation
31 shall be in addition to appropriations made pursuant to RCW 43.79.010,
32 and other, continuing appropriations for four-year institutions of
33 higher education.

34 **Sec. 15.** RCW 28C.18.020 and 2010 c 128 s 6 are each amended to
35 read as follows:

36 (1) There is hereby created the workforce training and education
37 coordinating board as a state agency and as the successor agency to the

1 state board for vocational education. Once the coordinating board has
2 convened, all references to the state board for vocational education in
3 the Revised Code of Washington shall be construed to mean the workforce
4 training and education coordinating board, except that reference to the
5 state board for vocational education in RCW 49.04.030 shall mean the
6 state board for community and technical colleges.

7 (2)(a) The board shall consist of nine voting members appointed by
8 the governor with the consent of the senate, as follows: Three
9 representatives of business, three representatives of labor, and,
10 serving as ex officio members, the superintendent of public
11 instruction, the executive director of the state board for community
12 and technical colleges, and the commissioner of the employment security
13 department. The chair of the board shall be a nonvoting member
14 selected by the governor with the consent of the senate, and shall
15 serve at the pleasure of the governor. In selecting the chair, the
16 governor shall seek a person who understands the future economic needs
17 of the state and nation and the role that the state's training system
18 has in meeting those needs. Each voting member of the board may
19 appoint a designee to function in his or her place with the right to
20 vote. In making appointments to the board, the governor shall seek to
21 ensure geographic, ethnic, and gender diversity and balance. The
22 governor shall also seek to ensure diversity and balance by the
23 appointment of persons with disabilities.

24 (b) The business representatives shall be selected from among
25 nominations provided by a statewide business organization representing
26 a cross-section of industries. However, the governor may request, and
27 the organization shall provide, an additional list or lists from which
28 the governor shall select the business representatives. The
29 nominations and selections shall reflect the cultural diversity of the
30 state, including women, people with disabilities, and racial and ethnic
31 minorities, and diversity in sizes of businesses.

32 (c) The labor representatives shall be selected from among
33 nominations provided by statewide labor organizations. However, the
34 governor may request, and the organizations shall provide, an
35 additional list or lists from which the governor shall select the labor
36 representatives. The nominations and selections shall reflect the
37 cultural diversity of the state, including women, people with
38 disabilities, and racial and ethnic minorities.

1 (d) Each business member may cast a proxy vote or votes for any
2 business member who is not present and who authorizes in writing the
3 present member to cast such vote.

4 (e) Each labor member may cast a proxy vote for any labor member
5 who is not present and who authorizes in writing the present member to
6 cast such vote.

7 (f) The chair shall appoint to the board one nonvoting member to
8 represent racial and ethnic minorities, women, and people with
9 disabilities. The nonvoting member appointed by the chair shall serve
10 for a term of four years with the term expiring on June 30th of the
11 fourth year of the term.

12 (g) The council of presidents shall appoint to the board one
13 nonvoting participating official to represent four-year institutions of
14 higher education as defined in RCW 28B.10.016. The nonvoting
15 participating official appointed by the council of presidents shall
16 serve for a term of four years with the term expiring on June 30th of
17 the fourth year of the term.

18 (h) The business members of the board shall serve for terms of four
19 years, the terms expiring on June 30th of the fourth year of the term
20 except that in the case of initial members, one shall be appointed to
21 a two-year term and one appointed to a three-year term.

22 ((+h)) (i) The labor members of the board shall serve for terms of
23 four years, the terms expiring on June 30th of the fourth year of the
24 term except that in the case of initial members, one shall be appointed
25 to a two-year term and one appointed to a three-year term.

26 ((+i)) (j) Any vacancies among board members representing business
27 or labor shall be filled by the governor with nominations provided by
28 statewide organizations representing business or labor, respectively.

29 ((+j)) (k) The board shall adopt bylaws and shall meet at least
30 bimonthly and at such other times as determined by the chair who shall
31 give reasonable prior notice to the members or at the request of a
32 majority of the voting members.

33 ((+k)) (l) Members of the board shall be compensated in accordance
34 with RCW 43.03.040 and shall receive travel expenses in accordance with
35 RCW 43.03.050 and 43.03.060.

36 ((+l)) (m) The board shall be formed and ready to assume its
37 responsibilities under this chapter by October 1, 1991.

1 ~~((m))~~ (n) The director of the board shall be appointed by the
2 governor from a list of three names submitted by a committee made up of
3 the business and labor members of the board. However, the governor may
4 request, and the committee shall provide, an additional list or lists
5 from which the governor shall select the director. The governor may
6 dismiss the director only with the approval of a majority vote of the
7 board. The board, by a majority vote, may dismiss the director with
8 the approval of the governor.

9 (3) The state board for vocational education is hereby abolished
10 and its powers, duties, and functions are hereby transferred to the
11 workforce training and education coordinating board. All references to
12 the director or the state board for vocational education in the Revised
13 Code of Washington shall be construed to mean the director or the
14 workforce training and education coordinating board.

15 **Sec. 16.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to
16 read as follows:

17 The board, in cooperation with the operating agencies of the state
18 training system and private career schools and colleges, shall:

19 (1) Concentrate its major efforts on planning, coordination
20 evaluation, policy analysis, and recommending improvements to the
21 state's training system;

22 (2) Advocate for the state training system and for meeting the
23 needs of employers and the workforce for workforce education and
24 training;

25 (3) Establish and maintain an inventory of the programs of the
26 state training system, and related state programs, and perform a
27 biennial assessment of the vocational education, training, and adult
28 basic education and literacy needs of the state; identify ongoing and
29 strategic education needs; and assess the extent to which employment,
30 training, vocational and basic education, rehabilitation services, and
31 public assistance services represent a consistent, integrated approach
32 to meet such needs;

33 (4) Develop and maintain a state comprehensive plan for workforce
34 training and education, including but not limited to, goals,
35 objectives, and priorities for the state training system, and review
36 the state training system for consistency with the state comprehensive
37 plan. In developing the state comprehensive plan for workforce

1 training and education, the board shall use, but shall not be limited
2 to: Economic, labor market, and populations trends reports in office
3 of financial management forecasts; joint office of financial management
4 and employment security department labor force, industry employment,
5 and occupational forecasts; the results of scientifically based
6 outcome, net-impact and cost-benefit evaluations; the needs of
7 employers as evidenced in formal employer surveys and other employer
8 input; and the needs of program participants and workers as evidenced
9 in formal surveys and other input from program participants and the
10 labor community;

11 (5) In consultation with the higher education coordinating board,
12 review and make recommendations to the office of financial management
13 and the legislature on operating and capital facilities budget requests
14 for operating agencies of the state training system for purposes of
15 consistency with the state comprehensive plan for workforce training
16 and education;

17 (6) Provide for coordination among the different operating agencies
18 and components of the state training system at the state level and at
19 the regional level;

20 (7) Develop a consistent and reliable database on vocational
21 education enrollments, costs, program activities, and job placements
22 from publicly funded vocational education programs in this state;

23 (8) Develop, in consultation with the higher education coordinating
24 board or its successor and the state board for community and technical
25 colleges, a consistent and reliable database that is available to the
26 public on completion rates, employment rates, industry of employment,
27 and earnings of students following program completion from all
28 institutions of higher education as defined in RCW 28B.10.016, and
29 apprenticeships as defined in chapter 49.04 RCW, for programs of study
30 at each institution of higher education that culminate in a certificate
31 or degree;

32 (9)(a) Establish standards for data collection and maintenance for
33 the operating agencies of the state training system in a format that is
34 accessible to use by the board. The board shall require a minimum of
35 common core data to be collected by each operating agency of the state
36 training system;

37 (b) Develop requirements for minimum common core data in

1 consultation with the office of financial management and the operating
2 agencies of the training system;

3 ~~((+9))~~ (10) Establish minimum standards for program evaluation for
4 the operating agencies of the state training system, including, but not
5 limited to, the use of common survey instruments and procedures for
6 measuring perceptions of program participants and employers of program
7 participants, and monitor such program evaluation;

8 ~~((+10))~~ (11) Every two years administer scientifically based
9 outcome evaluations of the state training system, including, but not
10 limited to, surveys of program participants, surveys of employers of
11 program participants, and matches with employment security department
12 payroll and wage files. Every five years administer scientifically
13 based net-impact and cost-benefit evaluations of the state training
14 system;

15 ~~((+11))~~ (12) In cooperation with the employment security
16 department, provide for the improvement and maintenance of quality and
17 utility in occupational information and forecasts for use in training
18 system planning and evaluation. Improvements shall include, but not be
19 limited to, development of state-based occupational change factors
20 involving input by employers and employees, and delineation of skill
21 and training requirements by education level associated with current
22 and forecasted occupations;

23 ~~((+12))~~ (13) Provide for the development of common course
24 description formats, common reporting requirements, and common
25 definitions for operating agencies of the training system;

26 ~~((+13))~~ (14) Provide for effectiveness and efficiency reviews of
27 the state training system;

28 ~~((+14))~~ (15) In cooperation with the higher education coordinating
29 board, facilitate transfer of credit policies and agreements between
30 institutions of the state training system, and encourage articulation
31 agreements for programs encompassing two years of secondary workforce
32 education and two years of postsecondary workforce education;

33 ~~((+15))~~ (16) In cooperation with the higher education coordinating
34 board, facilitate transfer of credit policies and agreements between
35 private training institutions and institutions of the state training
36 system;

37 ~~((+16))~~ (17) Develop policy objectives for the workforce
38 investment act, P.L. 105-220, or its successor; develop coordination

1 criteria for activities under the act with related programs and
2 services provided by state and local education and training agencies;
3 and ensure that entrepreneurial training opportunities are available
4 through programs of each local workforce investment board in the state;

5 ~~((+17))~~ (18) Make recommendations to the commission of student
6 assessment, the state board of education, and the superintendent of
7 public instruction, concerning basic skill competencies and essential
8 core competencies for K-12 education. Basic skills for this purpose
9 shall be reading, writing, computation, speaking, and critical
10 thinking, essential core competencies for this purpose shall be
11 English, math, science/technology, history, geography, and critical
12 thinking. The board shall monitor the development of and provide
13 advice concerning secondary curriculum which integrates vocational and
14 academic education;

15 ~~((+18))~~ (19) Establish and administer programs for marketing and
16 outreach to businesses and potential program participants;

17 ~~((+19))~~ (20) Facilitate the location of support services,
18 including but not limited to, child care, financial aid, career
19 counseling, and job placement services, for students and trainees at
20 institutions in the state training system, and advocate for support
21 services for trainees and students in the state training system;

22 ~~((+20))~~ (21) Facilitate private sector assistance for the state
23 training system, including but not limited to: Financial assistance,
24 rotation of private and public personnel, and vocational counseling;

25 ~~((+21))~~ (22) Facilitate the development of programs for school-to-
26 work transition that combine classroom education and on-the-job
27 training, including entrepreneurial education and training, in
28 industries and occupations without a significant number of
29 apprenticeship programs;

30 ~~((+22))~~ (23) Include in the planning requirements for local
31 workforce investment boards a requirement that the local workforce
32 investment boards specify how entrepreneurial training is to be offered
33 through the one-stop system required under the workforce investment
34 act, P.L. 105-220, or its successor;

35 ~~((+23))~~ (24) Encourage and assess progress for the equitable
36 representation of racial and ethnic minorities, women, and people with
37 disabilities among the students, teachers, and administrators of the
38 state training system. Equitable, for this purpose, shall mean

1 substantially proportional to their percentage of the state population
2 in the geographic area served. This function of the board shall in no
3 way lessen more stringent state or federal requirements for
4 representation of racial and ethnic minorities, women, and people with
5 disabilities;

6 ((+24)) (25) Participate in the planning and policy development of
7 governor set-aside grants under P.L. 97-300, as amended;

8 ((+25)) (26) Administer veterans' programs, licensure of private
9 vocational schools, the job skills program, and the Washington award
10 for vocational excellence;

11 ((+26)) (27) Allocate funding from the state job training trust
12 fund;

13 ((+27)) (28) Work with the director of (~~community, trade, and~~
14 ~~economic development~~) commerce and the economic development commission
15 to ensure coordination among workforce training priorities, the long-
16 term economic development strategy of the economic development
17 commission, and economic development and entrepreneurial development
18 efforts, including but not limited to assistance to industry clusters;

19 ((+28)) (29) Conduct research into workforce development programs
20 designed to reduce the high unemployment rate among young people
21 between approximately eighteen and twenty-four years of age. In
22 consultation with the operating agencies, the board shall advise the
23 governor and legislature on policies and programs to alleviate the high
24 unemployment rate among young people. The research shall include
25 disaggregated demographic information and, to the extent possible,
26 income data for adult youth. The research shall also include a
27 comparison of the effectiveness of programs examined as a part of the
28 research conducted in this subsection in relation to the public
29 investment made in these programs in reducing unemployment of young
30 adults. The board shall report to the appropriate committees of the
31 legislature by November 15, 2008, and every two years thereafter.
32 Where possible, the data reported to the legislative committees should
33 be reported in numbers and in percentages;

34 ((+29)) (30) Adopt rules as necessary to implement this chapter.

35 The board may delegate to the director any of the functions of this
36 section.

1 NEW SECTION. **Sec. 17.** Sections 1 through 11 of this act
2 constitute a new chapter in Title 28C RCW.

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