
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2483

State of Washington

62nd Legislature

2012 Regular Session

By House Ways & Means (originally sponsored by Representatives Seaquist, Haler, Zeiger, and Kelley; by request of Governor Gregoire)

READ FIRST TIME 03/05/12.

1 AN ACT Relating to higher education coordination; amending RCW
2 28B.77.005, 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.235, 28B.76.240,
3 28B.76.270, 28B.76.325, 28B.76.510, 28B.76.695, 44.04.260, 43.88.230,
4 28B.76.280, 28B.76.310, 28B.76.090, 28B.118.010, 9A.60.070, 18.260.110,
5 28A.175.130, 28A.600.280, 28A.600.390, 28A.660.050, 28B.07.040,
6 28B.10.020, 28B.10.053, 28B.10.118, 28B.10.400, 28B.10.405, 28B.10.410,
7 28B.10.415, 28B.10.423, 28B.10.784, 28B.10.790, 28B.12.030, 28B.12.040,
8 28B.15.012, 28B.15.013, 28B.15.015, 28B.15.068, 28B.15.068, 28B.15.102,
9 28B.15.460, 28B.15.762, 28B.30.515, 28B.45.014, 28B.45.020, 28B.45.030,
10 28B.45.040, 28B.45.080, 28B.50.140, 28B.50.820, 28B.65.040, 28B.65.050,
11 28B.76.250, 28B.85.010, 28B.85.020, 28B.85.030, 28B.85.040, 28B.85.050,
12 28B.85.060, 28B.85.070, 28B.85.080, 28B.85.090, 28B.85.100, 28B.85.130,
13 28B.85.170, 28B.90.010, 28B.90.020, 28B.90.030, 28B.92.030, 28B.92.070,
14 28B.92.082, 28B.97.020, 28B.102.030, 28B.108.040, 28B.109.010,
15 28B.110.030, 28B.110.040, 28B.116.030, 28B.117.020, 28B.120.010,
16 28B.120.020, 28B.120.025, 28B.120.030, 28B.120.040, 28C.10.030,
17 28C.10.040, 28C.18.030, 28C.18.060, 35.104.020, 35.104.040, 42.17A.705,
18 43.06.115, 43.19.797, 43.41.400, 43.41A.100, 43.88.090, 43.105.825,
19 43.215.090, 43.330.310, 43.330.375, 47.80.090, 70.180.110, 74.13.570,
20 28A.175.135, 28B.12.070, 28B.15.764, 28B.76.505, 28B.92.080,
21 28B.95.020, 28B.103.030, 28B.108.020, 28B.117.030, 28B.15.069,

1 28A.600.310, 28B.15.380, 28B.15.730, 28B.15.734, 28B.15.750,
2 28B.15.756, 28A.600.290, 28A.700.020, 28A.700.060, 28B.20.130,
3 28B.30.150, 28B.20.308, 28B.20.478, 28B.30.530, 28B.35.120, 28B.35.202,
4 28B.35.205, 28B.35.215, 28B.40.120, 28B.40.206, 28B.45.060, 28B.50.810,
5 43.09.440, 43.43.934, 43.43.938, 43.60A.151, and 43.88D.010; amending
6 2011 1st sp.s. c 11 s 244 (uncodified); reenacting and amending RCW
7 28B.76.2401, 28A.230.100, 28B.15.760, 28B.50.030, 28B.92.060,
8 28B.102.020, 28B.116.010, and 43.330.280; adding new sections to
9 chapter 28B.77 RCW; adding new sections to chapter 44.04 RCW; adding
10 new sections to chapter 43.41 RCW; creating new sections; recodifying
11 RCW 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.235, 28B.76.240,
12 28B.76.2401, 28B.76.250, 28B.76.270, 28B.76.280, 28B.76.325,
13 28B.76.510, 28B.76.695, and 28B.76.310; decodifying RCW 28B.10.125;
14 repealing RCW 28B.76.290, 28B.10.682, 28B.15.732, 28B.15.752,
15 28B.15.796, 28B.20.280, 28B.30.500, and 43.88D.005; providing an
16 effective date; and providing expiration dates.

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

18 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.77 RCW
19 to read as follows:

20 The legislature recognizes that increasing educational attainment
21 is critical to the social and economic well-being of Washington. It is
22 the intent of the legislature to create the student achievement council
23 to provide the focus and propose the goals for increasing educational
24 attainment including improving student transitions from secondary to
25 postsecondary education and training and between and among
26 postsecondary institutions.

27 The legislature finds that increasing educational attainment is
28 essential for maintaining the health of a democratic society and the
29 competitiveness of the state in the global economy. By increasing
30 educational attainment, students will develop into citizens who are
31 more capable of critical thinking, more aware of their world and its
32 diversity, more creative in their problem-solving, and more successful
33 in addressing social and economic challenges of the future in an
34 informed and thoughtful way.

35 The legislature finds that educational attainment is a powerful
36 predictor of well-being. Students who have completed higher levels of

1 education or training are more likely to achieve success in work or
2 life and less likely to require taxpayer support. Education is perhaps
3 the most important engine of economic growth and individual and
4 financial health. Success in growing a stronger economy and democracy
5 and lifting incomes and well-being depends upon increasing educational
6 attainment.

7 The legislature recognizes that reaching the overall objective of
8 increased educational attainment means that Washington's education
9 systems must enable many more students to gain meaningful high school
10 diplomas, postsecondary certificates, associate degrees, bachelor's
11 degrees, and graduate degrees.

12 The legislature recognizes that the requirement for academic
13 attainment is increasing. According to various academic studies,
14 Washington's economy is becoming even more highly dependent on workers
15 with postsecondary education. Other studies indicate that rates of
16 successful participation in higher education by Washington residents,
17 especially among lower-income and disadvantaged persons, are among the
18 lowest in the nation.

19 Due to the large and growing gap between education requirements and
20 achievement, it is the intent of the legislature to focus on increased
21 educational attainment as a key priority and to closely track progress
22 towards meeting this statewide objective.

23 **PART I**
24 **STUDENT ACHIEVEMENT COUNCIL**

25 **Sec. 101.** RCW 28B.77.005 and 2011 1st sp.s. c 11 s 301 are each
26 amended to read as follows:

27 (1) On July 1, 2012, the higher education coordinating board is
28 abolished and the student achievement council ((for higher education))
29 is created ((subject to the recommendations of the higher education
30 steering committee established in section 302, chapter 11, Laws of 2011
31 1st sp. sess. and implementing legislation enacted by the 2012
32 legislature)).

33 (2) The council is composed of ten voting members as provided in
34 this subsection.

35 (a) Five citizen members shall be appointed by the governor with
36 the consent of the senate. One of the citizen members shall be a

1 student. The citizen members shall be selected based on their
2 knowledge of or experience in higher education. In making appointments
3 to the council, the governor shall give consideration to citizens
4 representing labor, business, women, and racial and ethnic minorities,
5 as well as geographic representation, to ensure that the council's
6 membership reflects the state's diverse population. The citizen
7 members shall serve for four-year terms except for the student member,
8 who shall serve for one year; however, the terms of the initial members
9 shall be staggered.

10 (b) A representative of an independent nonprofit higher education
11 institution as defined in RCW 28B.07.020(4), selected by an association
12 of independent nonprofit baccalaureate degree-granting institutions.
13 The representative appointed under this section shall excuse himself or
14 herself from voting on matters relating primarily to public
15 institutions of higher education.

16 (c) Chosen for their recognized ability and innovative leadership
17 experience in broad education policy and system design, a
18 representative of each of the following shall be selected by the
19 respective organizations, who shall serve at the pleasure of the
20 appointing organizations:

21 (i) A representative of the four-year institutions of higher
22 education as defined in RCW 28B.10.016, selected by the presidents of
23 those institutions;

24 (ii) A representative of the state's community and technical
25 college system, selected by the state board for community and technical
26 colleges;

27 (iii) A representative of the state's K-12 education system,
28 selected by the superintendent of public instruction in consultation
29 with the department of early learning and the state board of education;
30 and

31 (iv) A representative of workforce training who is especially
32 knowledgeable in training for innovative advanced technology and other
33 growing sectors of the economy, selected by the workforce training and
34 education coordinating board.

35 (3) The chair shall be selected by the council from among the
36 citizen members appointed to the council. The chair shall serve a one-
37 year term but may serve more than one term if selected to do so by the
38 membership.

1 (4) The council may create advisory committees on an ad hoc basis
2 for the purpose of obtaining input from students, faculty, and higher
3 education experts and practitioners, citizens, business and industry,
4 and labor, and for the purpose of informing their research, policy, and
5 programmatic functions. Ad hoc advisory committees addressing
6 secondary to postsecondary transitions and university and college
7 admissions requirements must include K-12 sector representatives
8 including teachers, school directors, principals, administrators, and
9 others as the council may direct, in addition to higher education
10 representatives. The council shall maintain a contact list of K-12 and
11 higher education stakeholder organizations to provide notices to
12 stakeholders regarding the purposes of ad hoc advisory committees,
13 timelines for planned work, means for participation, and a statement of
14 desired outcomes.

15 (5) Any vacancies on the council shall be filled in the same manner
16 as the original appointments. Appointments to fill vacancies shall be
17 only for such terms as remain unexpired. Any vacancies among council
18 members appointed by the governor shall be filled by the governor
19 subject to confirmation by the senate and shall have full authority to
20 act before the time the senate acts on their confirmation.

21 NEW SECTION. Sec. 102. The definitions in this section apply
22 throughout this chapter unless the context clearly requires otherwise.

23 (1) "Committee" means the joint higher education committee.

24 (2) "Council" means the student achievement council.

25 (3) "Education data center" means the education data center
26 established in the office of financial management as provided under RCW
27 43.41.400.

28 (4) "Four-year institutions of higher education" means the
29 University of Washington, Washington State University, Central
30 Washington University, Eastern Washington University, Western
31 Washington University, and The Evergreen State College.

32 (5) "Major expansion" means expansion of the higher education
33 system that requires significant new capital investment, including
34 building new institutions, campuses, branches, or centers or conversion
35 of existing campuses, branches, or centers that would result in a
36 mission change.

1 (6) "Mission change" means a change in the level of degree awarded
2 or institutional type not currently authorized in statute.

3 (7) "Office" means the office of student financial assistance
4 created in RCW 28B.76.090.

5 NEW SECTION. **Sec. 103.** (1) Guided by the state's overarching
6 objective of substantially increasing educational attainment for the
7 purposes outlined in section 1 of this act, the council has a dual
8 mission:

9 (a) To propose to the governor and the legislature goals for
10 increasing educational attainment in Washington, recommend the
11 resources necessary to achieve the goals, and monitor progress toward
12 meeting the goals;

13 (b) To propose to the governor, the legislature, and the state's
14 educational institutions, improvements and innovations needed to
15 continually adapt the state's educational institutions to evolving
16 educational attainment needs; and

17 (c) To advocate for higher education through various means, with
18 the goal of educating the general public on the economic, social, and
19 civic benefits of postsecondary education, and the consequent need for
20 increased financial support and civic commitment in the state.

21 (2) In the pursuit of the missions the council links the work of
22 educational programs, schools, and institutions from secondary through
23 postsecondary education and training and through careers. The council
24 must connect the work of the superintendent of public instruction, the
25 state board of education, the professional educator standards board,
26 the state board for community and technical colleges, the workforce
27 training and education coordinating board, and the four-year
28 institutions of higher education, as well as the independent schools
29 and colleges.

30 (3) Drawing on the staff expertise of the council and other state,
31 national, and international analysis and research assets, the council
32 must also take a leading role in facilitating educational attainment
33 analysis and research leading to increased educational attainment and
34 education system development.

35 NEW SECTION. **Sec. 104.** (1) Aligned with the state's biennial
36 budget and policy cycles, the council shall propose educational

1 attainment goals and priorities to meet the state's evolving needs.
2 The council shall identify strategies for meeting the goals and
3 priorities by means of a short-term strategic action plan and a ten-
4 year plan that serves as a roadmap.

5 (a) The goals must address the needs of Washington residents to
6 reach higher levels of educational attainment and Washington's
7 workforce needs for certificates and degrees in particular fields of
8 study.

9 (b) The council shall identify the resources it deems appropriate
10 to meet statewide goals and also recognize current state economic
11 conditions and state resources.

12 (c) In proposing goals, the council shall collaborate with the
13 superintendent of public instruction, the professional educator
14 standards board, the state board of education, the state board for
15 community and technical colleges, the four-year institutions of higher
16 education, independent colleges and degree-granting institutions,
17 certificate-granting institutions, and the workforce training and
18 education coordinating board.

19 (2) The council shall update the strategic action plan every two
20 years with the first strategic action plan to be submitted to the
21 governor and the legislature by December 1, 2012. The ten-year roadmap
22 must be updated every two years with the first roadmap to be submitted
23 to the governor and the legislature by December 1, 2013. The council
24 must provide regular updates to the joint higher education committee
25 created in section 201 of this act as needed.

26 (3) In order to develop the ten-year roadmap, the council shall
27 conduct strategic planning in collaboration with agencies and
28 stakeholders and include input from the legislature. The roadmap must
29 encompass all sectors of higher education, including secondary to
30 postsecondary transitions. The roadmap must outline strategies that
31 address:

32 (a) Strategic planning, which includes setting benchmarks and goals
33 for long-term degree production generally and in particular fields of
34 study;

35 (b) Expanding access, affordability, quality, efficiency, and
36 accountability among the various institutions of higher education;

37 (c) Higher education finance planning and strategic investments
38 including budget recommendations necessary to meet statewide goals;

- 1 (d) System design and coordination;
- 2 (e) Improving student transitions;
- 3 (f) Higher education data and analysis, in collaboration with the
4 education data center, which includes outcomes for recruitment,
5 retention, and success of students;
- 6 (g) College and career access preparedness, in collaboration with
7 the office of the superintendent of public instruction and the state
8 board of education;
- 9 (h) Expanding participation and success for racial and ethnic
10 minorities in higher education;
- 11 (i) Development and expansion of innovations in higher education
12 including innovations to increase attainment of postsecondary
13 certificates, and associate, baccalaureate, graduate, and professional
14 degrees; and innovations to improve precollege education in terms of
15 cost-effectiveness and transitions to college-level education; and
- 16 (j) Relevant policy research.
- 17 (4) As needed, the council must conduct system reviews consistent
18 with RCW 28B.76.230 (as recodified by this act).
- 19 (5) The council shall facilitate the development and expansion of
20 innovative practices within, between, and among the sectors to increase
21 educational attainment and assess the effectiveness of the innovations.
- 22 (6) The council shall use the data and analysis produced by, and in
23 consultation with, the education data center created in RCW 43.41.400
24 in developing policy recommendations and proposing goals. In
25 conducting research and analysis the council at a minimum must:
- 26 (a) Identify barriers to increasing educational attainment,
27 evaluate effectiveness of various educational models, identify best
28 practices, and recommend methods to overcome barriers;
- 29 (b) Analyze data from multiple sources including data from academic
30 research and from areas and agencies outside of education including but
31 not limited to data from the department of health, the department of
32 corrections, and the department of social and health services to
33 determine best practices to remove barriers and to improve educational
34 attainment;
- 35 (c) Assess educational achievement disaggregated by income level,
36 age, gender, race and ethnicity, country of origin, and other relevant
37 demographic groups working with data from the education data center;
- 38 (d) Track progress toward meeting the state's goals;

1 (e) Communicate results and provide access to data analysis to
2 policymakers, the superintendent of public instruction, institutions of
3 higher education, students, and the public; and

4 (f) Use data from the education data center wherever appropriate to
5 conduct duties in (a) through (e) of this subsection.

6 (7) The council shall collaborate with the appropriate state
7 agencies and stakeholders, including the state board of education, the
8 office of the superintendent of public instruction, the state board for
9 community and technical colleges, the workforce training and education
10 coordinating board, and the four-year institutions of higher education
11 to improve student transitions and success including but not limited
12 to:

13 (a) Setting minimum college admission standards for four-year
14 institutions of higher education, including a requirement that
15 coursework in American sign language or an American Indian language
16 satisfies any requirement for instruction in a language other than
17 English that the council or the institutions may establish as a general
18 undergraduate admissions requirement;

19 (b) Proposing comprehensive policies and programs to encourage
20 students to prepare for, understand how to access, and pursue
21 postsecondary college and career programs, including specific policies
22 and programs for students with disabilities;

23 (c) Recommending policies that require coordination between or
24 among sectors such as dual high school-college programs, awarding
25 college credit for advanced high school work, and transfer between two
26 and four-year institutions of higher education or between different
27 four-year institutions of higher education; and

28 (d) Identifying transitions issues and solutions for students, from
29 high school to postsecondary education including community and
30 technical colleges, four-year institutions of higher education,
31 apprenticeships, training, or workplace education; between two-year and
32 four-year institutions of higher education; and from postsecondary
33 education to career. In addressing these issues the council must
34 recognize that these transitions may occur multiple times as students
35 continue their education.

36 (8) The council directs the work of the office, which includes
37 administration of student financial aid programs under RCW 28B.76.090,

1 including the state need grant and other scholarships, the Washington
2 advanced college tuition payment program, and work-study programs.

3 (9) The council may administer state and federal grants and
4 programs including but not limited to those programs that provide
5 incentives for improvements related to increased access and success in
6 postsecondary education.

7 (10) The council shall protect higher education consumers
8 including:

9 (a) Approving degree-granting postsecondary institutions consistent
10 with existing statutory criteria;

11 (b) Establishing minimum criteria to assess whether students who
12 attend proprietary institutions of higher education shall be eligible
13 for the state need grant and other forms of state financial aid.

14 (i) The criteria shall include retention rates, completion rates,
15 loan default rates, and annual tuition increases, among other criteria
16 for students who receive state need grant as in chapter 28B.92 RCW and
17 any other state financial aid.

18 (ii) The council may remove proprietary institutions of higher
19 education from eligibility for the state need grant or other form of
20 state financial aid if it finds that the institution or college does
21 not meet minimum criteria.

22 (iii) The council shall report by December 1, 2014, to the joint
23 higher education committee in section 201 of this act on the outcomes
24 of students receiving state need grants, impacts on meeting the state's
25 higher education goals for educational attainment, and options for
26 prioritization of the state need grant and possible consequences of
27 implementing each option. When examining options for prioritizing the
28 state need grant the council shall consider awarding grants based on
29 need rather than date of application and making awards based on other
30 criteria selected by the council.

31 (11) The council shall adopt residency requirements by rule.

32 (12) The council shall arbitrate disputes between and among four-
33 year institutions of higher education and the state board for community
34 and technical colleges at the request of one or more of the
35 institutions involved, or at the request of the governor, or from a
36 resolution adopted by the legislature. The decision of the council
37 shall be binding on the participants in the dispute.

1 (13) The council may solicit, accept, receive, and administer
2 federal funds or private funds, in trust, or otherwise, and contract
3 with foundations or with for-profit or nonprofit organizations to
4 support the purposes and functions of the council.

5 (14) The council shall represent the broad public interest above
6 the interests of the individual institutions of higher education.

7 NEW SECTION. **Sec. 105.** (1) The council shall adopt bylaws and
8 shall meet at least four times each year and at such other times as
9 determined by the chair who shall give reasonable prior notice to the
10 members.

11 (2) Councilmembers are expected to consistently attend meetings.
12 The chair of the council may remove any member who misses more than two
13 meetings in any calendar year without cause. Any member so removed
14 must be replaced as provided under RCW 28B.77.005.

15 NEW SECTION. **Sec. 106.** Councilmembers shall be compensated in
16 accordance with RCW 43.03.240 and reimbursed for travel expenses
17 incurred in carrying out the duties of the council in accordance with
18 RCW 43.03.050 and 43.03.060.

19 NEW SECTION. **Sec. 107.** (1) The council shall employ an executive
20 director. The executive director shall be appointed by the governor
21 from a list of three names submitted by the council. However, the
22 governor may request, and the council shall provide, an additional list
23 or lists from which the governor shall select the executive director.
24 The governor may dismiss the executive director only with the approval
25 of a majority vote of the council. The council, by a majority vote,
26 may dismiss the executive director.

27 (2) The executive director may employ necessary deputy and
28 assistant directors and other exempt staff under chapter 41.06 RCW, who
29 shall serve at the executive director's pleasure on such terms and
30 conditions as he or she determines. Subject to the provisions of
31 chapter 41.06 RCW, the executive director may appoint and employ such
32 other employees as may be required for the proper discharge of the
33 functions of the council.

1 NEW SECTION. **Sec. 108.** The council has the authority to adopt
2 rules as necessary to implement this chapter.

3 **Sec. 109.** RCW 28B.76.110 and 2004 c 275 s 5 are each amended to
4 read as follows:

5 The (~~higher education coordinating board~~) council is designated
6 as the state commission as provided for in Section 1202 of the
7 education amendments of 1972 (Public Law 92-318), as now or hereafter
8 amended; and shall perform such functions as is necessary to comply
9 with federal directives pertaining to the provisions of such law.

10 **Sec. 110.** RCW 28B.76.210 and 2011 1st sp.s. c 11 s 104 are each
11 amended to read as follows:

12 (1) The (~~board~~) council shall (~~collaborate with the four-year~~
13 ~~institutions including the council of presidents, the community and~~
14 ~~technical college system, and when appropriate the workforce training~~
15 ~~and education coordinating board, the superintendent of public~~
16 ~~instruction, and the independent higher educational institutions to~~)
17 identify budget priorities and levels of funding for higher education,
18 including the two and four-year institutions of higher education and
19 state financial aid programs. It is the intent of the legislature for
20 the council to make budget recommendations for allocations for major
21 policy changes in accordance with priorities set forth in the ten-year
22 plan, but the legislature does not intend for the council to review and
23 make recommendations on individual institutional budgets. It is the
24 intent of the legislature that recommendations from the (~~board reflect~~
25 ~~not merely the sum of budget requests from multiple institutions, but~~
26 ~~prioritized~~) council prioritize funding needs for the overall system
27 of higher education in accordance with priorities set forth in the ten-
28 year plan. It is also the intent of the legislature that the council's
29 recommendations take into consideration the total per-student funding
30 at similar public institutions of higher education in the global
31 challenge states.

32 (2) By December of each odd-numbered year, the (~~board~~) council
33 shall (~~distribute guidelines which~~) outline the (~~board's~~) council's
34 fiscal priorities under the ten-year plan that it must distribute to
35 the institutions (~~and~~), the state board for community and technical

1 colleges, the office of financial management, and the joint higher
2 education committee.

3 ~~(a) ((The institutions and the state board for community and~~
4 ~~technical colleges shall submit an outline of their proposed operating~~
5 ~~budgets to the board no later than July 1st of each even numbered year.~~
6 ~~Pursuant to guidelines developed by the board, operating budget~~
7 ~~outlines submitted by the institutions and the state board for~~
8 ~~community and technical colleges after January 1, 2007, shall include~~
9 ~~all policy changes and enhancements that will be requested by the~~
10 ~~institutions and the state board for community and technical colleges~~
11 ~~in their respective biennial budget requests. Operating budget~~
12 ~~outlines shall include a description of each policy enhancement, the~~
13 ~~dollar amount requested, and the fund source being requested.~~

14 ~~(b))~~ Capital budget outlines for the two-year institutions shall
15 be submitted by August 15th of each even-numbered year, and shall
16 include the prioritized ranking of the capital projects being
17 requested, a description of each capital project, and the amount and
18 fund source being requested.

19 ~~((c))~~ (b) Capital budget outlines for the four-year institutions
20 must be submitted by August 15th of each even-numbered year, and must
21 include: The institutions' priority ranking of the project; the
22 capital budget category within which the project will be submitted to
23 the office of financial management in accordance with RCW 43.88D.010;
24 a description of each capital project; and the amount and fund source
25 being requested.

26 ~~((d))~~ (c) The office of financial management shall reference
27 these reporting requirements in its budget instructions.

28 (3) The council shall submit recommendations on the operating
29 budget priorities to support the ten-year plan to the office of
30 financial management by October 1st each year, and to the legislature
31 by January 1st each year.

32 (4) The ~~((board))~~ council shall review and evaluate the operating
33 and capital budget requests from four-year institutions and the
34 community and technical college system based on how the requests align
35 with the board's budget priorities~~((, the missions of the institutions,~~
36 ~~and the statewide strategic master plan for higher education under RCW~~
37 ~~28B.76.200.~~

1 ~~(4) — The — board — shall — submit — recommendations — on — the — proposed~~
2 ~~operating budget and priorities to the office of financial management~~
3 ~~by October 1st of each even numbered year, and to the legislature by~~
4 ~~January 1st of each odd numbered year)).~~

5 (5)(a) The ~~((board's))~~ council's capital budget recommendations for
6 the community and technical college system and the four-year
7 institutions must be submitted to the office of financial management
8 and to the legislature by November 15th of each even-numbered year.

9 (b) The ~~((board))~~ council shall develop one prioritized list of
10 capital projects for the legislature to consider that includes all of
11 the projects requested by the four-year institutions of higher
12 education that were scored by the office of financial management
13 pursuant to chapter 43.88D RCW, including projects that were previously
14 scored but not funded. The prioritized list of capital projects shall
15 be based on the following priorities in the following order:

16 (i) Office of financial management scores pursuant to chapter
17 43.88D RCW;

18 (ii) Preserving assets;

19 (iii) Degree production; and

20 (iv) Maximizing efficient use of instructional space.

21 (c) The ~~((board))~~ council shall include all of the capital projects
22 requested by the four-year institutions of higher education, except for
23 the minor works projects, in the prioritized list of capital projects
24 provided to the legislature.

25 (d) The form of the prioritized list for capital projects requested
26 by the four-year institutions of higher education shall be provided as
27 one list, ranked in priority order with the highest priority project
28 ranked number "1" through the lowest priority project numbered last.
29 The ranking for the prioritized list of capital projects may not:

30 (i) Include subpriorities;

31 (ii) Be organized by category;

32 (iii) Assume any state bond or building account biennial funding
33 level to prioritize the list; or

34 (iv) Assume any specific share of projects by institution in the
35 priority list.

36 (6) Institutions and the state board for community and technical
37 colleges shall submit any supplemental capital budget requests and
38 revisions to the ~~((board))~~ council at the same time they are submitted

1 to the office of financial management. The ((~~board~~)) council shall
2 submit recommendations on the proposed supplemental capital budget
3 requests to the office of financial management by November 1st and to
4 the legislature by January 1st.

5 **Sec. 111.** RCW 28B.76.230 and 2010 c 245 s 5 are each amended to
6 read as follows:

7 (1) The ((~~board~~)) council shall develop a comprehensive and ongoing
8 assessment process to analyze the need for additional degrees and
9 programs, additional off-campus centers and locations for degree
10 programs, and consolidation or elimination of programs by the four-year
11 institutions of higher education. ((~~Board~~)) Council recommendations
12 regarding proposed major expansion shall be limited to determinations
13 of whether the major expansion is within the scope indicated in the
14 most recent ((~~strategic master~~)) ten-year plan for higher education or
15 most recent system design plan. Recommendations regarding existing
16 capital prioritization processes are not within the scope of the
17 evaluation of major expansion. Major expansion and proposed mission
18 changes may be proposed by the ((~~board~~)) council, any public
19 institution of higher education, or by a state or local government.

20 (2) As part of the needs assessment process, the ((~~board~~)) council
21 shall examine:

22 (a) Projections of student, employer, and community demand for
23 education and degrees, including liberal arts degrees, on a regional
24 and statewide basis;

25 (b) Current and projected degree programs and enrollment at public
26 and private institutions of higher education, by location and mode of
27 service delivery;

28 (c) Data from the workforce training and education coordinating
29 board and the state board for community and technical colleges on the
30 supply and demand for workforce education and certificates and
31 associate degrees; and

32 (d) Recommendations from the technology transformation task force
33 created in chapter 407, Laws of 2009, and institutions of higher
34 education relative to the strategic and operational use of technology
35 in higher education. These and other reports, reviews, and audits
36 shall allow for: The development of enterprise-wide digital
37 information technology across educational sectors, systems, and

1 delivery methods; the integration and streamlining of administrative
2 tools including but not limited to student information management,
3 financial management, payroll, human resources, data collection,
4 reporting, and analysis; and a determination of the costs of multiple
5 technology platforms, systems, and models.

6 (3) Every two years the ((~~board~~)) council shall produce, jointly
7 with the state board for community and technical colleges and the
8 workforce training and education coordinating board, an assessment of
9 the number and type of higher education and training credentials
10 required to match employer demand for a skilled and educated workforce.
11 The assessment shall include the number of forecasted net job openings
12 at each level of higher education and training and the number of
13 credentials needed to match the forecast of net job openings.

14 (4) The ((~~board~~)) council shall determine whether certain major
15 lines of study or types of degrees, including applied degrees or
16 research-oriented degrees, shall be assigned uniquely to some
17 institutions or institutional sectors in order to create centers of
18 excellence that focus resources and expertise.

19 (5) The following activities are subject to approval by the
20 ((~~board~~)) council:

- 21 (a) ~~((New degree programs by a four-year institution;~~
22 ~~(b) Creation of any off-campus program by a four-year institution;~~
23 ~~(c) Purchase or lease of major off-campus facilities by a four-year~~
24 ~~institution or a community or technical college;~~
25 ~~(d))~~ Creation of higher education centers and consortia; and
26 ~~((e))~~ (b) New degree programs and creation of off-campus programs
27 by an independent college or university in collaboration with a
28 community or technical college ~~((; and~~
29 ~~(f) Applied baccalaureate degree programs developed by colleges~~
30 ~~under RCW 28B.50.810)).~~

31 (6) Institutions seeking ((~~board~~)) council approval under this
32 section must demonstrate that the proposal is justified by the needs
33 assessment developed under this section. Institutions must also
34 demonstrate how the proposals align with or implement the ten-year
35 ~~((statewide strategic master))~~ plan for higher education ~~((under RCW~~
36 ~~28B.76.200)).~~

37 (7) The ((~~board~~)) council shall develop clear guidelines and

1 objective decision-making criteria regarding approval of proposals
2 under this section, which must include review and consultation with the
3 institution and other interested agencies and individuals.

4 (8) The ((~~board~~)) council shall periodically recommend
5 consolidation or elimination of programs at the four-year institutions
6 of higher education, based on the needs assessment analysis.

7 (9) In the case of a proposed major expansion or mission change,
8 the needs assessment process under subsection (2) of this section
9 constitutes a threshold inquiry. If the ((~~board~~)) council determines
10 that the need for the proposed major expansion or mission change has
11 not been justified, the inquiry is concluded. If the ((~~board~~)) council
12 determines that the need for the proposed major expansion or mission
13 change has been sufficiently established, the ((~~board~~)) council, in
14 consultation with any directly involved institutions and other
15 interested agencies and individuals, shall proceed to examine the
16 viability of the proposal using criteria including, but not limited to:

17 (a) The specific scope of the project including the capital
18 investment requirements, the number of full-time equivalent students
19 anticipated, and the number of academic programs planned;

20 (b) The existence of an efficient and sustainable financial plan;

21 (c) The extent to which existing resources can be leveraged;

22 (d) The current and five-year projected student population,
23 faculty, and staff to support the proposed programs, institution, or
24 innovation;

25 (e) The plans to accommodate expected growth over a twenty-year
26 time frame;

27 (f) The extent to which new or existing partnerships and
28 collaborations are a part of the proposal; and

29 (g) The feasibility of any proposed innovations to accelerate
30 degree production.

31 (10) After the ((~~board~~)) council completes its evaluation of the
32 proposed major expansion or mission change using the needs assessment
33 under subsection (2) of this section and viability determination under
34 subsection (9) of this section, the ((~~board~~)) council shall make a
35 recommendation to either proceed, modify, or not proceed with the
36 proposed major expansion or mission change. The ((~~board's~~)) council's
37 recommendation shall be presented to the governor and the legislature.

1 **Sec. 112.** RCW 28B.76.235 and 2011 c 77 s 4 are each amended to
2 read as follows:

3 The (~~higher education coordinating board~~) council shall annually
4 publish on its web site the agreed-upon list of high school courses
5 qualifying for postsecondary credit under RCW 28B.10.053 and qualifying
6 examination (~~qualifying~~) scores and demonstrated competencies meeting
7 the postsecondary requirements for a certificate or technical degree,
8 a two-year academic transfer degree, or the lower division requirements
9 for a baccalaureate degree.

10 **Sec. 113.** RCW 28B.76.240 and 2004 c 275 s 10 are each amended to
11 read as follows:

12 The (~~board~~) council shall adopt statewide transfer and
13 articulation policies that ensure efficient transfer of credits and
14 courses across public two and four-year institutions of higher
15 education. The intent of the policies is to create a statewide system
16 of articulation and alignment between two and four-year institutions of
17 higher education. Policies may address but are not limited to creation
18 of a statewide system of course equivalency, creation of transfer
19 associate degrees, statewide articulation agreements, applicability of
20 technical courses toward baccalaureate degrees, and other issues. The
21 institutions of higher education and the state board for community and
22 technical colleges shall cooperate with the (~~board~~) council in
23 developing the statewide policies and shall provide support and staff
24 resources as necessary to assist in maintaining the policies. (~~The~~
25 ~~board shall submit a progress report to the higher education committees~~
26 ~~of the senate and house of representatives by December 1, 2006, by~~
27 ~~which time the legislature expects measurable improvement in alignment~~
28 ~~and transfer efficiency.~~)

29 **Sec. 114.** RCW 28B.76.2401 and 2004 c 55 s 5 are each reenacted and
30 amended to read as follows:

31 The statewide transfer of credit policy and agreement must be
32 designed to facilitate the transfer of students and the evaluation of
33 transcripts, to better serve persons seeking information about courses
34 and programs, to aid in academic planning, and to improve the review
35 and evaluation of academic programs in the state institutions of higher
36 education. The statewide transfer of credit policy and agreement must

1 not require or encourage the standardization of course content or
2 prescribe course content or the credit value assigned by any
3 institution to the course. Policies adopted by public four-year
4 institutions of higher education concerning the transfer of lower
5 division credit must treat students transferring from public community
6 colleges the same as students transferring from public four-year
7 institutions of higher education.

8 **Sec. 115.** RCW 28B.76.270 and 2011 1st sp.s. c 10 s 8 are each
9 amended to read as follows:

10 (1) (~~The board shall establish~~) An accountability monitoring and
11 reporting system is established as part of a continuing effort to make
12 meaningful and substantial progress towards the achievement of long-
13 term performance goals in higher education.

14 (2) To provide consistent, easily understood data among the public
15 four-year institutions of higher education within Washington and in
16 other states, the following data must be reported to the education data
17 center annually by December 1st, and at a minimum include data
18 recommended by a national organization representing state chief
19 executives. The (~~board~~) education data center in consultation with
20 the council may change the data requirements to be consistent with best
21 practices across the country. This data must, to the maximum extent
22 possible, be disaggregated by race and ethnicity, gender, state and
23 county of origin, age, and socioeconomic status, and include the
24 following for the four-year institutions of higher education:

25 (a) Bachelor's degrees awarded;

26 (b) Graduate and professional degrees awarded;

27 (c) Graduation rates: The number and percentage of students who
28 graduate within four years for bachelor's degrees and within the
29 extended time, which is six years for bachelor's degrees;

30 (d) Transfer rates: The annual number and percentage of students
31 who transfer from a two-year to a four-year institution of higher
32 education;

33 (e) Time and credits to degree: The average length of time in
34 years and average number of credits that graduating students took to
35 earn a bachelor's degree;

36 (f) Enrollment in remedial education: The number and percentage of

1 entering first-time undergraduate students who place into and enroll in
2 remedial mathematics, English, or both;

3 (g) Success beyond remedial education: The number and percentage
4 of entering first-time undergraduate students who complete entry
5 college-level math and English courses within the first two consecutive
6 academic years;

7 (h) Credit accumulation: The number and percentage of first-time
8 undergraduate students completing two quarters or one semester worth of
9 credit during their first academic year;

10 (i) Retention rates: The number and percentage of entering
11 undergraduate students who enroll consecutively from fall-to-spring and
12 fall-to-fall at an institution of higher education;

13 (j) Course completion: The percentage of credit hours completed
14 out of those attempted during an academic year;

15 (k) Program participation and degree completion rates in bachelor
16 and advanced degree programs in the sciences, which includes
17 agriculture and natural resources, biology and biomedical sciences,
18 computer and information sciences, engineering and engineering
19 technologies, health professions and clinical sciences, mathematics and
20 statistics, and physical sciences and science technologies, including
21 participation and degree completion rates for students from
22 traditionally underrepresented populations;

23 (l) Annual enrollment: Annual unduplicated number of students
24 enrolled over a twelve-month period at institutions of higher education
25 including by student level;

26 (m) Annual first-time enrollment: Total first-time students
27 enrolled in a four-year institution of higher education;

28 (n) Completion ratio: Annual ratio of undergraduate and graduate
29 degrees and certificates, of at least one year in expected length,
30 awarded per one hundred full-time equivalent undergraduate students at
31 the state level;

32 (o) Market penetration: Annual ratio of undergraduate and graduate
33 degrees and certificates, of at least one year in program length,
34 awarded relative to the state's population age eighteen to twenty-four
35 years old with a high school diploma;

36 (p) Student debt load: Median three-year distribution of debt
37 load, excluding private loans or debts incurred before coming to the
38 institution;

1 (q) Data related to enrollment, completion rates, participation
2 rates, and debt load shall be disaggregated for students in the
3 following income brackets to the maximum extent possible:

4 (i) Up to seventy percent of the median family income;

5 (ii) Between seventy-one percent and one hundred twenty-five
6 percent of the median family income; and

7 (iii) Above one hundred twenty-five percent of the median family
8 income; and

9 (r) Yearly percentage increases in the average cost of
10 undergraduate instruction.

11 (3) Four-year institutions of higher education must count all
12 students when collecting data, not only first-time, full-time freshmen.

13 ~~(4) ((Based on guidelines prepared by the board, each four-year~~
14 ~~institution and the state board for community and technical colleges~~
15 ~~shall submit a biennial plan to achieve measurable and specific~~
16 ~~improvements each academic year on statewide and institution specific~~
17 ~~performance measures. Plans shall be submitted to the board along with~~
18 ~~the biennial budget requests from the institutions and the state board~~
19 ~~for community and technical colleges. Performance measures established~~
20 ~~for the community and technical colleges shall reflect the role and~~
21 ~~mission of the colleges.~~

22 ~~(5) The board shall approve biennial performance targets for each~~
23 ~~four-year institution and for the community and technical college~~
24 ~~system and shall review actual achievements annually. The state board~~
25 ~~for community and technical colleges shall set biennial performance~~
26 ~~targets for each college or district, where appropriate.~~

27 ~~(6) The board shall submit a report on progress towards the~~
28 ~~statewide goals, with recommendations for the ensuing biennium, to the~~
29 ~~fiscal and higher education committees of the legislature along with~~
30 ~~the board's biennial budget recommendations.~~

31 ~~(7) The board, in collaboration with the four-year institutions and~~
32 ~~the state board for community and technical colleges, shall~~
33 ~~periodically review and update the accountability monitoring and~~
34 ~~reporting system.~~

35 ~~(8) The board shall develop measurable indicators and benchmarks~~
36 ~~for its own performance regarding cost, quantity, quality, and~~
37 ~~timeliness and including the performance of committees and advisory~~
38 ~~groups convened under this chapter to accomplish such tasks as~~

1 ~~improving transfer and articulation, improving articulation with the K-~~
2 ~~12 education system, measuring educational costs, or developing data~~
3 ~~protocols. The board shall submit its accountability plan to the~~
4 ~~legislature concurrently with the biennial report on institution~~
5 ~~progress.~~

6 (9)) In conjunction with the office of financial management, all
7 four-year institutions of higher education must display the data
8 described in subsection (2) of this section in a uniform dashboard
9 format on the office of financial management's web site no later than
10 December 1, 2011, and updated thereafter annually by December 1st. To
11 the maximum extent possible, the information must be viewable by race
12 and ethnicity, gender, state and county of origin, age, and
13 socioeconomic status. The information may be tailored to meet the
14 needs of various target audiences such as students, researchers, and
15 the general public.

16 (5) The council shall use performance data from the education data
17 center for the purposes of strategic planning, to report on progress
18 toward achieving statewide goals, and to develop priorities proposed in
19 the ten-year plan for higher education.

20 **Sec. 116.** RCW 28B.76.325 and 2011 1st sp.s. c 10 s 28 are each
21 amended to read as follows:

22 (1) The ((board)) council, the state board for community and
23 technical colleges, the council of presidents, the four-year
24 institutions of higher education, the private independent higher
25 education institutions, and the private career schools shall
26 collaborate to carry out the following goals:

27 (a) Increase the number of students who receive academic credit for
28 prior learning and the number of students who receive credit for prior
29 learning that counts towards their major or towards earning their
30 degree, certificate, or credential, while ensuring that credit is
31 awarded only for high quality, course-level competencies;

32 (b) Increase the number and type of academic credits accepted for
33 prior learning in institutions of higher education, while ensuring that
34 credit is awarded only for high quality, course-level competencies;

35 (c) Develop transparent policies and practices in awarding academic
36 credit for prior learning;

1 (d) Improve prior learning assessment practices across the
2 institutions of higher education;

3 (e) Create tools to develop faculty and staff knowledge and
4 expertise in awarding credit for prior learning and to share exemplary
5 policies and practices among institutions of higher education;

6 (f) Develop articulation agreements when patterns of credit for
7 prior learning are identified for particular programs and pathways; and

8 (g) Develop outcome measures to track progress on the goals
9 outlined in this section.

10 (2) The (~~board~~) council shall convene the academic credit for
11 prior learning work group.

12 (a) The work group must include the following members:

13 (i) One representative from the (~~higher-education-coordinating~~
14 ~~board~~) council;

15 (ii) One representative from the state board for community and
16 technical colleges;

17 (iii) One representative from the council of presidents;

18 (iv) Two representatives each from faculty from two and four-year
19 institutions of higher education;

20 (v) Two representatives from private career schools;

21 (vi) Two representatives from business; and

22 (vii) Two representatives from labor.

23 (b) The purpose of the work group is to coordinate and implement
24 the goals in subsection (1) of this section.

25 (3) The (~~board~~) council shall report progress on the goals and
26 outcome measures annually by December 31st.

27 (4) For the purposes of this section, "prior learning" means the
28 knowledge and skills gained through work and life experience; through
29 military training and experience; and through formal and informal
30 education and training from in-state and out-of-state institutions
31 including foreign institutions.

32 **Sec. 117.** RCW 28B.76.510 and 2011 1st sp.s. c 11 s 108 are each
33 amended to read as follows:

34 The (~~office-shall~~) council may administer any federal act
35 pertaining to higher education which is not administered by another
36 state agency.

1 **Sec. 118.** RCW 28B.76.695 and 2011 c 146 s 2 are each amended to
2 read as follows:

3 (1) The (~~board~~) council may:

4 (a) Recognize and endorse online, competency-based education as an
5 important component of Washington's higher education system;

6 (b) Work to eliminate unnecessary barriers to the delivery of
7 online competency-based education by Western Governors University -
8 Washington; and

9 (c) Work with Western Governors University - Washington, as
10 appropriate, to integrate its academic programs and services into
11 Washington higher education policy and strategy.

12 (2) The (~~board~~) council shall work with Western Governors
13 University - Washington to create data-sharing processes to assess the
14 institution's performance and determine the extent to which it helps
15 the state achieve the goals of the current (~~statewide-strategie~~
16 ~~master~~) ten-year plan for higher education.

17 (3) The (~~board~~) council shall adopt rules and policies to
18 implement this section and that require (~~board~~) council consultation
19 and approval before:

20 (a) Modifications of contractual terms or relationships between the
21 state and the institution of higher education; or

22 (b) Changes or modifications in the nonprofit status of the
23 institution of higher education.

24 NEW SECTION. **Sec. 119.** (1) The state board for community and
25 technical colleges, in consultation with the student achievement
26 council, shall regularly review higher education accountability
27 measures, assess whether any of the measures for four-year institutions
28 of higher education in RCW 28B.76.270(2) (as recodified by this act)
29 should be applied as performance measures for community and technical
30 colleges, and whether performance indicators for the community and
31 technical colleges should be added to the data dashboard in RCW
32 28B.76.270(4) (as recodified by this act). The board shall report
33 recommendations regarding appropriate changes to required community and
34 technical college accountability measures to the governor and the
35 legislature by December 1, 2012.

36 (2) This section expires August 1, 2013.

1 NEW SECTION. **Sec. 120.** RCW 28B.76.290 (Coordination of activities
2 with segments of higher education) and 1993 c 77 s 2, 1992 c 60 s 3,
3 1988 c 172 s 4, & 1985 c 370 s 6 are each repealed.

4 NEW SECTION. **Sec. 121.** A new section is added to chapter 28B.77
5 RCW to read as follows:

6 (1) All powers, duties, and functions of the higher education
7 coordinating board are transferred to the student achievement council.
8 All references to the executive director or the higher education
9 coordinating board in the Revised Code of Washington shall be construed
10 to mean the executive director or the student achievement council when
11 referring to the functions transferred in this section.

12 (2)(a) All reports, documents, surveys, books, records, files,
13 papers, or written material in the possession of the higher education
14 coordinating board pertaining to the powers, functions, and duties
15 transferred shall be delivered to the custody of the student
16 achievement council. All cabinets, furniture, office equipment, motor
17 vehicles, and other tangible property employed by the higher education
18 coordinating board in carrying out the powers, functions, and duties
19 transferred shall be made available to the student achievement council.
20 All funds, credits, or other assets held in connection with the powers,
21 functions, and duties transferred shall be assigned to the student
22 achievement council.

23 (b) Any appropriations made to the higher education coordinating
24 board for carrying out the powers, functions, and duties transferred
25 shall, on the effective date of this section, be transferred and
26 credited to the student achievement council.

27 (c) Whenever any question arises as to the transfer of any
28 personnel, funds, books, documents, records, papers, files, equipment,
29 or other tangible property used or held in the exercise of the powers
30 and the performance of the duties and functions transferred, the
31 director of financial management shall make a determination as to the
32 proper allocation and certify the same to the state agencies concerned.

33 (3) All employees of the higher education coordinating board
34 necessary to the assigned functions of the student achievement council
35 are transferred to the jurisdiction of the student achievement council
36 subject to review by the executive director of the student achievement
37 council. All employees classified under chapter 41.06 RCW, the state

1 civil service law, are assigned to the student achievement council to
2 perform their usual duties upon the same terms as formerly, without any
3 loss of rights, subject to any action that may be appropriate
4 thereafter in accordance with the laws and rules governing state civil
5 service.

6 (4) All rules and all pending business before the higher education
7 coordinating board pertaining to the powers, functions, and duties
8 transferred shall be continued and acted upon by the student
9 achievement council. All existing contracts and obligations shall
10 remain in full force and shall be performed by the student achievement
11 council.

12 (5) The transfer of the powers, duties, and functions of the higher
13 education coordinating board shall not affect the validity of any act
14 performed before the effective date of this section.

15 (6) If apportionments of budgeted funds are required because of the
16 transfers directed by this section, the director of financial
17 management shall certify the apportionments to the agencies affected,
18 the state auditor, and the state treasurer. Each of these shall make
19 the appropriate transfer and adjustments in funds and appropriation
20 accounts and equipment records in accordance with the certification.

21 (7) All classified employees of the higher education coordinating
22 board assigned to the student achievement council under this section
23 whose positions are within an existing bargaining unit description at
24 the student achievement council shall become a part of the existing
25 bargaining unit at the student achievement council and shall be
26 considered an appropriate inclusion or modification of the existing
27 bargaining unit under the provisions of chapter 41.80 RCW.

28 **PART II**

29 **JOINT HIGHER EDUCATION COMMITTEE**

30 NEW SECTION. **Sec. 201.** A new section is added to chapter 44.04
31 RCW to read as follows:

- 32 (1) A joint higher education committee is created.
- 33 (2) The purpose of the joint higher education committee is to:
 - 34 (a) By December 1, 2012, and annually thereafter, review the work
35 of the student achievement council and provide legislative feedback;

1 (b) Engage with the student achievement council and the higher
2 education community to create greater communication, coordination, and
3 alignment between the higher education system and the expectations of
4 the legislature; and

5 (c) Provide recommendations for higher education policy, including
6 proposed legislation, to the higher education and fiscal committees of
7 the legislature.

8 NEW SECTION. **Sec. 202.** A new section is added to chapter 44.04
9 RCW to read as follows:

10 (1) The joint higher education committee shall consist of the
11 following members:

12 (a) Four members of the house of representatives, two each
13 appointed by the leadership of the two largest caucuses, with at least
14 one member from each caucus who is a member of the house of
15 representatives ways and means committee and at least one member from
16 each caucus who is a member of the house of representatives higher
17 education committee; and

18 (b) Four members of the senate, two each appointed by the
19 leadership of the two largest caucuses, with at least one member from
20 each caucus who is a member of the senate ways and means committee and
21 at least one member from each caucus who is a member of the senate
22 higher education and workforce development committee.

23 (2) All members must be appointed by July 1, 2012, and must serve
24 a term of no less than two years.

25 (3) Vacancies on the joint higher education committee shall be
26 filled by appointment by either the president of the senate or the
27 speaker of the house of representatives. All such vacancies shall be
28 filled from the same political party and from the same house as the
29 member whose seat was vacated.

30 (4) The joint higher education committee shall appoint its own
31 cochairs, representing two different parties and the two chambers of
32 the legislature.

33 NEW SECTION. **Sec. 203.** A new section is added to chapter 44.04
34 RCW to read as follows:

35 (1) The joint higher education committee shall meet at least twice
36 annually after the conclusion of the legislative session.

1 (2) The members of the joint higher education committee shall serve
2 without additional compensation, but shall be reimbursed in accordance
3 with RCW 44.04.120 while attending meetings of the joint higher
4 education committee.

5 (3) The joint higher education committee shall adopt rules and
6 procedures for its operations.

7 (4) Staff support for the joint higher education committee must be
8 provided by the senate committee services and the house of
9 representatives office of program research.

10 **Sec. 204.** RCW 44.04.260 and 2005 c 319 s 112 are each amended to
11 read as follows:

12 The joint legislative audit and review committee, the joint
13 transportation committee, the select committee on pension policy, the
14 legislative evaluation and accountability program committee, the joint
15 higher education committee, and the joint legislative systems committee
16 are subject to such operational policies, procedures, and oversight as
17 are deemed necessary by the facilities and operations committee of the
18 senate and the executive rules committee of the house of
19 representatives to ensure operational adequacy of the agencies of the
20 legislative branch. As used in this section, "operational policies,
21 procedures, and oversight" includes the development process of biennial
22 budgets, contracting procedures, personnel policies, and compensation
23 plans, selection of a chief administrator, facilities, and
24 expenditures. This section does not grant oversight authority to the
25 facilities and operations committee of the senate over any standing
26 committee of the house of representatives or oversight authority to the
27 executive rules committee of the house of representatives over any
28 standing committee of the senate.

29 **Sec. 205.** RCW 43.88.230 and 2005 c 319 s 109 are each amended to
30 read as follows:

31 For the purposes of this chapter, the statute law committee, the
32 joint legislative audit and review committee, the joint transportation
33 committee, the legislative evaluation and accountability program
34 committee, the joint higher education committee, the office of state
35 actuary, and all legislative standing committees of both houses shall
36 be deemed a part of the legislative branch of state government.

1 PART III

2 EDUCATION DATA CENTER

3 NEW SECTION. **Sec. 301.** A new section is added to chapter 43.41
4 RCW to read as follows:

5 The education data center in consultation with institutions of
6 higher education as defined in RCW 28B.10.016 shall annually develop
7 information on the approximate amount of state support that students
8 receive. For students at state-supported colleges and universities,
9 the information must include the approximate level of support received
10 by students in each tuition category. That information may include
11 consideration of the following: Expenditures included in the
12 educational cost formula; revenue forgiven from waived tuition and
13 fees; state-funded financial aid awarded to students at public
14 institutions; and all or a portion of appropriated amounts not
15 reflected in the educational cost formula for institutional programs
16 and services that may affect or enhance the educational experience of
17 students at a particular institution. For students attending a private
18 college, university, or proprietary school, the information shall
19 include the amount of state-funded financial aid awarded to students
20 attending the institution.

21 **Sec. 302.** RCW 28B.76.280 and 2010 1st sp.s. c 7 s 58 are each
22 amended to read as follows:

23 (1)(a) In consultation with the education data center, institutions
24 of higher education, and state education agencies, the ~~((board))~~
25 council shall identify the data needed to carry out its
26 responsibilities for policy analysis ~~((accountability, program~~
27 ~~improvements))~~ and public information. The primary goals of the
28 ~~((board's))~~ council's data collection and research are to describe how
29 students and other beneficiaries of higher education are being served;
30 ~~((to support higher education accountability))~~ to compare and contrast
31 the state of Washington's higher education system with the rest of the
32 nation; and to assist state policymakers and institutions in making
33 policy decisions.

34 (b) For the council, assistance to state policymakers and
35 institutions of higher education in making policy decisions includes
36 but is not limited to annual reporting of a national comparison of
37 tuition and fees.

1 ~~(2) ((The board shall identify the most cost effective manner for~~
2 ~~the board to collect data or access existing data. The board shall~~
3 ~~develop research priorities, policies, and common definitions to~~
4 ~~maximize the reliability and consistency of data across institutions.~~

5 ~~(3) Specific protocols shall be developed by the board to protect~~
6 ~~the privacy of individual student records while ensuring the~~
7 ~~availability of student data for legitimate research purposes.))~~ One of
8 the goals of the education data center's data collection and research
9 for higher education is to support higher education accountability.
10 For the education data center, assistance to state policymakers and
11 institutions of higher education in making policy decisions includes
12 but is not limited to regular completion of:

13 (a) Educational cost study reports as provided in RCW 28B.76.310
14 (as recodified by this act) and information on state support received
15 by students as provided in section 301 of this act; and

16 (b) Per-student funding at similar public institutions of higher
17 education in the global challenge states.

18 **Sec. 303.** RCW 28B.76.310 and 2011 1st sp.s. c 11 s 105 are each
19 amended to read as follows:

20 (1) The ~~((board))~~ education data center, in consultation with the
21 house of representatives and senate committees responsible for higher
22 education, the respective fiscal committees of the house of
23 representatives and senate, the office of financial management, the
24 state board for community and technical colleges, and the state
25 institutions of higher education, shall develop standardized methods
26 and protocols for measuring the undergraduate and graduate educational
27 costs for the state universities, regional universities, and community
28 colleges, including but not limited to the costs of instruction, costs
29 to provide degrees in specific fields, and costs for precollege
30 remediation.

31 (2) The institutions of higher education shall participate in the
32 development of cost study methods and shall provide all necessary data
33 in a timely fashion consistent with the protocols developed.

34 (3) Beginning December 1, 2012, and each December 1st thereafter,
35 the center must provide cost study reports intended to meet the
36 information needs of the governor's office and the legislature and the
37 requirements of section 301 of this act.

1 (2) Eligible students shall be notified of their eligibility for
2 the Washington college bound scholarship program beginning in their
3 seventh grade year. Students shall also be notified of the
4 requirements for award of the scholarship.

5 (3) To be eligible for a Washington college bound scholarship, a
6 student must sign a pledge during seventh or eighth grade that includes
7 a commitment to graduate from high school with at least a C average and
8 with no felony convictions. Students who were in the eighth grade
9 during the 2007-08 school year may sign the pledge during the 2008-09
10 school year. The pledge must be witnessed by a parent or guardian and
11 forwarded to the office of student financial assistance by mail or
12 electronically, as indicated on the pledge form.

13 (4)(a) Scholarships shall be awarded to eligible students
14 graduating from public high schools, approved private high schools
15 under chapter 28A.195 RCW, or who received home-based instruction under
16 chapter 28A.200 RCW.

17 (b) To receive the Washington college bound scholarship, a student
18 must graduate with at least a "C" average from a public high school or
19 an approved private high school under chapter 28A.195 RCW in Washington
20 or have received home-based instruction under chapter 28A.200 RCW, must
21 have no felony convictions, and must be a resident student as defined
22 in RCW 28B.15.012(2) (a) through (d).

23 (5) A student's family income will be assessed upon graduation
24 before awarding the scholarship.

25 (6) If at graduation from high school the student's family income
26 does not exceed sixty-five percent of the state median family income,
27 scholarship award amounts shall be as provided in this section.

28 (a) For students attending two or four-year institutions of higher
29 education as defined in RCW 28B.10.016, the value of the award shall be
30 (i) the difference between the student's tuition and required fees,
31 less the value of any state-funded grant, scholarship, or waiver
32 assistance the student receives; (ii) plus five hundred dollars for
33 books and materials.

34 (b) For students attending private four-year institutions of higher
35 education in Washington, the award amount shall be the representative
36 average of awards granted to students in public research universities
37 in Washington.

1 (c) For students attending private vocational schools in
2 Washington, the award amount shall be the representative average of
3 awards granted to students in public community and technical colleges
4 in Washington.

5 (7) Recipients may receive no more than four full-time years' worth
6 of scholarship awards.

7 (8) Institutions of higher education shall award the student all
8 need-based and merit-based financial aid for which the student would
9 otherwise qualify. The Washington college bound scholarship is
10 intended to replace unmet need, loans, and, at the student's option,
11 work-study award before any other grants or scholarships are reduced.

12 (9) The first scholarships shall be awarded to students graduating
13 in 2012.

14 (10) The state of Washington retains legal ownership of tuition
15 units awarded as scholarships under this chapter until the tuition
16 units are redeemed. These tuition units shall remain separately held
17 from any tuition units owned under chapter 28B.95 RCW by a Washington
18 college bound scholarship recipient.

19 (11) The scholarship award must be used within five years of
20 receipt. Any unused scholarship tuition units revert to the Washington
21 college bound scholarship account.

22 (12) Should the recipient terminate his or her enrollment for any
23 reason during the academic year, the unused portion of the scholarship
24 tuition units shall revert to the Washington college bound scholarship
25 account.

26 **PART V**

27 **REFERENCES TO THE STUDENT ACHIEVEMENT COUNCIL**

28 **Sec. 501.** RCW 9A.60.070 and 2006 c 234 s 2 are each amended to
29 read as follows:

30 (1) A person is guilty of issuing a false academic credential if
31 the person knowingly:

32 (a) Grants or awards a false academic credential or offers to grant
33 or award a false academic credential in violation of this section;

34 (b) Represents that a credit earned or granted by the person in
35 violation of this section can be applied toward a credential offered by
36 another person;

1 (c) Grants or offers to grant a credit for which a representation
2 as described in (b) of this subsection is made; or

3 (d) Solicits another person to seek a credential or to earn a
4 credit the person knows is offered in violation of this section.

5 (2) A person is guilty of knowingly using a false academic
6 credential if the person knowingly uses a false academic credential or
7 falsely claims to have a credential issued by an institution of higher
8 education that is accredited by an accrediting association recognized
9 as such by rule of the (~~higher education coordinating board~~) student
10 achievement council:

11 (a) In a written or oral advertisement or other promotion of a
12 business; or

13 (b) With the intent to:

14 (i) Obtain employment;

15 (ii) Obtain a license or certificate to practice a trade,
16 profession, or occupation;

17 (iii) Obtain a promotion, compensation or other benefit, or an
18 increase in compensation or other benefit, in employment or in the
19 practice of a trade, profession, or occupation;

20 (iv) Obtain admission to an educational program in this state; or

21 (v) Gain a position in government with authority over another
22 person, regardless of whether the person receives compensation for the
23 position.

24 (3) The definitions in this subsection apply throughout this
25 section and RCW 28B.85.220.

26 (a) "False academic credential" means a document that provides
27 evidence or demonstrates completion of an academic or professional
28 course of instruction beyond the secondary level that results in the
29 attainment of an academic certificate, degree, or rank, and that is not
30 issued by a person or entity that: (i) Is an entity accredited by an
31 agency recognized as such by rule of the (~~higher education~~
32 ~~coordinating board~~) student achievement council or has the
33 international equivalents of such accreditation; or (ii) is an entity
34 authorized as a degree-granting institution by the (~~higher education~~
35 ~~coordinating board~~) student achievement council; or (iii) is an entity
36 exempt from the requirements of authorization as a degree-granting
37 institution by the (~~higher education coordinating board~~) student
38 achievement council; or (iv) is an entity that has been granted a

1 waiver by the (~~higher — education — coordinating — board~~) student
2 achievement council from the requirements of authorization by the
3 (~~board~~) council. Such documents include, but are not limited to,
4 academic certificates, degrees, coursework, degree credits,
5 transcripts, or certification of completion of a degree.

6 (b) "Grant" means award, bestow, confer, convey, sell, or give.
7 (c) "Offer," in addition to its usual meanings, means advertise,
8 publicize, or solicit.

9 (d) "Operate" includes but is not limited to the following:
10 (i) Offering courses in person, by correspondence, or by electronic
11 media at or to any Washington location for degree credit;
12 (ii) Granting or offering to grant degrees in Washington;
13 (iii) Maintaining or advertising a Washington location, mailing
14 address, computer server, or telephone number, for any purpose, other
15 than for contact with the institution's former students for any
16 legitimate purpose related to the students having attended the
17 institution.

18 (4) Issuing a false academic credential is a class C felony.
19 (5) Knowingly using a false academic credential is a gross
20 misdemeanor.

21 **Sec. 502.** RCW 18.260.110 and 2008 c 150 s 1 are each amended to
22 read as follows:

23 Nothing in this chapter may be construed to prohibit or restrict:
24 (1) The practice of a dental assistant in the discharge of official
25 duties by dental assistants in the United States federal services on
26 federal reservations, including but not limited to the armed services,
27 coast guard, public health service, veterans' bureau, or bureau of
28 Indian affairs;
29 (2) Expanded function dental auxiliary education and training
30 programs approved by the commission and the practice as an expanded
31 function dental auxiliary by students in expanded function dental
32 auxiliary education and training programs approved by the commission,
33 when acting under the direction and supervision of persons licensed
34 under chapter 18.29 or 18.32 RCW;
35 (3) Dental assistant education and training programs, and the
36 practice of dental assisting by students in dental assistant education
37 and training programs approved by the commission or offered at a school

1 approved or licensed by the workforce training and education
2 coordinating board, (~~higher-education-coordinating-board~~) student
3 achievement council, state board for community and technical colleges,
4 or Washington state skill centers certified by the office of the
5 superintendent of public instruction, when acting under the direction
6 and supervision of persons registered or licensed under this chapter or
7 chapter 18.29 or 18.32 RCW; or

8 (4) The practice of a volunteer dental assistant providing services
9 under the supervision of a licensed dentist in a charitable dental
10 clinic, as approved by the commission in rule.

11 **Sec. 503.** RCW 28A.175.130 and 2011 c 288 s 2 are each amended to
12 read as follows:

13 (1) The pay for actual student success (PASS) program is created
14 under this section and RCW 28A.175.135 through 28A.175.160 to invest in
15 proven dropout prevention and intervention programs as provided in RCW
16 28A.175.135 and provide a financial award for high schools that
17 demonstrate improvement in the dropout prevention indicators
18 established under RCW 28A.175.140. The legislature finds that
19 increased accumulation of credits and reductions in incidents of
20 student discipline lead to improved graduation rates.

21 (2) The office of the superintendent of public instruction, the
22 workforce training and education coordinating board, the building
23 bridges working group, the (~~higher-education-coordinating-board~~)
24 student achievement council, and the college scholarship organization
25 under RCW 28A.175.135(4) shall collaborate to assure that the programs
26 under RCW 28A.175.135 operate systematically and are expanded to
27 include as many additional students and schools as possible.

28 **Sec. 504.** RCW 28A.230.100 and 2006 c 263 s 402 and 2006 c 114 s 4
29 are each reenacted and amended to read as follows:

30 The superintendent of public instruction, in consultation with the
31 (~~higher-education-coordinating-board~~) student achievement council,
32 the state board for community and technical colleges, and the workforce
33 training and education coordinating board, shall adopt rules pursuant
34 to chapter 34.05 RCW, to implement the course requirements set forth in
35 RCW 28A.230.090. The rules shall include, as the superintendent deems
36 necessary, granting equivalencies for and temporary exemptions from the

1 course requirements in RCW 28A.230.090 and special alterations of the
2 course requirements in RCW 28A.230.090. In developing such rules the
3 superintendent shall recognize the relevance of vocational and applied
4 courses and allow such courses to fulfill in whole or in part the
5 courses required for graduation in RCW 28A.230.090, as determined by
6 the high school or school district in accordance with RCW 28A.230.097.
7 The rules may include provisions for competency testing in lieu of such
8 courses required for graduation in RCW 28A.230.090 or demonstration of
9 specific skill proficiency or understanding of concepts through work or
10 experience.

11 **Sec. 505.** RCW 28A.600.280 and 2009 c 450 s 2 are each amended to
12 read as follows:

13 (1) The office of the superintendent of public instruction, in
14 collaboration with the state board for community and technical
15 colleges, the Washington state apprenticeship and training council, the
16 workforce training and education coordinating board, the (~~higher~~
17 ~~education coordinating board~~) student achievement council, (~~and~~) the
18 public baccalaureate institutions, and the education data center, shall
19 report by September 1, 2010, and annually thereafter to the education
20 and higher education committees of the legislature regarding
21 participation in dual credit programs. The report shall include:

22 (a) Data about student participation rates and academic performance
23 including but not limited to running start, college in the high school,
24 tech prep, international baccalaureate, advanced placement, and running
25 start for the trades;

26 (b) Data on the total unduplicated head count of students enrolled
27 in at least one dual credit program course; and

28 (c) The percentage of students who enrolled in at least one dual
29 credit program as percent of all students enrolled in grades nine
30 through twelve.

31 (2) Data on student participation shall be disaggregated by race,
32 ethnicity, gender, and receipt of free or reduced-price lunch.

33 **Sec. 506.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to
34 read as follows:

35 The superintendent of public instruction, the state board for
36 community and technical colleges, and the (~~higher — education~~

1 ~~coordinating board~~) student achievement council shall jointly develop
2 and adopt rules governing RCW 28A.600.300 through 28A.600.380, if rules
3 are necessary. The rules shall be written to encourage the maximum use
4 of the program and shall not narrow or limit the enrollment options
5 under RCW 28A.600.300 through 28A.600.380.

6 **Sec. 507.** RCW 28A.660.050 and 2011 1st sp.s. c 11 s 134 are each
7 amended to read as follows:

8 Subject to the availability of amounts appropriated for these
9 purposes, the conditional scholarship programs in this chapter are
10 created under the following guidelines:

11 (1) The programs shall be administered by the (~~office of student~~
12 ~~financial assistance~~) student achievement council. In administering
13 the programs, the (~~office~~) council has the following powers and
14 duties:

15 (a) To adopt necessary rules and develop guidelines to administer
16 the programs;

17 (b) To collect and manage repayments from participants who do not
18 meet their service obligations; and

19 (c) To accept grants and donations from public and private sources
20 for the programs.

21 (2) Requirements for participation in the conditional scholarship
22 programs are as provided in this subsection (2).

23 (a) The alternative route conditional scholarship program is
24 limited to interns of professional educator standards board-approved
25 alternative routes to teaching programs under RCW 28A.660.040. For
26 fiscal year 2011, priority must be given to fiscal year 2010
27 participants in the alternative route partnership program. In order to
28 receive conditional scholarship awards, recipients shall:

29 (i) Be accepted and maintain enrollment in alternative
30 certification routes through a professional educator standards board-
31 approved program;

32 (ii) Continue to make satisfactory progress toward completion of
33 the alternative route certification program and receipt of a residency
34 teaching certificate; and

35 (iii) Receive no more than the annual amount of the scholarship,
36 not to exceed eight thousand dollars, for the cost of tuition, fees,
37 and educational expenses, including books, supplies, and transportation

1 for the alternative route certification program in which the recipient
2 is enrolled. The (~~board~~) council may adjust the annual award by the
3 average rate of resident undergraduate tuition and fee increases at the
4 state universities as defined in RCW 28B.10.016.

5 (b) The pipeline for paraeducators conditional scholarship program
6 is limited to qualified paraeducators as provided by RCW 28A.660.042.
7 In order to receive conditional scholarship awards, recipients shall:

8 (i) Be accepted and maintain enrollment at a community and
9 technical college for no more than two years and attain an associate of
10 arts degree;

11 (ii) Continue to make satisfactory progress toward completion of an
12 associate of arts degree. This progress requirement is a condition for
13 eligibility into a route one program of the alternative routes to
14 teacher certification program for a mathematics, special education, or
15 English as a second language endorsement; and

16 (iii) Receive no more than the annual amount of the scholarship,
17 not to exceed four thousand dollars, for the cost of tuition, fees, and
18 educational expenses, including books, supplies, and transportation for
19 the alternative route certification program in which the recipient is
20 enrolled. The (~~board~~) student achievement council may adjust the
21 annual award by the average rate of tuition and fee increases at the
22 state community and technical colleges.

23 (c) The retooling to teach mathematics and science conditional
24 scholarship program is limited to current K-12 teachers. In order to
25 receive conditional scholarship awards:

26 (i) Individuals currently employed as teachers shall pursue a
27 middle level mathematics or science, or secondary mathematics or
28 science endorsement; or

29 (ii) Individuals who are certificated with an elementary education
30 endorsement shall pursue an endorsement in middle level mathematics or
31 science, or both; and

32 (iii) Individuals shall use one of the pathways to endorsement
33 processes to receive a mathematics or science endorsement, or both,
34 which shall include passing a mathematics or science endorsement test,
35 or both tests, plus observation and completing applicable coursework to
36 attain the proper endorsement; and

37 (iv) Individuals shall receive no more than the annual amount of

1 the scholarship, not to exceed three thousand dollars, for the cost of
2 tuition, test fees, and educational expenses, including books,
3 supplies, and transportation for the endorsement pathway being pursued.

4 (3) The Washington professional educator standards board shall
5 select individuals to receive conditional scholarships. In selecting
6 recipients, preference shall be given to eligible veterans or national
7 guard members.

8 (4) For the purpose of this chapter, a conditional scholarship is
9 a loan that is forgiven in whole or in part in exchange for service as
10 a certificated teacher employed in a Washington state K-12 public
11 school. The state shall forgive one year of loan obligation for every
12 two years a recipient teaches in a public school. Recipients who fail
13 to continue a course of study leading to residency teacher
14 certification or cease to teach in a public school in the state of
15 Washington in their endorsement area are required to repay the
16 remaining loan principal with interest.

17 (5) Recipients who fail to fulfill the required teaching obligation
18 are required to repay the remaining loan principal with interest and
19 any other applicable fees. The (~~office of student financial~~
20 ~~assistance~~) student achievement council shall adopt rules to define
21 the terms for repayment, including applicable interest rates, fees, and
22 deferments.

23 (6) The (~~office of student financial assistance~~) student
24 achievement council may deposit all appropriations, collections, and
25 any other funds received for the program in this chapter in the future
26 teachers conditional scholarship account authorized in RCW 28B.102.080.

27 **Sec. 508.** RCW 28B.07.040 and 1985 c 370 s 49 are each amended to
28 read as follows:

29 The authority is authorized and empowered to do the following, on
30 such terms, with such security and undertakings, subject to such
31 conditions, and in return for such consideration, as the authority
32 shall determine in its discretion to be necessary, useful, or
33 convenient in accomplishing the purposes of this chapter:

- 34 (1) To promulgate rules in accordance with chapter 34.05 RCW;
35 (2) To adopt an official seal and to alter the same at pleasure;
36 (3) To maintain an office at any place or places as the authority
37 may designate;

- 1 (4) To sue and be sued in its own name, and to plead and be
2 impleaded;
- 3 (5) To make and execute agreements with participants and others and
4 all other instruments necessary, useful, or convenient for the
5 accomplishment of the purposes of this chapter;
- 6 (6) To provide long-term or short-term financing or refinancing to
7 participants for project costs, by way of loan, lease, conditional
8 sales contract, mortgage, option to purchase, or other financing or
9 security device or any such combination;
- 10 (7) If, in order to provide to participants the financing or
11 refinancing of project costs described in subsection (6) of this
12 section, the authority deems it necessary or convenient for it to own
13 a project or projects or any part of a project or projects, for any
14 period of time, it may acquire, contract, improve, alter, rehabilitate,
15 repair, manage, operate, mortgage, subject to a security interest,
16 lease, sell, or convey the project;
- 17 (8) To fix, revise from time to time, and charge and collect from
18 participants and others rates, rents, fees, charges, and repayments as
19 necessary to fully and timely reimburse the authority for all expenses
20 incurred by it in providing the financing and refinancing and other
21 services under this section and for the repayment, when due, of all the
22 principal of, redemption premium, if any, and interest on all bonds
23 issued under this chapter to provide the financing, refinancing, and
24 services;
- 25 (9) To accept and receive funds, grants, gifts, pledges,
26 guarantees, mortgages, trust deeds, and other security instruments, and
27 property from the federal government or the state or other public body,
28 entity, or agency and from any public or private institution,
29 association, corporation, or organization, including participants. It
30 shall not accept or receive from the state or any taxing agency any
31 money derived from taxes, except money to be devoted to the purposes of
32 a project of the state or of a taxing agency;
- 33 (10) To open and maintain a bank account or accounts in one or more
34 qualified public depositories in this state and to deposit all or any
35 part of authority funds therein;
- 36 (11) To employ consulting engineers, architects, attorneys,
37 accountants, construction and financial experts, superintendents,

1 managers, an executive director, and such other employees and agents as
2 may be necessary in its judgment to carry out the purposes of this
3 chapter, and to fix their compensation;

4 (12) To provide financing or refinancing to two or more
5 participants for a single project or for several projects in such
6 combinations as the authority deems necessary, useful, or convenient;

7 (13) To charge to and equitably apportion among participants the
8 administrative costs and expenses incurred in the exercise of the
9 powers and duties conferred by this chapter;

10 (14) To consult with the (~~higher education coordinating board~~)
11 student achievement council to determine project priorities under the
12 purposes of this chapter; and

13 (15) To do all other things necessary, useful, or convenient to
14 carry out the purposes of this chapter.

15 In the exercise of any of these powers, the authority shall incur
16 no expense or liability which shall be an obligation, either general or
17 special, of the state, or a general obligation of the authority, and
18 shall pay no expense or liability from funds other than funds of the
19 authority. Funds of the state shall not be used for such purpose.

20 **Sec. 509.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to
21 read as follows:

22 The boards of regents of the University of Washington and
23 Washington State University, respectively, and the boards of trustees
24 of Central Washington University, Eastern Washington University,
25 Western Washington University, and The Evergreen State College,
26 respectively, shall have the power and authority to acquire by
27 exchange, gift, purchase, lease, or condemnation in the manner provided
28 by chapter 8.04 RCW for condemnation of property for public use, such
29 lands, real estate and other property, and interests therein as they
30 may deem necessary for the use of said institutions respectively.
31 However, the purchase or lease of major off-campus facilities is
32 subject to the approval of the (~~higher education coordinating board~~)
33 student achievement council under RCW 28B.76.230 (as recodified by this
34 act).

35 **Sec. 510.** RCW 28B.10.053 and 2011 2nd sp.s. c 3 s 1 are each
36 amended to read as follows:

1 (1) By December 1, 2011, and by June of each odd-numbered year
2 thereafter, the institutions of higher education shall collaboratively
3 develop a master list of postsecondary courses that can be fulfilled by
4 taking the advanced placement, international baccalaureate, or other
5 recognized college-level proficiency examinations, including but not
6 limited to examinations by a national multidisciplinary science,
7 technology, engineering, and mathematics program, and meeting the
8 qualifying examination score or demonstrated competencies for lower
9 division general education requirements or postsecondary professional
10 technical requirements. The master list of postsecondary courses
11 fulfilled by proficiency examinations or demonstrated competencies are
12 those that fulfill lower division general education requirements or
13 career and technical education requirements and qualify for
14 postsecondary credit. From the master list, each institution shall
15 create and publish a list of its courses that can be satisfied by
16 successful proficiency examination scores or demonstrated competencies
17 for lower division general education requirements or postsecondary
18 professional technical requirements. The qualifying examination scores
19 and demonstrated competencies shall be included in the published list.
20 The requirements to develop a master list under this section do not
21 apply if an institution has a clearly published policy of awarding
22 credit for the advanced placement, international baccalaureate, or
23 other recognized college-level placement exams and does not require
24 those credits to meet specific course requirements but generally
25 applies those credits towards degree requirements.

26 (2) To the maximum extent possible, institutions of higher
27 education shall agree on examination qualifying scores and demonstrated
28 competencies for the credits or courses under subsection (3) of this
29 section, with scores equivalent to qualified or well-qualified.
30 Nothing in this subsection shall prevent an institution of higher
31 education from adopting policies using higher scores for additional
32 purposes.

33 (3) Each institution of higher education, in designing its
34 certificate, technical degree program, two-year academic transfer
35 program, or freshman and sophomore courses of a baccalaureate program
36 or baccalaureate degree, must recognize the equivalencies of at least
37 one year of course credit and maximize the application of the credits
38 toward lower division general education requirements that can be earned

1 through successfully demonstrating proficiency on examinations,
2 including but not limited to advanced placement and international
3 baccalaureate examinations. The successful completion of the
4 examination and the award of credit shall be noted on the student's
5 college transcript.

6 (4) Each institution of higher education must clearly include in
7 its admissions materials and on its web site the credits or the
8 institution's list of postsecondary courses that can be fulfilled by
9 proficiency examinations or demonstrated competencies and the agreed-
10 upon examination scores and demonstrated competencies that qualify for
11 postsecondary credit. Each institution must provide the information to
12 the ((higher education coordinating board)) student achievement council
13 and state board for community and technical colleges in a form that the
14 superintendent of public instruction is able to distribute to school
15 districts.

16 **Sec. 511.** RCW 28B.10.118 and 2011 c 108 s 2 are each amended to
17 read as follows:

18 (1) State universities, regional universities, and The Evergreen
19 State College may develop accelerated baccalaureate degree programs
20 that will allow academically qualified students to obtain a
21 baccalaureate degree in three years without attending summer classes or
22 enrolling in more than a full-time class load during the regular
23 academic year. The programs must allow academically qualified students
24 to begin coursework within their academic field during their first term
25 or semester of enrollment.

26 (2) The state universities, regional universities, and The
27 Evergreen State College shall report on their plans for the accelerated
28 baccalaureate degree programs to the ((higher education coordinating
29 board)) student achievement council for approval.

30 **Sec. 512.** RCW 28B.10.400 and 2011 1st sp.s. c 47 s 2 are each
31 amended to read as follows:

32 (1) The boards of regents of the state universities, the boards of
33 trustees of the regional universities and of The Evergreen State
34 College, the state board for community and technical colleges, and the
35 ((higher education coordinating board)) student achievement council are
36 authorized and empowered:

1 (a) To assist the faculties and such other employees exempt from
2 civil service pursuant to RCW 41.06.070 (1)((~~ee~~)) (z) and (2) as any
3 such board may designate in the purchase of old age annuities or
4 retirement income plans under such rules as any such board may
5 prescribe, subject to the restrictions in subsection (2) of this
6 section. County agricultural agents, home demonstration agents, 4-H
7 club agents, and assistant county agricultural agents paid jointly by
8 the Washington State University and the several counties shall be
9 deemed to be full-time employees of the Washington State University for
10 the purposes of this section;

11 (b) To provide, under such rules as any such board may prescribe
12 for the faculty members or other employees exempt from civil service
13 pursuant to RCW 41.06.070 (1)((~~ee~~)) (z) and (2) under its
14 supervision, for the retirement of any such faculty member or other
15 exempt employee on account of age or condition of health, retirement on
16 account of age to be not earlier than the sixty-fifth birthday:
17 PROVIDED, That such faculty member or such other exempt employee may
18 elect to retire at the earliest age specified for retirement by federal
19 social security law: PROVIDED FURTHER, That any supplemental payment
20 authorized by (c) of this subsection and paid as a result of retirement
21 earlier than age sixty-five shall be at an actuarially reduced rate;
22 and shall be provided only to those persons who participate in an
23 annuity or retirement income plan under (a) of this subsection prior to
24 July 1, 2011;

25 (c) To pay only to those persons who participate in an annuity or
26 retirement income plan under (a) of this subsection prior to July 1,
27 2011, or to his or her designated beneficiary(s), each year after his
28 or her retirement, a supplemental amount which, when added to the
29 amount of such annuity or retirement income plan, or retirement income
30 benefit pursuant to RCW 28B.10.415, received by the retired person or
31 the retired person's designated beneficiary(s) in such year, will not
32 exceed fifty percent of the average annual salary paid to such retired
33 person for his or her highest two consecutive years of full-time
34 service under an annuity or retirement income plan established pursuant
35 to (a) of this subsection at an institution of higher education:
36 PROVIDED, HOWEVER, That if such retired person prior to retirement
37 elected a supplemental payment survivors option, any such supplemental
38 payments to such retired person or the retired person's designated

1 beneficiary(s) shall be at actuarially reduced rates: PROVIDED
2 FURTHER, That if a faculty member or other employee of an institution
3 of higher education who is a participant in a retirement plan
4 authorized by this section dies, or has died before retirement but
5 after becoming eligible for retirement on account of age, the
6 designated beneficiary(s) shall be entitled to receive the supplemental
7 payment authorized by this subsection to which such designated
8 beneficiary(s) would have been entitled had said deceased faculty
9 member or other employee retired on the date of death after electing a
10 supplemental payment survivors option: PROVIDED FURTHER, That for the
11 purpose of this subsection, the designated beneficiary(s) shall be (i)
12 the surviving spouse of the retiree; or, (ii) with the written consent
13 of such spouse, if any, such other person or persons as shall have an
14 insurable interest in the retiree's life and shall have been nominated
15 by written designation duly executed and filed with the retiree's
16 institution of higher education.

17 (2) Boards are prohibited from offering a purchased annuity or
18 retirement income plan authorized under this section to employees hired
19 on or after July 1, 2011, who have retired or are eligible to retire
20 from a public employees' retirement system described in RCW 41.50.030.
21 The (~~higher education coordinating board~~) student achievement council
22 shall only offer participation in a purchased annuity or retirement
23 income plan authorized under this section to employees who have
24 previously contributed premiums to a similar qualified plan.

25 (3) During the 2011 legislative interim, the select committee on
26 pension policy shall evaluate the suitability and necessity of the
27 annuity and retirement plans authorized under this chapter for
28 employees in various positions within higher education institutions.
29 The select committee shall report its findings, including any
30 recommendations for restrictions on future plan membership, to the ways
31 and means committees of the house of representatives and the senate no
32 later than December 31, 2011.

33 **Sec. 513.** RCW 28B.10.405 and 2011 1st sp.s. c 47 s 3 are each
34 amended to read as follows:

35 Members of the faculties and such other employees exempt from civil
36 service pursuant to RCW 41.06.070 (1)(~~ee~~) (z) and (2) as are
37 designated by the boards of regents of the state universities, the

1 boards of trustees of the regional universities and of The Evergreen
2 State College, the (~~higher education coordinating board~~) student
3 achievement council, or the state board for community and technical
4 colleges who do not opt to become members of the teachers' retirement
5 system or the public employees' retirement system under RCW 41.32.836
6 or 41.40.798, or who are not prevented from participation in an annuity
7 or retirement plan under RCW 28B.10.400(2) shall be required to
8 contribute not less than five percent of their salaries during each
9 year of full-time service after the first two years of such service
10 toward the purchase of such annuity or retirement income plan; such
11 contributions may be in addition to federal social security tax
12 contributions, if any.

13 **Sec. 514.** RCW 28B.10.410 and 2011 1st sp.s. c 47 s 4 are each
14 amended to read as follows:

15 The boards of regents of the state universities, the boards of
16 trustees of the regional universities and of The Evergreen State
17 College, the (~~higher education coordinating board~~) student
18 achievement council, or the state board for community and technical
19 colleges shall pay not more than one-half of the annual premium of any
20 annuity or retirement income plan established under the provisions of
21 RCW 28B.10.400. Such contribution shall not exceed ten percent of the
22 salary of the faculty member or other employee on whose behalf the
23 contribution is made. This contribution may be in addition to federal
24 social security tax contributions made by the boards, if any.

25 **Sec. 515.** RCW 28B.10.415 and 2011 1st sp.s. c 47 s 5 are each
26 amended to read as follows:

27 The boards of regents of the state universities, the boards of
28 trustees of the regional universities and of The Evergreen State
29 College, the (~~higher education coordinating board~~) student
30 achievement council, or the state board for community and technical
31 colleges shall not pay any amount to be added to the annuity or
32 retirement income plan of any retired person who was first hired on or
33 after July 1, 2011, or who has served for less than ten years in one or
34 more of the state institutions of higher education. In the case of
35 persons who have served more than ten years but less than twenty-five
36 years no amount shall be paid in excess of four percent of the amount

1 authorized in RCW 28B.10.400(1)(c), multiplied by the number of years
2 of full-time service rendered by such person: PROVIDED, That credit
3 for years of service at an institution of higher education shall be
4 limited to those years in which contributions were made by a faculty
5 member or other employee designated pursuant to RCW 28B.10.400(1)(a)
6 and the institution or the state as a result of which a benefit is
7 being received by a retired person from any Washington state public
8 retirement plan: PROVIDED FURTHER, That all such benefits that a
9 retired person is eligible to receive shall reduce any supplementation
10 payments provided for in RCW 28B.10.400.

11 **Sec. 516.** RCW 28B.10.423 and 2011 1st sp.s. c 47 s 7 are each
12 amended to read as follows:

13 (1) For employees who are first employed by an institution of
14 higher education in a position eligible for participation in an old age
15 annuities or retirement income plan under this chapter prior to July 1,
16 2011, it is the intent of RCW 28B.10.400, 28B.10.405, 28B.10.410,
17 28B.10.415, 28B.10.420, and 28B.10.423 that the retirement income
18 resulting from the contributions described herein from the state of
19 Washington and the employee shall be projected actuarially so that it
20 shall not exceed sixty percent of the average of the highest two
21 consecutive years salary. Periodic review of the retirement systems
22 established pursuant to RCW 28B.10.400, 28B.10.405, 28B.10.410,
23 28B.10.415, 28B.10.420, and 28B.10.423 will be undertaken at such time
24 and in such manner as determined by the committees on ways and means of
25 the senate and of the house of representatives, the select committee on
26 pension policy, and the pension funding council, and joint contribution
27 rates will be adjusted if necessary to accomplish this intent.

28 (2) Beginning July 1, 2011, state funding for annuity or retirement
29 income plans under RCW 28B.10.400 shall not exceed six percent of
30 salary. The state board for community and technical colleges and the
31 (~~higher education coordinating board~~) student achievement council are
32 exempt from the provisions of this subsection (2).

33 (3) By June 30, 2013, and every two years thereafter, each
34 institution of higher education that is responsible for payment of
35 supplemental amounts under RCW 28B.10.400(1)(c) shall contract with the
36 state actuary under chapter 41.44 RCW for an actuarial valuation of
37 their supplemental benefit plan. By June 30, 2013, and at least once

1 every six years thereafter, each institution shall also contract with
2 the state actuary under chapter 41.44 RCW for an actuarial experience
3 study of the mortality, service, compensation, and other experience of
4 the annuity or retirement income plans created in this chapter, and
5 into the financial condition of each system. At the discretion of the
6 state actuary, the valuation or experience study may be performed by
7 the state actuary or by an outside actuarial firm under contract to the
8 office of the state actuary. Each institution of higher education is
9 required to provide the data and information required for the
10 performance of the valuation or experience study to the office of the
11 state actuary or to the actuary performing the study on behalf of the
12 state actuary. The state actuary may charge each institution for the
13 actual cost of the valuation or experience study through an interagency
14 agreement. Upon completion of the valuation or experience study, the
15 state actuary shall provide copies of the study to the institution of
16 higher education and to the select committee on pension policy and the
17 pension funding council.

18 (4)(a) A higher education retirement plan supplemental benefit fund
19 is created in the custody of the state treasurer for the purpose of
20 funding future benefit obligations of higher education retirement plan
21 supplemental benefits. The state investment board has the full power
22 to invest, reinvest, manage, contract, sell, or exchange investment
23 money in the fund.

24 (b) From January 1, 2012, through June 30, 2013, an employer
25 contribution rate of one-quarter of one percent of salary is
26 established to begin prefunding the unfunded future obligations of the
27 supplemental benefit established in RCW 28B.10.400.

28 (c) Beginning July 1, 2013, an employer contribution rate of one-
29 half of one percent of salary is established to prefund the unfunded
30 future obligations of the supplemental benefit established in RCW
31 28B.10.400.

32 (d) Consistent with chapter 41.50 RCW, the department of retirement
33 systems shall collect the employer contribution rates established in
34 this section from each state institution of higher education, and
35 deposit those contributions into the higher education retirement plan
36 supplemental benefit fund. The contributions made by each employer
37 into the higher education retirement plan supplemental benefit fund and

1 the earnings on those contributions shall be accounted for separately
2 within the fund.

3 (e) Following the completion and review of the initial actuarial
4 valuations and experience study conducted pursuant to subsection (3) of
5 this section, the pension funding council may:

6 (i) Adopt and make changes to the employer contribution rates
7 established in this subsection consistent with the procedures
8 established in chapter 41.45 RCW. If the actuarial valuations of the
9 higher education retirement plans of each institution contributing to
10 the higher education retirement plan supplemental benefit fund suggest
11 that different contribution rates are appropriate for each institution,
12 different rates may be adopted. Rates adopted by the pension funding
13 council are subject to revision by the legislature;

14 (ii) Recommend legislation that will, upon accumulation of
15 sufficient funding in the higher education retirement plan supplemental
16 benefit fund, transfer the responsibility for making supplemental
17 benefit payments to the department of retirement systems, and adjust
18 employer contribution rates to reflect the transfer of responsibility.

19 **Sec. 517.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended
20 to read as follows:

21 The participation rate used to calculate enrollment levels under
22 RCW 28B.10.776 and 28B.10.782 shall be based on fall enrollment
23 reported in the higher education enrollment report as maintained by the
24 office of financial management, fall enrollment as reported in the
25 management information system of the state board for community and
26 technical colleges, and the corresponding fall population forecast by
27 the office of financial management. Formal estimates of the state
28 participation rates and enrollment levels necessary to fulfill the
29 requirements of RCW 28B.10.776 and 28B.10.782 shall be determined by
30 the office of financial management as part of its responsibility to
31 develop and maintain student enrollment forecasts for colleges and
32 universities under RCW 43.62.050. Formal estimates of the state
33 participation rates and enrollment levels required by this section
34 shall be based on procedures and standards established by a technical
35 work group consisting of staff from the (~~higher education coordinating~~
36 ~~board~~) student achievement council, the public four-year institutions
37 of higher education, the state board for community and technical

1 colleges, the fiscal and higher education committees of the house of
2 representatives and the senate, and the office of financial management.
3 Formal estimates of the state participation rates and enrollment levels
4 required by this section shall be submitted to the fiscal committees of
5 the house of representatives and senate on or before November 15th of
6 each even-numbered year. The (~~higher education coordinating board~~)
7 student achievement council shall periodically review the enrollment
8 goals set forth in RCW 28B.10.776 and 28B.10.782 and submit
9 recommendations concerning modification of these goals to the governor
10 and to the higher education committees of the house of representatives
11 and the senate.

12 **Sec. 518.** RCW 28B.10.790 and 2011 1st sp.s. c 11 s 139 are each
13 amended to read as follows:

14 Washington residents attending any nonprofit college or university
15 in another state which has a reciprocity agreement with the state of
16 Washington shall be eligible for the student financial aid program
17 outlined in chapter 28B.92 RCW if (1) they qualify as a "needy student"
18 under RCW 28B.92.030(~~(+5)~~) (4), and (2) the institution attended is a
19 member institution of an accrediting association recognized by rule of
20 the (~~office of student financial assistance~~) student achievement
21 council for the purposes of this section and is specifically
22 encompassed within or directly affected by such reciprocity agreement
23 and agrees to and complies with program rules and regulations
24 pertaining to such students and institutions adopted pursuant to RCW
25 28B.92.150.

26 **Sec. 519.** RCW 28B.12.030 and 2011 1st sp.s. c 11 s 142 are each
27 amended to read as follows:

28 As used in this chapter, the following words and terms shall have
29 the following meanings, unless the context shall clearly indicate
30 another or different meaning or intent:

31 (1) The term "needy student" shall mean a student enrolled or
32 accepted for enrollment at a postsecondary institution who, according
33 to a system of need analysis approved by the office of student
34 financial assistance, demonstrates a financial inability, either
35 parental, familial, or personal, to bear the total cost of education
36 for any semester or quarter.

1 (2) The term "eligible institution" shall mean any postsecondary
2 institution in this state accredited by the Northwest Association of
3 Schools and Colleges, or a branch of a member institution of an
4 accrediting association recognized by rule of the (~~board~~) student
5 achievement council for purposes of this section, that is eligible for
6 federal student financial aid assistance and has operated as a
7 nonprofit college or university delivering on-site classroom
8 instruction for a minimum of twenty consecutive years within the state
9 of Washington, or any public technical college in the state.

10 **Sec. 520.** RCW 28B.12.040 and 2011 1st sp.s. c 11 s 143 are each
11 amended to read as follows:

12 The (~~office of student financial assistance~~) student achievement
13 council shall develop and administer the state work-study program. The
14 (~~board~~) council shall be authorized to enter into agreements with
15 employers and eligible institutions for the operation of the program.
16 These agreements shall include such provisions as the (~~office~~)
17 council may deem necessary or appropriate to carry out the purposes of
18 this chapter.

19 With the exception of off-campus community service placements, the
20 share from moneys disbursed under the state work-study program of the
21 compensation of students employed under such program in accordance with
22 such agreements shall not exceed eighty percent of the total such
23 compensation paid such students.

24 By rule, the (~~office~~) council shall define community service
25 placements and may determine any salary matching requirements for any
26 community service employers.

27 **Sec. 521.** RCW 28B.15.012 and 2011 1st sp.s. c 11 s 148 are each
28 amended to read as follows:

29 Whenever used in this chapter:

30 (1) The term "institution" shall mean a public university, college,
31 or community college within the state of Washington.

32 (2) The term "resident student" shall mean:

33 (a) A financially independent student who has had a domicile in the
34 state of Washington for the period of one year immediately prior to the
35 time of commencement of the first day of the semester or quarter for

1 which the student has registered at any institution and has in fact
2 established a bona fide domicile in this state primarily for purposes
3 other than educational;

4 (b) A dependent student, if one or both of the student's parents or
5 legal guardians have maintained a bona fide domicile in the state of
6 Washington for at least one year immediately prior to commencement of
7 the semester or quarter for which the student has registered at any
8 institution;

9 (c) A student classified as a resident based upon domicile by an
10 institution on or before May 31, 1982, who was enrolled at a state
11 institution during any term of the 1982-1983 academic year, so long as
12 such student's enrollment (excepting summer sessions) at an institution
13 in this state is continuous;

14 (d) Any student who has spent at least seventy-five percent of both
15 his or her junior and senior years in high schools in this state, whose
16 parents or legal guardians have been domiciled in the state for a
17 period of at least one year within the five-year period before the
18 student graduates from high school, and who enrolls in a public
19 institution of higher education within six months of leaving high
20 school, for as long as the student remains continuously enrolled for
21 three quarters or two semesters in any calendar year;

22 (e) Any person who has completed the full senior year of high
23 school and obtained a high school diploma, both at a Washington public
24 high school or private high school approved under chapter 28A.195 RCW,
25 or a person who has received the equivalent of a diploma; who has lived
26 in Washington for at least three years immediately prior to receiving
27 the diploma or its equivalent; who has continuously lived in the state
28 of Washington after receiving the diploma or its equivalent and until
29 such time as the individual is admitted to an institution of higher
30 education under subsection (1) of this section; and who provides to the
31 institution an affidavit indicating that the individual will file an
32 application to become a permanent resident at the earliest opportunity
33 the individual is eligible to do so and a willingness to engage in any
34 other activities necessary to acquire citizenship, including but not
35 limited to citizenship or civics review courses;

36 (f) Any person who has lived in Washington, primarily for purposes
37 other than educational, for at least one year immediately before the
38 date on which the person has enrolled in an institution, and who holds

1 lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii),
2 (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse
3 or child of a person having nonimmigrant status under one of those
4 subsections, or who, holding or having previously held such lawful
5 nonimmigrant status as a principal or derivative, has filed an
6 application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

7 (g) A student who is on active military duty stationed in the state
8 or who is a member of the Washington national guard;

9 (h) A student who is the spouse or a dependent of a person who is
10 on active military duty stationed in the state. If the person on
11 active military duty is reassigned out-of-state, the student maintains
12 the status as a resident student so long as the student is continuously
13 enrolled in a degree program;

14 (i) A student who resides in the state of Washington and is the
15 spouse or a dependent of a person who is a member of the Washington
16 national guard;

17 (j) A student of an out-of-state institution of higher education
18 who is attending a Washington state institution of higher education
19 pursuant to a home tuition agreement as described in RCW 28B.15.725;

20 (k) A student who meets the requirements of RCW 28B.15.0131:
21 PROVIDED, That a nonresident student enrolled for more than six hours
22 per semester or quarter shall be considered as attending for primarily
23 educational purposes, and for tuition and fee paying purposes only such
24 period of enrollment shall not be counted toward the establishment of
25 a bona fide domicile of one year in this state unless such student
26 proves that the student has in fact established a bona fide domicile in
27 this state primarily for purposes other than educational;

28 (l) A student who resides in Washington and is on active military
29 duty stationed in the Oregon counties of Columbia, Gilliam, Hood River,
30 Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla, Union,
31 Wallowa, Wasco, or Washington; or

32 (m) A student who resides in Washington and is the spouse or a
33 dependent of a person who resides in Washington and is on active
34 military duty stationed in the Oregon counties of Columbia, Gilliam,
35 Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla,
36 Union, Wallowa, Wasco, or Washington. If the person on active military
37 duty moves from Washington or is reassigned out of the Oregon counties
38 of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas,

1 Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the
2 student maintains the status as a resident student so long as the
3 student resides in Washington and is continuously enrolled in a degree
4 program.

5 (3) The term "nonresident student" shall mean any student who does
6 not qualify as a "resident student" under the provisions of this
7 section and RCW 28B.15.013. Except for students qualifying under
8 subsection (2)(e) or (j) of this section, a nonresident student shall
9 include:

10 (a) A student attending an institution with the aid of financial
11 assistance provided by another state or governmental unit or agency
12 thereof, such nonresidency continuing for one year after the completion
13 of such semester or quarter.

14 (b) A person who is not a citizen of the United States of America
15 who does not have permanent or temporary resident status or does not
16 hold "Refugee-Parolee" or "Conditional Entrant" status with the United
17 States citizenship immigration services or is not otherwise permanently
18 residing in the United States under color of law and who does not also
19 meet and comply with all the applicable requirements in this section
20 and RCW 28B.15.013.

21 (4) The term "domicile" shall denote a person's true, fixed and
22 permanent home and place of habitation. It is the place where the
23 student intends to remain, and to which the student expects to return
24 when the student leaves without intending to establish a new domicile
25 elsewhere. The burden of proof that a student, parent or guardian has
26 established a domicile in the state of Washington primarily for
27 purposes other than educational lies with the student.

28 (5) The term "dependent" shall mean a person who is not financially
29 independent. Factors to be considered in determining whether a person
30 is financially independent shall be set forth in rules adopted by the
31 (~~office of student financial assistance~~) student achievement council
32 and shall include, but not be limited to, the state and federal income
33 tax returns of the person and/or the student's parents or legal
34 guardian filed for the calendar year prior to the year in which
35 application is made and such other evidence as the (~~board~~) council
36 may require.

37 (6) The term "active military duty" means the person is serving on
38 active duty in:

- 1 (a) The armed forces of the United States government; or
2 (b) The Washington national guard; or
3 (c) The coast guard, merchant mariners, or other nonmilitary
4 organization when such service is recognized by the United States
5 government as equivalent to service in the armed forces.

6 **Sec. 522.** RCW 28B.15.013 and 2011 1st sp.s. c 11 s 149 are each
7 amended to read as follows:

8 (1) The establishment of a new domicile in the state of Washington
9 by a person formerly domiciled in another state has occurred if such
10 person is physically present in Washington primarily for purposes other
11 than educational and can show satisfactory proof that such person is
12 without a present intention to return to such other state or to acquire
13 a domicile at some other place outside of Washington.

14 (2) Unless proven to the contrary it shall be presumed that:

15 (a) The domicile of any person shall be determined according to the
16 individual's situation and circumstances rather than by marital status
17 or sex.

18 (b) A person does not lose a domicile in the state of Washington by
19 reason of residency in any state or country while a member of the civil
20 or military service of this state or of the United States, nor while
21 engaged in the navigation of the waters of this state or of the United
22 States or of the high seas if that person returns to the state of
23 Washington within one year of discharge from said service with the
24 intent to be domiciled in the state of Washington; any resident
25 dependent student who remains in this state when such student's
26 parents, having theretofore been domiciled in this state for a period
27 of one year immediately prior to the time of commencement of the first
28 day of the semester or quarter for which the student has registered at
29 any institution, remove from this state, shall be entitled to continued
30 classification as a resident student so long as such student's
31 attendance (except summer sessions) at an institution in this state is
32 continuous.

33 (3) To aid the institution in deciding whether a student, parent,
34 legally appointed guardian or the person having legal custody of a
35 student is domiciled in the state of Washington primarily for purposes
36 other than educational, the rules (~~and regulations~~) adopted by the

1 ((office of student financial assistance)) student achievement council
2 shall include but not be limited to the following:

3 (a) Registration or payment of Washington taxes or fees on a motor
4 vehicle, mobile home, travel trailer, boat, or any other item of
5 personal property owned or used by the person for which state
6 registration or the payment of a state tax or fee is required will be
7 a factor in considering evidence of the establishment of a Washington
8 domicile.

9 (b) Permanent full time employment in Washington by a person will
10 be a factor in considering the establishment of a Washington domicile.

11 (c) Registration to vote for state officials in Washington will be
12 a factor in considering the establishment of a Washington domicile.

13 (4) After a student has registered at an institution such student's
14 classification shall remain unchanged in the absence of satisfactory
15 evidence to the contrary. A student wishing to apply for a change in
16 classification shall reduce such evidence to writing and file it with
17 the institution. In any case involving an application for a change
18 from nonresident to resident status, the burden of proof shall rest
19 with the applicant. Any change in classification, either nonresident
20 to resident, or the reverse, shall be based upon written evidence
21 maintained in the files of the institution and, if approved, shall take
22 effect the semester or quarter such evidence was filed with the
23 institution: PROVIDED, That applications for a change in
24 classification shall be accepted up to the thirtieth calendar day
25 following the first day of instruction of the quarter or semester for
26 which application is made.

27 **Sec. 523.** RCW 28B.15.015 and 2011 1st sp.s. c 11 s 150 are each
28 amended to read as follows:

29 The ((state's institutions)) student achievement council, with the
30 advice of the attorney general, shall adopt rules ((and regulations))
31 to be used by the state's institutions for determining a student's
32 resident and nonresident status and for recovery of fees for improper
33 classification of residency.

34 **Sec. 524.** RCW 28B.15.068 and 2011 1st sp.s. c 10 s 7 are each
35 amended to read as follows:

36 (1) By September 1st of each year beginning in 2011, the office of

1 financial management shall report to the governor, the (~~higher~~
2 ~~education—coordinating—board~~) student achievement council, and
3 appropriate committees of the legislature with updated estimates of:

4 (a) The total per-student funding level that represents the
5 sixtieth percentile of funding for similar institutions of higher
6 education in the global challenge states; and

7 (b) The tuition that represents the sixtieth percentile of resident
8 undergraduate tuition for similar institutions of higher education in
9 the global challenge states.

10 (2) As used in this section, "global challenge states" are the top
11 performing states on the new economy index published by the progressive
12 policy institute as of July 22, 2007. The new economy index ranks
13 states on indicators of their potential to compete in the new economy.
14 At least once every five years, the office of financial management
15 shall determine if changes to the list of global challenge states are
16 appropriate. The office of financial management shall report its
17 findings to the governor and the legislature.

18 (3) Institutions of higher education, in collaboration with
19 relevant student associations, shall aim to have all students who can
20 benefit from available tax credits that mitigate the costs of higher
21 education take advantage of these opportunities. These tax credits
22 include the American opportunity tax credit provided in the American
23 recovery and reinvestment act of 2009, the lifetime learning credit,
24 and other relevant tax credits for as long as they are available.

25 (4)(a) Institutions shall make every effort to communicate to
26 students and their families the benefits of such tax credits and
27 provide assistance to students and their families on how to apply.

28 (b) Information about relevant tax credits shall, to the greatest
29 extent possible, be incorporated into financial aid counseling,
30 admission information, and individual billing statements.

31 (c) Institutions shall, to the greatest extent possible, use all
32 means of communication, including but not limited to web sites, online
33 catalogues, admission and registration forms, mass email messaging,
34 social media, and outside marketing to ensure information about
35 relevant tax credits is visible and compelling, and reaches the maximum
36 amount of student and families that can benefit.

37 (5) In the event that the economic value of the American

1 opportunity tax credit is reduced or expires at any time before
2 December 31, 2012, institutions of higher education shall:

3 (a) Develop an updated tuition mitigation plan established under
4 RCW 28B.15.102 for the purpose of minimizing, to the greatest extent
5 possible, the increase in net cost of tuition or total cost of
6 attendance for students resulting from any such change. This plan
7 shall include the methods specified by the four-year institution of
8 higher education to avoid adding additional loan debt burdens to
9 students regardless of the source of such loans;

10 (b) Report to the governor and the relevant committees of the
11 legislature on their plans to adjust their tuition mitigation plans no
12 later than ninety days after any such change to the American
13 opportunity tax credit.

14 **Sec. 525.** RCW 28B.15.068 and 2011 1st sp.s. c 50 s 928 are each
15 amended to read as follows:

16 (1) Beginning with the 2007-08 academic year and ending with the
17 2016-17 academic year, tuition fees charged to full-time resident
18 undergraduate students, except in academic years 2009-10 and 2010-11,
19 may increase no greater than seven percent over the previous academic
20 year in any institution of higher education. Annual reductions or
21 increases in full-time tuition fees for resident undergraduate students
22 shall be as provided in the omnibus appropriations act, within the
23 seven percent increase limit established in this section. For academic
24 years 2009-10 and 2010-11 the omnibus appropriations act may provide
25 tuition increases greater than seven percent. To the extent that state
26 appropriations combined with tuition and fee revenues are insufficient
27 to achieve the total per-student funding goals established in
28 subsection (2) of this section, the legislature may revisit state
29 appropriations, authorized enrollment levels, and changes in tuition
30 fees for any given fiscal year. In order to facilitate the full
31 implementation of chapter 10, Laws of 2011 1st sp. sess. for the
32 2011-12 academic year and thereafter, the institutions of higher
33 education are authorized to adopt tuition levels that are less than,
34 equal to, or greater than the tuition levels assumed in the omnibus
35 appropriations act, subject to the conditions and limitations in this
36 chapter and the omnibus appropriations act.

1 (2) The state shall adopt as its goal total per-student funding
2 levels, from state appropriations plus tuition and fees, of at least
3 the sixtieth percentile of total per-student funding at similar public
4 institutions of higher education in the global challenge states. In
5 defining comparable per-student funding levels, the office of financial
6 management shall adjust for regional cost-of-living differences; for
7 differences in program offerings and in the relative mix of lower
8 division, upper division, and graduate students; and for accounting and
9 reporting differences among the comparison institutions. The office of
10 financial management shall develop a funding trajectory for each four-
11 year institution of higher education and for the community and
12 technical college system as a whole that when combined with tuition and
13 fees revenue allows the state to achieve its funding goal for each
14 four-year institution and the community and technical college system as
15 a whole no later than fiscal year 2017. The state shall not reduce
16 enrollment levels below fiscal year 2007 budgeted levels in order to
17 improve or alter the per-student funding amount at any four-year
18 institution of higher education or the community and technical college
19 system as a whole. The state recognizes that each four-year
20 institution of higher education and the community and technical college
21 system as a whole have different funding requirements to achieve
22 desired performance levels, and that increases to the total per-student
23 funding amount may need to exceed the minimum funding goal.

24 (3) By September 1st of each year beginning in 2008, the office of
25 financial management shall report to the governor, the (~~higher~~
26 ~~education – coordinating – board~~) student achievement council, and
27 appropriate committees of the legislature with updated estimates of the
28 total per-student funding level that represents the sixtieth percentile
29 of funding for comparable institutions of higher education in the
30 global challenge states, and the progress toward that goal that was
31 made for each of the public institutions of higher education.

32 (4) As used in this section, "global challenge states" are the top
33 performing states on the new economy index published by the progressive
34 policy institute as of July 22, 2007. The new economy index ranks
35 states on indicators of their potential to compete in the new economy.
36 At least once every five years, the office of financial management
37 shall determine if changes to the list of global challenge states are

1 appropriate. The office of financial management shall report its
2 findings to the governor and the legislature.

3 (5) During the 2009-10 and the 2010-11 academic years, institutions
4 of higher education shall include information on their billing
5 statements notifying students of tax credits available through the
6 American opportunity tax credit provided in the American recovery and
7 reinvestment act of 2009.

8 **Sec. 526.** RCW 28B.15.102 and 2011 1st sp.s. c 10 s 6 are each
9 amended to read as follows:

10 (1) Beginning with the 2011-12 academic year, any four-year
11 institution of higher education that increases tuition beyond levels
12 assumed in the omnibus appropriations act is subject to the financial
13 aid requirements included in this section and shall remain subject to
14 these requirements through the 2018-19 academic year.

15 (2) Beginning July 1, 2011, each four-year institution of higher
16 education that raises tuition beyond levels assumed in the omnibus
17 appropriations act shall, in a manner consistent with the goal of
18 enhancing the quality of and access to their institutions, provide
19 financial aid to offset full-time tuition fees for resident
20 undergraduate students as follows:

21 (a) Subtract from the full-time tuition fees an amount that is
22 equal to the maximum amount of a state need grant award that would be
23 given to an eligible student with a family income at or below fifty
24 percent of the state's median family income as determined by the
25 (~~higher education coordinating board~~) student achievement council;
26 and

27 (b) Offset the remainder as follows:

28 (i) Students with demonstrated need whose family incomes are at or
29 below fifty percent of the state's median family income shall receive
30 financial aid equal to one hundred percent of the remainder if an
31 institution's full-time tuition fees for resident undergraduate
32 students is five percent or greater of the state's median family income
33 for a family of four as provided by the (~~higher education coordinating~~
34 ~~board~~) student achievement council;

35 (ii) Students with demonstrated need whose family incomes are
36 greater than fifty percent and no more than seventy percent of the
37 state's median family income shall receive financial aid equal to

1 seventy-five percent of the remainder if an institution's full-time
2 tuition fees for resident undergraduate students is ten percent or
3 greater of the state's median family income for a family of four as
4 provided by the (~~higher education coordinating board~~) student
5 achievement council;

6 (iii) Students with demonstrated need whose family incomes exceed
7 seventy percent and are less than one hundred percent of the state's
8 median family income shall receive financial aid equal to fifty percent
9 of the remainder if an institution's full-time tuition fees for
10 resident undergraduate students is fifteen percent or greater of the
11 state's median family income for a family of four as provided by the
12 (~~higher education coordinating board~~) student achievement council;
13 and

14 (iv) Students with demonstrated need whose family incomes are at or
15 exceed one hundred percent and are no more than one hundred twenty-five
16 percent of the state's median family income shall receive financial aid
17 equal to twenty-five percent of the remainder if an institution's
18 full-time tuition fees for resident undergraduate students is twenty
19 percent or greater of the state's median family income for a family of
20 four as provided by the (~~higher education coordinating board~~) student
21 achievement council.

22 (3) The financial aid required in subsection (2) of this section
23 shall:

24 (a) Be reduced by the amount of other financial aid awards, not
25 including the state need grant;

26 (b) Be prorated based on credit load; and

27 (c) Only be provided to students up to demonstrated need.

28 (4) Financial aid sources and methods may be:

29 (a) Tuition revenue or locally held funds;

30 (b) Tuition waivers created by a four-year institution of higher
31 education for the specific purpose of serving low and middle-income
32 students; or

33 (c) Local financial aid programs.

34 (5) Use of tuition waivers as specified in subsection (4)(b) of
35 this section shall not be included in determining total state tuition
36 waiver authority as defined in RCW 28B.15.910.

37 (6) By August 15, 2012, and August 15th every year thereafter,
38 four-year institutions of higher education shall report to the governor

1 and relevant committees of the legislature on the effectiveness of the
2 various sources and methods of financial aid in mitigating tuition
3 increases. A key purpose of these reports is to provide information
4 regarding the results of the decision to grant tuition-setting
5 authority to the four-year institutions of higher education and whether
6 tuition setting authority should continue to be granted to the
7 institutions or revert back to the legislature after consideration of
8 the impacts on students, including educational access, affordability,
9 and quality. These reports shall include:

10 (a) The amount of additional financial aid provided to middle-
11 income and low-income students with demonstrated need in the aggregate
12 and per student;

13 (b) An itemization of the sources and methods of financial aid
14 provided by the four-year institution of higher education in the
15 aggregate and per student;

16 (c) An analysis of the combined impact of federal tuition tax
17 credits and financial aid provided by the institution of higher
18 education on the net cost to students and their families resulting from
19 tuition increases;

20 (d) In cases where tuition increases are greater than those assumed
21 in the omnibus appropriations act at any four-year institution of
22 higher education, the institution must include an explanation in its
23 report of why this increase was necessary and how the institution will
24 mitigate the effects of the increase. The institution must include in
25 this section of its report a plan and specific timelines; and

26 (e) An analysis of changes in resident student enrollment patterns,
27 participation rates, graduation rates, and debt load, by race and
28 ethnicity, gender, state and county of origin, age, and socioeconomic
29 status, and a plan to mitigate effects of reduced diversity due to
30 tuition increases. This analysis shall include disaggregated data for
31 resident students in the following income brackets:

32 (i) Up to seventy percent of the median family income;

33 (ii) Between seventy-one percent and one hundred twenty-five
34 percent of the median family income; and

35 (iii) Above one hundred twenty-five percent of the median family
36 income.

37 (7) Beginning in the 2012-13 academic year, the University of
38 Washington shall enroll during each academic year at least the same

1 number of resident freshman undergraduate students at the Seattle
2 campus, as defined in RCW 28B.15.012, as enrolled during the 2009-10
3 academic year. This requirement shall not apply to nonresident
4 undergraduate and graduate and professional students.

5 **Sec. 527.** RCW 28B.15.460 and 1997 c 5 s 2 are each amended to read
6 as follows:

7 (1) An institution of higher education shall not grant any waivers
8 for the purpose of achieving gender equity until the 1991-92 academic
9 year, and may grant waivers for the purpose of achieving gender equity
10 in intercollegiate athletic programs as authorized in RCW 28B.15.740,
11 for the 1991-92 academic year only if the institution's governing board
12 has adopted a plan for complying with the provisions of RCW 28B.15.455
13 and submitted the plan to the (~~higher education coordinating board~~)
14 student achievement council.

15 (2)(a) Beginning in the 1992-93 academic year, an institution of
16 higher education shall not grant any waiver for the purpose of
17 achieving gender equity in intercollegiate athletic programs as
18 authorized in RCW 28B.15.740 unless the institution's plan has been
19 approved by the (~~higher education coordinating board~~) student
20 achievement council.

21 (b) Beginning in the 1999-2000 academic year, an institution that
22 did not provide, by June 30, 1998, athletic opportunities for an
23 historically underrepresented gender class at a rate that meets or
24 exceeds the current rate at which that class participates in high
25 school athletics in Washington state shall have a new institutional
26 plan approved by the (~~higher education coordinating board~~) student
27 achievement council before granting further waivers.

28 (c) Beginning in the 2003-04 academic year, an institution of
29 higher education that was not within five percent of the ratio of
30 undergraduates described in RCW 28B.15.470 by June 30, 2002, shall have
31 a new plan for achieving gender equity in intercollegiate athletic
32 programs approved by the (~~higher education coordinating board~~)
33 student achievement council before granting further waivers.

34 (3) The plan shall include, but not be limited to:
35 (a) For any institution with an historically underrepresented
36 gender class described in subsection (2)(b) of this section, provisions
37 that ensure that by July 1, 2000, the institution shall provide

1 athletic opportunities for the underrepresented gender class at a rate
2 that meets or exceeds the current rate at which that class participates
3 in high school interscholastic athletics in Washington state not to
4 exceed the point at which the underrepresented gender class is no
5 longer underrepresented;

6 (b) For any institution with an underrepresented gender class
7 described in subsection (2)(c) of this section, provisions that ensure
8 that by July 1, 2004, the institution will have reached substantial
9 proportionality in its athletic program;

10 (c) Activities to be undertaken by the institution to increase
11 participation rates of any underrepresented gender class in
12 interscholastic and intercollegiate athletics. These activities may
13 include, but are not limited to: Sponsoring equity conferences,
14 coaches clinics and sports clinics; and taking a leadership role in
15 working with athletic conferences to reduce barriers to participation
16 by those gender classes in interscholastic and intercollegiate
17 athletics;

18 (d) An identification of barriers to achieving and maintaining
19 equitable intercollegiate athletic opportunities for men and women; and

20 (e) Measures to achieve institutional compliance with the
21 provisions of RCW 28B.15.455.

22 **Sec. 528.** RCW 28B.15.760 and 2011 1st sp.s. c 11 s 155 are each
23 reenacted and amended to read as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout RCW 28B.15.762 and 28B.15.764.

26 (1) (~~"Board" means the higher education coordinating board.~~
27 ~~+2+)~~) "Borrower" means an eligible student who has received a loan
28 under RCW 28B.15.762.

29 (2) "Council" means the student achievement council.

30 (3) "Eligible student" means a student registered for at least ten
31 credit hours or the equivalent and demonstrates achievement of a 3.00
32 grade point average for each academic year, who is a resident student
33 as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy
34 student" as defined in RCW 28B.92.030, and who has a declared major in
35 a program leading to a degree in teacher education in a field of
36 science or mathematics, or a certificated teacher who meets the same

1 credit hour and "needy student" requirements and is seeking an
2 additional degree in science or mathematics.

3 (4) "Forgiven" or "to forgive" means to collect service as a
4 teacher in a field of science or mathematics at a public school in the
5 state of Washington in lieu of monetary payment.

6 (5) "Institution of higher education" or "institution" means a
7 college or university in the state of Washington which is a member
8 institution of an accrediting association recognized as such by rule of
9 the (~~higher education coordinating board~~) council.

10 (6) "Office" means the office of student financial assistance.

11 (7) "Public school" means a middle school, junior high school, or
12 high school within the public school system referred to in Article IX
13 of the state Constitution.

14 (8) "Satisfied" means paid-in-full.

15 **Sec. 529.** RCW 28B.15.762 and 2011 1st sp.s. c 11 s 156 are each
16 amended to read as follows:

17 (1) The (~~office~~) council may make long-term loans to eligible
18 students at institutions of higher education from the funds
19 appropriated to the (~~office~~) council for this purpose. The amount of
20 any such loan shall not exceed the demonstrated financial need of the
21 student or two thousand five hundred dollars for each academic year
22 whichever is less, and the total amount of such loans to an eligible
23 student shall not exceed ten thousand dollars. The interest rates and
24 terms of deferral of such loans shall be consistent with the terms of
25 the guaranteed loan program established by 20 U.S.C. Sec. 1701 et seq.
26 The period for repaying the loan principal and interest shall be ten
27 years with payments accruing quarterly commencing nine months from the
28 date the borrower graduated. The entire principal and interest of each
29 loan payment shall be forgiven for each payment period in which the
30 borrower teaches science or mathematics in a public school in this
31 state until the entire loan is satisfied or the borrower ceases to
32 teach science or mathematics at a public school in this state. Should
33 the borrower cease to teach science or mathematics at a public school
34 in this state before the time in which the principal and interest on
35 the loan are satisfied, payments on the unsatisfied portion of the
36 principal and interest on the loan shall begin the next payment period
37 and continue until the remainder of the loan is paid.

1 (2) The (~~office~~) council is responsible for collection of loans
2 made under subsection (1) of this section and shall exercise due
3 diligence in such collection, maintaining all necessary records to
4 insure that maximum repayments are made. Collection and servicing of
5 loans under subsection (1) of this section shall be pursued using the
6 full extent of the law, including wage garnishment if necessary, and
7 shall be performed by entities approved for such servicing by the
8 Washington student loan guaranty association or its successor agency.
9 The (~~board~~) council is responsible to forgive all or parts of such
10 loans under the criteria established in subsection (1) of this section
11 and shall maintain all necessary records of forgiven payments.

12 (3) Receipts from the payment of principal or interest or any other
13 subsidies to which the (~~board~~) council as lender is entitled, which
14 are paid by or on behalf of borrowers under subsection (1) of this
15 section, shall be deposited with the office and shall be used to cover
16 the costs of making the loans under subsection (1) of this section,
17 maintaining necessary records, and making collections under subsection
18 (2) of this section. The office shall maintain accurate records of
19 these costs, and all receipts beyond those necessary to pay such costs
20 shall be used to make loans to eligible students.

21 (4) Any funds not used to make loans, or to cover the cost of
22 making loans or making collections, shall be placed in the state
23 educational trust fund for needy or disadvantaged students.

24 (5) The (~~office~~) council shall adopt necessary rules to implement
25 this section.

26 **Sec. 530.** RCW 28B.30.515 and 2011 c 321 s 1 are each amended to
27 read as follows:

28 (1) The legislature finds that access to baccalaureate and graduate
29 degree programs continues to be limited for residents of north
30 Snohomish, Island, and Skagit counties. Studies conducted by the state
31 board for community and technical colleges, the higher education
32 coordinating board, and the council of presidents confirm that
33 enrollment in higher education compared to demand in this geographic
34 region lags behind enrollment in other parts of the state, particularly
35 for upper-division courses leading to advanced degrees.

36 (2) The legislature also finds that access to high employer demand
37 programs of study is imperative for the state's global competitiveness

1 and economic prosperity, particularly those degrees in the science,
2 technology, engineering, and mathematics (STEM) fields that align with
3 the workforce skill demands of the regional economy, that support the
4 aerospace industry, and provide skilled undergraduate and
5 graduate-degree engineers required by the largest employers in the
6 aerospace industry cluster.

7 (3) The legislature finds that meeting the long-range goal of
8 greatly expanded access for the population of the region to the widest
9 array of baccalaureate and graduate programs can best be accomplished
10 by assigning responsibility to a research university with multiple
11 experiences in similar settings.

12 (4) Management and leadership of the University Center of North
13 Puget Sound is assigned to Washington State University to meet the
14 needs of the Everett metropolitan area and the north Snohomish, Island,
15 and Skagit county region and the state of Washington for baccalaureate
16 and graduate degrees offered by a state university. The chief
17 executive officer of the University Center of North Puget Sound is the
18 director who reports to the president of Washington State University.
19 The director shall manage the activities and logistics of operating the
20 center, make policy and planning recommendations to the council in
21 subsection (5) of this section, and implement decisions of the council.

22 (5)(a) Washington State University and Everett Community College
23 must collaborate with community leaders, and other four-year
24 institutions of higher education that offer programs at the University
25 Center of North Puget Sound to serve the varied interests of students
26 in the region. To this end, a coordinating and planning council must
27 be established to be responsible for long-range and strategic planning,
28 interinstitutional collaboration, collaboration with the community
29 served, and dispute resolution for the center. The following
30 individuals shall comprise the coordinating and planning council:

31 (i) The president of Washington State University, or his or her
32 designee;

33 (ii) The provost of Washington State University, or his or her
34 designee;

35 (iii) The president of Everett Community College;

36 (iv) Two representatives of two other institutions of higher
37 education that offer baccalaureate or graduate degree programs at the
38 center;

1 (v) A student enrolled at the University Center of North Puget
2 Sound appointed by the coordinating and planning council;

3 (vi) The director of the council, as the nonvoting chair;

4 (vii) A community leader appointed by the president of Everett
5 Community College; and

6 (viii) A community leader appointed by the mayor of Everett.

7 (b) The coordinating and planning council may appoint other groups,
8 as appropriate, to advise on administration and operations, and may
9 alter its own composition by agreement of all the members.

10 (6)(a) Washington State University shall assume leadership of the
11 center upon completion and approval by the legislature as provided
12 under (d) of this subsection of a strategic plan for meeting the
13 academic needs of the region and successful establishment of an
14 engineering degree program. The strategic plan must build on the
15 strengths of the institutions, reflecting each institution's mission,
16 in order to provide the region with the highest standard of educational
17 programs, research, and service to the community. The strategic plan
18 must include a multibiennium budget that addresses both operating and
19 capital expenses required to effectively implement the plan. The
20 strategic plan shall be developed with the collaboration of the
21 University Center at Everett Community College and all the institutions
22 of higher education that provide baccalaureate degrees at the
23 University Center, and community leaders.

24 (b) Center partners must implement the strategic plan with careful
25 attention to the academic and professional standards established and
26 maintained by each institution and by the appropriate accrediting
27 bodies, and to the historic role of each institution's governing board
28 in setting policy.

29 (c) The strategic plan must address expansion of the range and
30 depth of educational opportunities in the region and include strategies
31 that:

32 (i) Build upon baccalaureate and graduate degree offerings at the
33 center;

34 (ii) Meet projected student enrollment demands for baccalaureate,
35 graduate, and certificate programs in the region;

36 (iii) Meet employers' needs for skilled workers by expanding high
37 employer demand programs of study as defined in RCW 28B.50.030, with an
38 initial and ongoing emphasis by Washington State University on

1 undergraduate and graduate science, technology, mathematics, and
2 engineering degree programs, including a variety of engineering
3 disciplines such as civil, mechanical, aeronautical, and aerospace
4 manufacturing;

5 (iv) Coordinate delivery of lower and upper division courses to
6 maximize student opportunities and resources; and

7 (v) Transfer budget support and resources for the center from
8 Everett Community College to Washington State University.

9 (d) The strategic plan must be completed by December 1, 2012, and
10 submitted to the legislature for review. The strategic plan shall be
11 considered approved if the legislature does not take further action on
12 the strategic plan during the 2013 legislative session. The transfer
13 of the responsibility for the management and operation of the
14 University Center of North Puget Sound to Washington State University
15 must occur by July 1, 2014.

16 (7)(a) Academic programming and delivery at the center must be
17 developed in accordance with the missions of Washington State
18 University, Everett Community College, and other institutions of higher
19 education that have a presence at the center.

20 (b) Each institution shall abide by the guidelines for university
21 centers adopted by the (~~higher education coordinating board~~) student
22 achievement council.

23 (c) Each institution shall award all degrees and certificates
24 granted in the programs it delivers at the center.

25 (d) The coordinating council described in subsection (5) of this
26 section shall establish a process for prioritizing new programs and
27 revising existing programs that facilitates timeliness of new
28 offerings, recognizes the internal processes of the proposing
29 institutions, and addresses each proposal's fit with the needs of the
30 region.

31 (8)(a) Washington State University shall review center expansion
32 needs and consider capital facilities funding at least annually.
33 Washington State University and Everett Community College must
34 cooperate in preparing funding requests and bond financing for
35 submission to the legislature on behalf of development at the center,
36 in accordance with each institution's process and priorities for
37 advancing legislative requests.

1 (b) Washington State University shall design, construct, and manage
2 any facility developed at the center. Any facility developed at the
3 center with Everett Community College capital funding must be designed
4 by Everett Community College in consultation with Washington State
5 University. Building construction may be managed by Washington State
6 University via an interagency agreement which details responsibility
7 and associated costs. Building operations and management for all
8 facilities at the center must be governed by the infrastructure and
9 operating cost allocation method described in subsection (9) of this
10 section.

11 (9) Washington State University has responsibility for
12 infrastructure development and maintenance for the center. All
13 infrastructure operating and maintenance costs are to be shared in what
14 is deemed to be an equitable and fair manner based on space allocation,
15 special cost, and other relevant considerations. Washington State
16 University may make infrastructure development and maintenance
17 decisions in consultation with the council described in subsection (5)
18 of this section.

19 (10) In the event that conflict cannot be resolved through the
20 coordinating council described in subsection (5) of this section the
21 (~~higher education coordinating board~~) student achievement council
22 dispute resolution must be employed.

23 **Sec. 531.** RCW 28B.45.014 and 2011 c 208 s 1 are each amended to
24 read as follows:

25 (1) The primary mission of the higher education branch campuses
26 created under this chapter remains to expand access to baccalaureate
27 and graduate education in underserved urban areas of the state in
28 collaboration with community and technical colleges. The top priority
29 for each of the campuses is to expand courses and degree programs for
30 transfer and graduate students. New degree programs should be driven
31 by the educational needs and demands of students and the community, as
32 well as the economic development needs of local businesses and
33 employers.

34 (2) Branch campuses shall collaborate with the community and
35 technical colleges in their region to develop articulation agreements,
36 dual admissions policies, and other partnerships to ensure that branch
37 campuses serve as innovative models of a two plus two educational

1 system. Other possibilities for collaboration include but are not
2 limited to joint development of curricula and degree programs,
3 colocation of instruction, and arrangements to share faculty.

4 (3) In communities where a private postsecondary institution is
5 located, representatives of the private institution may be invited to
6 participate in the conversation about meeting the baccalaureate and
7 graduate needs in underserved urban areas of the state.

8 (4) However, the legislature recognizes there are alternative
9 models for achieving this primary mission. Some campuses may have
10 additional missions in response to regional needs and demands. At
11 selected branch campuses, an innovative combination of instruction and
12 research targeted to support regional economic development may be
13 appropriate to meet the region's needs for both access and economic
14 viability. Other campuses should focus on becoming models of a two
15 plus two educational system through continuous improvement of
16 partnerships and agreements with community and technical colleges.
17 Still other campuses may be best suited to transition to a four-year
18 university or be removed from designation as a branch campus entirely.

19 (5) The legislature recognizes that size, mix of degree programs,
20 and proportion of lower versus upper division and graduate enrollments
21 are factors that affect costs at branch campuses. However over time,
22 the legislature intends that branch campuses be funded more similarly
23 to regional universities.

24 (6) (~~Subject to approval by the higher education coordinating~~
25 ~~board, in accordance with RCW 28B.76.230,~~) Research universities are
26 authorized to develop doctoral degree programs at their branch
27 campuses.

28 (7) The (~~higher education coordinating board~~) student achievement
29 council shall monitor and evaluate growth of the branch campuses and
30 periodically report and make recommendations to the higher education
31 committees of the legislature to ensure the campuses continue to follow
32 the priorities established under this chapter.

33 **Sec. 532.** RCW 28B.45.020 and 2005 c 258 s 3 are each amended to
34 read as follows:

35 (1) The University of Washington is responsible for ensuring the
36 expansion of baccalaureate and graduate educational programs in the
37 central Puget Sound area under rules or guidelines adopted by the

1 ((higher education coordinating board)) student achievement council and
2 in accordance with proportionality agreements emphasizing access for
3 transfer students developed with the state board for community and
4 technical colleges. The University of Washington shall meet that
5 responsibility through the operation of at least two branch campuses.
6 One branch campus shall be located in the Tacoma area. Another branch
7 campus shall be collocated with Cascadia Community College in the
8 Bothell-Woodinville area.

9 (2) At the University of Washington Tacoma, a top priority is
10 expansion of upper division capacity for transfer students and graduate
11 capacity and programs. Beginning in the fall of 2006, the campus may
12 offer lower division courses linked to specific majors in fields not
13 addressed at local community colleges. The campus shall admit lower
14 division students through coadmission or coenrollment agreements with
15 a community college, or through direct transfer for students who have
16 accumulated approximately one year of transferable college credits. In
17 addition to offering lower division courses linked to specific majors
18 as addressed above, the campus may also directly admit freshmen and
19 sophomores (~~((gradually and deliberately in accordance with the campus
20 plan submitted to the higher education coordinating board in 2004))~~).

21 (3) At the University of Washington Bothell, a top priority is
22 expansion of upper division capacity for transfer students and graduate
23 capacity and programs. The campus shall also seek additional
24 opportunities to collaborate with and maximize its (~~((collocation
25 {collocation}))~~) colocation with Cascadia Community College. Beginning
26 in the fall of 2006, the campus may offer lower division courses linked
27 to specific majors in fields not addressed at local community colleges.
28 The campus may admit lower division students through coadmission or
29 coenrollment agreements with a community college, or through direct
30 transfer for students who have accumulated approximately one year of
31 transferable college credits. In addition to offering lower division
32 courses linked to specific majors as addressed above, the campus may
33 also directly admit freshmen and sophomores (~~((gradually — and
34 deliberately in accordance with the campus plan submitted to the higher
35 education coordinating board in 2004))~~).

36 **Sec. 533.** RCW 28B.45.030 and 2006 c 166 s 1 are each amended to
37 read as follows:

1 (1) Washington State University is responsible for providing
2 baccalaureate and graduate level higher education programs to the
3 citizens of the Tri-Cities area, under rules or guidelines adopted by
4 the (~~higher education coordinating board~~) student achievement council
5 and in accordance with proportionality agreements emphasizing access
6 for transfer students developed with the state board for community and
7 technical colleges. Washington State University shall meet that
8 responsibility through the operation of a branch campus in the Tri-
9 Cities area. The branch campus shall replace and supersede the Tri-
10 Cities university center. All land, facilities, equipment, and
11 personnel of the Tri-Cities university center shall be transferred from
12 the University of Washington to Washington State University.

13 (2) (~~In 2005, the legislature authorized the expansion on a~~
14 ~~limited basis of Washington State University's branch campus in the~~
15 ~~Tri-Cities area. The legislature authorized the Tri-Cities branch~~
16 ~~campus to continue providing innovative coadmission and coenrollment~~
17 ~~options with Columbia Basin College, and to expand its upper division~~
18 ~~capacity for transfer students and graduate capacity and programs. The~~
19 ~~branch campus was given authority beginning in fall 2006 to offer~~
20 ~~lower division courses linked to specific majors in fields not~~
21 ~~addressed at the local community colleges. The campus was also~~
22 ~~authorized to directly admit freshmen and sophomores for a bachelor's~~
23 ~~degree program in biotechnology subject to approval by the higher~~
24 ~~education coordinating board. The legislature finds that the Tri-~~
25 ~~Cities community is very engaged in and committed to exploring the~~
26 ~~further expansion of Washington State University Tri-Cities branch~~
27 ~~campus into a four-year institution and considers this issue to be a~~
28 ~~top priority for the larger Tri-Cities region.~~

29 (3) ~~Washington State University Tri-Cities shall continue providing~~
30 ~~innovative coadmission and coenrollment options with Columbia Basin~~
31 ~~College, and expand its upper division capacity for transfer students~~
32 ~~and graduate capacity and programs. The campus shall also seek~~
33 ~~additional opportunities to collaborate with the Pacific Northwest~~
34 ~~national laboratory. Beginning in the fall of 2006, the campus may~~
35 ~~offer lower division courses linked to specific majors in fields not~~
36 ~~addressed at local community colleges. The campus may admit lower~~
37 ~~division students through coadmission or coenrollment agreements with~~
38 ~~a community college, or through direct transfer for students who have~~

1 accumulated approximately one year of transferable college credits. In
2 addition to offering lower division courses linked to specific majors
3 as addressed above, the campus may also directly admit freshmen and
4 sophomores for a bachelor's degree program in biotechnology subject to
5 approval by the higher education coordinating board.

6 ~~(4) The Washington State University Tri-Cities branch campus shall~~
7 ~~develop a plan for expanding into a four-year institution and shall~~
8 ~~identify new degree programs and course offerings focused on areas of~~
9 ~~specific need in higher education that exist in southeastern~~
10 ~~Washington. The branch campus's plan should examine the resources and~~
11 ~~talent available in the Tri-Cities area, including but not limited to~~
12 ~~resources and talent available at the Pacific Northwest national~~
13 ~~laboratory, and how these resources and talent may best be used by the~~
14 ~~Tri-Cities branch campus to expand into a four-year institution. The~~
15 ~~branch campus shall submit its plan to the legislature and the higher~~
16 ~~education coordinating board by November 30, 2006.~~

17 ~~(5))~~ Beginning in the fall of 2007, the Washington State
18 University Tri-Cities branch campus may ~~((begin, subject to approval by~~
19 ~~the higher education coordinating board, admitting lower division~~
20 ~~students directly into programs beyond the biotechnology field that are~~
21 ~~identified in its plan as being in high need in southeastern~~
22 ~~Washington. Such fields may include but need not be limited to~~
23 ~~science, engineering and technology, biomedical sciences, alternative~~
24 ~~energy, and computational and information sciences. By gradually and~~
25 ~~deliberately admitting freshmen and sophomores in accordance with its~~
26 ~~plan, increasing transfer enrollment, and coadmitting transfer~~
27 ~~students, the campus shall develop into a four-year institution serving~~
28 ~~the southeastern Washington region)) directly admit freshman and~~
29 ~~sophomore students.~~

30 **Sec. 534.** RCW 28B.45.040 and 2005 c 258 s 5 are each amended to
31 read as follows:

32 (1) Washington State University is responsible for providing
33 baccalaureate and graduate level higher education programs to the
34 citizens of the southwest Washington area, under rules or guidelines
35 adopted by the ~~((higher education coordinating board))~~ student
36 achievement council and in accordance with proportionality agreements
37 emphasizing access for transfer students developed with the state board

1 for community and technical colleges. Washington State University
2 shall meet that responsibility through the operation of a branch campus
3 in the southwest Washington area.

4 (2) Washington State University Vancouver shall expand upper
5 division capacity for transfer students and graduate capacity and
6 programs and continue to collaborate with local community colleges on
7 coadmission and coenrollment programs. In addition, beginning in the
8 fall of 2006, the campus may admit lower division students directly.
9 By simultaneously admitting freshmen and sophomores, increasing
10 transfer enrollment, coadmitting transfer students, and expanding
11 graduate and professional programs, the campus shall develop into a
12 four-year institution serving the southwest Washington region.

13 **Sec. 535.** RCW 28B.45.080 and 2004 c 57 s 5 are each amended to
14 read as follows:

15 The (~~higher—education—coordinating—board~~) state board for
16 community and technical colleges and the student achievement council
17 shall adopt performance measures to ensure a collaborative partnership
18 between the community and technical colleges and the branch campuses.
19 The partnership shall be one in which the community and technical
20 colleges prepare students for transfer to the upper-division programs
21 of the branch campuses and the branch campuses work with community and
22 technical colleges to enable students to transfer and obtain degrees
23 efficiently.

24 **Sec. 536.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and
25 2009 c 64 s 3 are each reenacted and amended to read as follows:

26 The definitions in this section apply throughout this chapter
27 unless the context clearly requires otherwise.

28 (1) "Adult education" means all education or instruction, including
29 academic, vocational education or training, basic skills and literacy
30 training, and "occupational education" provided by public educational
31 institutions, including common school districts for persons who are
32 eighteen years of age and over or who hold a high school diploma or
33 certificate. However, "adult education" shall not include academic
34 education or instruction for persons under twenty-one years of age who
35 do not hold a high school degree or diploma and who are attending a
36 public high school for the sole purpose of obtaining a high school

1 diploma or certificate, nor shall "adult education" include education
2 or instruction provided by any four-year public institution of higher
3 education.

4 (2) "Applied baccalaureate degree" means a baccalaureate degree
5 awarded by a college under RCW 28B.50.810 for successful completion of
6 a program of study that is:

7 (a) Specifically designed for individuals who hold an associate of
8 applied science degree, or its equivalent, in order to maximize
9 application of their technical course credits toward the baccalaureate
10 degree; and

11 (b) Based on a curriculum that incorporates both theoretical and
12 applied knowledge and skills in a specific technical field.

13 (3) "Board" means the workforce training and education coordinating
14 board.

15 (4) "Board of trustees" means the local community and technical
16 college board of trustees established for each college district within
17 the state.

18 (5) "Center of excellence" means a community or technical college
19 designated by the college board as a statewide leader in
20 industry-specific, community and technical college workforce education
21 and training.

22 (6) "College board" means the state board for community and
23 technical colleges created by this chapter.

24 (7) "Common school board" means a public school district board of
25 directors.

26 (8) "Community college" includes those higher education
27 institutions that conduct education programs under RCW 28B.50.020.

28 (9) "Director" means the administrative director for the state
29 system of community and technical colleges.

30 (10) "Dislocated forest product worker" means a forest products
31 worker who: (a)(i) Has been terminated or received notice of
32 termination from employment and is unlikely to return to employment in
33 the individual's principal occupation or previous industry because of
34 a diminishing demand for his or her skills in that occupation or
35 industry; or (ii) is self-employed and has been displaced from his or
36 her business because of the diminishing demand for the business'
37 services or goods; and (b) at the time of last separation from

1 employment, resided in or was employed in a rural natural resources
2 impact area.

3 (11) "Dislocated salmon fishing worker" means a finfish products
4 worker who: (a)(i) Has been terminated or received notice of
5 termination from employment and is unlikely to return to employment in
6 the individual's principal occupation or previous industry because of
7 a diminishing demand for his or her skills in that occupation or
8 industry; or (ii) is self-employed and has been displaced from his or
9 her business because of the diminishing demand for the business's
10 services or goods; and (b) at the time of last separation from
11 employment, resided in or was employed in a rural natural resources
12 impact area.

13 (12) "District" means any one of the community and technical
14 college districts created by this chapter.

15 (13) "Forest products worker" means a worker in the forest products
16 industries affected by the reduction of forest fiber enhancement,
17 transportation, or production. The workers included within this
18 definition shall be determined by the employment security department,
19 but shall include workers employed in the industries assigned the major
20 group standard industrial classification codes "24" and "26" and the
21 industries involved in the harvesting and management of logs,
22 transportation of logs and wood products, processing of wood products,
23 and the manufacturing and distribution of wood processing and logging
24 equipment. The commissioner may adopt rules further interpreting these
25 definitions. For the purposes of this subsection, "standard industrial
26 classification code" means the code identified in RCW 50.29.025(3).

27 (14) "High employer demand program of study" means an
28 apprenticeship, or an undergraduate or graduate certificate or degree
29 program in which the number of students prepared for employment per
30 year from in-state institutions is substantially less than the number
31 of projected job openings per year in that field, statewide or in a
32 substate region.

33 (15) "K-12 system" means the public school program including
34 kindergarten through the twelfth grade.

35 (16) "Occupational education" means education or training that will
36 prepare a student for employment that does not require a baccalaureate
37 degree, and education and training that will prepare a student for

1 transfer to bachelor's degrees in professional fields, subject to rules
2 adopted by the college board.

3 (17) "Qualified institutions of higher education" means:

4 (a) Washington public community and technical colleges;

5 (b) Private career schools that are members of an accrediting
6 association recognized by rule of the (~~higher education coordinating~~
7 ~~board~~) student achievement council for the purposes of chapter 28B.92
8 RCW; and

9 (c) Washington state apprenticeship and training council-approved
10 apprenticeship programs.

11 (18) "Rural natural resources impact area" means:

12 (a) A nonmetropolitan county, as defined by the 1990 decennial
13 census, that meets three of the five criteria set forth in subsection
14 (19) of this section;

15 (b) A nonmetropolitan county with a population of less than forty
16 thousand in the 1990 decennial census, that meets two of the five
17 criteria as set forth in subsection (19) of this section; or

18 (c) A nonurbanized area, as defined by the 1990 decennial census,
19 that is located in a metropolitan county that meets three of the five
20 criteria set forth in subsection (19) of this section.

21 (19) For the purposes of designating rural natural resources impact
22 areas, the following criteria shall be considered:

23 (a) A lumber and wood products employment location quotient at or
24 above the state average;

25 (b) A commercial salmon fishing employment location quotient at or
26 above the state average;

27 (c) Projected or actual direct lumber and wood products job losses
28 of one hundred positions or more;

29 (d) Projected or actual direct commercial salmon fishing job losses
30 of one hundred positions or more; and

31 (e) An unemployment rate twenty percent or more above the state
32 average. The counties that meet these criteria shall be determined by
33 the employment security department for the most recent year for which
34 data is available. For the purposes of administration of programs
35 under this chapter, the United States post office five-digit zip code
36 delivery areas will be used to determine residence status for
37 eligibility purposes. For the purpose of this definition, a zip code
38 delivery area of which any part is ten miles or more from an urbanized

1 area is considered nonurbanized. A zip code totally surrounded by zip
2 codes qualifying as nonurbanized under this definition is also
3 considered nonurbanized. The office of financial management shall make
4 available a zip code listing of the areas to all agencies and
5 organizations providing services under this chapter.

6 (20) "Salmon fishing worker" means a worker in the finfish industry
7 affected by 1994 or future salmon disasters. The workers included
8 within this definition shall be determined by the employment security
9 department, but shall include workers employed in the industries
10 involved in the commercial and recreational harvesting of finfish
11 including buying and processing finfish. The commissioner may adopt
12 rules further interpreting these definitions.

13 (21) "System" means the state system of community and technical
14 colleges, which shall be a system of higher education.

15 (22) "Technical college" includes those higher education
16 institutions with the mission of conducting occupational education,
17 basic skills, literacy programs, and offering on short notice, when
18 appropriate, programs that meet specific industry needs. For purposes
19 of this chapter, technical colleges shall include Lake Washington
20 Vocational-Technical Institute, Renton Vocational-Technical Institute,
21 Bates Vocational-Technical Institute, Clover Park Vocational Institute,
22 and Bellingham Vocational-Technical Institute.

23 **Sec. 537.** RCW 28B.50.140 and 2010 c 51 s 4 are each amended to
24 read as follows:

25 Each board of trustees:

26 (1) Shall operate all existing community and technical colleges in
27 its district;

28 (2) Shall create comprehensive programs of community and technical
29 college education and training and maintain an open-door policy in
30 accordance with the provisions of RCW 28B.50.090(3);

31 (3) Shall employ for a period to be fixed by the board a college
32 president for each community and technical college and, may appoint a
33 president for the district, and fix their duties and compensation,
34 which may include elements other than salary. Compensation under this
35 subsection shall not affect but may supplement retirement, health care,
36 and other benefits that are otherwise applicable to the presidents as
37 state employees. The board shall also employ for a period to be fixed

1 by the board members of the faculty and such other administrative
2 officers and other employees as may be necessary or appropriate and fix
3 their salaries and duties. Compensation and salary increases under
4 this subsection shall not exceed the amount or percentage established
5 for those purposes in the state appropriations act by the legislature
6 as allocated to the board of trustees by the state board for community
7 and technical colleges. The state board for community and technical
8 colleges shall adopt rules defining the permissible elements of
9 compensation under this subsection;

10 (4) May establish, (~~under the approval and direction of the~~
11 ~~college board~~) in accordance with RCW 28B.76.230 (as recodified by
12 this act), new facilities as community needs and interests demand.
13 However, the authority of boards of trustees to purchase or lease major
14 off-campus facilities shall be subject to the approval of the (~~higher~~
15 ~~education coordinating board~~) student achievement council pursuant to
16 RCW 28B.76.230 (as recodified by this act);

17 (5) May establish or lease, operate, equip and maintain
18 dormitories, food service facilities, bookstores and other self-
19 supporting facilities connected with the operation of the community and
20 technical college;

21 (6) May, with the approval of the college board, borrow money and
22 issue and sell revenue bonds or other evidences of indebtedness for the
23 construction, reconstruction, erection, equipping with permanent
24 fixtures, demolition and major alteration of buildings or other capital
25 assets, and the acquisition of sites, rights-of-way, easements,
26 improvements or appurtenances, for dormitories, food service
27 facilities, and other self-supporting facilities connected with the
28 operation of the community and technical college in accordance with the
29 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

30 (7) May establish fees and charges for the facilities authorized
31 hereunder, including reasonable rules and regulations for the
32 government thereof, not inconsistent with the rules of the college
33 board; each board of trustees operating a community and technical
34 college may enter into agreements, subject to rules of the college
35 board, with owners of facilities to be used for housing regarding the
36 management, operation, and government of such facilities, and any board
37 entering into such an agreement may:

1 (a) Make rules for the government, management and operation of such
2 housing facilities deemed necessary or advisable; and

3 (b) Employ necessary employees to govern, manage and operate the
4 same;

5 (8) May receive such gifts, grants, conveyances, devises and
6 bequests of real or personal property from private sources, as may be
7 made from time to time, in trust or otherwise, whenever the terms and
8 conditions thereof will aid in carrying out the community and technical
9 college programs as specified by law and the rules of the state college
10 board; sell, lease or exchange, invest or expend the same or the
11 proceeds, rents, profits and income thereof according to the terms and
12 conditions thereof; and adopt rules to govern the receipt and
13 expenditure of the proceeds, rents, profits and income thereof;

14 (9) May establish and maintain night schools whenever in the
15 discretion of the board of trustees it is deemed advisable, and
16 authorize classrooms and other facilities to be used for summer or
17 night schools, or for public meetings and for any other uses consistent
18 with the use of such classrooms or facilities for community and
19 technical college purposes;

20 (10) May make rules for pedestrian and vehicular traffic on
21 property owned, operated, or maintained by the district;

22 (11) Shall prescribe, with the assistance of the faculty, the
23 course of study in the various departments of the community and
24 technical college or colleges under its control, and publish such
25 catalogues and bulletins as may become necessary;

26 (12) May grant to every student, upon graduation or completion of
27 a course of study, a suitable diploma, degree, or certificate under the
28 rules of the state board for community and technical colleges that are
29 appropriate to their mission. The purposes of these diplomas,
30 certificates, and degrees are to lead individuals directly to
31 employment in a specific occupation or prepare individuals for a
32 bachelor's degree or beyond. Technical colleges may only offer
33 transfer degrees that prepare students for bachelor's degrees in
34 professional fields, subject to rules adopted by the college board. In
35 adopting rules, the college board, where possible, shall create
36 consistency between community and technical colleges and may address
37 issues related to tuition and fee rates; tuition waivers; enrollment
38 counting, including the use of credits instead of clock hours; degree

1 granting authority; or any other rules necessary to offer the associate
2 degrees that prepare students for transfer to bachelor's degrees in
3 professional areas. Only (~~pilet~~) colleges under RCW 28B.50.810 may
4 award baccalaureate degrees. The board, upon recommendation of the
5 faculty, may also confer honorary associate of arts degrees upon
6 persons other than graduates of the community college, in recognition
7 of their learning or devotion to education, literature, art, or
8 science. No degree may be conferred in consideration of the payment of
9 money or the donation of any kind of property;

10 (13) Shall enforce the rules prescribed by the state board for
11 community and technical colleges for the government of community and
12 technical colleges, students and teachers, and adopt such rules and
13 perform all other acts not inconsistent with law or rules of the state
14 board for community and technical colleges as the board of trustees may
15 in its discretion deem necessary or appropriate to the administration
16 of college districts: PROVIDED, That such rules shall include, but not
17 be limited to, rules relating to housing, scholarships, conduct at the
18 various community and technical college facilities, and discipline:
19 PROVIDED, FURTHER, That the board of trustees may suspend or expel from
20 community and technical colleges students who refuse to obey any of the
21 duly adopted rules;

22 (14) May, by written order filed in its office, delegate to the
23 president or district president any of the powers and duties vested in
24 or imposed upon it by this chapter. Such delegated powers and duties
25 may be exercised in the name of the district board;

26 (15) May perform such other activities consistent with this chapter
27 and not in conflict with the directives of the college board;

28 (16) Notwithstanding any other provision of law, may offer
29 educational services on a contractual basis other than the tuition and
30 fee basis set forth in chapter 28B.15 RCW for a special fee to private
31 or governmental entities, consistent with rules adopted by the state
32 board for community and technical colleges: PROVIDED, That the whole
33 of such special fee shall go to the college district and be not less
34 than the full instructional costs of such services including any salary
35 increases authorized by the legislature for community and technical
36 college employees during the term of the agreement: PROVIDED FURTHER,
37 That enrollments generated hereunder shall not be counted toward the

1 official enrollment level of the college district for state funding
2 purposes;

3 (17) Notwithstanding any other provision of law, may offer
4 educational services on a contractual basis, charging tuition and fees
5 as set forth in chapter 28B.15 RCW, counting such enrollments for state
6 funding purposes, and may additionally charge a special supplemental
7 fee when necessary to cover the full instructional costs of such
8 services: PROVIDED, That such contracts shall be subject to review by
9 the state board for community and technical colleges and to such rules
10 as the state board may adopt for that purpose in order to assure that
11 the sum of the supplemental fee and the normal state funding shall not
12 exceed the projected total cost of offering the educational service:
13 PROVIDED FURTHER, That enrollments generated by courses offered on the
14 basis of contracts requiring payment of a share of the normal costs of
15 the course will be discounted to the percentage provided by the
16 college;

17 (18) Shall be authorized to pay dues to any association of trustees
18 that may be formed by the various boards of trustees; such association
19 may expend any or all of such funds to submit biennially, or more often
20 if necessary, to the governor and to the legislature, the
21 recommendations of the association regarding changes which would affect
22 the efficiency of such association;

23 (19) May participate in higher education centers and consortia that
24 involve any four-year public or independent college or university(~~(+~~
25 ~~PROVIDED, That new degree programs or off-campus programs offered by a~~
26 ~~four-year public or independent college or university in collaboration~~
27 ~~with a community or technical college are subject to approval by the~~
28 ~~higher-education-coordinating-board-under~~) in accordance with RCW
29 28B.76.230 (as recodified by this act);

30 (20) Shall perform any other duties and responsibilities imposed by
31 law or rule of the state board; and

32 (21) May confer honorary associate of arts degrees upon persons who
33 request an honorary degree if they were students at the college in 1942
34 and did not graduate because they were ordered into an internment camp.
35 The honorary degree may also be requested by a representative of
36 deceased persons who meet these requirements. For the purposes of this
37 subsection, "internment camp" means a relocation center to which

1 persons were ordered evacuated by Presidential Executive Order 9066,
2 signed on February 19, 1942.

3 **Sec. 538.** RCW 28B.50.820 and 2005 c 258 s 12 are each amended to
4 read as follows:

5 (1) One strategy to accomplish expansion of baccalaureate capacity
6 in underserved regions of the state is to allocate state funds for
7 student enrollment to a community and technical college and authorize
8 the college to enter into agreements with a state university, regional
9 university, or state college as defined in RCW 28B.10.016 (~~(or a branch~~
10 ~~campus under chapter 28B.45 RCW)~~), to offer baccalaureate degree
11 programs.

12 (2) Subject to legislative appropriation for the purpose described
13 in this section, the college board shall select and allocate funds to
14 three community or technical colleges for the purpose of entering into
15 an agreement with one or more state universities, regional
16 universities, (~~(branch campuses,)~~) or the state college to offer
17 baccalaureate degree programs on the college campus.

18 (3) The college board shall select the community or technical
19 college based on analysis of gaps in service delivery, capacity, and
20 student and employer demand for programs. Before taking effect, the
21 agreement under this section must be approved by the (~~(higher education~~
22 ~~coordinating board)~~) student achievement council.

23 (4) Students enrolled in programs under this section are considered
24 students of the state university, regional university, branch campus,
25 or state college for all purposes including tuition and reporting of
26 state-funded enrollments.

27 **Sec. 539.** RCW 28B.65.040 and 1995 c 399 s 29 are each amended to
28 read as follows:

29 (1) The Washington high-technology coordinating board is hereby
30 created.

31 (2) The board shall be composed of eighteen members as follows:

32 (a) Eleven shall be citizen members appointed by the governor, with
33 the consent of the senate, for four-year terms. In making the
34 appointments the governor shall ensure that a balanced geographic
35 representation of the state is achieved and shall attempt to choose
36 persons experienced in high-technology fields, including at least one

1 representative of labor. Any person appointed to fill a vacancy
2 occurring before a term expires shall be appointed only for the
3 remainder of that term; and

4 (b) Seven of the members shall be as follows: One representative
5 from each of the state's two research universities, one representative
6 of the state college and regional universities, the director for the
7 state system of community and technical colleges or the director's
8 designee, the superintendent of public instruction or the
9 superintendent's designee, (~~a representative of the higher education~~
10 ~~coordinating board~~) the executive director of the student achievement
11 council, or the executive director's designee, and the director of the
12 department of (~~community, trade, and economic development~~) commerce
13 or the director's designee.

14 (3) Members of the board shall not receive any salary for their
15 services, but shall be reimbursed for travel expenses under RCW
16 43.03.050 and 43.03.060 for each day actually spent in attending to
17 duties as a member of the board.

18 (4) A citizen member of the board shall not be, during the term of
19 office, a member of the governing board of any public or private
20 educational institution, or an employee of any state or local agency.

21 **Sec. 540.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to
22 read as follows:

23 (1) The board shall oversee, coordinate, and evaluate the high-
24 technology programs.

25 (2) The board shall:

26 (a) Determine the specific high-technology occupational fields in
27 which technical training is needed and advise the institutions of
28 higher education and the (~~higher education coordinating board~~)
29 student achievement council on their findings;

30 (b) Identify economic areas and high-technology industries in need
31 of technical training and research and development critical to economic
32 development and advise the institutions of higher education and the
33 (~~higher education coordinating board~~) student achievement council on
34 their findings;

35 (c) Oversee and coordinate the Washington high-technology education
36 and training program to ensure high standards, efficiency, and
37 effectiveness;

1 (d) Work cooperatively with the superintendent of public
2 instruction to identify the skills prerequisite to the high-technology
3 programs in the institutions of higher education;

4 ~~(e) ((Work cooperatively with and provide any information or advice
5 which may be requested by the higher education coordinating board
6 during the board's review of new baccalaureate degree program proposals
7 which are submitted under this chapter. Nothing in this chapter shall
8 be construed as altering or superseding the powers or prerogatives of
9 the higher education coordinating board over the review of new degree
10 programs as established in section 6(2) of this 1985 act;~~

11 ~~(f))~~ Work cooperatively with the department of ~~((community, trade,
12 and economic development))~~ commerce to identify the high-technology
13 education and training needs of existing Washington businesses and
14 businesses with the potential to locate in Washington;

15 ~~((g))~~ (f) Work towards increasing private sector participation
16 and contributions in Washington high-technology programs;

17 ~~((h))~~ (g) Identify and evaluate the effectiveness of state
18 sponsored research related to high technology; and

19 ~~((i))~~ (h) Establish and maintain a plan, including priorities, to
20 guide high-technology program development in public institutions of
21 higher education, which plan shall include an assessment of current
22 high-technology programs, steps to increase existing programs, new
23 initiatives and programs necessary to promote high technology, and
24 methods to coordinate and target high-technology programs to changing
25 market opportunities in business and industry.

26 (3) The board may adopt rules under chapter 34.05 RCW as it deems
27 necessary to carry out the purposes of this chapter.

28 (4) The board shall cease to exist on June 30, 1987, unless
29 extended by law for an additional fixed period of time.

30 **Sec. 541.** RCW 28B.76.250 and 2004 c 55 s 2 are each amended to
31 read as follows:

32 (1) The ~~((higher education coordinating board))~~ council must
33 convene work groups to develop transfer associate degrees that will
34 satisfy lower division requirements at public four-year institutions of
35 higher education for specific academic majors. Work groups must
36 include representatives from the state board for community and

1 technical colleges and the council of presidents, as well as faculty
2 from two and four-year institutions. Work groups may include
3 representatives from independent four-year institutions.

4 (2) Each transfer associate degree developed under this section
5 must enable a student to complete the lower-division courses or
6 competencies for general education requirements and preparation for the
7 major that a direct-entry student would typically complete in the
8 freshman and sophomore years for that academic major.

9 (3) Completion of a transfer associate degree does not guarantee a
10 student admission into an institution of higher education or admission
11 into a major, minor, or professional program at an institution of
12 higher education that has competitive admission standards for the
13 program based on grade point average or other performance criteria.

14 (4) During the 2004-05 academic year, the work groups must develop
15 transfer degrees for elementary education, engineering, and nursing.
16 (~~Each year thereafter, the higher education coordinating board~~) As
17 necessary based on demand or identified need, the council must convene
18 additional groups to identify and develop additional transfer degrees.
19 The (~~board~~) council must give priority to majors in high demand by
20 transfer students and majors that the general direct transfer agreement
21 associate degree does not adequately prepare students to enter
22 automatically upon transfer.

23 (5) The (~~higher education coordinating board~~) council, in
24 collaboration with the intercollege relations commission, must collect
25 and maintain lists of courses offered by each community and technical
26 college and public four-year institution of higher education that fall
27 within each transfer associate degree.

28 (6) The (~~higher education coordinating board~~) council must
29 monitor implementation of transfer associate degrees by public four-
30 year institutions to ensure compliance with subsection (2) of this
31 section.

32 (7) Beginning January 10, 2005, the (~~higher education coordinating~~
33 ~~board~~) council must submit a progress report on the development of
34 transfer associate degrees to the higher education committees of the
35 house of representatives and the senate. The first progress report
36 must include measurable benchmark indicators to monitor the
37 effectiveness of the initiatives in improving transfer and baseline
38 data for those indicators before the implementation of the initiatives.

1 Subsequent reports must be submitted by January 10 of each odd-numbered
2 year and must monitor progress on the indicators, describe development
3 of additional transfer associate degrees, and provide other data on
4 improvements in transfer efficiency.

5 **Sec. 542.** RCW 28B.85.010 and 1986 c 136 s 1 are each amended to
6 read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter:

9 (1) (~~("Board")~~) "Council" means the (~~(higher education coordinating~~
10 ~~board)~~) student achievement council.

11 (2) "Degree" means any designation, appellation, letters, or words
12 including but not limited to "associate," "bachelor," "master,"
13 "doctor," or "fellow" which signify or purport to signify satisfactory
14 completion of the requirements of an academic program of study beyond
15 the secondary school level.

16 (3) "Degree-granting institution" means an entity that offers
17 educational credentials, instruction, or services prerequisite to or
18 indicative of an academic or professional degree beyond the secondary
19 level.

20 **Sec. 543.** RCW 28B.85.020 and 2006 c 234 s 3 are each amended to
21 read as follows:

22 (1) The (~~(board)~~) council:

23 (a) Shall adopt by rule, in accordance with chapter 34.05 RCW,
24 minimum standards for degree-granting institutions concerning granting
25 of degrees, quality of education, unfair business practices, financial
26 stability, and other necessary measures to protect citizens of this
27 state against substandard, fraudulent, or deceptive practices. The
28 rules shall require that an institution operating in Washington:

29 (i) Be accredited;

30 (ii) Have applied for accreditation and such application is pending
31 before the accrediting agency;

32 (iii) Have been granted a waiver by the (~~(board)~~) council waiving
33 the requirement of accreditation; or

34 (iv) Have been granted an exemption by the (~~(board)~~) council from
35 the requirements of this subsection (1)(a);

1 (b) May investigate any entity the ((~~board~~)) council reasonably
2 believes to be subject to the jurisdiction of this chapter. In
3 connection with the investigation, the ((~~board~~)) council may administer
4 oaths and affirmations, issue subpoenas and compel attendance, take
5 evidence, and require the production of any books, papers,
6 correspondence, memorandums, or other records which the ((~~board~~))
7 council deems relevant or material to the investigation. The ((~~board~~))
8 council, including its staff and any other authorized persons, may
9 conduct site inspections, the cost of which shall be borne by the
10 institution, and examine records of all institutions subject to this
11 chapter;

12 (c) Shall develop an interagency agreement with the workforce
13 training and education coordinating board to regulate degree-granting
14 private vocational schools with respect to degree and nondegree
15 programs; and

16 (d) Shall develop and disseminate information to the public about
17 entities that sell or award degrees without requiring appropriate
18 academic achievement at the postsecondary level, including but not
19 limited to, a description of the substandard and potentially fraudulent
20 practices of these entities, and advice about how the public can
21 recognize and avoid the entities. To the extent feasible, the
22 information shall include links to additional resources that may assist
23 the public in identifying specific institutions offering substandard or
24 fraudulent degree programs.

25 (2) Financial disclosures provided to the ((~~board~~)) council by
26 degree-granting private vocational schools are not subject to public
27 disclosure under chapter 42.56 RCW.

28 **Sec. 544.** RCW 28B.85.030 and 2003 c 53 s 175 are each amended to
29 read as follows:

30 (1) A degree-granting institution shall not operate and shall not
31 grant or offer to grant any degree unless the institution has obtained
32 current authorization from the ((~~board~~)) council.

33 (2) Any person, group, or entity or any owner, officer, agent, or
34 employee of such entity who willfully violates this section is guilty
35 of a gross misdemeanor and shall be punished by a fine not to exceed
36 one thousand dollars or by imprisonment in the county jail for a term
37 not to exceed one year, or by both such fine and imprisonment. Each

1 day on which a violation occurs constitutes a separate violation. The
2 criminal sanctions may be imposed by a court of competent jurisdiction
3 in an action brought by the attorney general of this state.

4 **Sec. 545.** RCW 28B.85.040 and 2006 c 234 s 4 are each amended to
5 read as follows:

6 (1) An institution or person shall not advertise, offer, sell, or
7 award a degree or any other type of educational credential unless the
8 student has enrolled in and successfully completed a prescribed program
9 of study, as outlined in the institution's publications. This
10 prohibition shall not apply to honorary credentials clearly designated
11 as such on the front side of the diploma or certificate and awarded by
12 institutions offering other educational credentials in compliance with
13 state law.

14 (2) No exemption or waiver granted under this chapter is permanent.
15 The ((~~board~~)) council shall periodically review exempted degree-
16 granting institutions and degree-granting institutions granted a
17 waiver, and continue exemptions or waivers only if an institution meets
18 the statutory or ((~~board~~)) council requirements for exemption or waiver
19 in effect on the date of the review.

20 (3) Except as provided in subsection (1) of this section, this
21 chapter shall not apply to:

22 (a) Any public college, university, community college, technical
23 college, or institute operating as part of the public higher
24 educational system of this state;

25 (b) Institutions that have been accredited by an accrediting
26 association recognized by the ((~~agency~~)) council for the purposes of
27 this chapter: PROVIDED, That those institutions meet minimum exemption
28 standards adopted by the ((~~agency~~)) council; and PROVIDED FURTHER, That
29 an institution, branch, extension, or facility operating within the
30 state of Washington which is affiliated with an institution operating
31 in another state must be a separately accredited member institution of
32 any such accrediting association to qualify for this exemption;

33 (c) Institutions of a religious character, but only as to those
34 education programs devoted exclusively to religious or theological
35 objectives if the programs are represented in an accurate manner in
36 institutional catalogs and other official publications;

1 (d) Honorary credentials clearly designated as such on the front
2 side of the diploma or certificate awarded by institutions offering
3 other educational credentials in compliance with state law; or

4 (e) Institutions not otherwise exempt which offer only workshops or
5 seminars and institutions offering only credit-bearing workshops or
6 seminars lasting no longer than three calendar days.

7 **Sec. 546.** RCW 28B.85.050 and 1986 c 136 s 5 are each amended to
8 read as follows:

9 All degree-granting institutions subject to this chapter shall file
10 information with the ((~~board~~)) council as the ((~~board~~)) council may
11 require.

12 **Sec. 547.** RCW 28B.85.060 and 1986 c 136 s 6 are each amended to
13 read as follows:

14 The ((~~board~~)) council shall impose fees on any degree-granting
15 institution authorized to operate under this chapter. Fees shall be
16 set and revised by the ((~~board~~)) council by rule at the level necessary
17 to approximately recover the staffing costs incurred in administering
18 this chapter. Fees shall be deposited in the general fund.

19 **Sec. 548.** RCW 28B.85.070 and 1986 c 136 s 7 are each amended to
20 read as follows:

21 (1) The ((~~board~~)) council may require any degree-granting
22 institution to have on file with the ((~~board~~)) council an approved
23 surety bond or other security in lieu of a bond in an amount determined
24 by the ((~~board~~)) council.

25 (2) In lieu of a surety bond, an institution may deposit with the
26 ((~~board~~)) council a cash deposit or other negotiable security
27 acceptable to the ((~~board~~)) council. The security deposited with the
28 ((~~board~~)) council in lieu of the surety bond shall be returned to the
29 institution one year after the institution's authorization has expired
30 or been revoked if legal action has not been instituted against the
31 institution or the security deposit at the expiration of the year. The
32 obligations and remedies relating to surety bonds authorized by this
33 section, including but not limited to the settlement of claims
34 procedure in subsection (5) of this section, shall apply to deposits
35 filed with the ((~~board~~)) council, as applicable.

1 (3) Each bond shall:
2 (a) Be executed by the institution as principal and by a corporate
3 surety licensed to do business in the state;
4 (b) Be payable to the state for the benefit and protection of any
5 student or enrollee of an institution, or, in the case of a minor, his
6 or her parents or guardian;
7 (c) Be conditioned on compliance with all provisions of this
8 chapter and the ((~~board's~~)) council's rules adopted under this chapter;
9 (d) Require the surety to give written notice to the ((~~board~~))
10 council at least thirty-five days before cancellation of the bond; and
11 (e) Remain in effect for one year following the effective date of
12 its cancellation or termination as to any obligation occurring on or
13 before the effective date of cancellation or termination.

14 (4) Upon receiving notice of a bond cancellation, the ((~~board~~))
15 council shall notify the institution that the authorization will be
16 suspended on the effective date of the bond cancellation unless the
17 institution files with the ((~~board~~)) council another approved surety
18 bond or other security. The ((~~board~~)) council may suspend or revoke
19 the authorization at an earlier date if it has reason to believe that
20 such action will prevent students from losing their tuition or fees.

21 (5) If a complaint is filed under RCW 28B.85.090(1) against an
22 institution, the ((~~board~~)) council may file a claim against the surety
23 and settle claims against the surety by following the procedure in this
24 subsection.

25 (a) The ((~~board~~)) council shall attempt to notify all potential
26 claimants. If the absence of records or other circumstances makes it
27 impossible or unreasonable for the ((~~board~~)) council to ascertain the
28 names and addresses of all the claimants, the ((~~board~~)) council after
29 exerting due diligence and making reasonable inquiry to secure that
30 information from all reasonable and available sources, may make a
31 demand on a bond on the basis of information in the ((~~board's~~))
32 council's possession. The ((~~board~~)) council is not liable or
33 responsible for claims or the handling of claims that may subsequently
34 appear or be discovered.

35 (b) Thirty days after notification, if a claimant fails, refuses,
36 or neglects to file with the ((~~board~~)) council a verified claim, the
37 ((~~board~~)) council shall be relieved of further duty or action under
38 this chapter on behalf of the claimant.

1 (c) After reviewing the claims, the ((~~board~~)) council may make
2 demands upon the bond on behalf of those claimants whose claims have
3 been filed. The ((~~board~~)) council may settle or compromise the claims
4 with the surety and may execute and deliver a release and discharge of
5 the bond.

6 (d) If the surety refuses to pay the demand, the ((~~board~~)) council
7 may bring an action on the bond in behalf of the claimants. If an
8 action is commenced on the bond, the ((~~board~~)) council may require a
9 new bond to be filed.

10 (e) Within ten days after a recovery on a bond or other posted
11 security has occurred, the institution shall file a new bond or
12 otherwise restore its security on file to the required amount.

13 (6) The liability of the surety shall not exceed the amount of the
14 bond.

15 **Sec. 549.** RCW 28B.85.080 and 1986 c 136 s 8 are each amended to
16 read as follows:

17 The ((~~board~~)) council may suspend or modify any of the requirements
18 under this chapter in a particular case if the ((~~board~~)) council finds
19 that:

20 (1) The suspension or modification is consistent with the purposes
21 of this chapter; and

22 (2) The education to be offered addresses a substantial,
23 demonstrated need among residents of the state or that literal
24 application of this chapter would cause a manifestly unreasonable
25 hardship.

26 **Sec. 550.** RCW 28B.85.090 and 1989 c 175 s 82 are each amended to
27 read as follows:

28 (1) A person claiming loss of tuition or fees as a result of an
29 unfair business practice may file a complaint with the ((~~board~~))
30 council. The complaint shall set forth the alleged violation and shall
31 contain information required by the ((~~board~~)) council. A complaint may
32 also be filed with the ((~~board~~)) council by an authorized staff member
33 of the ((~~board~~)) council or by the attorney general.

34 (2) The ((~~board~~)) council shall investigate any complaint under
35 this section and may attempt to bring about a settlement. The
36 ((~~board~~)) council may hold a hearing pursuant to the Administrative

1 Procedure Act, chapter 34.05 RCW, in order to determine whether a
2 violation has occurred. If the ((~~board~~)) council prevails, the degree-
3 granting institution shall pay the costs of the administrative hearing.

4 (3) If, after the hearing, the ((~~board~~)) council finds that the
5 institution or its agent engaged in or is engaging in any unfair
6 business practice, the ((~~board~~)) council shall issue and cause to be
7 served upon the violator an order requiring the violator to cease and
8 desist from the act or practice and may impose the penalties under RCW
9 28B.85.100. If the ((~~board~~)) council finds that the complainant has
10 suffered loss as a result of the act or practice, the ((~~board~~)) council
11 may order full or partial restitution for the loss. The complainant is
12 not bound by the ((~~board's~~)) council's determination of restitution and
13 may pursue any other legal remedy.

14 **Sec. 551.** RCW 28B.85.100 and 1986 c 136 s 10 are each amended to
15 read as follows:

16 Any person, group, or entity or any owner, officer, agent, or
17 employee of such entity who ((~~wilfully~~)) willfully violates any
18 provision of this chapter or the rules adopted under this chapter shall
19 be subject to a civil penalty of not more than one hundred dollars for
20 each violation. Each day on which a violation occurs constitutes a
21 separate violation. The fine may be imposed by the ((~~higher education~~
22 ~~coordinating board~~)) council or by any court of competent jurisdiction.

23 **Sec. 552.** RCW 28B.85.130 and 1986 c 136 s 13 are each amended to
24 read as follows:

25 If any degree-granting institution discontinues its operation, the
26 chief administrative officer of the institution shall file with the
27 ((~~board~~)) council the original or legible true copies of all
28 educational records required by the ((~~board~~)) council. If the
29 ((~~board~~)) council determines that any educational records are in danger
30 of being made unavailable to the ((~~board~~)) council, the ((~~board~~))
31 council may seek a court order to protect and if necessary take
32 possession of the records. The ((~~board~~)) council shall cause to be
33 maintained a permanent file of educational records coming into its
34 possession.

1 **Sec. 553.** RCW 28B.85.170 and 1986 c 136 s 17 are each amended to
2 read as follows:

3 The ((~~board~~)) council may seek injunctive relief, after giving
4 notice to the affected party, in a court of competent jurisdiction for
5 a violation of this chapter or the rules adopted under this chapter.
6 The ((~~board~~)) council need not allege or prove that the ((~~board~~))
7 council has no adequate remedy at law. The right of injunction
8 provided in this section is in addition to any other legal remedy which
9 the ((~~board~~)) council has and is in addition to any right of criminal
10 prosecution provided by law. The existence of ((~~board~~)) council action
11 with respect to alleged violations of this chapter and rules adopted
12 under this chapter does not operate as a bar to an action for
13 injunctive relief under this section.

14 **Sec. 554.** RCW 28B.90.010 and 1993 c 181 s 2 are each amended to
15 read as follows:

16 Unless the context clearly requires otherwise, the definitions in
17 this section apply throughout this chapter.

18 (1) "Degree" means any designation, appellation, certificate,
19 letters or words including, but not limited to, "associate,"
20 "bachelor," "masters," "doctorate," or "fellow" that signifies, or
21 purports to signify, satisfactory and successful completion of
22 requirements of a postsecondary academic program of study.

23 (2) "Foreign degree-granting institution" means a public or private
24 college or university, either profit or nonprofit:

25 (a) That is domiciled in a foreign country;

26 (b) That offers in its country of domicile credentials,
27 instruction, or services prerequisite to the obtaining of an academic
28 or professional degree granted by such college or university; and

29 (c) That is authorized under the laws or regulations of its country
30 of domicile to operate a degree-granting institution in that country.

31 (3) "Approved branch campus" means a foreign degree-granting
32 institution's branch campus that has been approved by the ((~~higher~~
33 ~~education coordinating board~~)) student achievement council to operate
34 in the state.

35 (4) "Branch campus" means an educational facility located in the
36 state that:

1 (a) Is either owned and operated directly by a foreign degree-
2 granting institution or indirectly through a Washington profit or
3 nonprofit corporation in which the foreign degree-granting institution
4 is the sole or controlling shareholder or member; and

5 (b) Provides courses solely and exclusively to students enrolled in
6 a degree-granting program offered by the foreign degree-granting
7 institution who:

8 (i) Have received academic credit for courses of study completed at
9 the foreign degree-granting institution in its country of domicile;

10 (ii) Will receive academic credit towards their degree from the
11 foreign degree-granting institution for the courses of study completed
12 at the educational facility in the state; and

13 (iii) Will return to the foreign degree-granting institution in its
14 country of domicile for completion of their degree-granting program or
15 receipt of their degree.

16 (5) (~~("Board")~~) "Council" means the (~~(higher education coordinating~~
17 ~~board)~~) student achievement council.

18 **Sec. 555.** RCW 28B.90.020 and 1999 c 85 s 1 are each amended to
19 read as follows:

20 A foreign degree-granting institution that submits evidence
21 satisfactory to the (~~(board)~~) council of its authorized status in its
22 country of domicile and its intent to establish an educational facility
23 in the state is entitled to operate a branch campus as defined in RCW
24 28B.90.010. Upon receipt of the satisfactory evidence, the (~~(board)~~)
25 council may certify that the branch campus of the foreign degree-
26 granting institution is approved to operate in the state under this
27 chapter, for as long as the foreign degree-granting institution retains
28 its authorized status in its country of domicile.

29 **Sec. 556.** RCW 28B.90.030 and 1993 c 181 s 4 are each amended to
30 read as follows:

31 A branch campus of a foreign degree-granting institution previously
32 found by the (~~(board)~~) council to be exempt from chapter 28B.85 RCW may
33 continue to operate in the state. However, within one year of July 25,
34 1993, the institution shall provide evidence of authorization as
35 required under RCW 28B.90.020. Upon receipt of the satisfactory

1 evidence, the (~~board~~) council shall certify that the branch campus of
2 the foreign degree-granting institution is approved to operate in the
3 state under this chapter.

4 **Sec. 557.** RCW 28B.92.030 and 2011 1st sp.s. c 11 s 159 are each
5 amended to read as follows:

6 As used in this chapter:

7 (1) "Council" means the student achievement council.

8 (2) "Disadvantaged student" means a posthigh school student who by
9 reason of adverse cultural, educational, environmental, experiential,
10 familial or other circumstances is unable to qualify for enrollment as
11 a full-time student in an institution of higher education, who would
12 otherwise qualify as a needy student, and who is attending an
13 institution of higher education under an established program designed
14 to qualify the student for enrollment as a full-time student.

15 (~~(2)~~) (3) "Financial aid" means loans and/or grants to needy
16 students enrolled or accepted for enrollment as a student at
17 institutions of higher education.

18 (~~(3)~~) (4) "Institution" or "institutions of higher education"
19 means:

20 (a) Any public university, college, community college, or technical
21 college operated by the state of Washington or any political
22 subdivision thereof; or

23 (b) Any other university, college, school, or institute in the
24 state of Washington offering instruction beyond the high school level
25 which is a member institution of an accrediting association recognized
26 by rule of the (~~board~~) council for the purposes of this section:
27 PROVIDED, That any institution, branch, extension or facility operating
28 within the state of Washington which is affiliated with an institution
29 operating in another state must be a separately accredited member
30 institution of any such accrediting association, or a branch of a
31 member institution of an accrediting association recognized by rule of
32 the (~~board~~) council for purposes of this section, that is eligible
33 for federal student financial aid assistance and has operated as a
34 nonprofit college or university delivering on-site classroom
35 instruction for a minimum of twenty consecutive years within the state
36 of Washington, and has an annual enrollment of at least seven hundred
37 full-time equivalent students: PROVIDED FURTHER, That no institution

1 of higher education shall be eligible to participate in a student
2 financial aid program unless it agrees to and complies with program
3 rules and regulations adopted pursuant to RCW 28B.92.150.

4 ~~((+4))~~ (5) "Needy student" means a posthigh school student of an
5 institution of higher education who demonstrates to the ~~((board))~~
6 office the financial inability, either through the student's parents,
7 family and/or personally, to meet the total cost of board, room, books,
8 and tuition and incidental fees for any semester or quarter. "Needy
9 student" also means an opportunity internship graduate as defined by
10 RCW 28C.18.162 who enrolls in a postsecondary program of study as
11 defined in RCW 28C.18.162 within one year of high school graduation.

12 ~~((+5))~~ (6) "Office" means the office of student financial
13 assistance.

14 ~~((+6))~~ (7) "Placebound student" means a student who (a) is unable
15 to complete a college program because of family or employment
16 commitments, health concerns, monetary inability, or other similar
17 factors; and (b) may be influenced by the receipt of an enhanced
18 student financial aid award to complete a baccalaureate degree at an
19 eligible institution.

20 **Sec. 558.** RCW 28B.92.060 and 2011 1st sp.s. c 11 s 162 and 2011
21 1st sp.s. c 10 s 9 are each reenacted and amended to read as follows:

22 In awarding need grants, the office shall proceed substantially as
23 follows: PROVIDED, That nothing contained herein shall be construed to
24 prevent the office, in the exercise of its sound discretion, from
25 following another procedure when the best interest of the program so
26 dictates:

27 (1) The office shall annually select the financial aid award
28 recipients from among Washington residents applying for student
29 financial aid who have been ranked according to:

30 (a) Financial need as determined by the amount of the family
31 contribution; and

32 (b) Other considerations, such as whether the student is a former
33 foster youth, or is a placebound student who has completed an associate
34 of arts or associate of science degree or its equivalent.

35 (2) The financial need of the highest ranked students shall be met
36 by grants depending upon the evaluation of financial need until the
37 total allocation has been disbursed. Funds from grants which are

1 declined, forfeited or otherwise unused shall be reawarded until
2 disbursed, except that eligible former foster youth shall be assured
3 receipt of a grant. The (~~board~~) office, in consultation with four-
4 year institutions of higher education, the council, and the state board
5 for community and technical colleges, shall develop award criteria and
6 methods of disbursement based on level of need, and not solely rely on
7 a first-come, first-served basis.

8 (3) A student shall be eligible to receive a state need grant for
9 up to five years, or the credit or clock hour equivalent of five years,
10 or up to one hundred twenty-five percent of the published length of
11 time of the student's program. A student may not start a new associate
12 degree program as a state need grant recipient until at least five
13 years have elapsed since earning an associate degree as a need grant
14 recipient, except that a student may earn two associate degrees
15 concurrently. Qualifications for renewal will include maintaining
16 satisfactory academic progress toward completion of an eligible program
17 as determined by the office. Should the recipient terminate his or her
18 enrollment for any reason during the academic year, the unused portion
19 of the grant shall be returned to the state educational grant fund by
20 the institution according to the institution's own policy for issuing
21 refunds, except as provided in RCW 28B.92.070.

22 (4) In computing financial need, the office shall determine a
23 maximum student expense budget allowance, not to exceed an amount equal
24 to the total maximum student expense budget at the public institutions
25 plus the current average state appropriation per student for operating
26 expense in the public institutions. Any child support payments
27 received by students who are parents attending less than half-time
28 shall not be used in computing financial need.

29 (5)(a) A student who is enrolled in three to six credit-bearing
30 quarter credits, or the equivalent semester credits, may receive a
31 grant for up to one academic year before beginning a program that leads
32 to a degree or certificate.

33 (b) An eligible student enrolled on a less-than-full-time basis
34 shall receive a prorated portion of his or her state need grant for any
35 academic period in which he or she is enrolled on a less-than-full-time
36 basis, as long as funds are available.

37 (c) An institution of higher education may award a state need grant

1 to an eligible student enrolled in three to six credit-bearing quarter
2 credits, or the semester equivalent, on a provisional basis if:

3 (i) The student has not previously received a state need grant from
4 that institution;

5 (ii) The student completes the required free application for
6 federal student aid;

7 (iii) The institution has reviewed the student's financial
8 condition, and the financial condition of the student's family if the
9 student is a dependent student, and has determined that the student is
10 likely eligible for a state need grant; and

11 (iv) The student has signed a document attesting to the fact that
12 the financial information provided on the free application for federal
13 student aid and any additional financial information provided directly
14 to the institution is accurate and complete, and that the student
15 agrees to repay the institution for the grant amount if the student
16 submitted false or incomplete information.

17 (6) As used in this section, "former foster youth" means a person
18 who is at least eighteen years of age, but not more than twenty-four
19 years of age, who was a dependent of the department of social and
20 health services at the time he or she attained the age of eighteen.

21 **Sec. 559.** RCW 28B.92.070 and 2004 c 275 s 38 are each amended to
22 read as follows:

23 Under rules adopted by the (~~board~~) council, the provisions of RCW
24 28B.92.060(3) shall not apply to eligible students, as defined in RCW
25 28B.10.017, and eligible students shall not be required to repay the
26 unused portions of grants received under the state student financial
27 aid program.

28 **Sec. 560.** RCW 28B.92.082 and 2009 c 215 s 3 are each amended to
29 read as follows:

30 (1) To the extent funds are appropriated for this purpose and
31 within overall appropriations for the state need grant, enhanced need
32 grants are provided for persons who meet all of the following criteria:

33 (a) Are needy students as defined in RCW 28B.92.030;

34 (b) Are placebound students as defined in RCW 28B.92.030; and

35 (c) Have completed the associate of arts or the associate of
36 science degree, or its equivalent.

1 (2) The enhanced need grants established in this section are
2 provided to this specific group of students in addition to the base
3 state need grant, as defined by rule of the ((~~board~~)) council.

4 **Sec. 561.** RCW 28B.97.020 and 2011 1st sp.s. c 11 s 175 are each
5 amended to read as follows:

6 The definitions in this section apply throughout this chapter
7 unless the context clearly requires otherwise.

8 (1) "Institution of higher education" means a college or university
9 in the state of Washington that is accredited by an accrediting
10 association recognized as such by rule of the ((~~board~~)) student
11 achievement council.

12 (2) "Office" means the office of student financial assistance.

13 (3) "Program" means the Washington higher education loan program.

14 (4) "Resident student" has the definition in RCW 28B.15.012(2) (a)
15 through (d).

16 **Sec. 562.** RCW 28B.102.020 and 2011 1st sp.s. c 11 s 176 are each
17 reenacted and amended to read as follows:

18 Unless the context clearly requires otherwise, the definitions in
19 this section apply throughout this chapter.

20 (1) "Approved education program" means an education program in the
21 state of Washington for knowledge and skills generally learned in
22 preschool through twelfth grade. Approved education programs may
23 include but are not limited to:

24 (a) K-12 schools under Title 28A RCW; or

25 (b) Other K-12 educational sites in the state of Washington as
26 designated by the ((~~board~~)) student achievement council.

27 (2) "Conditional scholarship" means a loan that is forgiven in
28 whole or in part if the recipient renders service as a teacher in an
29 approved education program in this state.

30 (3) "Eligible student" means a student who is registered for at
31 least six credit hours or the equivalent, demonstrates high academic
32 achievement, is a resident student as defined by RCW 28B.15.012 and
33 28B.15.013, and has a declared intention to complete an approved
34 preparation program leading to initial teacher certification or
35 required for earning an additional endorsement, and commits to teaching
36 service in the state of Washington.

1 (4) "Equalization fee" means the additional amount added to the
2 principal of a loan under this chapter to equate the debt to that which
3 the student would have incurred if the loan had been received through
4 the federal subsidized Stafford student loan program.

5 (5) "Forgiven" or "to forgive" or "forgiveness" means to render
6 service as a teacher in an approved education program in the state of
7 Washington in lieu of monetary repayment.

8 (6) "Institution of higher education" or "institution" means a
9 college or university in the state of Washington that is accredited by
10 an accrediting association recognized as such by rule of the student
11 achievement council (~~(for higher education)~~).

12 (7) "Loan repayment" means a federal student loan that is repaid in
13 whole or in part if the recipient renders service as a teacher in an
14 approved education program in Washington state.

15 (8) "Office" means the office of student financial assistance.

16 (9) "Participant" means an eligible student who has received a
17 conditional scholarship or loan repayment under this chapter.

18 (10) "Public school" means an elementary school, a middle school,
19 junior high school, or high school within the public school system
20 referred to in Article IX of the state Constitution.

21 (11) "Satisfied" means paid-in-full.

22 (12) "Teacher shortage area" means a shortage of elementary or
23 secondary school teachers in a specific subject area, discipline,
24 classification, or geographic area as defined by the office of the
25 superintendent of public instruction.

26 **Sec. 563.** RCW 28B.102.030 and 2011 1st sp.s. c 11 s 177 are each
27 amended to read as follows:

28 The future teachers conditional scholarship and loan repayment
29 program is established. The program shall be administered by the
30 (~~(office)~~) student achievement council. In administering the program,
31 the (~~(board)~~) council shall have the following powers and duties:

32 (1) Select students to receive conditional scholarships or loan
33 repayments;

34 (2) Adopt necessary rules and guidelines;

35 (3) Publicize the program;

36 (4) Collect and manage repayments from students who do not meet
37 their teaching obligations under this chapter; and

1 (5) Solicit and accept grants and donations from public and private
2 sources for the program.

3 **Sec. 564.** RCW 28B.108.040 and 1990 c 287 s 5 are each amended to
4 read as follows:

5 The ((~~board~~)) office may award scholarships to eligible students
6 from moneys earned from the endowment fund created in RCW 28B.108.060,
7 or from funds appropriated to the ((~~board~~)) council for this purpose,
8 or from any private donations, or from any other funds given to the
9 ((~~board~~)) council for this program. For an undergraduate student, the
10 amount of the scholarship shall not exceed the student's demonstrated
11 financial need. For a graduate student, the amount of the scholarship
12 shall not exceed the student's demonstrated need; or the stipend of a
13 teaching assistant, including tuition, at the University of Washington;
14 whichever is higher. In calculating a student's need, the ((~~board~~))
15 office shall consider the student's costs for tuition, fees, books,
16 supplies, transportation, room, board, personal expenses, and child
17 care. The student's scholarship awarded under this chapter shall not
18 exceed the amount received by a student attending a state research
19 university. A student is eligible to receive a scholarship for a
20 maximum of five years. However, the length of the scholarship shall be
21 determined at the discretion of the ((~~board~~)) office.

22 **Sec. 565.** RCW 28B.109.010 and 2011 1st sp.s. c 11 s 195 are each
23 amended to read as follows:

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout this chapter.

26 (1) "Eligible participant" means an international student whose
27 country of residence has a trade relationship with the state of
28 Washington.

29 (2) "Institution of higher education" or "institution" means a
30 college or university in the state of Washington that is accredited by
31 an accrediting association recognized as such by rule of the ((~~board~~))
32 student achievement council.

33 (3) "Office" means the office of student financial assistance.

34 (4) "Service obligation" means volunteering for a minimum number of
35 hours as established by the ((~~board~~)) student achievement council based

1 on the amount of scholarship award, to speak to or teach groups of
2 Washington citizens, including but not limited to elementary, middle,
3 and high schools, service clubs, and universities.

4 (5) "Washington international exchange scholarship program" means
5 a scholarship award for a period not to exceed one academic year to
6 attend a Washington institution of higher education made to an
7 international student whose country has an established trade
8 relationship with Washington.

9 **Sec. 566.** RCW 28B.110.030 and 1989 c 341 s 3 are each amended to
10 read as follows:

11 In consultation with institutions of higher education, the (~~higher~~
12 ~~education—coordinating—board~~) student achievement council shall
13 develop rules and guidelines to eliminate possible gender
14 discrimination to students, including sexual harassment, at
15 institutions of higher education as defined in RCW 28B.10.016. The
16 rules and guidelines shall include but not be limited to access to
17 academic programs, student employment, counseling and guidance
18 services, financial aid, recreational activities including club sports,
19 and intercollegiate athletics.

20 (1) With respect to higher education student employment, all
21 institutions shall be required to:

- 22 (a) Make no differentiation in pay scales on the basis of gender;
- 23 (b) Assign duties without regard to gender except where there is a
24 bona fide occupational qualification as approved by the Washington
25 human rights commission;
- 26 (c) Provide the same opportunities for advancement to males and
27 females; and
- 28 (d) Make no difference in the conditions of employment on the basis
29 of gender in areas including, but not limited to, hiring practices,
30 leaves of absence, and hours of employment.

31 (2) With respect to admission standards, admissions to academic
32 programs shall be made without regard to gender.

33 (3) Counseling and guidance services for students shall be made
34 available to all students without regard to gender. All academic and
35 counseling personnel shall be required to stress access to all career
36 and vocational opportunities to students without regard to gender.

1 (4) All academic programs shall be available to students without
2 regard to gender.

3 (5) With respect to recreational activities, recreational
4 activities shall be offered to meet the interests of students.
5 Institutions which provide the following shall do so with no
6 disparities based on gender: Equipment and supplies; medical care;
7 services and insurance; transportation and per diem allowances;
8 opportunities to receive coaching and instruction; laundry services;
9 assignment of game officials; opportunities for competition, publicity,
10 and awards; and scheduling of games and practice times, including use
11 of courts, gyms, and pools. Each institution which provides showers,
12 toilets, lockers, or training room facilities for recreational purposes
13 shall provide comparable facilities for both males and females.

14 (6) With respect to financial aid, financial aid shall be equitably
15 awarded by type of aid, with no disparities based on gender.

16 (7) With respect to intercollegiate athletics, institutions that
17 provide the following shall do so with no disparities based on gender:

18 (a) Benefits and services including, but not limited to, equipment
19 and supplies; medical services; services and insurance; transportation
20 and per diem allowances; opportunities to receive coaching and
21 instruction; scholarships and other forms of financial aid;
22 conditioning programs; laundry services; assignment of game officials;
23 opportunities for competition, publicity, and awards; and scheduling of
24 games and practice times, including use of courts, gyms, and pools.
25 Each institution which provides showers, toilets, lockers, or training
26 room facilities for athletic purposes shall provide comparable
27 facilities for both males and females.

28 (b) Opportunities to participate in intercollegiate athletics.
29 Institutions shall provide equitable opportunities to male and female
30 students.

31 (c) Male and female coaches and administrators. Institutions shall
32 attempt to provide some coaches and administrators of each gender to
33 act as role models for male and female athletes.

34 (8) Each institution shall develop and distribute policies and
35 procedures for handling complaints of sexual harassment.

36 **Sec. 567.** RCW 28B.110.040 and 2011 1st sp.s. c 11 s 203 are each
37 amended to read as follows:

1 The executive director of the (~~higher-education-coordinating~~
2 ~~board~~) student achievement council, in consultation with the council
3 of presidents and the state board for community and technical colleges,
4 shall monitor the compliance by institutions of higher education with
5 this chapter.

6 (1) The (~~board~~) council shall establish a timetable and
7 guidelines for compliance with this chapter.

8 (2) By November 30, 1990, each institution shall submit to the
9 (~~board~~) council for approval a plan to comply with the requirements
10 of RCW 28B.110.030. The plan shall contain measures to ensure
11 institutional compliance with the provisions of this chapter by
12 September 30, 1994. If participation in activities, such as
13 intercollegiate athletics and matriculation in academic programs is not
14 proportionate to the percentages of male and female enrollment, the
15 plan should outline efforts to identify barriers to equal participation
16 and to encourage gender equity in all aspects of college and university
17 life.

18 (3) The (~~board~~) council may delegate to the state board for
19 community and technical colleges any or all responsibility for
20 community college compliance with the provisions of this chapter.

21 **Sec. 568.** RCW 28B.116.010 and 2011 1st sp.s. c 11 s 214 are each
22 reenacted and amended to read as follows:

23 Unless the context clearly requires otherwise, the definitions in
24 this section apply throughout this chapter.

25 (1) "Cost of attendance" means the cost associated with the
26 attendance of the institution of higher education as determined by the
27 office of student financial assistance, including but not limited to
28 tuition, room, board, and books.

29 (2) "Eligible student" means a student who:

30 (a) Is between the ages of sixteen and twenty-three;

31 (b) Has been in foster care in the state of Washington for a
32 minimum of six months since his or her fourteenth birthday;

33 (c) Is a financially needy student, as defined in RCW 28B.92.030;

34 (d) Is a resident student, as defined in RCW 28B.15.012(2);

35 (e) Has entered or will enter an institution of higher education in
36 Washington state within three years of high school graduation or having
37 successfully completed his or her GED;

- 1 (f) Is not pursuing a degree in theology; and
- 2 (g) Makes satisfactory progress towards the completion of a degree
- 3 or certificate program.

4 (3) "Institution of higher education" means a college or university
5 in the state of Washington that is accredited by an accrediting
6 association recognized as such by rule of the (~~higher-education~~
7 ~~coordinating board~~) student achievement council.

8 (4) "Office" means the office of student financial assistance.

9 **Sec. 569.** RCW 28B.116.030 and 2011 1st sp.s. c 11 s 216 are each
10 amended to read as follows:

11 (1) The office may award scholarships to eligible students from the
12 foster care scholarship endowment fund in RCW 28B.116.060, from funds
13 appropriated to the (~~board~~) student achievement council for this
14 purpose, from any private donations, or from any other funds given to
15 the office for the program.

16 (2) The office may award scholarships to eligible students from
17 moneys earned from the foster care scholarship endowment fund created
18 in RCW 28B.116.060, or from funds appropriated to the (~~board~~) council
19 for this purpose, or from any private donations, or from any other
20 funds given to the office for this program. For an undergraduate
21 student, the amount of the scholarship shall not exceed the student's
22 demonstrated financial need. For a graduate student, the amount of the
23 scholarship shall not exceed the student's demonstrated need; or the
24 stipend of a teaching assistant, including tuition, at the University
25 of Washington; whichever is higher. In calculating a student's need,
26 the office shall consider the student's costs for tuition, fees, books,
27 supplies, transportation, room, board, personal expenses, and child
28 care. The student's scholarship awarded under this chapter shall not
29 exceed the amount received by a student attending a state research
30 university. A student is eligible to receive a scholarship for a
31 maximum of five years. However, the length of the scholarship shall be
32 determined at the discretion of the office.

33 (3) Grants under this chapter shall not affect eligibility for the
34 state student financial aid program.

35 **Sec. 570.** RCW 28B.117.020 and 2011 1st sp.s. c 11 s 220 are each
36 amended to read as follows:

1 The definitions in this section apply throughout this chapter
2 unless the context clearly requires otherwise.

3 (1) "Cost of attendance" means the cost associated with attending
4 a particular institution of higher education as determined by the
5 office, including but not limited to tuition, fees, room, board, books,
6 personal expenses, and transportation, plus the cost of reasonable
7 additional expenses incurred by an eligible student and approved by a
8 financial aid administrator at the student's school of attendance.

9 (2) "Emancipated from foster care" means a person who was a
10 dependent of the state in accordance with chapter 13.34 RCW and who was
11 receiving foster care in the state of Washington when he or she reached
12 his or her eighteenth birthday.

13 (3) "Financial need" means the difference between a student's cost
14 of attendance and the student's total family contribution as determined
15 by the method prescribed by the United States department of education.

16 (4) "Independent college or university" means a private, nonprofit
17 institution of higher education, open to residents of the state,
18 providing programs of education beyond the high school level leading to
19 at least the baccalaureate degree, and accredited by the Northwest
20 association of schools and colleges, and other institutions as may be
21 developed that are approved by the (~~board~~) council as meeting
22 equivalent standards as those institutions accredited under this
23 section.

24 (5) "Institution of higher education" means:

25 (a) Any public university, college, community college, or technical
26 college operated by the state of Washington or any political
27 subdivision thereof; or

28 (b) Any independent college or university in Washington; or

29 (c) Any other university, college, school, or institute in the
30 state of Washington offering instruction beyond the high school level
31 that is a member institution of an accrediting association recognized
32 by rule of the (~~higher—education—coordinating—board~~) student
33 achievement council for the purposes of this section: PROVIDED, That
34 any institution, branch, extension, or facility operating within the
35 state of Washington that is affiliated with an institution operating in
36 another state must be a separately accredited member institution of any
37 such accrediting association, or a branch of a member institution of an
38 accrediting association recognized by rule of the (~~board~~) council for

1 purposes of this section, that is eligible for federal student
2 financial aid assistance and has operated as a nonprofit college or
3 university delivering on-site classroom instruction for a minimum of
4 twenty consecutive years within the state of Washington, and has an
5 annual enrollment of at least seven hundred full-time equivalent
6 students.

7 (6) "Office" means the office of student financial assistance.

8 (7) "Program" means the passport to college promise pilot program
9 created in this chapter.

10 **Sec. 571.** RCW 28B.120.010 and 2010 c 245 s 7 are each amended to
11 read as follows:

12 The Washington fund for innovation and quality in higher education
13 program is established. The (~~higher education coordinating board~~)
14 student achievement council shall administer the program and shall work
15 in close collaboration with the state board for community and technical
16 colleges and other local and regional entities. Through this program
17 the (~~higher education coordinating board~~) student achievement council
18 may award on a competitive basis incentive grants to state public or
19 private nonprofit institutions of higher education or consortia of
20 institutions to encourage programs designed to address specific system
21 problems. Each institution or consortia of institutions receiving the
22 award shall contribute some financial support, either by covering part
23 of the costs for the program during its implementation, or by assuming
24 continuing support at the end of the grant period. Strong priority
25 will be given to proposals that involve more than one sector of
26 education. Institutions are encouraged to solicit nonstate funds to
27 support these cooperative programs.

28 **Sec. 572.** RCW 28B.120.020 and 2011 1st sp.s. c 11 s 235 are each
29 amended to read as follows:

30 The (~~higher education coordinating board~~) student achievement
31 council shall have the following powers and duties in administering the
32 program for those proposals in which a four-year institution of higher
33 education is named as the lead institution and fiscal agent:

34 (1) To adopt rules necessary to carry out the program;

35 (2) To award grants no later than September 1st in those years when
36 funding is available by June 30th;

1 (3) To establish each biennium specific guidelines for submitting
2 grant proposals consistent with RCW 28B.120.005 and consistent with the
3 (~~strategic-master~~) ten-year plan for higher education, the system
4 design plan, the overall goals of the program and the guidelines
5 established by the state board for community and technical colleges
6 under RCW 28B.120.025.

7 After June 30, 2001, and each biennium thereafter, the (~~board~~)
8 council shall determine funding priorities for proposals for the
9 biennium in consultation with the legislature, the office of the
10 superintendent of public instruction, the state board for community and
11 technical colleges, the workforce training and education coordinating
12 board, higher education institutions, educational associations, and
13 business and community groups consistent with statewide needs;

14 (4) To solicit grant proposals and provide information to the
15 institutions of higher education about the program; and

16 (5) To establish reporting, evaluation, accountability, monitoring,
17 and dissemination requirements for the recipients of the grants awarded
18 by the office of financial management.

19 **Sec. 573.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to
20 read as follows:

21 The state board for community and technical colleges has the
22 following powers and duties in administering the program for those
23 proposals in which a community or technical college is named as the
24 lead institution and fiscal agent:

25 (1) To adopt rules necessary to carry out the program;

26 (2) To establish one or more review committees to assist in the
27 evaluation of proposals for funding. The review committee shall
28 include individuals with significant experience in higher education in
29 areas relevant to one or more of the funding period priorities and
30 shall include representatives from both the four-year and two-year
31 sectors of higher education;

32 (3) To award grants no later than September 1st in those years when
33 funding is available by June 30th;

34 (4) To establish each biennium specific guidelines for submitting
35 grant proposals consistent with the overall goals of the program and
36 consistent with the guidelines established by the (~~higher-education~~

1 ~~coordinating board~~) student achievement council under RCW 28B.120.020.
2 During the 1999-01 biennium the guidelines shall be consistent with the
3 following desired outcomes of:

4 (a) Minority and diversity initiatives that encourage the
5 participation of minorities in higher education, including students
6 with disabilities;

7 (b) K-12 teacher preparation models that encourage collaboration
8 between higher education and K-12 to improve the preparedness of
9 teachers, including provisions for higher education faculty involved
10 with teacher preparation to spend time teaching in K-12 schools;

11 (c) Collaborative instructional programs involving K-12, community
12 and technical colleges, and four-year institutions of higher education
13 to develop a three-year degree program, or reduce the time to degree;

14 (d) Contracts with public or private institutions or businesses to
15 provide services or the development of collaborative programs;

16 (e) Articulation and transfer activities to smooth the transfer of
17 students from K-12 to higher education, or from the community colleges
18 and technical colleges to four-year institutions;

19 (f) Projects that further the development of learner-centered,
20 technology-assisted course delivery; and

21 (g) Projects that further the development of competency-based
22 measurements of student achievement to be used as the basis for
23 awarding degrees and certificates;

24 (5) To solicit grant proposals and provide information to the
25 community and technical colleges and private career schools; and

26 (6) To establish reporting, evaluation, accountability, monitoring,
27 and dissemination requirements for the recipients of the grants awarded
28 by the state board for community and technical colleges.

29 **Sec. 574.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to
30 read as follows:

31 The (~~higher education coordinating board~~) student achievement
32 council and the state board for community and technical colleges may
33 solicit and receive such gifts, grants, and endowments from public or
34 private sources as may be made from time to time, in trust or
35 otherwise, for the use and benefit of the purposes of the program and
36 may expend the same or any income therefrom according to the terms of
37 the gifts, grants, or endowments.

1 **Sec. 575.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to
2 read as follows:

3 The (~~higher-education-coordinating-board~~) student achievement
4 council fund for innovation and quality is hereby established in the
5 custody of the state treasurer. The (~~higher-education-coordinating~~
6 ~~board~~) student achievement council shall deposit in the fund all
7 moneys received under RCW 28B.120.030. Moneys in the fund may be spent
8 only for the purposes of RCW 28B.120.010 and 28B.120.020.
9 Disbursements from the fund shall be on the authorization of the
10 (~~higher-education-coordinating-board~~) student achievement council.
11 The fund is subject to the allotment procedure provided under chapter
12 43.88 RCW, but no appropriation is required for disbursements.

13 **Sec. 576.** RCW 28C.10.030 and 1994 sp.s. c 9 s 723 are each amended
14 to read as follows:

15 This chapter does not apply to:

16 (1) Bona fide trade, business, professional, or fraternal
17 organizations sponsoring educational programs primarily for that
18 organization's membership or offered by that organization on a no-fee
19 basis;

20 (2) Entities offering education that is exclusively avocational or
21 recreational;

22 (3) Education not requiring payment of money or other consideration
23 if this education is not advertised or promoted as leading toward
24 educational credentials;

25 (4) Entities that are established, operated, and governed by this
26 state or its political subdivisions under Title 28A, 28B, or 28C RCW;

27 (5) Degree-granting programs in compliance with the rules of the
28 (~~higher-education-coordinating-board~~) student achievement council;

29 (6) Any other entity to the extent that it has been exempted from
30 some or all of the provisions of this chapter under RCW 28C.10.100;

31 (7) Entities not otherwise exempt that are of a religious
32 character, but only as to those educational programs exclusively
33 devoted to religious or theological objectives and represented
34 accurately in institutional catalogs or other official publications;

35 (8) Entities offering only courses certified by the federal
36 aviation administration;

1 (9) Barber and cosmetology schools licensed under chapter 18.16
2 RCW;

3 (10) Entities which only offer courses approved to meet the
4 continuing education requirements for licensure under chapter 18.04,
5 18.79, or 48.17 RCW; and

6 (11) Entities not otherwise exempt offering only workshops or
7 seminars lasting no longer than three calendar days.

8 **Sec. 577.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to
9 read as follows:

10 The agency:

11 (1) Shall maintain a list of private vocational schools licensed
12 under this chapter;

13 (2) Shall adopt rules in accordance with chapter 34.05 RCW to carry
14 out this chapter;

15 (3) May investigate any entity the agency reasonably believes to be
16 subject to the jurisdiction of this chapter. In connection with the
17 investigation, the agency may administer oaths and affirmations, issue
18 subpoenas and compel attendance, take evidence, and require the
19 production of any books, papers, correspondence, memorandums, or other
20 records which the agency deems relevant or material to the
21 investigation. The agency, including its staff and any other
22 authorized persons, may conduct site inspections and examine records of
23 all schools subject to this chapter;

24 (4) Shall develop an interagency agreement with the ((higher
25 education coordinating board)) student achievement council to regulate
26 degree-granting private vocational schools with respect to degree and
27 nondegree programs.

28 **Sec. 578.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to
29 read as follows:

30 The purpose of the board is to provide planning, coordination,
31 evaluation, monitoring, and policy analysis for the state training
32 system as a whole, and advice to the governor and legislature
33 concerning the state training system, in cooperation with the state
34 training system and the ((higher education coordinating board)) student
35 achievement council.

1 **Sec. 579.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to
2 read as follows:

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

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

8 (2) Advocate for the state training system and for meeting the
9 needs of employers and the workforce for workforce education and
10 training;

11 (3) Establish and maintain an inventory of the programs of the
12 state training system, and related state programs, and perform a
13 biennial assessment of the vocational education, training, and adult
14 basic education and literacy needs of the state; identify ongoing and
15 strategic education needs; and assess the extent to which employment,
16 training, vocational and basic education, rehabilitation services, and
17 public assistance services represent a consistent, integrated approach
18 to meet such needs;

19 (4) Develop and maintain a state comprehensive plan for workforce
20 training and education, including but not limited to, goals,
21 objectives, and priorities for the state training system, and review
22 the state training system for consistency with the state comprehensive
23 plan. In developing the state comprehensive plan for workforce
24 training and education, the board shall use, but shall not be limited
25 to: Economic, labor market, and populations trends reports in office
26 of financial management forecasts; joint office of financial management
27 and employment security department labor force, industry employment,
28 and occupational forecasts; the results of scientifically based
29 outcome, net-impact and cost-benefit evaluations; the needs of
30 employers as evidenced in formal employer surveys and other employer
31 input; and the needs of program participants and workers as evidenced
32 in formal surveys and other input from program participants and the
33 labor community;

34 (5) In consultation with the (~~higher-education-coordinating~~
35 ~~board~~) student achievement council, review and make recommendations to
36 the office of financial management and the legislature on operating and
37 capital facilities budget requests for operating agencies of the state

1 training system for purposes of consistency with the state
2 comprehensive plan for workforce training and education;

3 (6) Provide for coordination among the different operating agencies
4 and components of the state training system at the state level and at
5 the regional level;

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

9 (8)(a) Establish standards for data collection and maintenance for
10 the operating agencies of the state training system in a format that is
11 accessible to use by the board. The board shall require a minimum of
12 common core data to be collected by each operating agency of the state
13 training system;

14 (b) Develop requirements for minimum common core data in
15 consultation with the office of financial management and the operating
16 agencies of the training system;

17 (9) Establish minimum standards for program evaluation for the
18 operating agencies of the state training system, including, but not
19 limited to, the use of common survey instruments and procedures for
20 measuring perceptions of program participants and employers of program
21 participants, and monitor such program evaluation;

22 (10) Every two years administer scientifically based outcome
23 evaluations of the state training system, including, but not limited
24 to, surveys of program participants, surveys of employers of program
25 participants, and matches with employment security department payroll
26 and wage files. Every five years administer scientifically based net-
27 impact and cost-benefit evaluations of the state training system;

28 (11) In cooperation with the employment security department,
29 provide for the improvement and maintenance of quality and utility in
30 occupational information and forecasts for use in training system
31 planning and evaluation. Improvements shall include, but not be
32 limited to, development of state-based occupational change factors
33 involving input by employers and employees, and delineation of skill
34 and training requirements by education level associated with current
35 and forecasted occupations;

36 (12) Provide for the development of common course description
37 formats, common reporting requirements, and common definitions for
38 operating agencies of the training system;

1 (13) Provide for effectiveness and efficiency reviews of the state
2 training system;

3 (14) In cooperation with the (~~higher-education-coordinating~~
4 ~~board~~) student_achievement_council, facilitate transfer of credit
5 policies and agreements between institutions of the state training
6 system, and encourage articulation agreements for programs encompassing
7 two years of secondary workforce education and two years of
8 postsecondary workforce education;

9 (15) In cooperation with the (~~higher-education-coordinating~~
10 ~~board~~) student_achievement_council, facilitate transfer of credit
11 policies and agreements between private training institutions and
12 institutions of the state training system;

13 (16) Develop policy objectives for the workforce investment act,
14 P.L. 105-220, or its successor; develop coordination criteria for
15 activities under the act with related programs and services provided by
16 state and local education and training agencies; and ensure that
17 entrepreneurial training opportunities are available through programs
18 of each local workforce investment board in the state;

19 (17) Make recommendations to the commission of student assessment,
20 the state board of education, and the superintendent of public
21 instruction, concerning basic skill competencies and essential core
22 competencies for K-12 education. Basic skills for this purpose shall
23 be reading, writing, computation, speaking, and critical thinking,
24 essential core competencies for this purpose shall be English, math,
25 science/technology, history, geography, and critical thinking. The
26 board shall monitor the development of and provide advice concerning
27 secondary curriculum which integrates vocational and academic
28 education;

29 (18) Establish and administer programs for marketing and outreach
30 to businesses and potential program participants;

31 (19) Facilitate the location of support services, including but not
32 limited to, child care, financial aid, career counseling, and job
33 placement services, for students and trainees at institutions in the
34 state training system, and advocate for support services for trainees
35 and students in the state training system;

36 (20) Facilitate private sector assistance for the state training
37 system, including but not limited to: Financial assistance, rotation
38 of private and public personnel, and vocational counseling;

1 (21) Facilitate the development of programs for school-to-work
2 transition that combine classroom education and on-the-job training,
3 including entrepreneurial education and training, in industries and
4 occupations without a significant number of apprenticeship programs;

5 (22) Include in the planning requirements for local workforce
6 investment boards a requirement that the local workforce investment
7 boards specify how entrepreneurial training is to be offered through
8 the one-stop system required under the workforce investment act, P.L.
9 105-220, or its successor;

10 (23) Encourage and assess progress for the equitable representation
11 of racial and ethnic minorities, women, and people with disabilities
12 among the students, teachers, and administrators of the state training
13 system. Equitable, for this purpose, shall mean substantially
14 proportional to their percentage of the state population in the
15 geographic area served. This function of the board shall in no way
16 lessen more stringent state or federal requirements for representation
17 of racial and ethnic minorities, women, and people with disabilities;

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

20 (25) Administer veterans' programs, licensure of private vocational
21 schools, the job skills program, and the Washington award for
22 vocational excellence;

23 (26) Allocate funding from the state job training trust fund;

24 (27) Work with the director of (~~community, trade, and economic~~
25 ~~development~~) commerce and the economic development commission to
26 ensure coordination among workforce training priorities, the long-term
27 economic development strategy of the economic development commission,
28 and economic development and entrepreneurial development efforts,
29 including but not limited to assistance to industry clusters;

30 (28) Conduct research into workforce development programs designed
31 to reduce the high unemployment rate among young people between
32 approximately eighteen and twenty-four years of age. In consultation
33 with the operating agencies, the board shall advise the governor and
34 legislature on policies and programs to alleviate the high unemployment
35 rate among young people. The research shall include disaggregated
36 demographic information and, to the extent possible, income data for
37 adult youth. The research shall also include a comparison of the
38 effectiveness of programs examined as a part of the research conducted

1 in this subsection in relation to the public investment made in these
2 programs in reducing unemployment of young adults. The board shall
3 report to the appropriate committees of the legislature by November 15,
4 2008, and every two years thereafter. Where possible, the data
5 reported to the legislative committees should be reported in numbers
6 and in percentages;

7 (29) Adopt rules as necessary to implement this chapter.

8 The board may delegate to the director any of the functions of this
9 section.

10 **Sec. 580.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to
11 read as follows:

12 The definitions in this section apply throughout this chapter
13 unless the context clearly requires otherwise.

14 (1) "Authority" means a health sciences and services authority
15 created pursuant to this chapter.

16 (2) "Board" means the governing board of trustees of an authority.

17 (3) "Director" means (~~(the director of)~~) the executive director
18 of the (~~(higher education coordinating board)~~) student achievement
19 council.

20 (4) "Health sciences and services" means biosciences that advance
21 new therapies and procedures to combat disease and promote public
22 health.

23 (5) "Local government" means a city, town, or county.

24 (6) "Sponsoring local government" means a city, town, or county
25 that creates a health sciences and services authority.

26 **Sec. 581.** RCW 35.104.040 and 2011 c 155 s 1 are each amended to
27 read as follows:

28 (1) The (~~(higher education coordinating board)~~) student achievement
29 council may approve applications submitted by local governments for an
30 area's designation as a health sciences and services authority under
31 this chapter. The director must determine the division to review
32 applications submitted by local governments under this chapter. The
33 application for designation must be in the form and manner and contain
34 such information as the (~~(higher education coordinating board)~~) student
35 achievement council may prescribe, provided the application:

1 (a) Contains sufficient information to enable the director to
2 determine the viability of the proposal;

3 (b) Demonstrates that an ordinance or resolution has been passed by
4 the legislative authority of a local government that delineates the
5 boundaries of an area that may be designated an authority;

6 (c) Is submitted on behalf of the local government, or, if that
7 office does not exist, by the legislative body of the local government;

8 (d) Demonstrates that the public funds directed to programs or
9 facilities in the authority will leverage private sector resources and
10 contributions to activities to be performed;

11 (e) Provides a plan or plans for the development of the authority
12 as an entity to advance as a cluster for health sciences education,
13 health sciences research, biotechnology development, biotechnology
14 product commercialization, and/or health care services; and

15 (f) Demonstrates that the state has previously provided funds to
16 health sciences and services programs or facilities in the applicant
17 city, town, or county.

18 (2) The director must determine the division to develop criteria to
19 evaluate the application. The criteria must include:

20 (a) The presence of infrastructure capable of spurring development
21 of the area as a center of health sciences and services;

22 (b) The presence of higher education facilities where undergraduate
23 or graduate coursework or research is conducted; and

24 (c) The presence of facilities in which health services are
25 provided.

26 (3) There may be no more than two authorities statewide.

27 (4) An authority may only be created in a county with a population
28 of less than one million persons and located east of the crest of the
29 Cascade mountains.

30 (5) The director may reject or approve an application. When
31 denying an application, the director must specify the application's
32 deficiencies. The decision regarding such designation as it relates to
33 a specific local government is final; however, a rejected application
34 may be resubmitted.

35 (6) Applications are due by December 31, 2010, and must be
36 processed within sixty days of submission.

37 (7) The director may, at his or her discretion, amend the
38 boundaries of an authority upon the request of the local government.

1 the secretary of the utilities and transportation commission, the
2 director of veterans affairs, the president of each of the regional and
3 state universities and the president of The Evergreen State College,
4 and each district and each campus president of each state community
5 college;

6 (2) Each professional staff member of the office of the governor;

7 (3) Each professional staff member of the legislature; and

8 (4) Central Washington University board of trustees, the boards of
9 trustees of each community college and each technical college, each
10 member of the state board for community and technical colleges, state
11 convention and trade center board of directors, Eastern Washington
12 University board of trustees, Washington economic development finance
13 authority, Washington energy northwest executive board, The Evergreen
14 State College board of trustees, executive ethics board, fish and
15 wildlife commission, forest practices appeals board, forest practices
16 board, gambling commission, Washington health care facilities
17 authority, (~~higher education coordinating board~~) student achievement
18 council, higher education facilities authority, horse racing
19 commission, state housing finance commission, human rights commission,
20 indeterminate sentence review board, board of industrial insurance
21 appeals, state investment board, commission on judicial conduct,
22 legislative ethics board, life sciences discovery fund authority board
23 of trustees, liquor control board, lottery commission, Pacific
24 Northwest electric power and conservation planning council, parks and
25 recreation commission, Washington personnel resources board, board of
26 pilotage commissioners, pollution control hearings board, public
27 disclosure commission, public employees' benefits board, recreation and
28 conservation funding board, salmon recovery funding board, shorelines
29 hearings board, board of tax appeals, transportation commission,
30 University of Washington board of regents, utilities and transportation
31 commission, Washington State University board of regents, and Western
32 Washington University board of trustees.

33 **Sec. 583.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to
34 read as follows:

35 (1) The governor may, by executive order, after consultation with
36 or notification of the executive-legislative committee on economic
37 development created by chapter . . . (Senate Bill No. 5300), Laws of

1 1993, declare a community to be a "military impacted area." A
2 "military impacted area" means a community or communities, as
3 identified in the executive order, that experience serious social and
4 economic hardships because of a change in defense spending by the
5 federal government in that community or communities.

6 (2) If the governor executes an order under subsection (1) of this
7 section, the governor shall establish a response team to coordinate
8 state efforts to assist the military impacted community. The response
9 team may include, but not be limited to, one member from each of the
10 following agencies: (a) The department of (~~community, trade, and~~
11 ~~economic development~~) commerce; (b) the department of social and
12 health services; (c) the employment security department; (d) the state
13 board for community and technical colleges; (e) the (~~higher education~~
14 ~~coordinating board~~) student achievement council; and (f) the
15 department of transportation. The governor may appoint a response team
16 coordinator. The governor shall seek to actively involve the impacted
17 community or communities in planning and implementing a response to the
18 crisis. The governor may seek input or assistance from the community
19 diversification advisory committee, and the governor may establish task
20 forces in the community or communities to assist in the coordination
21 and delivery of services to the local community. The state and
22 community response shall consider economic development, human service,
23 and training needs of the community or communities impacted.

24 **Sec. 584.** RCW 43.19.797 and 2011 1st sp.s. c 43 s 734 are each
25 amended to read as follows:

26 (1) State agencies that are purchasing wireless devices or services
27 must make such purchases through the state master contract, unless the
28 state agency provides to the office of the chief information officer
29 evidence that the state agency is securing its wireless devices or
30 services from another source for a lower cost than through
31 participation in the state master contract.

32 (2) For the purposes of this section, "state agency" means any
33 office, department, board, commission, or other unit of state
34 government, but does not include a unit of state government headed by
35 a statewide elected official, an institution of higher education as
36 defined in RCW 28B.10.016, the (~~higher education coordinating board~~)

1 student_achievement_council, the state board for community and
2 technical colleges, or agencies of the legislative or judicial branches
3 of state government.

4 **Sec. 585.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to
5 read as follows:

6 (1) An education data center shall be established in the office of
7 financial management. The education data center shall jointly, with
8 the legislative evaluation and accountability program committee,
9 conduct collaborative analyses of early learning, K-12, and higher
10 education programs and education issues across the P-20 system, which
11 includes the department of early learning, the superintendent of public
12 instruction, the professional educator standards board, the state board
13 of education, the state board for community and technical colleges, the
14 workforce training and education coordinating board, the (~~higher~~
15 ~~education coordinating board~~) student achievement council, public and
16 private nonprofit four-year institutions of higher education, and the
17 employment security department. The education data center shall
18 conduct collaborative analyses under this section with the legislative
19 evaluation and accountability program committee and provide data
20 electronically to the legislative evaluation and accountability program
21 committee, to the extent permitted by state and federal confidentiality
22 requirements. The education data center shall be considered an
23 authorized representative of the state educational agencies in this
24 section under applicable federal and state statutes for purposes of
25 accessing and compiling student record data for research purposes.

26 (2) The education data center shall:

27 (a) In consultation with the legislative evaluation and
28 accountability program committee and the agencies and organizations
29 participating in the education data center, identify the critical
30 research and policy questions that are intended to be addressed by the
31 education data center and the data needed to address the questions;

32 (b) Coordinate with other state education agencies to compile and
33 analyze education data, including data on student demographics that is
34 disaggregated by distinct ethnic categories within racial subgroups,
35 and complete P-20 research projects;

36 (c) Collaborate with the legislative evaluation and accountability

1 program committee and the education and fiscal committees of the
2 legislature in identifying the data to be compiled and analyzed to
3 ensure that legislative interests are served;

4 (d) Annually provide to the K-12 data governance group a list of
5 data elements and data quality improvements that are necessary to
6 answer the research and policy questions identified by the education
7 data center and have been identified by the legislative committees in
8 (c) of this subsection. Within three months of receiving the list, the
9 K-12 data governance group shall develop and transmit to the education
10 data center a feasibility analysis of obtaining or improving the data,
11 including the steps required, estimated time frame, and the financial
12 and other resources that would be required. Based on the analysis, the
13 education data center shall submit, if necessary, a recommendation to
14 the legislature regarding any statutory changes or resources that would
15 be needed to collect or improve the data;

16 (e) Monitor and evaluate the education data collection systems of
17 the organizations and agencies represented in the education data center
18 ensuring that data systems are flexible, able to adapt to evolving
19 needs for information, and to the extent feasible and necessary,
20 include data that are needed to conduct the analyses and provide
21 answers to the research and policy questions identified in (a) of this
22 subsection;

23 (f) Track enrollment and outcomes through the public centralized
24 higher education enrollment system;

25 (g) Assist other state educational agencies' collaborative efforts
26 to develop a long-range enrollment plan for higher education including
27 estimates to meet demographic and workforce needs;

28 (h) Provide research that focuses on student transitions within and
29 among the early learning, K-12, and higher education sectors in the P-
30 20 system; and

31 (i) Make recommendations to the legislature as necessary to help
32 ensure the goals and objectives of this section and RCW 28A.655.210 and
33 28A.300.507 are met.

34 (3) The department of early learning, superintendent of public
35 instruction, professional educator standards board, state board of
36 education, state board for community and technical colleges, workforce
37 training and education coordinating board, (~~higher — education~~
38 ~~coordinating — board~~) student achievement council, public four-year

1 institutions of higher education, and employment security department
2 shall work with the education data center to develop data-sharing and
3 research agreements, consistent with applicable security and
4 confidentiality requirements, to facilitate the work of the center.
5 Private, nonprofit institutions of higher education that provide
6 programs of education beyond the high school level leading at least to
7 the baccalaureate degree and are accredited by the Northwest
8 association of schools and colleges or their peer accreditation bodies
9 may also develop data-sharing and research agreements with the
10 education data center, consistent with applicable security and
11 confidentiality requirements. The education data center shall make
12 data from collaborative analyses available to the education agencies
13 and institutions that contribute data to the education data center to
14 the extent allowed by federal and state security and confidentiality
15 requirements applicable to the data of each contributing agency or
16 institution.

17 **Sec. 586.** RCW 43.41A.100 and 2011 1st sp.s. c 43 s 721 are each
18 amended to read as follows:

19 (1) In overseeing the technical aspects of the K-20 network, the
20 office is not intended to duplicate the statutory responsibilities of
21 the ((higher — education — coordinating — board)) student achievement
22 council, the superintendent of public instruction, the state librarian,
23 or the governing boards of the institutions of higher education.

24 (2) The office may not interfere in any curriculum or legally
25 offered programming offered over the K-20 network.

26 (3) The responsibility to review and approve standards and common
27 specifications for the K-20 network remains the responsibility of the
28 office under RCW 43.41A.025.

29 (4) The coordination of telecommunications planning for the common
30 schools remains the responsibility of the superintendent of public
31 instruction. Except as set forth in RCW 43.41A.025(2)(f), the office
32 may recommend, but not require, revisions to the superintendent's
33 telecommunications plans.

34 **Sec. 587.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to
35 read as follows:

36 (1) For purposes of developing budget proposals to the legislature,

1 the governor shall have the power, and it shall be the governor's duty,
2 to require from proper agency officials such detailed estimates and
3 other information in such form and at such times as the governor shall
4 direct. The governor shall communicate statewide priorities to
5 agencies for use in developing biennial budget recommendations for
6 their agency and shall seek public involvement and input on these
7 priorities. The estimates for the legislature and the judiciary shall
8 be transmitted to the governor and shall be included in the budget
9 without revision. The estimates for state pension contributions shall
10 be based on the rates provided in chapter 41.45 RCW. Copies of all
11 such estimates shall be transmitted to the standing committees on ways
12 and means of the house and senate at the same time as they are filed
13 with the governor and the office of financial management.

14 The estimates shall include statements or tables which indicate, by
15 agency, the state funds which are required for the receipt of federal
16 matching revenues. The estimates shall be revised as necessary to
17 reflect legislative enactments and adopted appropriations and shall be
18 included with the initial biennial allotment submitted under RCW
19 43.88.110. The estimates must reflect that the agency considered any
20 alternatives to reduce costs or improve service delivery identified in
21 the findings of a performance audit of the agency by the joint
22 legislative audit and review committee. Nothing in this subsection
23 requires performance audit findings to be published as part of the
24 budget.

25 (2) Each state agency shall define its mission and establish
26 measurable goals for achieving desirable results for those who receive
27 its services and the taxpayers who pay for those services. Each agency
28 shall also develop clear strategies and timelines to achieve its goals.
29 This section does not require an agency to develop a new mission or
30 goals in place of identifiable missions or goals that meet the intent
31 of this section. The mission and goals of each agency must conform to
32 statutory direction and limitations.

33 (3) For the purpose of assessing activity performance, each state
34 agency shall establish quality and productivity objectives for each
35 major activity in its budget. The objectives must be consistent with
36 the missions and goals developed under this section. The objectives
37 must be expressed to the extent practicable in outcome-based,
38 objective, and measurable form unless an exception to adopt a different

1 standard is granted by the office of financial management and approved
2 by the legislative committee on performance review. Objectives must
3 specifically address the statutory purpose or intent of the program or
4 activity and focus on data that measure whether the agency is achieving
5 or making progress toward the purpose of the activity and toward
6 statewide priorities. The office of financial management shall provide
7 necessary professional and technical assistance to assist state
8 agencies in the development of strategic plans that include the mission
9 of the agency and its programs, measurable goals, strategies, and
10 performance measurement systems.

11 (4) Each state agency shall adopt procedures for and perform
12 continuous self-assessment of each activity, using the mission, goals,
13 objectives, and measurements required under subsections (2) and (3) of
14 this section. The assessment of the activity must also include an
15 evaluation of major information technology systems or projects that may
16 assist the agency in achieving or making progress toward the activity
17 purpose and statewide priorities. The evaluation of proposed major
18 information technology systems or projects shall be in accordance with
19 the standards and policies established by the information services
20 board. Agencies' progress toward the mission, goals, objectives, and
21 measurements required by subsections (2) and (3) of this section is
22 subject to review as set forth in this subsection.

23 (a) The office of financial management shall regularly conduct
24 reviews of selected activities to analyze whether the objectives and
25 measurements submitted by agencies demonstrate progress toward
26 statewide results.

27 (b) The office of financial management shall consult with: (i) The
28 ((higher education coordinating board and the state board for community
29 and technical colleges)) four-year institutions of higher education in
30 those reviews that involve four-year institutions of higher education;
31 and (ii) the state board for community and technical colleges in those
32 reviews that involve two-year institutions of higher education.

33 (c) The goal is for all major activities to receive at least one
34 review each year.

35 (d) The office of financial management shall consult with the
36 information services board when conducting reviews of major information
37 technology systems in use by state agencies. The goal is that reviews
38 of these information technology systems occur periodically.

1 (5) It is the policy of the legislature that each agency's budget
2 recommendations must be directly linked to the agency's stated mission
3 and program, quality, and productivity goals and objectives.
4 Consistent with this policy, agency budget proposals must include
5 integration of performance measures that allow objective determination
6 of an activity's success in achieving its goals. When a review under
7 subsection (4) of this section or other analysis determines that the
8 agency's objectives demonstrate that the agency is making insufficient
9 progress toward the goals of any particular program or is otherwise
10 underachieving or inefficient, the agency's budget request shall
11 contain proposals to remedy or improve the selected programs. The
12 office of financial management shall develop a plan to merge the budget
13 development process with agency performance assessment procedures. The
14 plan must include a schedule to integrate agency strategic plans and
15 performance measures into agency budget requests and the governor's
16 budget proposal over three fiscal biennia. The plan must identify
17 those agencies that will implement the revised budget process in the
18 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.
19 In consultation with the legislative fiscal committees, the office of
20 financial management shall recommend statutory and procedural
21 modifications to the state's budget, accounting, and reporting systems
22 to facilitate the performance assessment procedures and the merger of
23 those procedures with the state budget process. The plan and
24 recommended statutory and procedural modifications must be submitted to
25 the legislative fiscal committees by September 30, 1996.

26 (6) In reviewing agency budget requests in order to prepare the
27 governor's biennial budget request, the office of financial management
28 shall consider the extent to which the agency's activities demonstrate
29 progress toward the statewide budgeting priorities, along with any
30 specific review conducted under subsection (4) of this section.

31 (7) In the year of the gubernatorial election, the governor shall
32 invite the governor-elect or the governor-elect's designee to attend
33 all hearings provided in RCW 43.88.100; and the governor shall furnish
34 the governor-elect or the governor-elect's designee with such
35 information as will enable the governor-elect or the governor-elect's
36 designee to gain an understanding of the state's budget requirements.
37 The governor-elect or the governor-elect's designee may ask such
38 questions during the hearings and require such information as the

1 governor-elect or the governor-elect's designee deems necessary and may
2 make recommendations in connection with any item of the budget which,
3 with the governor-elect's reasons therefor, shall be presented to the
4 legislature in writing with the budget document. Copies of all such
5 estimates and other required information shall also be submitted to the
6 standing committees on ways and means of the house and senate.

7 **Sec. 588.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to
8 read as follows:

9 (1) In overseeing the technical aspects of the K-20 network, the
10 information services board is not intended to duplicate the statutory
11 responsibilities of the (~~higher education coordinating board~~) student
12 achievement council, the superintendent of public instruction, the
13 information services board, the state librarian, or the governing
14 boards of the institutions of higher education.

15 (2) The board may not interfere in any curriculum or legally
16 offered programming offered over the network.

17 (3) The responsibility to review and approve standards and common
18 specifications for the network remains the responsibility of the
19 information services board under RCW 43.105.041.

20 (4) The coordination of telecommunications planning for the common
21 schools remains the responsibility of the superintendent of public
22 instruction. Except as set forth in RCW 43.105.041(1)(d), the board
23 may recommend, but not require, revisions to the superintendent's
24 telecommunications plans.

25 **Sec. 589.** RCW 43.215.090 and 2011 c 177 s 2 are each amended to
26 read as follows:

27 (1) The early learning advisory council is established to advise
28 the department on statewide early learning issues that would build a
29 comprehensive system of quality early learning programs and services
30 for Washington's children and families by assessing needs and the
31 availability of services, aligning resources, developing plans for data
32 collection and professional development of early childhood educators,
33 and establishing key performance measures.

34 (2) The council shall work in conjunction with the department to
35 develop a statewide early learning plan that guides the department in

1 promoting alignment of private and public sector actions, objectives,
2 and resources, and ensuring school readiness.

3 (3) The council shall include diverse, statewide representation
4 from public, nonprofit, and for-profit entities. Its membership shall
5 reflect regional, racial, and cultural diversity to adequately
6 represent the needs of all children and families in the state.

7 (4) Councilmembers shall serve two-year terms. However, to stagger
8 the terms of the council, the initial appointments for twelve of the
9 members shall be for one year. Once the initial one-year to two-year
10 terms expire, all subsequent terms shall be for two years, with the
11 terms expiring on June 30th of the applicable year. The terms shall be
12 staggered in such a way that, where possible, the terms of members
13 representing a specific group do not expire simultaneously.

14 (5) The council shall consist of not more than twenty-three
15 members, as follows:

16 (a) The governor shall appoint at least one representative from
17 each of the following: The department, the office of financial
18 management, the department of social and health services, the
19 department of health, the (~~higher-education-coordinating-board~~)
20 student achievement council, and the state board for community and
21 technical colleges;

22 (b) One representative from the office of the superintendent of
23 public instruction, to be appointed by the superintendent of public
24 instruction;

25 (c) The governor shall appoint seven leaders in early childhood
26 education, with at least one representative with experience or
27 expertise in one or more of the areas such as the following: The K-12
28 system, family day care providers, and child care centers with four of
29 the seven governor's appointees made as follows:

30 (i) The head start state collaboration office director or the
31 director's designee;

32 (ii) A representative of a head start, early head start,
33 migrant/seasonal head start, or tribal head start program;

34 (iii) A representative of a local education agency; and

35 (iv) A representative of the state agency responsible for programs
36 under section 619 or part C of the federal individuals with
37 disabilities education act;

1 (d) Two members of the house of representatives, one from each
2 caucus, and two members of the senate, one from each caucus, to be
3 appointed by the speaker of the house of representatives and the
4 president of the senate, respectively;

5 (e) Two parents, one of whom serves on the department's parent
6 advisory group, to be appointed by the governor;

7 (f) One representative of the private-public partnership created in
8 RCW 43.215.070, to be appointed by the partnership board;

9 (g) One representative designated by sovereign tribal governments;
10 and

11 (h) One representative from the Washington federation of
12 independent schools.

13 (6) The council shall be cochaired by one representative of a state
14 agency and one nongovernmental member, to be elected by the council for
15 two-year terms.

16 (7) The council shall appoint two members and stakeholders with
17 expertise in early learning to sit on the technical working group
18 created in section 2, chapter 234, Laws of 2010.

19 (8) Each member of the board shall be compensated in accordance
20 with RCW 43.03.240 and reimbursed for travel expenses incurred in
21 carrying out the duties of the board in accordance with RCW 43.03.050
22 and 43.03.060.

23 (9) The department shall provide staff support to the council.

24 **Sec. 590.** RCW 43.330.310 and 2010 c 187 s 2 are each amended to
25 read as follows:

26 (1) The legislature establishes a comprehensive green economy jobs
27 growth initiative based on the goal of, by 2020, increasing the number
28 of green economy jobs to twenty-five thousand from the eight thousand
29 four hundred green economy jobs the state had in 2004.

30 (2) The department, in consultation with the employment security
31 department, the state workforce training and education coordinating
32 board, the state board for community and technical colleges, and the
33 (~~higher education coordinating board~~) student achievement council,
34 shall develop a defined list of terms, consistent with current
35 workforce and economic development terms, associated with green economy
36 industries and jobs.

1 (3)(a) The employment security department, in consultation with the
2 department, the state workforce training and education coordinating
3 board, the state board for community and technical colleges, the
4 (~~higher education coordinating board~~) student achievement council,
5 Washington State University small business development center, and the
6 Washington State University extension energy program, shall conduct
7 labor market research to analyze the current labor market and projected
8 job growth in the green economy, the current and projected recruitment
9 and skill requirement of green economy industry employers, the wage and
10 benefits ranges of jobs within green economy industries, and the
11 education and training requirements of entry-level and incumbent
12 workers in those industries.

13 (i) The employment security department shall conduct an analysis of
14 occupations in the forest products industry to: (A) Determine key
15 growth factors and employment projections in the industry; and (B)
16 define the education and skill standards required for current and
17 emerging green occupations in the industry.

18 (ii) The term "forest products industry" must be given a broad
19 interpretation when implementing (a)(i) of this subsection and
20 includes, but is not limited to, businesses that grow, manage, harvest,
21 transport, and process forest, wood, and paper products.

22 (b) The University of Washington business and economic development
23 center shall: Analyze the current opportunities for and participation
24 in the green economy by minority and women-owned business enterprises
25 in Washington; identify existing barriers to their successful
26 participation in the green economy; and develop strategies with
27 specific policy recommendations to improve their successful
28 participation in the green economy. The research may be informed by
29 the research of the Puget Sound regional council prosperity
30 partnership, as well as other entities. The University of Washington
31 business and economic development center shall report to the
32 appropriate committees of the house of representatives and the senate
33 on their research, analysis, and recommendations by December 1, 2008.

34 (4) Based on the findings from subsection (3) of this section, the
35 employment security department, in consultation with the department and
36 taking into account the requirements and goals of chapter 14, Laws of
37 2008 and other state clean energy and energy efficiency policies, shall
38 propose which industries will be considered high-demand green

1 industries, based on current and projected job creation and their
2 strategic importance to the development of the state's green economy.
3 The employment security department and the department shall take into
4 account which jobs within green economy industries will be considered
5 high-wage occupations and occupations that are part of career pathways
6 to the same, based on family-sustaining wage and benefits ranges.
7 These designations, and the results of the employment security
8 department's broader labor market research, shall inform the planning
9 and strategic direction of the department, the state workforce training
10 and education coordinating board, the state board for community and
11 technical colleges, and the (~~higher-education-coordinating-board~~)
12 student achievement council.

13 (5) The department shall identify emerging technologies and
14 innovations that are likely to contribute to advancements in the green
15 economy, including the activities in designated innovation partnership
16 zones established in RCW 43.330.270.

17 (6) The department, consistent with the priorities established by
18 the state economic development commission, shall:

19 (a) Develop targeting criteria for existing investments, and make
20 recommendations for new or expanded financial incentives and
21 comprehensive strategies, to recruit, retain, and expand green economy
22 industries and small businesses; and

23 (b) Make recommendations for new or expanded financial incentives
24 and comprehensive strategies to stimulate research and development of
25 green technology and innovation, including designating innovation
26 partnership zones linked to the green economy.

27 (7) For the purposes of this section, "target populations" means
28 (a) entry-level or incumbent workers in high-demand green industries
29 who are in, or are preparing for, high-wage occupations; (b) dislocated
30 workers in declining industries who may be retrained for high-wage
31 occupations in high-demand green industries; (c) dislocated
32 agriculture, timber, or energy sector workers who may be retrained for
33 high-wage occupations in high-demand green industries; (d) eligible
34 veterans or national guard members; (e) disadvantaged populations; or
35 (f) anyone eligible to participate in the state opportunity grant
36 program under RCW 28B.50.271.

37 (8) The legislature directs the state workforce training and
38 education coordinating board to create and pilot green industry skill

1 panels. These panels shall consist of business representatives from:
2 Green industry sectors, including but not limited to forest product
3 companies, companies engaged in energy efficiency and renewable energy
4 production, companies engaged in pollution prevention, reduction, and
5 mitigation, and companies engaged in green building work and green
6 transportation; labor unions representing workers in those industries
7 or labor affiliates administering state-approved, joint apprenticeship
8 programs or labor-management partnership programs that train workers
9 for these industries; state and local veterans agencies; employer
10 associations; educational institutions; and local workforce development
11 councils within the region that the panels propose to operate; and
12 other key stakeholders as determined by the applicant. Any of these
13 stakeholder organizations are eligible to receive grants under this
14 section and serve as the intermediary that convenes and leads the
15 panel. Panel applicants must provide labor market and industry
16 analysis that demonstrates high demand, or demand of strategic
17 importance to the development of the state's clean energy economy as
18 identified in this section, for high-wage occupations, or occupations
19 that are part of career pathways to the same, within the relevant
20 industry sector. The panel shall:

21 (a) Conduct labor market and industry analyses, in consultation
22 with the employment security department, and drawing on the findings of
23 its research when available;

24 (b) Plan strategies to meet the recruitment and training needs of
25 the industry and small businesses; and

26 (c) Leverage and align other public and private funding sources.

27 (9) The green industries jobs training account is created in the
28 state treasury. Moneys from the account must be utilized to supplement
29 the state opportunity grant program established under RCW 28B.50.271.
30 All receipts from appropriations directed to the account must be
31 deposited into the account. Expenditures from the account may be used
32 only for the activities identified in this subsection. The state board
33 for community and technical colleges, in consultation with the state
34 workforce training and education coordinating board, informed by the
35 research of the employment security department and the strategies
36 developed in this section, may authorize expenditures from the account.
37 The state board for community and technical colleges must distribute
38 grants from the account on a competitive basis.

1 (a)(i) Allowable uses of these grant funds, which should be used
2 when other public or private funds are insufficient or unavailable, may
3 include:

4 (A) Curriculum development;

5 (B) Transitional jobs strategies for dislocated workers in
6 declining industries who may be retrained for high-wage occupations in
7 green industries;

8 (C) Workforce education to target populations; and

9 (D) Adult basic and remedial education as necessary linked to
10 occupation skills training.

11 (ii) Allowable uses of these grant funds do not include student
12 assistance and support services available through the state opportunity
13 grant program under RCW 28B.50.271.

14 (b) Applicants eligible to receive these grants may be any
15 organization or a partnership of organizations that has demonstrated
16 expertise in:

17 (i) Implementing effective education and training programs that
18 meet industry demand; and

19 (ii) Recruiting and supporting, to successful completion of those
20 training programs carried out under these grants, the target
21 populations of workers.

22 (c) In awarding grants from the green industries jobs training
23 account, the state board for community and technical colleges shall
24 give priority to applicants that demonstrate the ability to:

25 (i) Use labor market and industry analysis developed by the
26 employment security department and green industry skill panels in the
27 design and delivery of the relevant education and training program, and
28 otherwise utilize strategies developed by green industry skill panels;

29 (ii) Leverage and align existing public programs and resources and
30 private resources toward the goal of recruiting, supporting, educating,
31 and training target populations of workers;

32 (iii) Work collaboratively with other relevant stakeholders in the
33 regional economy;

34 (iv) Link adult basic and remedial education, where necessary, with
35 occupation skills training;

36 (v) Involve employers and, where applicable, labor unions in the
37 determination of relevant skills and competencies and, where relevant,
38 the validation of career pathways; and

1 (vi) Ensure that supportive services, where necessary, are
2 integrated with education and training and are delivered by
3 organizations with direct access to and experience with the targeted
4 population of workers.

5 **Sec. 591.** RCW 43.330.375 and 2010 c 187 s 3 are each amended to
6 read as follows:

7 (1) The department and the workforce board must:

8 (a) Coordinate efforts across the state to ensure that federal
9 training and education funds are captured and deployed in a focused and
10 effective manner in order to support green economy projects and
11 accomplish the goals of the evergreen jobs initiative;

12 (b) Accelerate and coordinate efforts by state and local
13 organizations to identify, apply for, and secure all sources of funds,
14 particularly those created by the 2009 American recovery and
15 reinvestment act, and to ensure that distributions of funding to local
16 organizations are allocated in a manner that is time-efficient and
17 user-friendly for the local organizations. Local organizations
18 eligible to receive support include but are not limited to:

19 (i) Associate development organizations;

20 (ii) Workforce development councils;

21 (iii) Public utility districts; and

22 (iv) Community action agencies;

23 (c) Support green economy projects at both the state and local
24 level by developing a process and a framework to provide, at a minimum:

25 (i) Administrative and technical assistance;

26 (ii) Assistance with and expediting of permit processes; and

27 (iii) Priority consideration of opportunities leading to exportable
28 green economy goods and services, including renewable energy
29 technology;

30 (d) Coordinate local and state implementation of projects using
31 federal funds to ensure implementation is time-efficient and user-
32 friendly for local organizations;

33 (e) Emphasize through both support and outreach efforts, projects
34 that:

35 (i) Have a strong and lasting economic or environmental impact;

36 (ii) Lead to a domestically or internationally exportable good or
37 service, including renewable energy technology;

1 (iii) Create training programs leading to a credential,
2 certificate, or degree in a green economy field;

3 (iv) Strengthen the state's competitiveness in a particular sector
4 or cluster of the green economy;

5 (v) Create employment opportunities for veterans, members of the
6 national guard, and low-income and disadvantaged populations;

7 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;

8 (vii) Ensure at least fifteen percent of labor hours are performed
9 by apprentices;

10 (f) Identify emerging technologies and innovations that are likely
11 to contribute to advancements in the green economy, including the
12 activities in designated innovation partnership zones established in
13 RCW 43.330.270;

14 (g) Identify barriers to the growth of green jobs in traditional
15 industries such as the forest products industry;

16 (h) Identify statewide performance metrics for projects receiving
17 agency assistance. Such metrics may include:

18 (i) The number of new green jobs created each year, their wage
19 levels, and, to the extent determinable, the percentage of new green
20 jobs filled by veterans, members of the national guard, and low-income
21 and disadvantaged populations;

22 (ii) The total amount of new federal funding secured, the
23 respective amounts allocated to the state and local levels, and the
24 timeliness of deployment of new funding by state agencies to the local
25 level;

26 (iii) The timeliness of state deployment of funds and support to
27 local organizations; and

28 (iv) If available, the completion rates, time to completion, and
29 training-related placement rates for green economy postsecondary
30 training programs;

31 (i) Identify strategies to allocate existing and new funding
32 streams for green economy workforce training programs and education to
33 emphasize those leading to a credential, certificate, or degree in a
34 green economy field;

35 (j) Identify and implement strategies to allocate existing and new
36 funding streams for workforce development councils and associate
37 development organizations to increase their effectiveness and

1 efficiency and increase local capacity to respond rapidly and
2 comprehensively to opportunities to attract green jobs to local
3 communities;

4 (k) Develop targeting criteria for existing investments that are
5 consistent with the economic development commission's economic
6 development strategy and the goals of this section and RCW 28C.18.170,
7 28B.50.281, and 49.04.200; and

8 (l) Make and support outreach efforts so that residents of
9 Washington, particularly members of target populations, become aware of
10 educational and employment opportunities identified and funded through
11 the evergreen jobs act.

12 (2) The department and the workforce board must provide semiannual
13 performance reports to the governor and appropriate committees of the
14 legislature on:

15 (a) Actual statewide performance based on the performance measures
16 identified in subsection (1)(h) of this section;

17 (b) How the state is emphasizing and supporting projects that lead
18 to a domestically or internationally exportable good or service,
19 including renewable energy technology;

20 (c) A list of projects supported, created, or funded in furtherance
21 of the goals of the evergreen jobs initiative and the actions taken by
22 state and local organizations, including the effectiveness of state
23 agency support provided to local organizations as directed in
24 subsection (1)(b) and (c) of this section;

25 (d) Recommendations for new or expanded financial incentives and
26 comprehensive strategies to:

27 (i) Recruit, retain, and expand green economy industries and small
28 businesses; and

29 (ii) Stimulate research and development of green technology and
30 innovation, which may include designating innovation partnership zones
31 linked to the green economy;

32 (e) Any information that associate development organizations and
33 workforce development councils choose to provide to appropriate
34 legislative committees regarding the effectiveness, timeliness, and
35 coordination of support provided by state agencies under this section
36 and RCW 28C.18.170, 28B.50.281, and 49.04.200; and

37 (f) Any recommended statutory changes necessary to increase the

1 effectiveness of the evergreen jobs initiative and state responsiveness
2 to local agencies and organizations.

3 (3) The definitions, designations, and results of the employment
4 security department's broader labor market research under RCW
5 43.330.010 shall inform the planning and strategic direction of the
6 department, the state workforce training and education coordinating
7 board, the state board for community and technical colleges, and the
8 (~~higher education coordinating board~~) student achievement council.

9 **Sec. 592.** RCW 47.80.090 and 2009 c 459 s 2 are each amended to
10 read as follows:

11 (1) A regional transportation planning organization containing any
12 county with a population in excess of one million in collaboration with
13 representatives from the department of ecology, the department of
14 (~~community, — trade, — and — economic — development~~) commerce, local
15 governments, and the office of regulatory assistance must seek federal
16 or private funding for the planning for, deployment of, or regulations
17 concerning electric vehicle infrastructure. These efforts should
18 include:

19 (a) Development of short-term and long-term plans outlining how
20 state, regional, and local government construction may include electric
21 vehicle infrastructure in publicly available off-street parking and
22 government fleet vehicle parking, including what ratios of charge spots
23 to parking may be appropriate based on location or type of facility or
24 building;

25 (b) Consultations with the state building code council and the
26 department of labor and industries to coordinate the plans with state
27 standards for new residential, commercial, and industrial buildings to
28 ensure that the appropriate electric circuitry is installed to support
29 electric vehicle infrastructure;

30 (c) Consultation with the workforce development council and the
31 (~~higher education coordinating board~~) student achievement council to
32 ensure the development of appropriate educational and training
33 opportunities for citizens of the state in support of the transition of
34 some portion of vehicular transportation from combustion to electric
35 vehicles;

36 (d) Development of an implementation plan for counties with a

1 population greater than five hundred thousand with the goal of having
2 public and private parking spaces, in the aggregate, be ten percent
3 electric vehicle ready by December 31, 2018; and

4 (e) Development of model ordinances and guidance for local
5 governments for siting and installing electric vehicle infrastructure,
6 in particular battery charging stations, and appropriate handling,
7 recycling, and storage of electric vehicle batteries and equipment.

8 (2) These plans and any recommendations developed as a result of
9 the consultations required by this section must be submitted to the
10 legislature by December 31, 2010, or as soon as reasonably practicable
11 after the securing of any federal or private funding. Priority will be
12 given to the activities in subsection (1)(e) of this section and any
13 ordinances or guidance that is developed will be submitted to the
14 legislature, the department of (~~community, trade, and economic~~
15 ~~development~~) commerce, and affected local governments prior to
16 December 31, 2010, if completed.

17 (3) The definitions in this subsection apply (~~through~~
18 ~~{throughout}~~) throughout this section unless the context clearly
19 requires otherwise.

20 (a) "Battery charging station" means an electrical component
21 assembly or cluster of component assemblies designed specifically to
22 charge batteries within electric vehicles, which meet or exceed any
23 standards, codes, and regulations set forth by chapter 19.28 RCW and
24 consistent with rules adopted under RCW 19.27.540.

25 (b) "Battery exchange station" means a fully automated facility
26 that will enable an electric vehicle with a swappable battery to enter
27 a drive lane and exchange the depleted battery with a fully charged
28 battery through a fully automated process, which meets or exceeds any
29 standards, codes, and regulations set forth by chapter 19.28 RCW and
30 consistent with rules adopted under RCW 19.27.540.

31 (c) "Electric vehicle infrastructure" means structures, machinery,
32 and equipment necessary and integral to support an electric vehicle,
33 including battery charging stations, rapid charging stations, and
34 battery exchange stations.

35 (d) "Rapid charging station" means an industrial grade electrical
36 outlet that allows for faster recharging of electric vehicle batteries
37 through higher power levels, which meets or exceeds any standards,

1 codes, and regulations set forth by chapter 19.28 RCW and consistent
2 with rules adopted under RCW 19.27.540.

3 **Sec. 593.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to
4 read as follows:

5 (1) The department, in consultation with at least the (~~higher~~
6 ~~education-coordinating-board~~) student achievement council, the state
7 board for community and technical colleges, the superintendent of
8 public instruction, and state-supported education programs in medicine,
9 pharmacy, and nursing, shall develop a plan for increasing rural
10 training opportunities for students in medicine, pharmacy, and nursing.
11 The plan shall provide for direct exposure to rural health professional
12 practice conditions for students planning careers in medicine,
13 pharmacy, and nursing.

14 (2) The department and the medical, pharmacy, and nurse education
15 programs shall:

16 (a) Inventory existing rural-based clinical experience programs,
17 including internships, clerkships, residencies, and other training
18 opportunities available to students pursuing degrees in nursing,
19 pharmacy, and medicine;

20 (b) Identify where training opportunities do not currently exist
21 and are needed;

22 (c) Develop recommendations for improving the availability of rural
23 training opportunities;

24 (d) Develop recommendations on establishing agreements between
25 education programs to assure that all students in medical, pharmacist,
26 and nurse education programs in the state have access to rural training
27 opportunities; and

28 (e) Review private and public funding sources to finance rural-
29 based training opportunities.

30 **Sec. 594.** RCW 74.13.570 and 2005 c 93 s 2 are each amended to read
31 as follows:

32 (1) The department shall establish an oversight committee composed
33 of staff from the children's administration of the department, the
34 office of the superintendent of public instruction, the (~~higher~~
35 ~~education-coordinating-board~~) student achievement council, foster
36 youth, former foster youth, foster parents, and advocacy agencies to

1 develop strategies for maintaining foster children in the schools they
2 were attending at the time they entered foster care and to promote
3 opportunities for foster youth to participate in postsecondary
4 education or training.

5 (2) The duties of the oversight committee shall include, but are
6 not limited to:

7 (a) Developing strategies for school-based recruitment of foster
8 homes;

9 (b) Monitoring the progress of current pilot projects that assist
10 foster children to continue attending the schools they were attending
11 at the time they entered foster care;

12 (c) Overseeing the expansion of the number of pilot projects;

13 (d) Promoting the use of best practices, throughout the state,
14 demonstrated by the pilot projects and other programs relating to
15 maintaining foster children in the schools they were attending at the
16 time they entered foster care;

17 (e) Informing the legislature of the status of efforts to maintain
18 foster children in the schools they were attending at the time they
19 entered foster care;

20 (f) Assessing the scope and nature of statewide need among current
21 and former foster youth for assistance to pursue and participate in
22 postsecondary education or training opportunities;

23 (g) Identifying available sources of funding available in the state
24 for services to former foster youth to pursue and participate in
25 postsecondary education or training opportunities;

26 (h) Reviewing the effectiveness of activities in the state to
27 support former foster youth to pursue and participate in postsecondary
28 education or training opportunities;

29 (i) Identifying new activities, or existing activities that should
30 be modified or expanded, to best meet statewide needs; and

31 (j) Reviewing on an ongoing basis the progress toward improving
32 educational and vocational outcomes for foster youth.

33 **PART VI**

34 **REFERENCES TO THE OFFICE OF STUDENT FINANCIAL ASSISTANCE**

35 **Sec. 601.** RCW 28A.175.135 and 2011 c 288 s 3 are each amended to
36 read as follows:

1 Subject to funds appropriated for this purpose, funds shall be
2 allocated as specified in the omnibus appropriations act to support the
3 PASS program through the following programs:

4 (1) The opportunity internship program under RCW 28C.18.160 through
5 28C.18.168;

6 (2) The jobs for America's graduates program administered through
7 the office of the superintendent of public instruction;

8 (3) The building bridges program under RCW 28A.175.025, to be used
9 to expand programs that have been implemented by building bridges
10 partnerships and determined by the building bridges work group to be
11 successful in reducing dropout rates, or to replicate such programs in
12 new partnerships; and

13 (4) Individualized student support services provided by a college
14 scholarship organization with expertise in managing scholarships for
15 low-income, high potential students and foster care youth under
16 contract with the (~~higher education coordinating board~~) office of
17 student financial assistance, including but not limited to college and
18 career advising, counseling, tutoring, community mentor programs, and
19 leadership development.

20 **Sec. 602.** RCW 28B.12.070 and 2011 1st sp.s. c 11 s 147 are each
21 amended to read as follows:

22 Each eligible institution shall submit to the office of student
23 financial assistance an annual report in accordance with such
24 requirements as are adopted by the (~~board~~) office.

25 **Sec. 603.** RCW 28B.15.764 and 1985 c 370 s 81 are each amended to
26 read as follows:

27 The (~~board~~) office and institutions of higher education shall
28 work cooperatively to implement RCW 28B.15.762 and to publicize this
29 program to eligible students.

30 **Sec. 604.** RCW 28B.76.505 and 2011 1st sp.s. c 11 s 107 are each
31 amended to read as follows:

32 (1) The investment of funds from all scholarship endowment programs
33 administered by the office shall be managed by the state investment
34 board.

1 (2) The state investment board has the full power to invest,
2 reinvest, manage, contract, sell, or exchange investment money in
3 scholarship endowment funds. All investment and operating costs
4 associated with the investment of a scholarship endowment fund shall be
5 paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of
6 these expenses, the earnings from the investments of the fund belong to
7 the fund.

8 (3) Funds from all scholarship endowment programs administered by
9 the ((board)) office shall be in the custody of the state treasurer.

10 (4) All investments made by the state investment board shall be
11 made with the exercise of that degree of judgment and care pursuant to
12 RCW 43.33A.140 and the investment policies established by the state
13 investment board.

14 (5) As deemed appropriate by the state investment board, money in
15 a scholarship endowment fund may be commingled for investment with
16 other funds subject to investment by the state investment board.

17 (6) The authority to establish all policies relating to scholarship
18 endowment funds, other than the investment policies in subsections (2)
19 through (5) of this section, resides with the office.

20 (7) The office may request and accept moneys from the state
21 investment board. With the exception of expenses of the state
22 investment board in subsection (2) of this section, disbursements from
23 the fund shall be made only on the authorization of the office and
24 money in the fund may be spent only for the purposes of the endowment
25 programs as specified in the authorizing chapter of each program.

26 (8) The state investment board shall routinely consult and
27 communicate with the office on the investment policy, earnings of the
28 scholarship endowment funds, and related needs of the programs.

29 **Sec. 605.** RCW 28B.92.080 and 2009 c 238 s 9 are each amended to
30 read as follows:

31 Except for opportunity internship graduates whose eligibility is
32 provided under RCW 28B.92.084, for a student to be eligible for a state
33 need grant a student must:

34 (1) Be a "needy student" or "disadvantaged student" as determined
35 by the ((board)) office in accordance with RCW 28B.92.030 ((+3)) (1)
36 and (4);

1 (2) Have been domiciled within the state of Washington for at least
2 one year;

3 (3) Be enrolled or accepted for enrollment on at least a half-time
4 basis at an institution of higher education in Washington as defined in
5 RCW 28B.92.030(~~(+1)~~) (3);

6 (4) Until June 30, 2011, to the extent funds are specifically
7 appropriated for this purpose, and subject to any terms and conditions
8 specified in the omnibus appropriations act, be enrolled or accepted
9 for enrollment for at least three quarter credits or the equivalent
10 semester credits at an institution of higher education in Washington as
11 defined in RCW 28B.92.030(~~(+1)~~) (3); and

12 (5) Have complied with all the rules adopted by the (~~board~~)
13 council for the administration of this chapter.

14 **Sec. 606.** RCW 28B.95.020 and 2011 1st sp.s. c 11 s 168 are each
15 amended to read as follows:

16 The definitions in this section apply throughout this chapter,
17 unless the context clearly requires otherwise.

18 (1) "Academic year" means the regular nine-month, three-quarter, or
19 two-semester period annually occurring between August 1st and July
20 31st.

21 (2) "Account" means the Washington advanced college tuition payment
22 program account established for the deposit of all money received by
23 the (~~board~~) office from eligible purchasers and interest earnings on
24 investments of funds in the account, as well as for all expenditures on
25 behalf of eligible beneficiaries for the redemption of tuition units
26 and for the development of any authorized college savings program
27 pursuant to RCW 28B.95.150.

28 (3) "Committee on advanced tuition payment" or "committee" means a
29 committee of the following members: The state treasurer, the director
30 of the office of financial management, the director of the office, or
31 their designees, and two members to be appointed by the governor, one
32 representing program participants and one private business
33 representative with marketing, public relations, or financial
34 expertise.

35 (4) "Contractual obligation" means a legally binding contract of
36 the state with the purchaser and the beneficiary establishing that

1 purchases of tuition units will be worth the same number of tuition
2 units at the time of redemption as they were worth at the time of the
3 purchase.

4 (5) "Eligible beneficiary" means the person for whom the tuition
5 unit will be redeemed for attendance at an institution of higher
6 education. The beneficiary is that person named by the purchaser at
7 the time that a tuition unit contract is accepted by the governing
8 body. Qualified organizations, as allowed under section 529 of the
9 federal internal revenue code, purchasing tuition unit contracts as
10 future scholarships need not designate a beneficiary at the time of
11 purchase.

12 (6) "Eligible purchaser" means an individual or organization that
13 has entered into a tuition unit contract with the governing body for
14 the purchase of tuition units for an eligible beneficiary. The state
15 of Washington may be an eligible purchaser for purposes of purchasing
16 tuition units to be held for granting Washington college bound
17 scholarships.

18 (7) "Full-time tuition charges" means resident tuition charges at
19 a state institution of higher education for enrollments between ten
20 credits and eighteen credit hours per academic term.

21 (8) "Governing body" means the committee empowered by the
22 legislature to administer the Washington advanced college tuition
23 payment program.

24 (9) "Institution of higher education" means an institution that
25 offers education beyond the secondary level and is recognized by the
26 internal revenue service under chapter 529 of the internal revenue
27 code.

28 (10) "Investment board" means the state investment board as defined
29 in chapter 43.33A RCW.

30 (11) "Office" means the office of student financial assistance as
31 defined in chapter 28B.76 RCW.

32 (12) "State institution of higher education" means institutions of
33 higher education as defined in RCW 28B.10.016.

34 (13) "Tuition and fees" means undergraduate tuition and services
35 and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded
36 to the nearest whole dollar. For purposes of this chapter, services
37 and activities fees do not include fees charged for the payment of

1 bonds heretofore or hereafter issued for, or other indebtedness
2 incurred to pay, all or part of the cost of acquiring, constructing, or
3 installing any lands, buildings, or facilities.

4 (14) "Tuition unit contract" means a contract between an eligible
5 purchaser and the governing body, or a successor agency appointed for
6 administration of this chapter, for the purchase of tuition units for
7 a specified beneficiary that may be redeemed at a later date for an
8 equal number of tuition units.

9 (15) "Unit purchase price" means the minimum cost to purchase one
10 tuition unit for an eligible beneficiary. Generally, the minimum
11 purchase price is one percent of the undergraduate tuition and fees for
12 the current year, rounded to the nearest whole dollar, adjusted for the
13 costs of administration and adjusted to ensure the actuarial soundness
14 of the account. The analysis for price setting shall also include, but
15 not be limited to consideration of past and projected patterns of
16 tuition increases, program liability, past and projected investment
17 returns, and the need for a prudent stabilization reserve.

18 **Sec. 607.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to
19 read as follows:

20 (1) Participants in the conditional scholarship program incur an
21 obligation to repay the conditional scholarship, with interest, unless
22 they serve in the Washington national guard for one additional year for
23 each year of conditional scholarship received, under rules adopted by
24 the office.

25 (2) The entire principal and interest of each yearly repayment
26 shall be forgiven for each additional year in which a participant
27 serves in the Washington national guard, under rules adopted by the
28 office.

29 (3) If a participant elects to repay the conditional scholarship,
30 the period of repayment shall be four years, with payments accruing
31 quarterly commencing nine months from the date that the participant
32 leaves the Washington national guard or withdraws from the institution
33 of higher education, whichever comes first. The interest rate on the
34 repayments shall be eight percent per year. Provisions for deferral
35 and forgiveness shall be determined by the office.

36 (4) The office is responsible for collection of repayments made
37 under this section. The office shall exercise due diligence in such

1 collection, maintaining all necessary records to ensure that maximum
2 repayments are made. Collection and servicing of repayments under this
3 section shall be pursued using the full extent of law, including wage
4 garnishment if necessary. The office is responsible to forgive all or
5 parts of such repayments under the criteria established in this
6 section, and shall maintain all necessary records of forgiven payments.
7 The office may contract with the (~~higher-education-coordinating~~
8 ~~board~~) office_of_student_financial_assistance for collection of
9 repayments under this section.

10 (5) Receipts from the payment of principal or interest paid by or
11 on behalf of participants shall be deposited with the office and shall
12 be used to cover the costs of granting the conditional scholarships,
13 maintaining necessary records, and making collections under subsection
14 (4) of this section. The office shall maintain accurate records of
15 these costs, and all receipts beyond those necessary to pay such costs
16 shall be used to grant conditional scholarships to eligible students.

17 **Sec. 608.** RCW 28B.108.020 and 2011 1st sp.s. c 11 s 192 are each
18 amended to read as follows:

19 (1) The American Indian endowed scholarship program is created.
20 The program shall be administered by the office. In administering the
21 program, the (~~board's~~) office's powers and duties shall include but
22 not be limited to:

23 (~~(1)~~) (a) Selecting students to receive scholarships, with the
24 assistance of a screening committee composed of persons involved in
25 helping American Indian students to obtain a higher education. The
26 membership of the committee may include, but is not limited to
27 representatives of: Indian tribes, urban Indians, the governor's
28 office of Indian affairs, the Washington state Indian education
29 association, and institutions of higher education;

30 (~~(2) Adopting necessary rules and guidelines;~~

31 ~~(3)~~) (b) Publicizing the program;

32 (~~(4)~~) (c) Accepting and depositing donations into the endowment
33 fund created in RCW 28B.108.060;

34 (~~(5)~~) (d) Requesting from the state investment board and
35 accepting from the state treasurer moneys earned from the endowment
36 fund created in RCW 28B.108.060;

1 (~~(6)~~) (e) Soliciting and accepting grants and donations from
2 public and private sources for the program; and

3 (~~(7)~~) (f) Naming scholarships in honor of those American Indians
4 from Washington who have acted as role models.

5 (2) The student achievement council shall adopt necessary rules and
6 guidelines for the American Indian endowed scholarship program.

7 **Sec. 609.** RCW 28B.117.030 and 2011 1st sp.s. c 11 s 221 are each
8 amended to read as follows:

9 (1) The office shall design and, to the extent funds are
10 appropriated for this purpose, implement, a program of supplemental
11 scholarship and student assistance for students who have emancipated
12 from the state foster care system after having spent at least one year
13 in care.

14 (2) The office shall convene and consult with an advisory committee
15 to assist with program design and implementation. The committee shall
16 include but not be limited to former foster care youth and their
17 advocates; representatives from the state board for community and
18 technical colleges, and from public and private agencies that assist
19 current and former foster care recipients in their transition to
20 adulthood; and student support specialists from public and private
21 colleges and universities.

22 (3) To the extent that sufficient funds have been appropriated for
23 this purpose, a student is eligible for assistance under this section
24 if he or she:

25 (a) Emancipated from foster care on or after January 1, 2007, after
26 having spent at least one year in foster care subsequent to his or her
27 sixteenth birthday;

28 (b) Is a resident student, as defined in RCW 28B.15.012(2);

29 (c) Is enrolled with or will enroll on at least a half-time basis
30 with an institution of higher education in Washington state by the age
31 of twenty-one;

32 (d) Is making satisfactory academic progress toward the completion
33 of a degree or certificate program, if receiving supplemental
34 scholarship assistance;

35 (e) Has not earned a bachelor's or professional degree; and

36 (f) Is not pursuing a degree in theology.

37 (4) A passport to college scholarship under this section:

1 (a) Shall not exceed resident undergraduate tuition and fees at the
2 highest-priced public institution of higher education in the state; and

3 (b) Shall not exceed the student's financial need, less a
4 reasonable self-help amount defined by the (~~board~~) office, when
5 combined with all other public and private grant, scholarship, and
6 waiver assistance the student receives.

7 (5) An eligible student may receive a passport to college
8 scholarship under this section for a maximum of five years after the
9 student first enrolls with an institution of higher education or until
10 the student turns age twenty-six, whichever occurs first. If a student
11 turns age twenty-six during an academic year, and would otherwise be
12 eligible for a scholarship under this section, the student shall
13 continue to be eligible for a scholarship for the remainder of the
14 academic year.

15 (6) The office, in consultation with and with assistance from the
16 state board for community and technical colleges, shall perform an
17 annual analysis to verify that those institutions of higher education
18 at which students have received a scholarship under this section have
19 awarded the student all available need-based and merit-based grant and
20 scholarship aid for which the student qualifies.

21 (7) In designing and implementing the passport to college student
22 support program under this section, the office, in consultation with
23 and with assistance from the state board for community and technical
24 colleges, shall ensure that a participating college or university:

25 (a) Has a viable plan for identifying students eligible for
26 assistance under this section, for tracking and enhancing their
27 academic progress, for addressing their unique needs for assistance
28 during school vacations and academic interims, and for linking them to
29 appropriate sources of assistance in their transition to adulthood;

30 (b) Receives financial and other incentives for achieving
31 measurable progress in the recruitment, retention, and graduation of
32 eligible students.

33 **PART VII**

34 **MISCELLANEOUS REFERENCES**

35 **Sec. 701.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to
36 read as follows:

1 (1) The building fee for each academic year shall be a percentage
2 of total tuition fees. This percentage shall be calculated by the
3 (~~higher education coordinating board~~) office of financial management
4 and be based on the actual percentage the building fee is of total
5 tuition for each tuition category in the 1994-95 academic year, rounded
6 up to the nearest half percent.

7 (2) The governing boards of each institution of higher education,
8 except for the technical colleges, shall charge to and collect from
9 each student a services and activities fee. A governing board may
10 increase the existing fee annually, consistent with budgeting
11 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
12 the annual percentage increase in student tuition fees for resident
13 undergraduate students: PROVIDED, That such percentage increase shall
14 not apply to that portion of the services and activities fee previously
15 committed to the repayment of bonded debt. These rate adjustments may
16 exceed the fiscal growth factor. For the 2003-04 academic year, the
17 services and activities fee shall be based upon the resident
18 undergraduate services and activities fee in 2002-03. The services and
19 activities fee committee provided for in RCW 28B.15.045 may initiate a
20 request to the governing board for a fee increase.

21 (3) Tuition and services and activities fees consistent with
22 subsection (2) of this section shall be set by the state board for
23 community and technical colleges for community college summer school
24 students unless the community college charges fees in accordance with
25 RCW 28B.15.515.

26 (4) Subject to the limitations of RCW 28B.15.910, each governing
27 board of a community college may charge such fees for ungraded courses,
28 noncredit courses, community services courses, and self-supporting
29 courses as it, in its discretion, may determine, consistent with the
30 rules of the state board for community and technical colleges.

31 (5) The governing board of a college offering an applied
32 baccalaureate degree program under RCW 28B.50.810 may charge tuition
33 fees for those courses above the associate degree level at rates
34 consistent with rules adopted by the state board for community and
35 technical colleges, not to exceed tuition fee rates at the regional
36 universities.

1 **Sec. 702.** RCW 28A.600.310 and 2011 1st sp.s. c 10 s 10 are each
2 amended to read as follows:

3 (1) Eleventh and twelfth grade students or students who have not
4 yet received the credits required for the award of a high school
5 diploma and are eligible to be in the eleventh or twelfth grades may
6 apply to a participating institution of higher education to enroll in
7 courses or programs offered by the institution of higher education. A
8 student receiving home-based instruction enrolling in a public high
9 school for the sole purpose of participating in courses or programs
10 offered by institutions of higher education shall not be counted by the
11 school district in any required state or federal accountability
12 reporting if the student's parents or guardians filed a declaration of
13 intent to provide home-based instruction and the student received home-
14 based instruction during the school year before the school year in
15 which the student intends to participate in courses or programs offered
16 by the institution of higher education. Students receiving home-based
17 instruction under chapter 28A.200 RCW and students attending private
18 schools approved under chapter 28A.195 RCW shall not be required to
19 meet the student learning goals, obtain a certificate of academic
20 achievement or a certificate of individual achievement to graduate from
21 high school, or to master the essential academic learning requirements.
22 However, students are eligible to enroll in courses or programs in
23 participating universities only if the board of directors of the
24 student's school district has decided to participate in the program.
25 Participating institutions of higher education, in consultation with
26 school districts, may establish admission standards for these students.
27 If the institution of higher education accepts a secondary school pupil
28 for enrollment under this section, the institution of higher education
29 shall send written notice to the pupil and the pupil's school district
30 within ten days of acceptance. The notice shall indicate the course
31 and hours of enrollment for that pupil.

32 (2)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020
33 and 28B.15.041:

34 (i) Running start students shall pay to the community or technical
35 college all other mandatory fees as established by each community or
36 technical college and, in addition, the state board for community and
37 technical colleges may authorize a fee of up to ten percent of tuition
38 and fees as defined in RCW 28B.15.020 and 28B.15.041; and

1 (ii) All other institutions of higher education operating a running
2 start program may charge running start students a fee of up to ten
3 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041
4 in addition to technology fees.

5 (b) The fees charged under this subsection (2) shall be prorated
6 based on credit load.

7 (3)(a) The institutions of higher education must make available fee
8 waivers for low-income running start students. Each institution must
9 establish a written policy for the determination of low-income students
10 before offering the fee waiver. A student shall be considered low
11 income and eligible for a fee waiver upon proof that the student is
12 currently qualified to receive free or reduced-price lunch. Acceptable
13 documentation of low-income status may also include, but is not limited
14 to, documentation that a student has been deemed eligible for free or
15 reduced-price lunches in the last five years, or other criteria
16 established in the institution's policy.

17 (b) Institutions of higher education, in collaboration with
18 relevant student associations, shall aim to have students who can
19 benefit from fee waivers take advantage of these waivers. Institutions
20 shall make every effort to communicate to students and their families
21 the benefits of the waivers and provide assistance to students and
22 their families on how to apply. Information about waivers shall, to
23 the greatest extent possible, be incorporated into financial aid
24 counseling, admission information, and individual billing statements.
25 Institutions also shall, to the greatest extent possible, use all means
26 of communication, including but not limited to web sites, online
27 catalogues, admission and registration forms, mass e-mail messaging,
28 social media, and outside marketing to ensure that information about
29 waivers is visible, compelling, and reaches the maximum number of
30 students and families that can benefit.

31 (4) The pupil's school district shall transmit to the institution
32 of higher education an amount per each full-time equivalent college
33 student at statewide uniform rates for vocational and nonvocational
34 students. The superintendent of public instruction shall separately
35 calculate and allocate moneys appropriated for basic education under
36 RCW 28A.150.260 to school districts for purposes of making such
37 payments and for granting school districts seven percent thereof to
38 offset program related costs. The calculations and allocations shall

1 be based upon the estimated statewide annual average per full-time
2 equivalent high school student allocations under RCW 28A.150.260,
3 excluding small high school enhancements, and applicable rules adopted
4 under chapter 34.05 RCW. The superintendent of public instruction,
5 (~~the higher education coordinating board~~) participating institutions
6 of higher education, and the state board for community and technical
7 colleges shall consult on the calculation and distribution of the
8 funds. The funds received by the institution of higher education from
9 the school district shall not be deemed tuition or operating fees and
10 may be retained by the institution of higher education. A student
11 enrolled under this subsection shall be counted for the purpose of
12 meeting enrollment targets in accordance with terms and conditions
13 specified in the omnibus appropriations act.

14 (5) The state board for community and technical colleges, in
15 collaboration with the other institutions of higher education that
16 participate in the running start program and the office of the
17 superintendent of public instruction, shall identify, assess, and
18 report on alternatives for providing ongoing and adequate financial
19 support for the program. Such alternatives shall include but are not
20 limited to student tuition, increased support from local school
21 districts, and reallocation of existing state financial support among
22 the community and technical college system to account for differential
23 running start enrollment levels and impacts. The state board for
24 community and technical colleges shall report the assessment of
25 alternatives to the governor and to the appropriate fiscal and policy
26 committees of the legislature by September 1, 2010.

27 **Sec. 703.** RCW 28B.15.380 and 2010 c 261 s 4 are each amended to
28 read as follows:

29 Subject to the limitations of RCW 28B.15.910, the governing boards
30 of the state universities, the regional universities, and The Evergreen
31 State College shall exempt the following students from the payment of
32 all tuition fees and services and activities fees:

33 (1) Children of any law enforcement officer as defined in chapter
34 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or
35 Washington state patrol officer who lost his or her life or became
36 totally disabled in the line of duty while employed by any public law
37 enforcement agency or full time or volunteer fire department in this

1 state: PROVIDED, That such persons may receive the exemption only if
2 they begin their course of study at a state-supported college or
3 university within ten years of their graduation from high school; and

4 (2) Surviving spouses of any law enforcement officer as defined in
5 chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24
6 RCW, or Washington state patrol officer who lost his or her life or
7 became totally disabled in the line of duty while employed by any
8 public law enforcement agency or full time or volunteer fire department
9 in this state.

10 (3) The governing boards of the state universities, the regional
11 universities, and The Evergreen State College shall report to the
12 (~~higher education coordinating board~~) education data center on the
13 annual cost of tuition fees and services and activities fees waived for
14 surviving spouses and children under this section. The (~~higher
15 education coordinating board~~) education data center shall consolidate
16 the reports of the waived fees and annually report to the appropriate
17 fiscal and policy committees of the legislature.

18 **Sec. 704.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended
19 to read as follows:

20 Subject to the limitations of RCW 28B.15.910, the state board for
21 community and technical colleges and the governing boards of the state
22 universities, the regional universities, the community colleges, and
23 The Evergreen State College may waive all or a portion of the
24 nonresident tuition fees differential for residents of Oregon, upon
25 completion of and to the extent permitted by an agreement between the
26 governing boards of the respective individual institutions of higher
27 education (~~coordinating board~~) or the state board for community and
28 technical colleges and appropriate officials and agencies in Oregon
29 granting similar waivers for residents of the state of Washington.

30 **Sec. 705.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to
31 read as follows:

32 The (~~higher education coordinating board~~) governing boards of the
33 state universities, the regional universities, and The Evergreen State
34 College, and the state board for community and technical colleges may
35 enter into an agreement with appropriate officials or agencies in

1 Oregon to implement the provisions of RCW 28B.15.730 through
2 28B.15.734.

3 **Sec. 706.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended
4 to read as follows:

5 Subject to the limitations of RCW 28B.15.910, the governing boards
6 of the state universities, the regional universities, and The Evergreen
7 State College and the state board for community and technical colleges
8 may waive all or a portion of the nonresident tuition fees differential
9 for residents of Idaho, upon completion of and to the extent permitted
10 by an agreement between the governing boards of the individual
11 institutions of higher education ((~~coordinating board~~)) or the state
12 board for community and technical colleges and appropriate officials
13 and agencies in Idaho granting similar waivers for residents of the
14 state of Washington.

15 **Sec. 707.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended
16 to read as follows:

17 Subject to the limitations of RCW 28B.15.910, the governing boards
18 of the state universities, the regional universities, and The Evergreen
19 State College and the state board for community and technical colleges
20 may waive all or a portion of the nonresident tuition fees differential
21 for residents of the Canadian province of British Columbia, upon
22 completion of and to the extent permitted by an agreement between the
23 governing boards of the individual institutions of higher education
24 ((~~coordinating board~~)) or the state board for community and technical
25 colleges and appropriate officials and agencies in the Canadian
26 province of British Columbia providing for enrollment opportunities for
27 residents of the state of Washington without payment of tuition or fees
28 in excess of those charged to residents of British Columbia.

29 **Sec. 708.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are
30 each reenacted and amended to read as follows:

31 (1) The Washington state economic development commission shall,
32 with the advice of an innovation partnership advisory group selected by
33 the commission:

34 (a) Provide information and advice to the department of commerce to

1 assist in the implementation of the innovation partnership zone
2 program, including criteria to be used in the selection of grant
3 applicants for funding;

4 (b) Document clusters of companies throughout the state that have
5 comparative competitive advantage or the potential for comparative
6 competitive advantage, using the process and criteria for identifying
7 strategic clusters developed by the working group specified in
8 subsection (2) of this section;

9 (c) Conduct an innovation opportunity analysis to identify (i) the
10 strongest current intellectual assets and research teams in the state
11 focused on emerging technologies and their commercialization, and (ii)
12 faculty and researchers that could increase their focus on
13 commercialization of technology if provided the appropriate technical
14 assistance and resources;

15 (d) Based on its findings and analysis, and in conjunction with the
16 (~~higher education coordinating board and~~) research institutions:

17 (i) Develop a plan to build on existing, and develop new,
18 intellectual assets and innovation research teams in the state in
19 research areas where there is a high potential to commercialize
20 technologies. The commission shall present the plan to the governor
21 and legislature by December 31, 2009. The (~~higher education~~
22 ~~coordinating board~~) publicly funded research institutions in the state
23 shall be responsible for implementing the plan (~~in conjunction with~~
24 ~~the publicly funded research institutions in the state~~). The plan
25 shall address the following elements and such other elements as the
26 commission deems important:

27 (A) Specific mechanisms to support, enhance, or develop innovation
28 research teams and strengthen their research and commercialization
29 capacity in areas identified as useful to strategic clusters and
30 innovative firms in the state;

31 (B) Identification of the funding necessary for laboratory
32 infrastructure needed to house innovation research teams;

33 (C) Specification of the most promising research areas meriting
34 enhanced resources and recruitment of significant entrepreneurial
35 researchers to join or lead innovation research teams;

36 (D) The most productive approaches to take in the recruitment, in
37 the identified promising research areas, of a minimum of ten

1 significant entrepreneurial researchers over the next ten years to join
2 or lead innovation research teams;

3 (E) Steps to take in solicitation of private sector support for the
4 recruitment of entrepreneurial researchers and the commercialization
5 activity of innovation research teams; and

6 (F) Mechanisms for ensuring the location of innovation research
7 teams in innovation partnership zones;

8 (ii) Provide direction for the development of comprehensive
9 entrepreneurial assistance programs at research institutions. The
10 programs may involve multidisciplinary students, faculty,
11 entrepreneurial researchers, entrepreneurs, and investors in building
12 business models and evolving business plans around innovative ideas.
13 The programs may provide technical assistance and the support of an
14 entrepreneur-in-residence to innovation research teams and offer
15 entrepreneurial training to faculty, researchers, undergraduates, and
16 graduate students. Curriculum leading to a certificate in
17 entrepreneurship may also be offered;

18 (e) Develop performance measures to be used in evaluating the
19 performance of innovation research teams, the implementation of the
20 plan and programs under (d)(i) and (ii) of this subsection, and the
21 performance of innovation partnership zone grant recipients, including
22 but not limited to private investment measures, business initiation
23 measures, job creation measures, and measures of innovation such as
24 licensing of ideas in research institutions, patents, or other
25 recognized measures of innovation. The performance measures developed
26 shall be consistent with the economic development commission's
27 comprehensive plan for economic development and its standards and
28 metrics for program evaluation. The commission shall report to the
29 legislature and the governor by June 30, 2009, on the measures
30 developed; and

31 (f) Using the performance measures developed, perform a biennial
32 assessment and report, the first of which shall be due December 31,
33 2012, on:

34 (i) Commercialization of technologies developed at state
35 universities, found at other research institutions in the state, and
36 facilitated with public assistance at existing companies;

37 (ii) Outcomes of the funding of innovation research teams and
38 recruitment of significant entrepreneurial researchers;

1 (iii) Comparison with other states of Washington's outcomes from
2 the innovation research teams and efforts to recruit significant
3 entrepreneurial researchers; and

4 (iv) Outcomes of the grants for innovation partnership zones.
5 The report shall include recommendations for modifications of chapter
6 227, Laws of 2007 and of state commercialization efforts that would
7 enhance the state's economic competitiveness.

8 (2) The economic development commission and the workforce training
9 and education coordinating board shall jointly convene a working group
10 to:

11 (a) Specify the process and criteria for identification of substate
12 geographic concentrations of firms or employment in an industry and the
13 industry's customers, suppliers, supporting businesses, and
14 institutions, which process will include the use of labor market
15 information from the employment security department and local labor
16 markets; and

17 (b) Establish criteria for identifying strategic clusters which are
18 important to economic prosperity in the state, considering cluster
19 size, growth rate, and wage levels among other factors.

20 **PART VIII**

21 **DELETED REFERENCES**

22 **Sec. 801.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to
23 read as follows:

24 (1) The superintendent of public instruction, the state board for
25 community and technical colleges, (~~the higher education coordinating~~
26 ~~board,~~) and the public baccalaureate institutions shall jointly
27 develop and each adopt rules governing the college in the high school
28 program. The association of Washington school principals shall be
29 consulted during the rules development. The rules shall be written to
30 encourage the maximum use of the program and may not narrow or limit
31 the enrollment options.

32 (2) College in the high school programs shall each be governed by
33 a local contract between the district and the institution of higher
34 education, in compliance with the guidelines adopted by the
35 superintendent of public instruction, the state board for community and
36 technical colleges, and the public baccalaureate institutions.

1 (3) The college in the high school program must include the
2 provisions in this subsection.

3 (a) The high school and institution of higher education together
4 shall define the criteria for student eligibility. The institution of
5 higher education may charge tuition fees to participating students.

6 (b) School districts shall report no student for more than one
7 full-time equivalent including college in the high school courses.

8 (c) The funds received by the institution of higher education may
9 not be deemed tuition or operating fees and may be retained by the
10 institution of higher education.

11 (d) Enrollment information on persons registered under this section
12 must be maintained by the institution of higher education separately
13 from other enrollment information and may not be included in official
14 enrollment reports, nor may such persons be considered in any
15 enrollment statistics that would affect higher education budgetary
16 determinations.

17 (e) A school district must grant high school credit to a student
18 enrolled in a program course if the student successfully completes the
19 course. If no comparable course is offered by the school district, the
20 school district superintendent shall determine how many credits to
21 award for the course. The determination shall be made in writing
22 before the student enrolls in the course. The credits shall be applied
23 toward graduation requirements and subject area requirements. Evidence
24 of successful completion of each program course shall be included in
25 the student's secondary school records and transcript.

26 (f) An institution of higher education must grant college credit to
27 a student enrolled in a program course if the student successfully
28 completes the course. The college credit shall be applied toward
29 general education requirements or major requirements. If no comparable
30 course is offered by the college, the institution of higher education
31 at which the teacher of the program course is employed shall determine
32 how many credits to award for the course and whether the course
33 fulfills general education or major requirements. Evidence of
34 successful completion of each program course must be included in the
35 student's college transcript.

36 (g) Eleventh and twelfth grade students or students who have not
37 yet received a high school diploma or its equivalent and are eligible

1 to be in the eleventh or twelfth grades may participate in the college
2 in the high school program.

3 (h) Participating school districts must provide general information
4 about the college in the high school program to all students in grades
5 ten, eleven, and twelve and to the parents and guardians of those
6 students.

7 (i) Full-time and part-time faculty at institutions of higher
8 education, including adjunct faculty, are eligible to teach program
9 courses.

10 (4) The definitions in this subsection apply throughout this
11 section.

12 (a) "Institution of higher education" has the meaning in RCW
13 28B.10.016 and also includes a public tribal college located in
14 Washington and accredited by the Northwest commission on colleges and
15 universities or another accrediting association recognized by the
16 United States department of education.

17 (b) "Program course" means a college course offered in a high
18 school under the college in the high school program.

19 **Sec. 802.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to
20 read as follows:

21 (1) The office of the superintendent of public instruction, in
22 consultation with the workforce training and education coordinating
23 board, the Washington state apprenticeship and training council, and
24 the state board for community and technical colleges, shall develop a
25 list of statewide high-demand programs for secondary career and
26 technical education. The list shall be developed using the high-demand
27 list maintained by workforce development councils in consultation with
28 the employment security department, and the high employer demand
29 programs of study identified by the workforce training and education
30 coordinating board(~~(, and the high employer demand programs of study~~
31 ~~identified by the higher education coordinating board)~~). Local school
32 districts may recommend additional high-demand programs in consultation
33 with local career and technical education advisory committees by
34 submitting evidence of local high demand.

35 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,
36 and 28A.700.060, and section 307 of this act:

1 (a) "High-demand program" means a career and technical education
2 program that prepares students for either a high employer demand
3 program of study or a high-demand occupation, or both.

4 (b) "High employer demand program of study" means an apprenticeship
5 or an undergraduate or graduate certificate or degree program in which
6 the number of students per year prepared for employment from in-state
7 programs is substantially fewer than the number of projected job
8 openings per year in that field, either statewide or in a substate
9 region.

10 (c) "High-demand occupation" means an occupation with a substantial
11 number of current or projected employment opportunities.

12 **Sec. 803.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to
13 read as follows:

14 (1) The office of the superintendent of public instruction, the
15 workforce training and education coordinating board, the state board
16 for community and technical colleges, (~~the — higher — education~~
17 ~~coordinating board,~~) and the council of presidents shall work with
18 local school districts, workforce education programs in colleges, tech
19 prep consortia, and four-year institutions of higher education to
20 develop model career and technical education programs of study as
21 described by this section.

22 (2) Career and technical education programs of study:

23 (a) Incorporate secondary and postsecondary education elements;

24 (b) Include coherent and rigorous academic content aligned with
25 state learning standards and relevant career and technical content in
26 a coordinated, nonduplicative progression of courses that are aligned
27 with postsecondary education in a related field;

28 (c) Include opportunities for students to earn dual high school and
29 college credit; and

30 (d) Lead to an industry-recognized credential or certificate at the
31 postsecondary level, or an associate or baccalaureate degree.

32 (3) During the 2008-09 school year, model career and technical
33 education programs of study shall be developed for the following
34 high-demand programs: Construction, health care, and information
35 technology. Each school year thereafter, the office of the
36 superintendent of public instruction, the state board for community and
37 technical colleges, (~~the — higher — education — coordinating — board,~~) and

1 the workforce training and education coordinating board shall select
2 additional programs of study to develop, with a priority on high-demand
3 programs as identified under RCW 28A.700.020.

4 **Sec. 804.** RCW 28B.20.130 and 2010 c 51 s 1 are each amended to
5 read as follows:

6 General powers and duties of the board of regents are as follows:

7 (1) To have full control of the university and its property of
8 various kinds, except as otherwise provided by law.

9 (2) To employ the president of the university, his or her
10 assistants, members of the faculty, and employees of the institution,
11 who except as otherwise provided by law, shall hold their positions
12 during the pleasure of said board of regents.

13 (3) Establish entrance requirements for students seeking admission
14 to the university which meet or exceed the standards specified under
15 (~~RCW 28B.76.290(2)~~) section 104 of this act. Completion of
16 examinations satisfactory to the university may be a prerequisite for
17 entrance by any applicant at the university's discretion. Evidence of
18 completion of public high schools and other educational institutions
19 whose courses of study meet the approval of the university may be
20 acceptable for entrance.

21 (4) Establish such colleges, schools, or departments necessary to
22 carry out the purpose of the university and not otherwise proscribed by
23 law.

24 (5) With the assistance of the faculty of the university, prescribe
25 the course of study in the various colleges, schools, and departments
26 of the institution and publish the necessary catalogues thereof.

27 (6) Grant to students such certificates or degrees as recommended
28 for such students by the faculty. The board, upon recommendation of
29 the faculty, may also confer honorary degrees upon persons other than
30 graduates of this university in recognition of their learning or
31 devotion to literature, art, or science: PROVIDED, That no degree
32 shall ever be conferred in consideration of the payment of money or the
33 giving of property of whatsoever kind.

34 (7) Accept such gifts, grants, conveyances, bequests, and devises,
35 whether real or personal property, or both, in trust or otherwise, for
36 the use or benefit of the university, its colleges, schools,
37 departments, or agencies; and sell, lease or exchange, invest or expend

1 the same or the proceeds, rents, profits, and income thereof except as
2 limited by the terms of said gifts, grants, conveyances, bequests, and
3 devises. The board shall adopt proper rules to govern and protect the
4 receipt and expenditure of the proceeds of all fees, and the proceeds,
5 rents, profits, and income of all gifts, grants, conveyances, bequests,
6 and devises above-mentioned.

7 (8) Except as otherwise provided by law, to enter into such
8 contracts as the regents deem essential to university purposes.

9 (9) To submit upon request such reports as will be helpful to the
10 governor and to the legislature in providing for the institution.

11 (10) (~~Subject to the approval of the higher education coordinating~~
12 ~~board pursuant to RCW 28B.76.230,~~) To offer new degree programs, offer
13 off-campus programs, participate in consortia or centers, contract for
14 off-campus educational programs, and purchase or lease major off-campus
15 facilities in accordance with RCW 28B.76.230 (as recodified by this
16 act).

17 (11) To confer honorary degrees upon persons who request an
18 honorary degree if they were students at the university in 1942 and did
19 not graduate because they were ordered into an internment camp. The
20 honorary degree may also be requested by a representative of deceased
21 persons who meet these requirements. For the purposes of this
22 subsection, "internment camp" means a relocation center to which
23 persons were ordered evacuated by Presidential Executive Order 9066,
24 signed February 19, 1942.

25 **Sec. 805.** RCW 28B.30.150 and 2010 c 51 s 2 are each amended to
26 read as follows:

27 The regents of Washington State University, in addition to other
28 duties prescribed by law, shall:

29 (1) Have full control of the university and its property of various
30 kinds, except as otherwise provided by law.

31 (2) Employ the president of the university, his or her assistants,
32 members of the faculty, and employees of the university, who, except as
33 otherwise provided by law, shall hold their positions during the
34 pleasure of said board of regents.

35 (3) Establish entrance requirements for students seeking admission
36 to the university which meet or exceed the standards specified under
37 (~~RCW 28B.76.290(2)~~) section 104 of this act. Completion of

1 examinations satisfactory to the university may be a prerequisite for
2 entrance by any applicant, at the university's discretion. Evidence of
3 completion of public high schools and other educational institutions
4 whose courses of study meet the approval of the university may be
5 acceptable for entrance.

6 (4) Establish such colleges, schools, or departments necessary to
7 carry out the purpose of the university and not otherwise proscribed by
8 law.

9 (~~(Subject to the approval of the higher education coordinating~~
10 ~~board pursuant to RCW 28B.76.230,)~~) Offer new degree programs, offer
11 off-campus programs, participate in consortia or centers, contract for
12 off-campus educational programs, and purchase or lease major off-campus
13 facilities in accordance with RCW 28B.76.230 (as recodified by this
14 act).

15 (6) With the assistance of the faculty of the university, prescribe
16 the courses of instruction in the various colleges, schools, and
17 departments of the institution and publish the necessary catalogues
18 thereof.

19 (7) Collect such information as the board deems desirable as to the
20 schemes of technical instruction adopted in other parts of the United
21 States and foreign countries.

22 (8) Provide for holding agricultural institutes including farm
23 marketing forums.

24 (9) Provide that instruction given in the university, as far as
25 practicable, be conveyed by means of laboratory work and provide in
26 connection with the university one or more physical, chemical, and
27 biological laboratories, and suitably furnish and equip the same.

28 (10) Provide training in military tactics for those students
29 electing to participate therein.

30 (11) Establish a department of elementary science and in connection
31 therewith provide instruction in elementary mathematics, including
32 elementary trigonometry, elementary mechanics, elementary and
33 mechanical drawing, and land surveying.

34 (12) Establish a department of agriculture and in connection
35 therewith provide instruction in physics with special application of
36 its principles to agriculture, chemistry with special application of
37 its principles to agriculture, morphology and physiology of plants with
38 special reference to common grown crops and fungus enemies, morphology

1 and physiology of the lower forms of animal life, with special
2 reference to insect pests, morphology and physiology of the higher
3 forms of animal life and in particular of the horse, cow, sheep, and
4 swine, agriculture with special reference to the breeding and feeding
5 of livestock and the best mode of cultivation of farm produce, and
6 mining and metallurgy, appointing demonstrators in each of these
7 subjects to superintend the equipment of a laboratory and to give
8 practical instruction therein.

9 (13) Establish agricultural experiment stations in connection with
10 the department of agriculture, including at least one in the western
11 portion of the state, and appoint the officers and prescribe
12 regulations for their management.

13 (14) Grant to students such certificates or degrees, as recommended
14 for such students by the faculty.

15 (15) Confer honorary degrees upon persons other than graduates of
16 the university in recognition of their learning or devotion to
17 literature, art, or science when recommended thereto by the faculty:
18 PROVIDED, That no degree shall ever be conferred in consideration of
19 the payment of money or the giving of property of whatsoever kind.

20 (16) Adopt plans and specifications for university buildings and
21 facilities or improvements thereto and employ skilled architects and
22 engineers to prepare such plans and specifications and supervise the
23 construction of buildings or facilities which the board is authorized
24 to erect, and fix the compensation for such services. The board shall
25 enter into contracts with one or more contractors for such suitable
26 buildings, facilities, or improvements as the available funds will
27 warrant, upon the most advantageous terms offered at a public
28 competitive letting, pursuant to public notice under rules established
29 by the board. The board shall require of all persons with whom they
30 contract for construction and improvements a good and sufficient bond
31 for the faithful performance of the work and full protection against
32 all liens.

33 (17) Except as otherwise provided by law, direct the disposition of
34 all money appropriated to or belonging to the state university.

35 (18) Receive and expend the money appropriated under the act of
36 congress approved May 8, 1914, entitled "An Act to provide for
37 cooperative agricultural extension work between the agricultural
38 colleges in the several States receiving the benefits of the Act of

1 Congress approved July 2, 1862, and Acts supplemental thereto and the
2 United States Department of Agriculture" and organize and conduct
3 agricultural extension work in connection with the state university in
4 accordance with the terms and conditions expressed in the acts of
5 congress.

6 (19) Except as otherwise provided by law, to enter into such
7 contracts as the regents deem essential to university purposes.

8 (20) Acquire by lease, gift, or otherwise, lands necessary to
9 further the work of the university or for experimental or
10 demonstrational purposes.

11 (21) Establish and maintain at least one agricultural experiment
12 station in an irrigation district to conduct investigational work upon
13 the principles and practices of irrigational agriculture including the
14 utilization of water and its relation to soil types, crops, climatic
15 conditions, ditch and drain construction, fertility investigations,
16 plant disease, insect pests, marketing, farm management, utilization of
17 fruit by-products, and general development of agriculture under
18 irrigation conditions.

19 (22) Supervise and control the agricultural experiment station at
20 Puyallup.

21 (23) Establish and maintain at Wenatchee an agricultural experiment
22 substation for the purpose of conducting investigational work upon the
23 principles and practices of orchard culture, spraying, fertilization,
24 pollenization, new fruit varieties, fruit diseases and pests, by-
25 products, marketing, management, and general horticultural problems.

26 (24) Accept such gifts, grants, conveyances, devises, and bequests,
27 whether real or personal property, in trust or otherwise, for the use
28 or benefit of the university, its colleges, schools, or departments;
29 and sell, lease or exchange, invest or expend the same or the proceeds,
30 rents, profits, and income thereof except as limited by the terms of
31 said gifts, grants, conveyances, bequests, and devises; and adopt
32 proper rules to govern and protect the receipt and expenditure of the
33 proceeds of all fees, and the proceeds, rents, profits, and income of
34 all gifts, grants, conveyances, bequests, and devises.

35 (25) Construct when the board so determines a new foundry and a
36 mining, physical, technological building, and fabrication shop at the
37 university, or add to the present foundry and other buildings, in order
38 that both instruction and research be expanded to include permanent

1 molding and die casting with a section for new fabricating techniques,
2 especially for light metals, including magnesium and aluminum; purchase
3 equipment for the shops and laboratories in mechanical, electrical, and
4 civil engineering; establish a pilot plant for the extraction of
5 alumina from native clays and other possible light metal research;
6 purchase equipment for a research laboratory for technological research
7 generally; and purchase equipment for research in electronics,
8 instrumentation, energy sources, plastics, food technology, mechanics
9 of materials, hydraulics, and similar fields.

10 (26) Make and transmit to the governor and members of the
11 legislature upon request such reports as will be helpful in providing
12 for the institution.

13 (27) Confer honorary degrees upon persons who request an honorary
14 degree if they were students at the university in 1942 and did not
15 graduate because they were ordered into an internment camp. The
16 honorary degree may also be requested by a representative of deceased
17 persons who meet these requirements. For the purposes of this
18 subsection, "internment camp" means a relocation center to which
19 persons were ordered evacuated by Presidential Executive Order 9066,
20 signed February 19, 1942.

21 **Sec. 806.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to
22 read as follows:

23 (1) A global Asia institute is created within the Henry M. Jackson
24 School of International Studies. The mission of the institute is to
25 promote the understanding of Asia and its interactions with Washington
26 state and the world. The institute shall host visiting scholars and
27 policymakers, sponsor programs and learning initiatives, engage in
28 collaborative research projects, and facilitate broader understanding
29 and cooperation between the state of Washington and Asia through
30 general public programs and targeted collaborations with specific
31 communities in the state.

32 (2) Within existing resources, a global Asia institute advisory
33 board is established. The director of the Henry M. Jackson School of
34 International Studies shall appoint members of the advisory board and
35 determine the advisory board's roles and responsibilities. The board
36 shall include members representing academia, business, and government.

1 ~~((3) The higher education coordinating board may solicit, accept,~~
2 ~~receive, and administer federal funds or private funds, in trust or~~
3 ~~otherwise, and contract with foundations or with for-profit or~~
4 ~~nonprofit organizations to support the purposes of this section.))~~

5 **Sec. 807.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to
6 read as follows:

7 ~~((1))~~ A University of Washington center for human rights is
8 created. The mission of the center is to expand opportunities for
9 Washington residents to receive a world-class education in human
10 rights, generate research data and expert knowledge to enhance public
11 and private policymaking, and become an academic center for human
12 rights teaching and research in the nation. The center shall align
13 with the founding principles and philosophies of the United States of
14 America and engage faculty, staff, and students in service to enhance
15 the promise of life and liberty as outlined in the Preamble of the
16 United States Constitution. Key substantive issues for the center
17 include: The rights of all persons to security against violence; the
18 rights of immigrants, native Americans, and ethnic or religious
19 minorities; human rights and the environment; health as a human right;
20 human rights and trade; the human rights of working people; and women's
21 rights as human rights. State funds may not be used to support the
22 center for human rights created in this section.

23 ~~((2) The higher education coordinating board and the University of~~
24 ~~Washington may solicit, accept, receive, and administer federal funds~~
25 ~~or private funds, in trust or otherwise, and contract with foundations~~
26 ~~or with for-profit or nonprofit organizations to support the purposes~~
27 ~~of this section.))~~

28 **Sec. 808.** RCW 28B.30.530 and 2010 c 165 s 3 are each amended to
29 read as follows:

30 (1) The board of regents of Washington State University shall
31 establish the Washington State University small business development
32 center.

33 (2) The center shall provide management and technical assistance
34 including but not limited to training, counseling, and research
35 services to small businesses throughout the state. The center shall
36 work with the department of commerce, the state board for community and

1 technical colleges, (~~the higher education coordinating board,~~) the
2 workforce training and education coordinating board, the employment
3 security department, the Washington state economic development
4 commission, associate development organizations, and workforce
5 development councils to:

6 (a) Integrate small business development centers with other state
7 and local economic development and workforce development programs;

8 (b) Target the centers' services to small businesses;

9 (c) Tailor outreach and services at each center to the needs and
10 demographics of entrepreneurs and small businesses located within the
11 service area;

12 (d) Establish and expand small business development center
13 satellite offices when financially feasible; and

14 (e) Coordinate delivery of services to avoid duplication.

15 (3) The administrator of the center may contract with other public
16 or private entities for the provision of specialized services.

17 (4) The small business development center may accept and disburse
18 federal grants or federal matching funds or other funds or donations
19 from any source when made, granted, or donated to carry out the
20 center's purposes. When drawing on funds from the business assistance
21 account created in RCW 28B.30.531, the center must first use the funds
22 to make increased management and technical assistance available to
23 existing small businesses and start-up businesses at satellite offices.
24 The funds may also be used to develop and expand assistance programs
25 such as small business planning workshops and small business
26 counseling.

27 (5) By December 1, 2010, the center shall provide a written
28 progress report and a final report to the appropriate committees of the
29 legislature with respect to the requirements in subsection (2) of this
30 section and the amount and use of funding received through the business
31 assistance account. The reports must also include data on the number,
32 location, staffing, and budget levels of satellite offices;
33 affiliations with community colleges, associate development
34 organizations or other local organizations; the number, size, and type
35 of small businesses assisted; and the types of services provided. The
36 reports must also include information on the outcomes achieved, such as
37 jobs created or retained, private capital invested, and return on the
38 investment of state and federal dollars.

1 (6)(a) Subject to the availability of amounts appropriated for this
2 specific purpose, by December 1, 2010, the center, in conjunction with
3 the department of commerce, must prepare and present to the governor
4 and appropriate legislative committees a specific, actionable plan to
5 increase access to capital and technical assistance to small businesses
6 and entrepreneurs beginning with the 2011-2013 biennium. In developing
7 the plan, the center and the department may consult with the Washington
8 state microenterprise association, and with other government,
9 nonprofit, and private organizations as necessary. The plan must
10 identify:

11 (i) Existing sources of capital and technical assistance for small
12 businesses and entrepreneurs;

13 (ii) Critical gaps and barriers to availability of capital and
14 delivery of technical assistance to small businesses and entrepreneurs;

15 (iii) Workable solutions to filling the gaps and removing barriers
16 identified in (a)(ii) of this subsection; and

17 (iv) The financial resources and statutory changes necessary to put
18 the plan into effect beginning with the 2011-2013 biennium.

19 (b) With respect to increasing access to capital, the plan must
20 identify specific, feasible sources of capital and practical mechanisms
21 for expanding access to it.

22 (c) The center and the department must include, within the analysis
23 and recommendations in (a) of this subsection, any specific gaps,
24 barriers, and solutions related to rural and low-income communities and
25 small manufacturers interested in exporting.

26 **Sec. 809.** RCW 28B.35.120 and 2011 c 336 s 728 are each amended to
27 read as follows:

28 In addition to any other powers and duties prescribed by law, each
29 board of trustees of the respective regional universities:

30 (1) Shall have full control of the regional university and its
31 property of various kinds, except as otherwise provided by law.

32 (2) Shall employ the president of the regional university, his or
33 her assistants, members of the faculty, and other employees of the
34 institution, who, except as otherwise provided by law, shall hold their
35 positions, until discharged therefrom by the board for good and lawful
36 reason.

1 (3) With the assistance of the faculty of the regional university,
2 shall prescribe the course of study in the various schools and
3 departments thereof and publish such catalogues thereof as the board
4 deems necessary: PROVIDED, That the Washington professional educator
5 standards board shall determine the requisites for and give program
6 approval of all courses leading to teacher certification by such board.

7 (4) May establish such divisions, schools, or departments necessary
8 to carry out the purposes of the regional university and not otherwise
9 proscribed by law.

10 (5) Except as otherwise provided by law, may establish and erect
11 such new facilities as determined by the board to be necessary for the
12 regional university.

13 (6) May acquire real and other property as provided in RCW
14 28B.10.020, as now or hereafter amended.

15 (7) Except as otherwise provided by law, may purchase all supplies
16 and purchase or lease equipment and other personal property needed for
17 the operation or maintenance of the regional university.

18 (8) May establish, lease, operate, equip, and maintain self-
19 supporting facilities in the manner provided in RCW 28B.10.300 through
20 28B.10.330, as now or hereafter amended.

21 (9) Except as otherwise provided by law, ~~((to))~~ shall enter into
22 such contracts as the trustees deem essential to regional university
23 purposes.

24 (10) May receive such gifts, grants, conveyances, devises, and
25 bequests of real or personal property from whatsoever source, as may be
26 made from time to time, in trust or otherwise, whenever the terms and
27 conditions thereof will aid in carrying out the regional university
28 programs; sell, lease, or exchange, invest or expend the same or the
29 proceeds, rents, profits, and income thereof except as limited by the
30 terms and conditions thereof; and adopt regulations to govern the
31 receipt and expenditure of the proceeds, rents, profits, and income
32 thereof.

33 ~~((Subject to the approval of the higher education coordinating
34 board pursuant to))~~ In accordance with RCW 28B.76.230 (as recodified by
35 this act), may offer new degree programs, offer off-campus programs,
36 participate in consortia or centers, contract for off-campus
37 educational programs, and purchase or lease major off-campus
38 facilities.

1 (12) May promulgate such rules and regulations, and perform all
2 other acts not forbidden by law, as the board of trustees may in its
3 discretion deem necessary or appropriate to the administration of the
4 regional university.

5 **Sec. 810.** RCW 28B.35.202 and 2011 c 136 s 1 are each amended to
6 read as follows:

7 The board of trustees of Eastern Washington University may offer
8 educational specialist degrees (~~(subject to review and approval by the~~
9 ~~higher education coordinating board)~~).

10 **Sec. 811.** RCW 28B.35.205 and 2010 c 51 s 3 are each amended to
11 read as follows:

12 (1) In addition to all other powers and duties given to them by
13 law, Central Washington University, Eastern Washington University, and
14 Western Washington University are hereby authorized to grant any degree
15 through the master's degree to any student who has completed a program
16 of study and/or research in those areas which are determined by the
17 faculty and board of trustees of the college to be appropriate for the
18 granting of such degree(~~(~~PROVIDED, That before any degree is~~~~
19 ~~authorized under this section it shall be subject to the review and~~
20 ~~approval of the higher education coordinating board)~~).

21 (2) The board of trustees, upon recommendation of the faculty, may
22 also confer honorary bachelor's, master's, or doctorate level degrees
23 upon persons in recognition of their learning or devotion to education,
24 literature, art, or science. No degree may be conferred in
25 consideration of the payment of money or the donation of any kind of
26 property.

27 (3) The board of trustees may also confer honorary degrees upon
28 persons who request an honorary degree if they were students at the
29 university in 1942 and did not graduate because they were ordered into
30 an internment camp. The honorary degree may also be requested by a
31 representative of deceased persons who meet these requirements. For
32 the purposes of this subsection, "internment camp" means a relocation
33 center to which persons were ordered evacuated by Presidential
34 Executive Order 9066, signed February 19, 1942.

1 **Sec. 812.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to
2 read as follows:

3 The board of trustees of Eastern Washington University may offer
4 applied, but not research, doctorate level degrees in physical therapy
5 subject to review (~~and approval by the higher education coordinating~~
6 ~~board~~)).

7 **Sec. 813.** RCW 28B.40.120 and 2011 c 336 s 734 are each amended to
8 read as follows:

9 In addition to any other powers and duties prescribed by law, the
10 board of trustees of The Evergreen State College:

11 (1) Shall have full control of the state college and its property
12 of various kinds, except as otherwise provided by law.

13 (2) Shall employ the president of the state college, his or her
14 assistants, members of the faculty, and other employees of the
15 institution, who, except as otherwise provided by law, shall hold their
16 positions, until discharged therefrom by the board for good and lawful
17 reason.

18 (3) With the assistance of the faculty of the state college, shall
19 prescribe the course of study in the various schools and departments
20 thereof and publish such catalogues thereof as the board deems
21 necessary: PROVIDED, That the Washington professional educator
22 standards board shall determine the requisites for and give program
23 approval of all courses leading to teacher certification by such board.

24 (4) May establish such divisions, schools, or departments necessary
25 to carry out the purposes of the college and not otherwise proscribed
26 by law.

27 (5) Except as otherwise provided by law, may establish and erect
28 such new facilities as determined by the board to be necessary for the
29 college.

30 (6) May acquire real and other property as provided in RCW
31 28B.10.020, as now or hereafter amended.

32 (7) Except as otherwise provided by law, may purchase all supplies
33 and purchase or lease equipment and other personal property needed for
34 the operation or maintenance of the college.

35 (8) May establish, lease, operate, equip, and maintain self-
36 supporting facilities in the manner provided in RCW 28B.10.300 through
37 28B.10.330, as now or hereafter amended.

1 (9) Except as otherwise provided by law, ~~((to))~~ shall enter into
2 such contracts as the trustees deem essential to college purposes.

3 (10) May receive such gifts, grants, conveyances, devises, and
4 bequests of real or personal property from whatsoever source, as may be
5 made from time to time, in trust or otherwise, whenever the terms and
6 conditions thereof will aid in carrying out the college programs; sell,
7 lease, or exchange, invest or expend the same or the proceeds, rents,
8 profits, and income thereof except as limited by the terms and
9 conditions thereof; and adopt regulations to govern the receipt and
10 expenditure of the proceeds, rents, profits, and income thereof.

11 ~~((Subject to the approval of the higher education coordinating
12 board pursuant to))~~ In accordance with RCW 28B.76.230 (as recodified by
13 this act), may offer new degree programs, offer off-campus programs,
14 participate in consortia or centers, contract for off-campus
15 educational programs, and purchase or lease major off-campus
16 facilities.

17 (12) May promulgate such rules and regulations, and perform all
18 other acts not forbidden by law, as the board of trustees may in its
19 discretion deem necessary or appropriate to the administration of the
20 college.

21 **Sec. 814.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to
22 read as follows:

23 In addition to all other powers and duties given to them by law,
24 the board of trustees of The Evergreen State College is hereby
25 authorized to grant any degree through the master's degree to any
26 student who has completed a program of study and/or research in those
27 areas which are determined by the faculty and board of trustees of the
28 college to be appropriate for the granting of such degree(~~(+—PROVIDED,~~
29 ~~That any degree authorized under this section shall be subject to the~~
30 ~~review and approval of the higher education coordinating board))~~).

31 The board of trustees, upon recommendation of the faculty, may also
32 confer honorary bachelor's or master's degrees upon persons other than
33 graduates of the institution, in recognition of their learning or
34 devotion to education, literature, art, or science. No degree may be
35 conferred in consideration of the payment of money or the donation of
36 any kind of property.

1 **Sec. 815.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each
2 amended to read as follows:

3 Central Washington University is responsible for providing upper-
4 division and graduate level higher education programs to the citizens
5 of the Yakima area(~~(, under rules or guidelines adopted by the higher~~
6 ~~education coordinating board)~~).

7 **Sec. 816.** RCW 28B.50.810 and 2010 c 245 s 3 are each amended to
8 read as follows:

9 (1) The college board may select community or technical colleges to
10 develop and offer programs of study leading to applied baccalaureate
11 degrees. Colleges may submit applications to the college board. The
12 college board (~~(and the higher education coordinating board)~~) shall
13 review the applications and select the colleges using objective
14 criteria, including, but not limited to:

15 (a) The college demonstrates the capacity to make a long-term
16 commitment of resources to build and sustain a high quality program;

17 (b) The college has or can readily engage faculty appropriately
18 qualified to develop and deliver a high quality curriculum at the
19 baccalaureate level;

20 (c) The college can demonstrate demand for the proposed program
21 from a sufficient number of students within its service area to make
22 the program cost-effective and feasible to operate;

23 (d) The college can demonstrate that employers demand the level of
24 technical training proposed within the program, making it cost-
25 effective for students to seek the degree; and

26 (e) The proposed program fills a gap in options available for
27 students because it is not offered by a public four-year institution of
28 higher education in the college's geographic area.

29 (2) A college selected under this section may develop the
30 curriculum for and design and deliver courses leading to an applied
31 baccalaureate degree. However, degree programs developed under this
32 section are subject to approval by the college board under RCW
33 28B.50.090 (~~(and by the higher education coordinating board under RCW~~
34 ~~28B.76.230 before a college may enroll students in upper division~~
35 ~~courses)~~).

1 **Sec. 817.** RCW 43.09.440 and 2005 c 385 s 5 are each amended to
2 read as follows:

3 (1) The board and the state auditor shall collaborate with the
4 joint legislative audit and review committee regarding performance
5 audits of state government.

6 (a) The board shall establish criteria for performance audits
7 consistent with the criteria and standards followed by the joint
8 legislative audit and review committee. This criteria shall include,
9 at a minimum, the auditing standards of the United States government
10 accountability office, as well as legislative mandates and performance
11 objectives established by state agencies and the legislature. Mandates
12 include, but are not limited to, agency strategies, timelines, program
13 objectives, and mission and goals as required in RCW 43.88.090.

14 (b) Using the criteria developed in (a) of this subsection, the
15 state auditor shall contract for a statewide performance review to be
16 completed as expeditiously as possible as a preliminary to a draft work
17 plan for conducting performance audits. The board and the state
18 auditor shall develop a schedule and common methodology for conducting
19 these reviews. The purpose of these performance reviews is to identify
20 those agencies, programs, functions, or activities most likely to
21 benefit from performance audits and to identify likely areas warranting
22 early review, taking into account prior performance audits, if any, and
23 prior fiscal audits.

24 (c) The board and the state auditor shall develop the draft work
25 plan for performance audits based on input from citizens, state
26 employees, including front-line employees, state managers, chairs and
27 ranking members of appropriate legislative committees, the joint
28 legislative audit and review committee, public officials, and others.
29 The draft work plan may include a list of agencies, programs, or
30 systems to be audited on a timeline decided by the board and the state
31 auditor based on a number of factors including risk, importance, and
32 citizen concerns. When putting together the draft work plan, there
33 should be consideration of all audits and reports already required. On
34 average, audits shall be designed to be completed as expeditiously as
35 possible.

36 (d) Before adopting the final work plan, the board shall consult
37 with the legislative auditor and other appropriate oversight and audit
38 entities to coordinate work plans and avoid duplication of effort in

1 their planned performance audits of state government agencies. The
2 board shall defer to the joint legislative audit and review committee
3 work plan if a similar audit is included on both work plans for
4 auditing.

5 (e) The state auditor shall contract out for performance audits.
6 In conducting the audits, agency front-line employees and internal
7 auditors should be involved.

8 (f) All audits must include consideration of reports prepared by
9 other government oversight entities.

10 (g) The audits may include:

11 (i) Identification of programs and services that can be eliminated,
12 reduced, consolidated, or enhanced;

13 (ii) Identification of funding sources to the state agency, to
14 programs, and to services that can be eliminated, reduced,
15 consolidated, or enhanced;

16 (iii) Analysis of gaps and overlaps in programs and services and
17 recommendations for improving, dropping, blending, or separating
18 functions to correct gaps or overlaps;

19 (iv) Analysis and recommendations for pooling information
20 technology systems used within the state agency, and evaluation of
21 information processing and telecommunications policy, organization, and
22 management;

23 (v) Analysis of the roles and functions of the state agency, its
24 programs, and its services and their compliance with statutory
25 authority and recommendations for eliminating or changing those roles
26 and functions and ensuring compliance with statutory authority;

27 (vi) Recommendations for eliminating or changing statutes, rules,
28 and policy directives as may be necessary to ensure that the agency
29 carry out reasonably and properly those functions vested in the agency
30 by statute;

31 (vii) Verification of the reliability and validity of agency
32 performance data, self-assessments, and performance measurement systems
33 as required under RCW 43.88.090;

34 (viii) Identification of potential cost savings in the state
35 agency, its programs, and its services;

36 (ix) Identification and recognition of best practices;

37 (x) Evaluation of planning, budgeting, and program evaluation
38 policies and practices;

- 1 (xi) Evaluation of personnel systems operation and management;
- 2 (xii) Evaluation of state purchasing operations and management
3 policies and practices; and
- 4 (xiii) Evaluation of organizational structure and staffing levels,
5 particularly in terms of the ratio of managers and supervisors to
6 nonmanagement personnel.

7 (h) The state auditor must solicit comments on preliminary
8 performance audit reports from the audited state agency, the office of
9 the governor, the office of financial management, the board, the chairs
10 and ranking members of appropriate legislative committees, and the
11 joint legislative audit and review committee for comment. Comments
12 must be received within thirty days after receipt of the preliminary
13 performance audit report unless a different time period is approved by
14 the state auditor. All comments shall be incorporated into the final
15 performance audit report. The final performance audit report shall
16 include the objectives, scope, and methodology; the audit results,
17 including findings and recommendations; conclusions; and identification
18 of best practices.

19 (i) The board and the state auditor shall jointly release final
20 performance audit reports to the governor, the citizens of Washington,
21 the joint legislative audit and review committee, and the appropriate
22 standing legislative committees. Final performance audit reports shall
23 be posted on the internet.

24 (j) For institutions of higher education, performance audits shall
25 not duplicate, and where applicable, shall make maximum use of existing
26 audit records, accreditation reviews, and performance measures required
27 by the office of financial management (~~(7 — the — higher — education~~
28 ~~coordinating — board,~~) and nationally or regionally recognized
29 accreditation organizations including accreditation of hospitals
30 licensed under chapter 70.41 RCW and ambulatory care facilities.

31 (2) The citizen board created under RCW 44.75.030 shall be
32 responsible for performance audits for transportation related agencies
33 as defined under RCW 44.75.020.

34 **Sec. 818.** RCW 43.43.934 and 2010 1st sp.s. c 7 s 45 are each
35 amended to read as follows:

36 The director of fire protection shall:

1 (1)(a)(i) With the state board for community and technical
2 colleges, provide academic, vocational, and field training programs for
3 the fire service; and (ii) with the (~~higher education coordinating~~
4 ~~board and the~~) state colleges and universities, provide instructional
5 programs requiring advanced training, especially in command and
6 management skills;

7 (b) Cooperate with the common schools, technical and community
8 colleges, institutions of higher education, and any department or
9 division of the state, or of any county or municipal corporation in
10 establishing and maintaining instruction in fire service training and
11 education in accordance with any act of congress and legislation
12 enacted by the legislature in pursuance thereof and in establishing,
13 building, and operating training and education facilities.

14 Industrial fire departments and private fire investigators may
15 participate in training and education programs under this chapter for
16 a reasonable fee established by rule;

17 (c) Develop and adopt a master plan for constructing, equipping,
18 maintaining, and operating necessary fire service training and
19 education facilities subject to the provisions of chapter 43.19 RCW;

20 (d) Develop and adopt a master plan for the purchase, lease, or
21 other acquisition of real estate necessary for fire service training
22 and education facilities in a manner provided by law; and

23 (e) Develop and adopt a plan with a goal of providing firefighter
24 one and wildland training to all firefighters in the state. Wildland
25 training reimbursement will be provided if a fire protection district
26 or a city fire department has and is fulfilling their interior attack
27 policy or if they do not have an interior attack policy. The plan will
28 include a reimbursement for fire protection districts and city fire
29 departments of not less than three dollars for every hour of
30 firefighter one or wildland training. The Washington state patrol
31 shall not provide reimbursement for more than two hundred hours of
32 firefighter one or wildland training for each firefighter trained.

33 (2)(a) Promote mutual aid and disaster planning for fire services
34 in this state;

35 (b) Assure the dissemination of information concerning the amount
36 of fire damage including that damage caused by arson, and its causes
37 and prevention; and

1 (c) Implement any legislation enacted by the legislature to meet
2 the requirements of any acts of congress that apply to this section.

3 (3) In carrying out its statutory duties, the office of the state
4 fire marshal shall give particular consideration to the appropriate
5 roles to be played by the state and by local jurisdictions with fire
6 protection responsibilities. Any determinations on the division of
7 responsibility shall be made in consultation with local fire officials
8 and their representatives.

9 To the extent possible, the office of the state fire marshal shall
10 encourage development of regional units along compatible geographic,
11 population, economic, and fire risk dimensions. Such regional units
12 may serve to: (a) Reinforce coordination among state and local
13 activities in fire service training, reporting, inspections, and
14 investigations; (b) identify areas of special need, particularly in
15 smaller jurisdictions with inadequate resources; (c) assist the state
16 in its oversight responsibilities; (d) identify funding needs and
17 options at both the state and local levels; and (e) provide models for
18 building local capacity in fire protection programs.

19 **Sec. 819.** RCW 43.43.938 and 2010 1st sp.s. c 7 s 46 are each
20 amended to read as follows:

21 (1) Wherever the term state fire marshal appears in the Revised
22 Code of Washington or the Washington Administrative Code it shall mean
23 the director of fire protection.

24 (2) The chief of the Washington state patrol shall appoint an
25 officer who shall be known as the director of fire protection.

26 (3) The director of fire protection may designate one or more
27 deputies and may delegate to those deputies his or her duties and
28 authorities as deemed appropriate.

29 (4) The director of fire protection shall prepare a biennial budget
30 pertaining to fire protection services. Such biennial budget shall be
31 submitted as part of the Washington state patrol's budget request.

32 (5) The director of fire protection, shall implement and
33 administer, within constraints established by budgeted resources, all
34 duties of the chief of the Washington state patrol that are to be
35 carried out through the director of fire protection, and all of the
36 duties of the director of fire protection. Such administration shall
37 include negotiation of agreements with the state board for community

1 and technical colleges(~~(, the higher education coordinating board,)~~)
2 and the state colleges and universities as provided in RCW 43.43.934.
3 Programs covered by such agreements shall include, but not be limited
4 to, planning curricula, developing and delivering instructional
5 programs and materials, and using existing instructional personnel and
6 facilities. Where appropriate, such contracts shall also include
7 planning and conducting instructional programs at the state fire
8 service training center.

9 **Sec. 820.** RCW 43.60A.151 and 2007 c 451 s 3 are each amended to
10 read as follows:

11 (1) The department shall assist veterans enrolled in the veterans
12 conservation corps with obtaining employment in conservation programs
13 and projects that restore Washington's natural habitat, maintain and
14 steward local, state, and federal forest lands and other outdoor lands,
15 maintain and improve urban and suburban storm water management
16 facilities and other water management facilities, and other
17 environmental maintenance, stewardship, and restoration projects. The
18 department shall consult with the workforce training and education
19 coordinating board, the state board for community and technical
20 colleges, (~~(the higher education coordinating board,)~~) the employment
21 security department, and other state agencies administering
22 conservation corps programs, to incorporate training, education, and
23 certification in environmental restoration and management fields into
24 the program. The department may enter into agreements with community
25 colleges, private schools, state or local agencies, or other entities
26 to provide training and educational courses as part of the enrollee
27 benefits from the program.

28 (2) The department may receive gifts, grants, federal funds, or
29 other moneys from public or private sources, for the use and benefit of
30 the veterans conservation corps program. The funds shall be deposited
31 to the veterans conservation corps account created in RCW 43.60A.153.

32 (3) The department shall submit a report to the appropriate
33 committees of the legislature by December 1, 2008, on the status of the
34 veterans conservation corps program, including the number of enrollees
35 employed in projects, training provided, certifications earned,
36 employment placements achieved, program funding provided from all

1 sources, and the results of the pilot project authorized in section 4,
2 chapter 451, Laws of 2007.

3 **Sec. 821.** RCW 43.88D.010 and 2010 c 245 s 9 are each amended to
4 read as follows:

5 (1) By October 1st of each even-numbered year, the office of
6 financial management shall complete an objective analysis and scoring
7 of all capital budget projects proposed by the public four-year
8 institutions of higher education and submit the results of the scoring
9 process to the legislative fiscal committees(~~(, the higher education~~
10 ~~coordinating board,~~) and the four-year institutions. Each project
11 must be reviewed and scored within one of the following categories,
12 according to the project's principal purpose. Each project may be
13 scored in only one category. The categories are:

14 (a) Access-related projects to accommodate enrollment growth at
15 main and branch campuses, at existing or new university centers, or
16 through distance learning. Growth projects should provide significant
17 additional student capacity. Proposed projects must demonstrate that
18 they are based on solid enrollment demand projections, more
19 cost-effectively provide enrollment access than alternatives such as
20 university centers and distance learning, and make cost-effective use
21 of existing and proposed new space;

22 (b) Projects that replace failing permanent buildings. Facilities
23 that cannot be economically renovated are considered replacement
24 projects. New space may be programmed for the same or a different use
25 than the space being replaced and may include additions to improve
26 access and enhance the relationship of program or support space;

27 (c) Projects that renovate facilities to restore building life and
28 upgrade space to meet current program requirements. Renovation
29 projects should represent a complete renovation of a total facility or
30 an isolated wing of a facility. A reasonable renovation project should
31 cost between sixty to eighty percent of current replacement value and
32 restore the renovated area to at least twenty-five years of useful
33 life. New space may be programmed for the same or a different use than
34 the space being renovated and may include additions to improve access
35 and enhance the relationship of program or support space;

36 (d) Major stand-alone campus infrastructure projects;

1 (e) Projects that promote economic growth and innovation through
2 expanded research activity. The acquisition and installation of
3 specialized equipment is authorized under this category; and

4 (f) Other project categories as determined by the office of
5 financial management in consultation with the legislative fiscal
6 committees.

7 (2) The office of financial management, in consultation with the
8 legislative fiscal committees, shall establish a scoring system and
9 process for each four-year project category that is based on the
10 framework used in the community and technical college system of
11 prioritization. Staff from the state board for community and technical
12 colleges(~~(, the higher education coordinating board,)~~) and the four-
13 year institutions shall provide technical assistance on the development
14 of a scoring system and process.

15 (3) The office of financial management shall consult with the
16 legislative fiscal committees in the scoring of four-year institution
17 project proposals, and may also solicit participation by independent
18 experts.

19 (a) For each four-year project category, the scoring system must,
20 at a minimum, include an evaluation of enrollment trends,
21 reasonableness of cost, the ability of the project to enhance specific
22 strategic master plan goals, age and condition of the facility if
23 applicable, and impact on space utilization.

24 (b) Each four-year project category may include projects at the
25 predesign, design, or construction funding phase.

26 (c) To the extent possible, the objective analysis and scoring
27 system of all capital budget projects shall occur within the context of
28 any and all performance agreements between the office of financial
29 management and the governing board of a public, four-year institution
30 of higher education that aligns goals, priorities, desired outcomes,
31 flexibility, institutional mission, accountability, and levels of
32 resources.

33 (4) In evaluating and scoring four-year institution projects, the
34 office of financial management shall take into consideration project
35 schedules that result in realistic, balanced, and predictable
36 expenditure patterns over the ensuing three biennia.

37 (5) The office of financial management shall distribute common
38 definitions, the scoring system, and other information required for the

1 project proposal and scoring process as part of its biennial budget
2 instructions. The office of financial management, in consultation with
3 the legislative fiscal committees, shall develop common definitions
4 that four-year institutions must use in developing their project
5 proposals and lists under this section.

6 (6) In developing any scoring system for capital projects proposed
7 by the four-year institutions, the office of financial management:

8 (a) Shall be provided with all required information by the four-
9 year institutions as deemed necessary by the office of financial
10 management;

11 (b) May utilize independent services to verify, sample, or evaluate
12 information provided to the office of financial management by the four-
13 year institutions; and

14 (c) Shall have full access to all data maintained by the (~~higher~~
15 ~~education-coordinating-board-and-the~~) joint legislative audit and
16 review committee concerning the condition of higher education
17 facilities.

18 (7) By August 1st of each even-numbered year each public four-year
19 higher education institution shall prepare and submit prioritized lists
20 of the individual projects proposed by the institution for the ensuing
21 six-year period in each category. The lists must be submitted to the
22 office of financial management and the legislative fiscal committees.
23 The four-year institutions may aggregate minor works project proposals
24 by primary purpose for ranking purposes. Proposed minor works projects
25 must be prioritized within the aggregated proposal, and supporting
26 documentation, including project descriptions and cost estimates, must
27 be provided to the office of financial management and the legislative
28 fiscal committees.

29 **PART IX**

30 **MISCELLANEOUS PROVISIONS**

31 **Sec. 901.** 2011 1st sp.s. c 11 s 244 (uncodified) is amended to
32 read as follows:

33 The following acts or parts of acts, as now existing or hereafter
34 amended, are each repealed, effective July 1, 2012:

35 (1) RCW 28B.76.010 (Board created) and 1985 c 370 s 1;

36 (2) RCW 28B.76.030 (Purpose) and 2004 c 275 s 1;

- 1 (3) RCW 28B.76.040 (Members--Appointment) and 2002 c 348 s 1, 2002
2 c 129 s 1, & 1985 c 370 s 10;
- 3 (4) RCW 28B.76.050 (Members--Terms) and 2007 c 458 s 101, 2004 c
4 275 s 3, 2002 c 129 s 2, & 1985 c 370 s 11;
- 5 (5) RCW 28B.76.060 (Members--Vacancies) and 1985 c 370 s 12;
- 6 (6) RCW 28B.76.070 (Bylaws--Meetings) and 1985 c 370 s 13;
- 7 (7) RCW 28B.76.080 (Members--Compensation and travel expenses) and
8 1985 c 370 s 16, 1984 c 287 s 65, 1975-'76 2nd ex.s. c 34 s 77, & 1969
9 ex.s. c 277 s 12;
- 10 (8) RCW 28B.76.200 (Statewide strategic master plan for higher
11 education--Institution-level strategic plans) and 2007 c 458 s 201,
12 2004 c 275 s 6, & 2003 c 130 s 2;
- 13 (9) RCW 28B.76.260 (Statewide system of course equivalency--Work
14 group) and 2004 c 55 s 3;
- 15 (10) (~~RCW 28B.76.280 (Data collection and research Privacy~~
16 ~~protection) and 2010 1st sp.s. c 7 s 58 & 2004 c 275 s 12;~~
17 ~~(11))~~) RCW 28B.76.330 (Coordination, articulation, and transitions
18 among systems of education--Biennial updates to legislature) and 2004
19 c 275 s 17 & 1994 c 222 s 3; and
- 20 ((~~12~~)) (11) RCW 28B.76.530 (Board may develop and administer
21 demonstration projects) and 1989 c 306 s 2.

22 NEW SECTION. **Sec. 902.** The following acts or parts of acts are
23 each repealed:

24 (1) RCW 28B.10.682 (Precollege coursework--Adoption of definitions)
25 and 1995 c 310 s 2;

26 (2) RCW 28B.15.732 (Washington/Oregon reciprocity tuition and fee
27 program--Reimbursement when greater net revenue loss) and 2011 1st
28 sp.s. c 11 s 153, 1985 c 370 s 70, & 1979 c 80 s 2;

29 (3) RCW 28B.15.752 (Washington/Idaho reciprocity tuition and fee
30 program--Reimbursement when greater net revenue loss) and 2011 1st
31 sp.s. c 11 s 154, 1985 c 370 s 74, & 1983 c 166 s 2;

32 (4) RCW 28B.15.796 (Effective communication--Task force to improve
33 communication and teaching skills of faculty and teaching assistants)
34 and 1991 c 228 s 4;

35 (5) RCW 28B.20.280 (Masters and doctorate level degrees in
36 technology authorized--Review by higher education coordinating board)
37 and 1985 c 370 s 82 & 1983 1st ex.s. c 72 s 10;

1 (6) RCW 28B.30.500 (Masters and doctorate level degrees in
2 technology authorized--Review by higher education coordinating board)
3 and 1985 c 370 s 83 & 1983 1st ex.s. c 72 s 12; and
4 (7) RCW 43.88D.005 (Findings--Intent) and 2008 c 205 s 1.

5 NEW SECTION. **Sec. 903.** Sections 1 and 102 through 108 of this act
6 are each added to chapter 28B.77 RCW.

7 NEW SECTION. **Sec. 904.** RCW 28B.76.110, 28B.76.210, 28B.76.230,
8 28B.76.235, 28B.76.240, 28B.76.2401, 28B.76.250, 28B.76.270,
9 28B.76.280, 28B.76.325, 28B.76.510, and 28B.76.695 are each recodified
10 as sections in chapter 28B.77 RCW.

11 NEW SECTION. **Sec. 905.** RCW 28B.76.310 is recodified as a section
12 in chapter 43.41 RCW.

13 NEW SECTION. **Sec. 906.** RCW 28B.10.125 is decodified.

14 NEW SECTION. **Sec. 907.** Sections 570 and 609 of this act expire
15 June 30, 2013.

16 NEW SECTION. **Sec. 908.** Sections 101, 117, 401, 402, 501 through
17 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904 of
18 this act take effect July 1, 2012.

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