
SUBSTITUTE SENATE BILL 6269

State of Washington

62nd Legislature

2012 Regular Session

By Senate Higher Education & Workforce Development (originally sponsored by Senators Becker, Tom, Swecker, Shin, Schoesler, Sheldon, Delvin, Holmquist Newbry, Keiser, Hargrove, Padden, Regala, Stevens, Parlette, Hewitt, Hill, and Conway)

READ FIRST TIME 02/02/12.

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, 9A.60.070, 18.260.110, 28A.600.280,
5 28A.600.390, 28B.07.040, 28B.10.020, 28B.10.053, 28B.10.118,
6 28B.10.400, 28B.10.405, 28B.10.410, 28B.10.415, 28B.10.423, 28B.10.784,
7 28B.10.790, 28B.12.030, 28B.15.068, 28B.15.068, 28B.15.102, 28B.15.460,
8 28B.30.515, 28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040, 28B.45.080,
9 28B.50.140, 28B.50.810, 28B.50.820, 28B.65.040, 28B.65.050, 28B.76.250,
10 28B.85.010, 28B.85.020, 28B.85.030, 28B.85.040, 28B.85.050, 28B.85.060,
11 28B.85.070, 28B.85.080, 28B.85.090, 28B.85.100, 28B.85.130, 28B.85.170,
12 28B.90.010, 28B.90.020, 28B.90.030, 28B.92.030, 28B.92.070, 28B.92.082,
13 28B.97.020, 28B.109.010, 28B.110.030, 28B.110.040, 28B.117.020,
14 28B.120.010, 28B.120.020, 28B.120.025, 28B.120.030, 28B.120.040,
15 28C.10.030, 28C.10.040, 28C.18.030, 28C.18.060, 35.104.020, 35.104.040,
16 42.17A.705, 43.06.115, 43.19.797, 43.41.400, 43.41A.100, 43.88.090,
17 43.105.825, 43.215.090, 43.330.310, 43.330.375, 47.80.090, 70.180.110,
18 74.13.570, 28A.175.135, 28A.660.050, 28B.12.040, 28B.12.070,
19 28B.15.012, 28B.15.762, 28B.15.764, 28B.76.505, 28B.92.080, 28B.95.020,
20 28B.102.030, 28B.103.030, 28B.108.020, 28B.108.040, 28B.116.030,
21 28B.117.030, 28B.15.069, 28A.600.310, 28B.15.380, 28B.15.730,

1 28B.15.734, 28B.15.750, 28B.15.756, 28A.175.130, 28A.600.290,
2 28A.700.020, 28A.700.060, 28B.20.130, 28B.30.150, 28B.20.308,
3 28B.20.478, 28B.30.530, 28B.35.120, 28B.35.202, 28B.35.205, 28B.35.215,
4 28B.40.120, 28B.40.206, 28B.45.060, 43.09.440, 43.43.934, 43.43.938,
5 43.60A.151, and 43.88D.010; amending 2011 1st sp.s. c 11 s 244
6 (uncodified); reenacting and amending RCW 28B.76.2401, 28B.15.760,
7 28B.50.030, 28B.92.060, 28B.102.020, 28B.116.010, 43.330.280, and
8 28A.230.100; adding new sections to chapter 28B.77 RCW; adding a new
9 section to chapter 28B.76 RCW; adding new sections to chapter 44.04
10 RCW; adding new sections to chapter 43.41 RCW; creating new sections;
11 recodifying RCW 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.235,
12 28B.76.240, 28B.76.2401, 28B.76.250, 28B.76.270, 28B.76.280,
13 28B.76.325, 28B.76.510, 28B.76.695, and 28B.76.310; decodifying RCW
14 28B.10.125; repealing RCW 28B.76.290, 28B.10.682, 28B.15.732,
15 28B.15.752, 28B.15.796, 28B.20.280, 28B.30.500, and 43.88D.005;
16 providing an effective date; providing expiration dates; and declaring
17 an emergency.

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

19 NEW SECTION. **Sec. 1.** In 2011, the legislature abolished the
20 higher education coordinating board and created a council for higher
21 education effective July 1, 2012. The legislature finds that over the
22 years additional duties have been given to the higher education
23 coordinating board, which has diluted the board's resources. The
24 legislature intends for the new council for higher education to refocus
25 on the core function of higher education coordination and be a trusted
26 source of information for policymakers. Furthermore, the legislature
27 intends to create a bipartisan joint higher education committee to
28 provide legislative oversight of the council for higher education.

29 **PART I**
30 **COUNCIL FOR HIGHER EDUCATION**

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

33 On July 1, 2012, the higher education coordinating board is
34 abolished and the council for higher education is created (~~subject to~~

1 ~~the recommendations of the higher education steering committee~~
2 ~~established in section 302, chapter 11, Laws of 2011 1st sp. sess. and~~
3 ~~implementing legislation enacted by the 2012 legislature)) to be known~~
4 ~~as "the S.B. White board."~~

5 NEW SECTION. **Sec. 102.** The definitions in this section apply
6 throughout this chapter unless the context clearly requires otherwise.

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

8 (2) "Council" means the council for higher education.

9 (3) "Education data center" means the education data center
10 established in the office of financial management as provided under RCW
11 43.41.400.

12 (4) "Four-year institutions of higher education" means the
13 University of Washington, Washington State University, Central
14 Washington University, Eastern Washington University, Western
15 Washington University, and The Evergreen State College.

16 (5) "Major expansion" means expansion of the higher education
17 system that requires significant new capital investment, including
18 building new institutions, campuses, branches, or centers or conversion
19 of existing campuses, branches, or centers that would result in a
20 mission change.

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

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

25 NEW SECTION. **Sec. 103.** The mission of the council is to be a
26 resource for policymakers on issues concerning higher education,
27 develop statewide higher education policies based on relevant and
28 objective data, and facilitate the coordination of the state's
29 institutions of higher education.

30 NEW SECTION. **Sec. 104.** The duties of the council are to:

31 (1) Provide strategic planning and develop a ten-year statewide
32 plan for higher education and continually monitor state and institution
33 progress in meeting the vision, goals, priorities, and strategies
34 articulated in the plan;

1 (2) Provide financing, planning, and strategic investment
2 recommendations for higher education, including comparing the total
3 per-student funding in Washington with similar institutions of higher
4 education in the global challenge states in collaboration with the
5 education data center and providing system-wide budget recommendations,
6 necessary to meet statewide goals;

7 (3) Make system design and coordination recommendations to address
8 the future needs of higher education in Washington state, consistent
9 with RCW 28B.76.230 (as recodified by this act);

10 (4) Improve student transitions and success, which includes but is
11 not limited to:

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

18 (b) Developing programs to encourage students to prepare for,
19 understand how to access, and pursue postsecondary college and career
20 programs;

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

26 (d) Identifying transitions issues and solutions for students, from
27 high school to postsecondary education including community and
28 technical colleges, four-year institutions of higher education,
29 apprenticeships, training, or workplace education; between two-year and
30 four-year institutions of higher education; and from postsecondary
31 education to career;

32 (5) Facilitate the development and expansion of innovative
33 practices within, between, and among the sectors to increase
34 educational attainment and review effectiveness of the innovations;

35 (6) Use the data and analysis produced by the education data center
36 created in RCW 43.41.400 in developing policy recommendations and
37 setting goals and at a minimum track progress toward meeting the
38 state's ten-year statewide plan;

1 (7) Oversee the office of student financial assistance, which must
2 administer student financial aid programs under RCW 28B.76.090,
3 including but not limited to the state need grant, college bound and
4 other scholarships, the guaranteed education tuition program, and work-
5 study programs;

6 (8) Arbitrate disputes between and among four-year institutions of
7 higher education and the state board for community and technical
8 colleges at the request of one or more of the institutions involved, or
9 at the request of the governor, or from a resolution adopted by the
10 legislature. The decision of the council shall be binding on the
11 participants in the dispute;

12 (9) Coordinate with the governing boards of the two-year and four-
13 year institutions of higher education, the state board for community
14 and technical colleges, the workforce training and education
15 coordinating board, and the superintendent of public instruction to
16 create a seamless system of public education for the citizens of
17 Washington state geared toward student success;

18 (10) Protect consumers, which includes approving (a) private,
19 degree-granting postsecondary institutions consistent with existing
20 statutory criteria and (b) programs that are eligible programs for
21 students to use federal benefits such as veterans' benefits; and

22 (11) Represent the broad public interest above the interests of the
23 individual institutions of higher education.

24 NEW SECTION. **Sec. 105.** (1) The council shall consist of the
25 following voting members:

26 (a) One representative of a state university as defined in RCW
27 28B.10.016, appointed by the council of presidents in collaboration
28 with the state universities;

29 (b) One representative of a regional university as defined in RCW
30 28B.10.016, appointed by the council of presidents in collaboration
31 with the regional universities;

32 (c) One representative of a higher education institution as defined
33 in RCW 28B.07.020, appointed by an association of independent nonprofit
34 colleges and universities;

35 (d) Two representatives of community and technical colleges,
36 appointed by the state board for community and technical colleges;

1 (e) One student representative, appointed by the governor and
2 confirmed by the senate; and

3 (f) Eight persons who reflect diverse, statewide representation,
4 selected on the basis of their knowledge of or experience in higher
5 education, who are nominated by the legislature and appointed by the
6 governor as provided in this subsection (1)(f).

7 (i) Each of the two largest caucuses in the house of
8 representatives and in the senate are responsible for two seats on the
9 council. Each caucus shall submit to the governor a single list of its
10 nominees. The minimum number of nominees from each caucus shall be
11 equal to twice the number of open seats for which the caucus is
12 responsible. Nominees may not be legislators or employees of the state
13 or its political subdivisions, and no caucus may submit the same
14 nominee at the same time.

15 (ii) The governor shall appoint members to each seat on the council
16 for which a caucus is responsible from the list submitted by the
17 respective caucus. At least one of the eight members appointed under
18 this subsection (1)(f) must include an individual representing business
19 in the science, technology, engineering, or mathematics field.

20 (iii) None of the eight members may be appointed if his or her
21 participation in the decisions of the council could benefit his or her
22 own financial interests or the financial interests of an entity he or
23 she represents. A councilmember who develops such a conflict of
24 interest must resign or be removed from the council.

25 (iv) By June 1, 2012, the caucus must submit its initial list of
26 nominees to the governor, and by July 1, 2012, the governor must
27 appoint members to the council.

28 (2) The councilmembers, except the student member, shall serve
29 four-year terms, except that to stagger the terms of the council, the
30 initial appointments for six of the members shall be for two-year
31 terms. Four of the six initial two-year terms shall be distributed
32 equally among the caucuses' nominees appointed to the council. No
33 member may serve more than two full terms, unless the member has been
34 appointed to fill a vacancy or served an initial two-year term, but in
35 any event, a member's term may not exceed ten years total. The student
36 member shall hold his or her office for a term of one year beginning on
37 the first day of July.

1 (3) A member of the council whose term has expired or who otherwise
2 leaves the council shall be replaced in the same manner as the original
3 appointment. When the person leaving was nominated by one of the
4 caucuses of the house of representatives or of the senate, his or her
5 replacement shall be appointed from a list of two nominees submitted by
6 the respective caucus within thirty days after the person leaves.

7 (4) The council shall select from its eight caucus nominees a chair
8 and vice chair, who shall each serve a two-year term. The chair and
9 vice chair may serve more than one term if selected to do so by the
10 membership.

11 (5) The council shall include the superintendent of public
12 instruction as a nonvoting member to facilitate conversation and
13 provide guidance on improving student transitions from secondary to
14 postsecondary education.

15 NEW SECTION. **Sec. 106.** (1) The council shall adopt bylaws and
16 shall meet at least four times each year and at such other times as
17 determined by the chair who shall give reasonable prior notice to the
18 members.

19 (2) Councilmembers are expected to consistently attend meetings.
20 The chair of the council may remove any member who misses more than two
21 meetings in any calendar year without cause. Any member so removed
22 must be replaced as provided under section 105(3) of this act.

23 NEW SECTION. **Sec. 107.** Councilmembers shall be compensated in
24 accordance with RCW 43.03.240 and reimbursed for travel expenses
25 incurred in carrying out the duties of the council in accordance with
26 RCW 43.03.050 and 43.03.060.

27 NEW SECTION. **Sec. 108.** (1) The council shall employ a director
28 and may delegate agency management to the director. The director shall
29 serve at the pleasure of the council, shall be the executive officer of
30 the council, and shall, under the council's supervision, administer the
31 provisions of this chapter.

32 (2) The director shall, with the approval of the council: (a)
33 Employ necessary deputy and assistant directors and other exempt staff
34 under chapter 41.06 RCW who shall serve at his or her pleasure on such
35 terms and conditions as he or she determines and (b) subject to the

1 provisions of chapter 41.06 RCW, appoint and employ such other
2 employees as may be required for the proper discharge of the functions
3 of the council.

4 (3) The director shall exercise such additional powers, other than
5 rule making, as may be delegated by the council by resolution.

6 (4) In fulfilling the duties under this chapter, the council shall
7 make extensive use of those state agencies with responsibility for
8 implementing and supporting postsecondary education plans and policies
9 including but not limited to appropriate legislative groups, the
10 postsecondary education institutions, the office of financial
11 management, the workforce training and education coordinating board,
12 the state board for community and technical colleges, and the office of
13 the superintendent of public instruction. Outside consulting and
14 service agencies may also be employed. The council may compensate
15 these groups and consultants in appropriate ways within the constraints
16 established by budgeted resources.

17 NEW SECTION. **Sec. 109.** The council has the authority to adopt
18 rules as necessary to implement this chapter.

19 NEW SECTION. **Sec. 110.** (1) The council shall identify measurable
20 and feasible goals and priorities for the system of higher education in
21 Washington for a ten-year period of time and a plan to achieve them.
22 The plan must encompass all sectors of higher education, including the
23 two-year system, workforce training, and the four-year institutions of
24 higher education. The council shall also identify strategies for
25 expanding access, affordability, quality, efficiency, and
26 accountability among the various institutions of higher education.

27 (2) By October 1, 2014, and every two years thereafter, the council
28 shall submit an update of the ten-year statewide plan to the joint
29 higher education committee created in section 201 of this act. The
30 updated plan must reflect the expectations and policy directions of the
31 higher education and fiscal committees of the legislature and must
32 provide a timely and relevant framework for the development of future
33 budgets and policy proposals.

34 (3) The ten-year statewide plan must include but not be limited to:
35 (a) Strategic planning, which includes setting benchmarks and goals

1 for long-term degree production generally and in particular fields of
2 study;

3 (b) Financing planning and strategic investment recommendations for
4 education, including system-wide budget recommendations, necessary to
5 meet statewide goals;

6 (c) System design and coordination;

7 (d) Student transition improvement;

8 (e) Higher educational data and analysis, in collaboration with the
9 education data center, which includes measuring outcomes for
10 recruitment, retention, and success of students;

11 (f) Policy research; and

12 (g) College and career access preparedness, in collaboration with
13 the office of the superintendent of public instruction.

14 NEW SECTION. **Sec. 111.** (1) The council shall evaluate whether to
15 expand its duties to coordinate transitions from secondary to
16 postsecondary education. The council shall also review whether any
17 changes are needed to membership of the council created in section 105
18 of this act. By December 1, 2014, the council shall report its
19 recommendations to the joint higher education committee created in
20 section 201 of this act.

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

22 **Sec. 112.** RCW 28B.76.110 and 2004 c 275 s 5 are each amended to
23 read as follows:

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

29 **Sec. 113.** RCW 28B.76.210 and 2011 1st sp.s. c 11 s 104 are each
30 amended to read as follows:

31 (1) The (~~board~~) council shall (~~collaborate with the four-year~~
32 ~~institutions including the council of presidents, the community and~~
33 ~~technical college system, and when appropriate the workforce training~~
34 ~~and education coordinating board, the superintendent of public~~
35 ~~instruction, and the independent higher educational institutions to))~~

1 identify budget priorities and levels of funding for higher education,
2 including the two and four-year institutions of higher education and
3 state financial aid programs. It is the intent of the legislature for
4 the council to make budget recommendations for allocations for major
5 policy changes in accordance with priorities set forth in the ten-year
6 statewide plan, but the legislature does not intend for the council to
7 review and make recommendations on individual institutional budgets.
8 It is the intent of the legislature that recommendations from the
9 ~~((board reflect not merely the sum of budget requests from multiple~~
10 ~~institutions, but prioritized))~~ council prioritize funding needs for
11 the overall system of higher education in accordance with priorities
12 set forth in the ten-year statewide plan. It is also the intent of the
13 legislature that the council's recommendations take into consideration
14 the total per-student funding at similar public institutions of higher
15 education in the global challenge states.

16 (2) By December of each odd-numbered year, the ~~((board))~~ council
17 shall ~~((distribute guidelines which))~~ outline the ~~((board's))~~ council's
18 fiscal priorities under the ten-year statewide plan that it must
19 distribute to the institutions ~~((and))~~, the state board for community
20 and technical colleges, the office of financial management, and the
21 joint higher education committee.

22 ~~((a) The institutions and the state board for community and~~
23 ~~technical colleges shall submit an outline of their proposed operating~~
24 ~~budgets to the board no later than July 1st of each even-numbered year.~~
25 ~~Pursuant to guidelines developed by the board, operating budget~~
26 ~~outlines submitted by the institutions and the state board for~~
27 ~~community and technical colleges after January 1, 2007, shall include~~
28 ~~all policy changes and enhancements that will be requested by the~~
29 ~~institutions and the state board for community and technical colleges~~
30 ~~in their respective biennial budget requests. Operating budget~~
31 ~~outlines shall include a description of each policy enhancement, the~~
32 ~~dollar amount requested, and the fund source being requested.~~

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

1 ~~(c) Capital budget outlines for the four-year institutions must be~~
2 ~~submitted by August 15th of each even-numbered year, and must include:~~
3 ~~The institutions' priority ranking of the project; the capital budget~~
4 ~~category within which the project will be submitted to the office of~~
5 ~~financial management in accordance with RCW 43.88D.010; a description~~
6 ~~of each capital project; and the amount and fund source being~~
7 ~~requested.~~

8 ~~(d) The office of financial management shall reference these~~
9 ~~reporting requirements in its budget instructions.~~

10 ~~(3) The board shall review and evaluate the operating and capital~~
11 ~~budget requests from four-year institutions and the community and~~
12 ~~technical college system based on how the requests align with the~~
13 ~~board's budget priorities, the missions of the institutions, and the~~
14 ~~statewide strategic master plan for higher education under RCW~~
15 ~~28B.76.200.~~

16 ~~(4))~~ (3) The ((board)) council shall submit recommendations on the
17 proposed operating budget and priorities to support the ten-year
18 statewide plan to the office of financial management by October 1st of
19 each even-numbered year, and to the legislature by January 1st of each
20 odd-numbered year. The council shall submit recommendations on the
21 proposed supplemental budget requests to the office of financial
22 management by November 1st of odd-numbered years and to the legislature
23 by January 1st of even-numbered years.

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

28 ~~(b) The board shall develop one prioritized list of capital~~
29 ~~projects for the legislature to consider that includes all of the~~
30 ~~projects requested by the four-year institutions of higher education~~
31 ~~that were scored by the office of financial management pursuant to~~
32 ~~chapter 43.88D RCW, including projects that were previously scored but~~
33 ~~not funded. The prioritized list of capital projects shall be based on~~
34 ~~the following priorities in the following order:~~

35 ~~(i) Office of financial management scores pursuant to chapter~~
36 ~~43.88D RCW;~~

37 ~~(ii) Preserving assets;~~

38 ~~(iii) Degree production; and~~

1 ~~(iv) Maximizing efficient use of instructional space.~~

2 ~~(c) The board shall include all of the capital projects requested~~
3 ~~by the four-year institutions of higher education, except for the minor~~
4 ~~works projects, in the prioritized list of capital projects provided to~~
5 ~~the legislature.~~

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

11 ~~(i) Include subpriorities;~~

12 ~~(ii) Be organized by category;~~

13 ~~(iii) Assume any state bond or building account biennial funding~~
14 ~~level to prioritize the list; or~~

15 ~~(iv) Assume any specific share of projects by institution in the~~
16 ~~priority list.~~

17 ~~(6) Institutions and the state board for community and technical~~
18 ~~colleges shall submit any supplemental budget requests and revisions to~~
19 ~~the board at the same time they are submitted to the office of~~
20 ~~financial management. The board shall submit recommendations on the~~
21 ~~proposed supplemental budget requests to the office of financial~~
22 ~~management by November 1st and to the legislature by January 1st.))~~

23 **Sec. 114.** RCW 28B.76.230 and 2010 c 245 s 5 are each amended to
24 read as follows:

25 (1) The ((board)) council shall develop a comprehensive and ongoing
26 assessment process to analyze the need for additional degrees and
27 programs, additional off-campus centers and locations for degree
28 programs, and consolidation or elimination of programs by the four-year
29 institutions of higher education. ((Board)) Council recommendations
30 regarding proposed major expansion shall be limited to determinations
31 of whether the major expansion is within the scope indicated in the
32 most recent ((strategic master)) ten-year statewide plan for higher
33 education or most recent system design plan. Recommendations regarding
34 existing capital prioritization processes are not within the scope of
35 the evaluation of major expansion. Major expansion and proposed
36 mission changes may be proposed by the ((board)) council, any public
37 institution of higher education, or by a state or local government.

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

3 (a) Projections of student, employer, and community demand for
4 education and degrees, including liberal arts degrees, on a regional
5 and statewide basis;

6 (b) Current and projected degree programs and enrollment at public
7 and private institutions of higher education, by location and mode of
8 service delivery;

9 (c) Data from the workforce training and education coordinating
10 board and the state board for community and technical colleges on the
11 supply and demand for workforce education and certificates and
12 associate degrees; and

13 (d) Recommendations from the technology transformation task force
14 created in chapter 407, Laws of 2009, and institutions of higher
15 education relative to the strategic and operational use of technology
16 in higher education. These and other reports, reviews, and audits
17 shall allow for: The development of enterprise-wide digital
18 information technology across educational sectors, systems, and
19 delivery methods; the integration and streamlining of administrative
20 tools including but not limited to student information management,
21 financial management, payroll, human resources, data collection,
22 reporting, and analysis; and a determination of the costs of multiple
23 technology platforms, systems, and models.

24 (3) Every two years the ((~~board~~)) council shall produce, jointly
25 with the state board for community and technical colleges and the
26 workforce training and education coordinating board, an assessment of
27 the number and type of higher education and training credentials
28 required to match employer demand for a skilled and educated workforce.
29 The assessment shall include the number of forecasted net job openings
30 at each level of higher education and training and the number of
31 credentials needed to match the forecast of net job openings.

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

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

1 (a) (~~New degree programs by a four-year institution;~~
2 ~~(b)~~) Creation of any off-campus program by a four-year
3 institution;

4 (~~(c)~~) (b) Purchase or lease of major off-campus facilities by a
5 four-year institution or a community or technical college;

6 (~~(d)~~) (c) Creation of higher education centers and consortia; and

7 (~~(e)~~) (d) New degree programs and creation of off-campus programs
8 by an independent college or university in collaboration with a
9 community or technical college(~~;~~~~and~~

10 ~~(f) Applied baccalaureate degree programs developed by colleges~~
11 ~~under RCW 28B.50.810~~)).

12 (6) Institutions seeking (~~board~~) council approval under this
13 section must demonstrate that the proposal is justified by the needs
14 assessment developed under this section. Institutions must also
15 demonstrate how the proposals align with or implement the ten-year
16 statewide (~~strategic master~~) plan for higher education under (~~RCW~~
17 ~~28B.76.200~~) section 110 of this act.

18 (7) The (~~board~~) council shall develop clear guidelines and
19 objective decision-making criteria regarding approval of proposals
20 under this section, which must include review and consultation with the
21 institution and other interested agencies and individuals.

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

25 (9) In the case of a proposed major expansion or mission change,
26 the needs assessment process under subsection (2) of this section
27 constitutes a threshold inquiry. If the (~~board~~) council determines
28 that the need for the proposed major expansion or mission change has
29 not been justified, the inquiry is concluded. If the (~~board~~) council
30 determines that the need for the proposed major expansion or mission
31 change has been sufficiently established, the (~~board~~) council, in
32 consultation with any directly involved institutions and other
33 interested agencies and individuals, shall proceed to examine the
34 viability of the proposal using criteria including, but not limited to:

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

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

- 1 (c) The extent to which existing resources can be leveraged;
- 2 (d) The current and five-year projected student population,
3 faculty, and staff to support the proposed programs, institution, or
4 innovation;
- 5 (e) The plans to accommodate expected growth over a twenty-year
6 time frame;
- 7 (f) The extent to which new or existing partnerships and
8 collaborations are a part of the proposal; and
- 9 (g) The feasibility of any proposed innovations to accelerate
10 degree production.

11 (10) After the ((board)) council completes its evaluation of the
12 proposed major expansion or mission change using the needs assessment
13 under subsection (2) of this section and viability determination under
14 subsection (9) of this section, the ((board)) council shall make a
15 recommendation to either proceed, modify, or not proceed with the
16 proposed major expansion or mission change. The ((board's)) council's
17 recommendation shall be presented to the governor and the legislature.

18 **Sec. 115.** RCW 28B.76.235 and 2011 c 77 s 4 are each amended to
19 read as follows:

20 The ((higher education coordinating board)) council shall annually
21 publish on its web site the agreed-upon list of high school courses
22 qualifying for postsecondary credit under RCW 28B.10.053 and qualifying
23 examination ((qualifying)) scores and demonstrated competencies meeting
24 the postsecondary requirements for a certificate or technical degree,
25 a two-year academic transfer degree, or the lower division requirements
26 for a baccalaureate degree.

27 **Sec. 116.** RCW 28B.76.240 and 2004 c 275 s 10 are each amended to
28 read as follows:

29 The ((board)) council shall adopt statewide transfer and
30 articulation policies that ensure efficient transfer of credits and
31 courses across public two and four-year institutions of higher
32 education. The intent of the policies is to create a statewide system
33 of articulation and alignment between two and four-year institutions of
34 higher education. Policies may address but are not limited to creation
35 of a statewide system of course equivalency, creation of transfer
36 associate degrees, statewide articulation agreements, applicability of

1 technical courses toward baccalaureate degrees, and other issues. The
2 institutions of higher education and the state board for community and
3 technical colleges shall cooperate with the ((board)) council in
4 developing the statewide policies and shall provide support and staff
5 resources as necessary to assist in maintaining the policies. ((The
6 board shall submit a progress report to the higher education committees
7 of the senate and house of representatives by December 1, 2006, by
8 which time the legislature expects measurable improvement in alignment
9 and transfer efficiency.))

10 **Sec. 117.** RCW 28B.76.2401 and 2004 c 55 s 5 are each reenacted and
11 amended to read as follows:

12 The statewide transfer of credit policy and agreement must be
13 designed to facilitate the transfer of students and the evaluation of
14 transcripts, to better serve persons seeking information about courses
15 and programs, to aid in academic planning, and to improve the review
16 and evaluation of academic programs in the state institutions of higher
17 education. The statewide transfer of credit policy and agreement must
18 not require or encourage the standardization of course content or
19 prescribe course content or the credit value assigned by any
20 institution to the course. Policies adopted by public four-year
21 institutions of higher education concerning the transfer of lower
22 division credit must treat students transferring from public community
23 colleges the same as students transferring from public four-year
24 institutions of higher education.

25 **Sec. 118.** RCW 28B.76.270 and 2011 1st sp.s. c 10 s 8 are each
26 amended to read as follows:

27 (1) The ((board)) education data center shall establish an
28 accountability monitoring and reporting system as part of a continuing
29 effort to make meaningful and substantial progress towards the
30 achievement of long-term performance goals in higher education.

31 (2) To provide consistent, easily understood data among the public
32 four-year institutions of higher education within Washington and in
33 other states, the following data must be reported to the education data
34 center annually by December 1st, and at a minimum include data
35 recommended by a national organization representing state chief
36 executives. The ((board)) council may change the data requirements to

1 be consistent with best practices across the country. This data must,
2 to the maximum extent possible, be disaggregated by race and ethnicity,
3 gender, state and county of origin, age, and socioeconomic status, and
4 include the following for the four-year institutions of higher
5 education:

6 (a) Bachelor's degrees awarded;

7 (b) Graduate and professional degrees awarded;

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

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

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

17 (f) Enrollment in remedial education: The number and percentage of
18 entering first-time undergraduate students who place into and enroll in
19 remedial mathematics, English, or both;

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

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

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

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

32 (k) Program participation and degree completion rates in bachelor
33 and advanced degree programs in the sciences, which includes
34 agriculture and natural resources, biology and biomedical sciences,
35 computer and information sciences, engineering and engineering
36 technologies, health professions and clinical sciences, mathematics and
37 statistics, and physical sciences and science technologies, including

1 participation and degree completion rates for students from
2 traditionally underrepresented populations;

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

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

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

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

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

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

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

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

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

27 (r) Yearly percentage increases in the average cost of
28 undergraduate instruction.

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

31 ~~(4) ((Based on guidelines prepared by the board, each four-year
32 institution and the state board for community and technical colleges
33 shall submit a biennial plan to achieve measurable and specific
34 improvements each academic year on statewide and institution-specific
35 performance measures. Plans shall be submitted to the board along with
36 the biennial budget requests from the institutions and the state board
37 for community and technical colleges. Performance measures established~~

1 ~~for the community and technical colleges shall reflect the role and~~
2 ~~mission of the colleges.~~

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

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

12 ~~(7) The board, in collaboration with the four-year institutions and~~
13 ~~the state board for community and technical colleges, shall~~
14 ~~periodically review and update the accountability monitoring and~~
15 ~~reporting system.~~

16 ~~(8) The board shall develop measurable indicators and benchmarks~~
17 ~~for its own performance regarding cost, quantity, quality, and~~
18 ~~timeliness and including the performance of committees and advisory~~
19 ~~groups convened under this chapter to accomplish such tasks as~~
20 ~~improving transfer and articulation, improving articulation with the K-~~
21 ~~12 education system, measuring educational costs, or developing data~~
22 ~~protocols. The board shall submit its accountability plan to the~~
23 ~~legislature concurrently with the biennial report on institution~~
24 ~~progress.~~

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

35 **Sec. 119.** RCW 28B.76.325 and 2011 1st sp.s. c 10 s 28 are each
36 amended to read as follows:

37 (1) The ~~((board))~~ council, the state board for community and

1 technical colleges, the council of presidents, the four-year
2 institutions of higher education, the private independent higher
3 education institutions, and the private career schools shall
4 collaborate to carry out the following goals:

5 (a) Increase the number of students who receive academic credit for
6 prior learning and the number of students who receive credit for prior
7 learning that counts towards their major or towards earning their
8 degree, certificate, or credential, while ensuring that credit is
9 awarded only for high quality, course-level competencies;

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

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

15 (d) Improve prior learning assessment practices across the
16 institutions of higher education;

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

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

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

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

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

27 (i) One representative from the (~~higher education coordinating~~
28 ~~board~~) council;

29 (ii) One representative from the state board for community and
30 technical colleges;

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

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

34 (v) Two representatives from private career schools;

35 (vi) Two representatives from business; and

36 (vii) Two representatives from labor.

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

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

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

8 **Sec. 120.** RCW 28B.76.510 and 2011 1st sp.s. c 11 s 108 are each
9 amended to read as follows:

10 The (~~office shall~~) council may administer any federal act
11 pertaining to higher education which is not administered by another
12 state agency.

13 **Sec. 121.** RCW 28B.76.695 and 2011 c 146 s 2 are each amended to
14 read as follows:

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

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

18 (b) Work to eliminate unnecessary barriers to the delivery of
19 online competency-based education by Western Governors University -
20 Washington; and

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

24 (2) The (~~board~~) council shall work with Western Governors
25 University - Washington to create data-sharing processes to assess the
26 institution's performance and determine the extent to which it helps
27 the state achieve the goals of the current (~~statewide strategic~~
28 ~~master~~) ten-year plan for higher education.

29 (3) The (~~board~~) council shall adopt rules and policies to
30 implement this section and that require (~~board~~) council consultation
31 and approval before:

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

34 (b) Changes or modifications in the nonprofit status of the
35 institution of higher education.

1 NEW SECTION. **Sec. 122.** 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. 123.** 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 except for matters pertaining to student financial
8 aid are transferred to the council for higher education. All
9 references to the executive director or the higher education
10 coordinating board in the Revised Code of Washington shall be construed
11 to mean the director or the council for higher education when referring
12 to the functions transferred in this section.

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

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

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

34 (3) All employees of the higher education coordinating board
35 necessary to the assigned functions of the council for higher education
36 are transferred to the jurisdiction of the council for higher
37 education. All employees classified under chapter 41.06 RCW, the state

1 civil service law, are assigned to the council for higher education 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 council for higher
9 education. All existing contracts and obligations shall remain in full
10 force and shall be performed by the council for higher education.

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

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

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

27 NEW SECTION. **Sec. 124.** A new section is added to chapter 28B.76
28 RCW to read as follows:

29 (1) All powers, duties, and functions of the higher education
30 coordinating board pertaining to student financial aid are transferred
31 to the office of student financial assistance. All references to the
32 executive director or the higher education coordinating board in the
33 Revised Code of Washington shall be construed to mean the director or
34 the office of student financial assistance when referring to the
35 functions transferred in this section.

36 (2)(a) All reports, documents, surveys, books, records, files,
37 papers, or written material in the possession of the higher education

1 coordinating board pertaining to the powers, functions, and duties
2 transferred shall be delivered to the custody of the office of student
3 financial assistance. All cabinets, furniture, office equipment, motor
4 vehicles, and other tangible property employed by the higher education
5 coordinating board in carrying out the powers, functions, and duties
6 transferred shall be made available to the office of student financial
7 assistance. All funds, credits, or other assets held in connection
8 with the powers, functions, and duties transferred shall be assigned to
9 the office of student financial assistance.

10 (b) Any appropriations made to the higher education coordinating
11 board for carrying out the powers, functions, and duties transferred
12 shall, on the effective date of this section, be transferred and
13 credited to the office of student financial assistance.

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

20 (3) All employees of the higher education coordinating board
21 engaged in performing the powers, functions, and duties transferred are
22 transferred to the jurisdiction of the office of student financial
23 assistance. All employees classified under chapter 41.06 RCW, the
24 state civil service law, are assigned to the office of student
25 financial assistance to perform their usual duties upon the same terms
26 as formerly, without any loss of rights, subject to any action that may
27 be appropriate thereafter in accordance with the laws and rules
28 governing state civil service.

29 (4) All rules and all pending business before the higher education
30 coordinating board pertaining to the powers, functions, and duties
31 transferred shall be continued and acted upon by the office of student
32 financial assistance. All existing contracts and obligations shall
33 remain in full force and shall be performed by the office of student
34 financial assistance.

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

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

7 (7) All classified employees of the higher education coordinating
8 board assigned to the office of student financial assistance under this
9 section whose positions are within an existing bargaining unit
10 description at the office of student financial assistance shall become
11 a part of the existing bargaining unit at the office of student
12 financial assistance and shall be considered an appropriate inclusion
13 or modification of the existing bargaining unit under the provisions of
14 chapter 41.80 RCW.

15 **PART II**
16 **JOINT HIGHER EDUCATION COMMITTEE**

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

19 (1) A joint higher education committee is created.

20 (2) The purpose of the joint higher education committee is to:

21 (a) By December 1, 2012, and annually thereafter, review the work
22 of the council for higher education and provide legislative feedback;

23 (b) Engage with the council for higher education and the higher
24 education community to create greater communication, coordination, and
25 alignment between the higher education system and the expectations of
26 the legislature; and

27 (c) Provide recommendations for higher education policy, including
28 proposed legislation, to the higher education and fiscal committees of
29 the legislature.

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

32 (1) The joint higher education committee shall consist of the
33 following members:

34 (a) Four members of the house of representatives, two each
35 appointed by the leadership of the two largest caucuses, with at least

1 one member from each caucus who is a member of the house of
2 representatives ways and means committee and at least one member from
3 each caucus who is a member of the house of representatives higher
4 education committee; and

5 (b) Four members of the senate, two each appointed by the
6 leadership of the two largest caucuses, with at least one member from
7 each caucus who is a member of the senate ways and means committee and
8 at least one member from each caucus who is a member of the senate
9 higher education and workforce development committee.

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

12 (3) Vacancies on the joint higher education committee shall be
13 filled by appointment by either the president of the senate or the
14 speaker of the house of representatives. All such vacancies shall be
15 filled from the same political party and from the same house as the
16 member whose seat was vacated.

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

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

22 (1) The joint higher education committee shall meet at least twice
23 annually, once during December and once after the conclusion of the
24 legislative session.

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

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

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

34 NEW SECTION. **Sec. 204.** A new section is added to chapter 44.04
35 RCW to read as follows:

36 Members of the joint higher education committee must recommend to

1 their respective caucuses nominees for possible appointment and
2 reappointment to the council for higher education as provided in
3 section 105 of this act.

4 **Sec. 205.** RCW 44.04.260 and 2005 c 319 s 112 are each amended to
5 read as follows:

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

23 **Sec. 206.** RCW 43.88.230 and 2005 c 319 s 109 are each amended to
24 read as follows:

25 For the purposes of this chapter, the statute law committee, the
26 joint legislative audit and review committee, the joint transportation
27 committee, the legislative evaluation and accountability program
28 committee, the joint higher education committee, the office of state
29 actuary, and all legislative standing committees of both houses shall
30 be deemed a part of the legislative branch of state government.

31 PART III

32 EDUCATION DATA CENTER

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

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

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

19 (1) In consultation with the education data center, institutions of
20 higher education, and state education agencies, the ((~~board~~)) council
21 shall identify the data needed to carry out its responsibilities for
22 policy analysis, accountability, program improvements, and public
23 information. The primary goals of the ((~~board's~~)) council's data
24 collection and research are to describe how students and other
25 beneficiaries of higher education are being served; to support higher
26 education accountability; to compare and contrast the state of
27 Washington's higher education system with the rest of the nation; and
28 to assist state policymakers and institutions in making policy
29 decisions. Assistance to state policymakers and institutions of higher
30 education in making policy decisions includes but is not limited to:

31 (a) Regular completion of educational cost study reports as
32 provided in RCW 28B.76.310 and information on state support received by
33 students as provided in section 301 of this act;

34 (b) Annual reporting of a national comparison of tuition and fees;
35 and

36 (c) Per-student funding at similar public institutions of higher
37 education in the global challenge states.

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

6 (3) Specific protocols shall be developed by the ((board)) council
7 to protect the privacy of individual student records while ensuring the
8 availability of student data for legitimate research purposes.

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

11 (1) The ((board)) education data center, in consultation with the
12 house of representatives and senate committees responsible for higher
13 education, the respective fiscal committees of the house of
14 representatives and senate, the office of financial management, the
15 state board for community and technical colleges, and the state
16 institutions of higher education, shall develop standardized methods
17 and protocols for measuring the undergraduate and graduate educational
18 costs for the state universities, regional universities, and community
19 colleges, including but not limited to the costs of instruction, costs
20 to provide degrees in specific fields, and costs for precollege
21 remediation.

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

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

29 NEW SECTION. **Sec. 304.** A new section is added to chapter 43.41
30 RCW to read as follows:

31 The education data center must determine and report on amounts
32 constituting undergraduate and graduate educational costs to the
33 several boards of regents and trustees for the state institutions of
34 higher education by November 10th of each even-numbered year.

1 PART IV

2 OFFICE OF STUDENT FINANCIAL ASSISTANCE

3 Sec. 401. RCW 28B.76.090 and 2011 1st sp.s. c 11 s 102 are each
4 amended to read as follows:

5 (1) The office of student financial assistance is created within
6 the council for higher education.

7 (2) The purpose of the office is to administer state and federal
8 financial aid and other education services programs, including the
9 advanced college tuition payment program in chapter 28B.95 RCW, in a
10 cost-effective manner.

11 (3) The office shall employ a deputy director who shall serve at
12 the pleasure of the ((governor)) director of the council for higher
13 education created in RCW 28B.77.005 and shall administer the provisions
14 of this chapter. ((The director shall: (a) Employ necessary deputy
15 and assistant directors and other exempt staff under chapter 41.06 RCW
16 who shall serve at his or her pleasure on such terms and conditions as
17 he or she determines and (b) subject to the provisions of chapter 41.06
18 RCW, appoint and employ such other employees as may be required for the
19 proper discharge of the functions of the office.))

20 PART V

21 REFERENCES TO THE COUNCIL FOR HIGHER EDUCATION

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

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

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

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

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

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

35 (2) A person is guilty of knowingly using a false academic
36 credential if the person knowingly uses a false academic credential or

1 falsely claims to have a credential issued by an institution of higher
2 education that is accredited by an accrediting association recognized
3 as such by rule of the council for higher education (~~coordinating~~
4 ~~board~~):

5 (a) In a written or oral advertisement or other promotion of a
6 business; or

7 (b) With the intent to:

8 (i) Obtain employment;

9 (ii) Obtain a license or certificate to practice a trade,
10 profession, or occupation;

11 (iii) Obtain a promotion, compensation or other benefit, or an
12 increase in compensation or other benefit, in employment or in the
13 practice of a trade, profession, or occupation;

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

15 (v) Gain a position in government with authority over another
16 person, regardless of whether the person receives compensation for the
17 position.

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

20 (a) "False academic credential" means a document that provides
21 evidence or demonstrates completion of an academic or professional
22 course of instruction beyond the secondary level that results in the
23 attainment of an academic certificate, degree, or rank, and that is not
24 issued by a person or entity that: (i) Is an entity accredited by an
25 agency recognized as such by rule of the council for higher education
26 (~~coordinating board~~) or has the international equivalents of such
27 accreditation; or (ii) is an entity authorized as a degree-granting
28 institution by the council for higher education (~~coordinating board~~);
29 or (iii) is an entity exempt from the requirements of authorization as
30 a degree-granting institution by the council for higher education
31 (~~coordinating board~~); or (iv) is an entity that has been granted a
32 waiver by the council for higher education (~~coordinating board~~) from
33 the requirements of authorization by the (~~board~~) council. Such
34 documents include, but are not limited to, academic certificates,
35 degrees, coursework, degree credits, transcripts, or certification of
36 completion of a degree.

37 (b) "Grant" means award, bestow, confer, convey, sell, or give.

1 (c) "Offer," in addition to its usual meanings, means advertise,
2 publicize, or solicit.

3 (d) "Operate" includes but is not limited to the following:

4 (i) Offering courses in person, by correspondence, or by electronic
5 media at or to any Washington location for degree credit;

6 (ii) Granting or offering to grant degrees in Washington;

7 (iii) Maintaining or advertising a Washington location, mailing
8 address, computer server, or telephone number, for any purpose, other
9 than for contact with the institution's former students for any
10 legitimate purpose related to the students having attended the
11 institution.

12 (4) Issuing a false academic credential is a class C felony.

13 (5) Knowingly using a false academic credential is a gross
14 misdemeanor.

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

17 Nothing in this chapter may be construed to prohibit or restrict:

18 (1) The practice of a dental assistant in the discharge of official
19 duties by dental assistants in the United States federal services on
20 federal reservations, including but not limited to the armed services,
21 coast guard, public health service, veterans' bureau, or bureau of
22 Indian affairs;

23 (2) Expanded function dental auxiliary education and training
24 programs approved by the commission and the practice as an expanded
25 function dental auxiliary by students in expanded function dental
26 auxiliary education and training programs approved by the commission,
27 when acting under the direction and supervision of persons licensed
28 under chapter 18.29 or 18.32 RCW;

29 (3) Dental assistant education and training programs, and the
30 practice of dental assisting by students in dental assistant education
31 and training programs approved by the commission or offered at a school
32 approved or licensed by the workforce training and education
33 coordinating board, council for higher education (~~coordinating~~
34 ~~board~~)), state board for community and technical colleges, or
35 Washington state skill centers certified by the office of the
36 superintendent of public instruction, when acting under the direction

1 and supervision of persons registered or licensed under this chapter or
2 chapter 18.29 or 18.32 RCW; or

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

6 **Sec. 503.** RCW 28A.600.280 and 2009 c 450 s 2 are each amended to
7 read as follows:

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

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

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

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

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

28 **Sec. 504.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to
29 read as follows:

30 The superintendent of public instruction, the state board for
31 community and technical colleges, and the council for higher education
32 (~~(coordinating board)~~) shall jointly develop and adopt rules governing
33 RCW 28A.600.300 through 28A.600.380, if rules are necessary. The rules
34 shall be written to encourage the maximum use of the program and shall
35 not narrow or limit the enrollment options under RCW 28A.600.300
36 through 28A.600.380.

1 **Sec. 505.** RCW 28B.07.040 and 1985 c 370 s 49 are each amended to
2 read as follows:

3 The authority is authorized and empowered to do the following, on
4 such terms, with such security and undertakings, subject to such
5 conditions, and in return for such consideration, as the authority
6 shall determine in its discretion to be necessary, useful, or
7 convenient in accomplishing the purposes of this chapter:

8 (1) To promulgate rules in accordance with chapter 34.05 RCW;

9 (2) To adopt an official seal and to alter the same at pleasure;

10 (3) To maintain an office at any place or places as the authority
11 may designate;

12 (4) To sue and be sued in its own name, and to plead and be
13 impleaded;

14 (5) To make and execute agreements with participants and others and
15 all other instruments necessary, useful, or convenient for the
16 accomplishment of the purposes of this chapter;

17 (6) To provide long-term or short-term financing or refinancing to
18 participants for project costs, by way of loan, lease, conditional
19 sales contract, mortgage, option to purchase, or other financing or
20 security device or any such combination;

21 (7) If, in order to provide to participants the financing or
22 refinancing of project costs described in subsection (6) of this
23 section, the authority deems it necessary or convenient for it to own
24 a project or projects or any part of a project or projects, for any
25 period of time, it may acquire, contract, improve, alter, rehabilitate,
26 repair, manage, operate, mortgage, subject to a security interest,
27 lease, sell, or convey the project;

28 (8) To fix, revise from time to time, and charge and collect from
29 participants and others rates, rents, fees, charges, and repayments as
30 necessary to fully and timely reimburse the authority for all expenses
31 incurred by it in providing the financing and refinancing and other
32 services under this section and for the repayment, when due, of all the
33 principal of, redemption premium, if any, and interest on all bonds
34 issued under this chapter to provide the financing, refinancing, and
35 services;

36 (9) To accept and receive funds, grants, gifts, pledges,
37 guarantees, mortgages, trust deeds, and other security instruments, and
38 property from the federal government or the state or other public body,

1 entity, or agency and from any public or private institution,
2 association, corporation, or organization, including participants. It
3 shall not accept or receive from the state or any taxing agency any
4 money derived from taxes, except money to be devoted to the purposes of
5 a project of the state or of a taxing agency;

6 (10) To open and maintain a bank account or accounts in one or more
7 qualified public depositories in this state and to deposit all or any
8 part of authority funds therein;

9 (11) To employ consulting engineers, architects, attorneys,
10 accountants, construction and financial experts, superintendents,
11 managers, an executive director, and such other employees and agents as
12 may be necessary in its judgment to carry out the purposes of this
13 chapter, and to fix their compensation;

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

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

20 (14) To consult with the council for higher education
21 (~~(coordinating board)~~) to determine project priorities under the
22 purposes of this chapter; and

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

25 In the exercise of any of these powers, the authority shall incur
26 no expense or liability which shall be an obligation, either general or
27 special, of the state, or a general obligation of the authority, and
28 shall pay no expense or liability from funds other than funds of the
29 authority. Funds of the state shall not be used for such purpose.

30 **Sec. 506.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to
31 read as follows:

32 The boards of regents of the University of Washington and
33 Washington State University, respectively, and the boards of trustees
34 of Central Washington University, Eastern Washington University,
35 Western Washington University, and The Evergreen State College,
36 respectively, shall have the power and authority to acquire by
37 exchange, gift, purchase, lease, or condemnation in the manner provided

1 by chapter 8.04 RCW for condemnation of property for public use, such
2 lands, real estate and other property, and interests therein as they
3 may deem necessary for the use of said institutions respectively.
4 However, the purchase or lease of major off-campus facilities is
5 subject to the approval of the council for higher education
6 (~~coordinating board~~) under RCW 28B.76.230 (as recodified by this
7 act).

8 **Sec. 507.** RCW 28B.10.053 and 2011 2nd sp.s. c 3 s 1 are each
9 amended to read as follows:

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

35 (2) To the maximum extent possible, institutions of higher
36 education shall agree on examination qualifying scores and demonstrated
37 competencies for the credits or courses under subsection (3) of this

1 section, with scores equivalent to qualified or well-qualified.
2 Nothing in this subsection shall prevent an institution of higher
3 education from adopting policies using higher scores for additional
4 purposes.

5 (3) Each institution of higher education, in designing its
6 certificate, technical degree program, two-year academic transfer
7 program, or freshman and sophomore courses of a baccalaureate program
8 or baccalaureate degree, must recognize the equivalencies of at least
9 one year of course credit and maximize the application of the credits
10 toward lower division general education requirements that can be earned
11 through successfully demonstrating proficiency on examinations,
12 including but not limited to advanced placement and international
13 baccalaureate examinations. The successful completion of the
14 examination and the award of credit shall be noted on the student's
15 college transcript.

16 (4) Each institution of higher education must clearly include in
17 its admissions materials and on its web site the credits or the
18 institution's list of postsecondary courses that can be fulfilled by
19 proficiency examinations or demonstrated competencies and the agreed-
20 upon examination scores and demonstrated competencies that qualify for
21 postsecondary credit. Each institution must provide the information to
22 the council for higher education (~~(coordinating board)~~) and state board
23 for community and technical colleges in a form that the superintendent
24 of public instruction is able to distribute to school districts.

25 **Sec. 508.** RCW 28B.10.118 and 2011 c 108 s 2 are each amended to
26 read as follows:

27 (1) State universities, regional universities, and The Evergreen
28 State College may develop accelerated baccalaureate degree programs
29 that will allow academically qualified students to obtain a
30 baccalaureate degree in three years without attending summer classes or
31 enrolling in more than a full-time class load during the regular
32 academic year. The programs must allow academically qualified students
33 to begin coursework within their academic field during their first term
34 or semester of enrollment.

35 (2) The state universities, regional universities, and The
36 Evergreen State College shall report on their plans for the accelerated

1 baccalaureate degree programs to the council for higher education
2 (~~coordinating board~~) for approval.

3 **Sec. 509.** RCW 28B.10.400 and 2011 1st sp.s. c 47 s 2 are each
4 amended to read as follows:

5 (1) The boards of regents of the state universities, the boards of
6 trustees of the regional universities and of The Evergreen State
7 College, the state board for community and technical colleges, and the
8 council for higher education (~~coordinating board~~) are authorized and
9 empowered:

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

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

34 (c) To pay only to those persons who participate in an annuity or
35 retirement income plan under (a) of this subsection prior to July 1,
36 2011, or to his or her designated beneficiary(s), each year after his
37 or her retirement, a supplemental amount which, when added to the

1 amount of such annuity or retirement income plan, or retirement income
2 benefit pursuant to RCW 28B.10.415, received by the retired person or
3 the retired person's designated beneficiary(s) in such year, will not
4 exceed fifty percent of the average annual salary paid to such retired
5 person for his or her highest two consecutive years of full-time
6 service under an annuity or retirement income plan established pursuant
7 to (a) of this subsection at an institution of higher education:
8 PROVIDED, HOWEVER, That if such retired person prior to retirement
9 elected a supplemental payment survivors option, any such supplemental
10 payments to such retired person or the retired person's designated
11 beneficiary(s) shall be at actuarially reduced rates: PROVIDED
12 FURTHER, That if a faculty member or other employee of an institution
13 of higher education who is a participant in a retirement plan
14 authorized by this section dies, or has died before retirement but
15 after becoming eligible for retirement on account of age, the
16 designated beneficiary(s) shall be entitled to receive the supplemental
17 payment authorized by this subsection to which such designated
18 beneficiary(s) would have been entitled had said deceased faculty
19 member or other employee retired on the date of death after electing a
20 supplemental payment survivors option: PROVIDED FURTHER, That for the
21 purpose of this subsection, the designated beneficiary(s) shall be (i)
22 the surviving spouse of the retiree; or, (ii) with the written consent
23 of such spouse, if any, such other person or persons as shall have an
24 insurable interest in the retiree's life and shall have been nominated
25 by written designation duly executed and filed with the retiree's
26 institution of higher education.

27 (2) Boards are prohibited from offering a purchased annuity or
28 retirement income plan authorized under this section to employees hired
29 on or after July 1, 2011, who have retired or are eligible to retire
30 from a public employees' retirement system described in RCW 41.50.030.
31 The council for higher education (~~coordinating board~~) shall only
32 offer participation in a purchased annuity or retirement income plan
33 authorized under this section to employees who have previously
34 contributed premiums to a similar qualified plan.

35 (3) During the 2011 legislative interim, the select committee on
36 pension policy shall evaluate the suitability and necessity of the
37 annuity and retirement plans authorized under this chapter for
38 employees in various positions within higher education institutions.

1 The select committee shall report its findings, including any
2 recommendations for restrictions on future plan membership, to the ways
3 and means committees of the house of representatives and the senate no
4 later than December 31, 2011.

5 **Sec. 510.** RCW 28B.10.405 and 2011 1st sp.s. c 47 s 3 are each
6 amended to read as follows:

7 Members of the faculties and such other employees exempt from civil
8 service pursuant to RCW 41.06.070 (1)~~((ce))~~ (z) and (2) as are
9 designated by the boards of regents of the state universities, the
10 boards of trustees of the regional universities and of The Evergreen
11 State College, the council for higher education (~~coordinating board~~),
12 or the state board for community and technical colleges who do not opt
13 to become members of the teachers' retirement system or the public
14 employees' retirement system under RCW 41.32.836 or 41.40.798, or who
15 are not prevented from participation in an annuity or retirement plan
16 under RCW 28B.10.400(2) shall be required to contribute not less than
17 five percent of their salaries during each year of full-time service
18 after the first two years of such service toward the purchase of such
19 annuity or retirement income plan; such contributions may be in
20 addition to federal social security tax contributions, if any.

21 **Sec. 511.** RCW 28B.10.410 and 2011 1st sp.s. c 47 s 4 are each
22 amended to read as follows:

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

33 **Sec. 512.** RCW 28B.10.415 and 2011 1st sp.s. c 47 s 5 are each
34 amended to read as follows:

35 The boards of regents of the state universities, the boards of

1 trustees of the regional universities and of The Evergreen State
2 College, the council for higher education (~~coordinating board~~), or
3 the state board for community and technical colleges shall not pay any
4 amount to be added to the annuity or retirement income plan of any
5 retired person who was first hired on or after July 1, 2011, or who has
6 served for less than ten years in one or more of the state institutions
7 of higher education. In the case of persons who have served more than
8 ten years but less than twenty-five years no amount shall be paid in
9 excess of four percent of the amount authorized in RCW
10 28B.10.400(1)(c), multiplied by the number of years of full-time
11 service rendered by such person: PROVIDED, That credit for years of
12 service at an institution of higher education shall be limited to those
13 years in which contributions were made by a faculty member or other
14 employee designated pursuant to RCW 28B.10.400(1)(a) and the
15 institution or the state as a result of which a benefit is being
16 received by a retired person from any Washington state public
17 retirement plan: PROVIDED FURTHER, That all such benefits that a
18 retired person is eligible to receive shall reduce any supplementation
19 payments provided for in RCW 28B.10.400.

20 **Sec. 513.** RCW 28B.10.423 and 2011 1st sp.s. c 47 s 7 are each
21 amended to read as follows:

22 (1) For employees who are first employed by an institution of
23 higher education in a position eligible for participation in an old age
24 annuities or retirement income plan under this chapter prior to July 1,
25 2011, it is the intent of RCW 28B.10.400, 28B.10.405, 28B.10.410,
26 28B.10.415, 28B.10.420, and 28B.10.423 that the retirement income
27 resulting from the contributions described herein from the state of
28 Washington and the employee shall be projected actuarially so that it
29 shall not exceed sixty percent of the average of the highest two
30 consecutive years salary. Periodic review of the retirement systems
31 established pursuant to RCW 28B.10.400, 28B.10.405, 28B.10.410,
32 28B.10.415, 28B.10.420, and 28B.10.423 will be undertaken at such time
33 and in such manner as determined by the committees on ways and means of
34 the senate and of the house of representatives, the select committee on
35 pension policy, and the pension funding council, and joint contribution
36 rates will be adjusted if necessary to accomplish this intent.

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

6 (3) By June 30, 2013, and every two years thereafter, each
7 institution of higher education that is responsible for payment of
8 supplemental amounts under RCW 28B.10.400(1)(c) shall contract with the
9 state actuary under chapter 41.44 RCW for an actuarial valuation of
10 their supplemental benefit plan. By June 30, 2013, and at least once
11 every six years thereafter, each institution shall also contract with
12 the state actuary under chapter 41.44 RCW for an actuarial experience
13 study of the mortality, service, compensation, and other experience of
14 the annuity or retirement income plans created in this chapter, and
15 into the financial condition of each system. At the discretion of the
16 state actuary, the valuation or experience study may be performed by
17 the state actuary or by an outside actuarial firm under contract to the
18 office of the state actuary. Each institution of higher education is
19 required to provide the data and information required for the
20 performance of the valuation or experience study to the office of the
21 state actuary or to the actuary performing the study on behalf of the
22 state actuary. The state actuary may charge each institution for the
23 actual cost of the valuation or experience study through an interagency
24 agreement. Upon completion of the valuation or experience study, the
25 state actuary shall provide copies of the study to the institution of
26 higher education and to the select committee on pension policy and the
27 pension funding council.

28 (4)(a) A higher education retirement plan supplemental benefit fund
29 is created in the custody of the state treasurer for the purpose of
30 funding future benefit obligations of higher education retirement plan
31 supplemental benefits. The state investment board has the full power
32 to invest, reinvest, manage, contract, sell, or exchange investment
33 money in the fund.

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

1 (c) Beginning July 1, 2013, an employer contribution rate of one-
2 half of one percent of salary is established to prefund the unfunded
3 future obligations of the supplemental benefit established in RCW
4 28B.10.400.

5 (d) Consistent with chapter 41.50 RCW, the department of retirement
6 systems shall collect the employer contribution rates established in
7 this section from each state institution of higher education, and
8 deposit those contributions into the higher education retirement plan
9 supplemental benefit fund. The contributions made by each employer
10 into the higher education retirement plan supplemental benefit fund and
11 the earnings on those contributions shall be accounted for separately
12 within the fund.

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

16 (i) Adopt and make changes to the employer contribution rates
17 established in this subsection consistent with the procedures
18 established in chapter 41.45 RCW. If the actuarial valuations of the
19 higher education retirement plans of each institution contributing to
20 the higher education retirement plan supplemental benefit fund suggest
21 that different contribution rates are appropriate for each institution,
22 different rates may be adopted. Rates adopted by the pension funding
23 council are subject to revision by the legislature;

24 (ii) Recommend legislation that will, upon accumulation of
25 sufficient funding in the higher education retirement plan supplemental
26 benefit fund, transfer the responsibility for making supplemental
27 benefit payments to the department of retirement systems, and adjust
28 employer contribution rates to reflect the transfer of responsibility.

29 **Sec. 514.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended
30 to read as follows:

31 The participation rate used to calculate enrollment levels under
32 RCW 28B.10.776 and 28B.10.782 shall be based on fall enrollment
33 reported in the higher education enrollment report as maintained by the
34 office of financial management, fall enrollment as reported in the
35 management information system of the state board for community and
36 technical colleges, and the corresponding fall population forecast by
37 the office of financial management. Formal estimates of the state

1 participation rates and enrollment levels necessary to fulfill the
2 requirements of RCW 28B.10.776 and 28B.10.782 shall be determined by
3 the office of financial management as part of its responsibility to
4 develop and maintain student enrollment forecasts for colleges and
5 universities under RCW 43.62.050. Formal estimates of the state
6 participation rates and enrollment levels required by this section
7 shall be based on procedures and standards established by a technical
8 work group consisting of staff from the council for higher education
9 (~~coordinating board~~), the public four-year institutions of higher
10 education, the state board for community and technical colleges, the
11 fiscal and higher education committees of the house of representatives
12 and the senate, and the office of financial management. Formal
13 estimates of the state participation rates and enrollment levels
14 required by this section shall be submitted to the fiscal committees of
15 the house of representatives and senate on or before November 15th of
16 each even-numbered year. The council for higher education
17 (~~coordinating board~~) shall periodically review the enrollment goals
18 set forth in RCW 28B.10.776 and 28B.10.782 and submit recommendations
19 concerning modification of these goals to the governor and to the
20 higher education committees of the house of representatives and the
21 senate.

22 **Sec. 515.** RCW 28B.10.790 and 2011 1st sp.s. c 11 s 139 are each
23 amended to read as follows:

24 Washington residents attending any nonprofit college or university
25 in another state which has a reciprocity agreement with the state of
26 Washington shall be eligible for the student financial aid program
27 outlined in chapter 28B.92 RCW if (1) they qualify as a "needy student"
28 under RCW 28B.92.030(~~(+5)~~) (4), and (2) the institution attended is a
29 member institution of an accrediting association recognized by rule of
30 the (~~office of student financial assistance~~) council for higher
31 education for the purposes of this section and is specifically
32 encompassed within or directly affected by such reciprocity agreement
33 and agrees to and complies with program rules and regulations
34 pertaining to such students and institutions adopted pursuant to RCW
35 28B.92.150.

1 **Sec. 516.** RCW 28B.12.030 and 2011 1st sp.s. c 11 s 142 are each
2 amended to read as follows:

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

6 (1) The term "needy student" shall mean a student enrolled or
7 accepted for enrollment at a postsecondary institution who, according
8 to a system of need analysis approved by the office of student
9 financial assistance, demonstrates a financial inability, either
10 parental, familial, or personal, to bear the total cost of education
11 for any semester or quarter.

12 (2) The term "eligible institution" shall mean any postsecondary
13 institution in this state accredited by the Northwest Association of
14 Schools and Colleges, or a branch of a member institution of an
15 accrediting association recognized by rule of the (~~board~~) council for
16 higher education for purposes of this section, that is eligible for
17 federal student financial aid assistance and has operated as a
18 nonprofit college or university delivering on-site classroom
19 instruction for a minimum of twenty consecutive years within the state
20 of Washington, or any public technical college in the state.

21 **Sec. 517.** RCW 28B.15.068 and 2011 1st sp.s. c 10 s 7 are each
22 amended to read as follows:

23 (1) By September 1st of each year beginning in 2011, the office of
24 financial management shall report to the governor, the council for
25 higher education (~~coordinating board~~), and appropriate committees of
26 the legislature with updated estimates of:

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

30 (b) The tuition that represents the sixtieth percentile of resident
31 undergraduate tuition for similar institutions of higher education in
32 the global challenge states.

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

1 shall determine if changes to the list of global challenge states are
2 appropriate. The office of financial management shall report its
3 findings to the governor and the legislature.

4 (3) Institutions of higher education, in collaboration with
5 relevant student associations, shall aim to have all students who can
6 benefit from available tax credits that mitigate the costs of higher
7 education take advantage of these opportunities. These tax credits
8 include the American opportunity tax credit provided in the American
9 recovery and reinvestment act of 2009, the lifetime learning credit,
10 and other relevant tax credits for as long as they are available.

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

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

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

23 (5) In the event that the economic value of the American
24 opportunity tax credit is reduced or expires at any time before
25 December 31, 2012, institutions of higher education shall:

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

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

1 **Sec. 518.** RCW 28B.15.068 and 2011 1st sp.s. c 50 s 928 are each
2 amended to read as follows:

3 (1) Beginning with the 2007-08 academic year and ending with the
4 2016-17 academic year, tuition fees charged to full-time resident
5 undergraduate students, except in academic years 2009-10 and 2010-11,
6 may increase no greater than seven percent over the previous academic
7 year in any institution of higher education. Annual reductions or
8 increases in full-time tuition fees for resident undergraduate students
9 shall be as provided in the omnibus appropriations act, within the
10 seven percent increase limit established in this section. For academic
11 years 2009-10 and 2010-11 the omnibus appropriations act may provide
12 tuition increases greater than seven percent. To the extent that state
13 appropriations combined with tuition and fee revenues are insufficient
14 to achieve the total per-student funding goals established in
15 subsection (2) of this section, the legislature may revisit state
16 appropriations, authorized enrollment levels, and changes in tuition
17 fees for any given fiscal year. In order to facilitate the full
18 implementation of chapter 10, Laws of 2011 1st sp. sess. for the
19 2011-12 academic year and thereafter, the institutions of higher
20 education are authorized to adopt tuition levels that are less than,
21 equal to, or greater than the tuition levels assumed in the omnibus
22 appropriations act, subject to the conditions and limitations in this
23 chapter and the omnibus appropriations act.

24 (2) The state shall adopt as its goal total per-student funding
25 levels, from state appropriations plus tuition and fees, of at least
26 the sixtieth percentile of total per-student funding at similar public
27 institutions of higher education in the global challenge states. In
28 defining comparable per-student funding levels, the office of financial
29 management shall adjust for regional cost-of-living differences; for
30 differences in program offerings and in the relative mix of lower
31 division, upper division, and graduate students; and for accounting and
32 reporting differences among the comparison institutions. The office of
33 financial management shall develop a funding trajectory for each four-
34 year institution of higher education and for the community and
35 technical college system as a whole that when combined with tuition and
36 fees revenue allows the state to achieve its funding goal for each
37 four-year institution and the community and technical college system as
38 a whole no later than fiscal year 2017. The state shall not reduce

1 enrollment levels below fiscal year 2007 budgeted levels in order to
2 improve or alter the per-student funding amount at any four-year
3 institution of higher education or the community and technical college
4 system as a whole. The state recognizes that each four-year
5 institution of higher education and the community and technical college
6 system as a whole have different funding requirements to achieve
7 desired performance levels, and that increases to the total per-student
8 funding amount may need to exceed the minimum funding goal.

9 (3) By September 1st of each year beginning in 2008, the office of
10 financial management shall report to the governor, the council for
11 higher education (~~coordinating board~~), and appropriate committees of
12 the legislature with updated estimates of the total per-student funding
13 level that represents the sixtieth percentile of funding for comparable
14 institutions of higher education in the global challenge states, and
15 the progress toward that goal that was made for each of the public
16 institutions of higher education.

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

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

30 **Sec. 519.** RCW 28B.15.102 and 2011 1st sp.s. c 10 s 6 are each
31 amended to read as follows:

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

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

7 (a) Subtract from the full-time tuition fees an amount that is
8 equal to the maximum amount of a state need grant award that would be
9 given to an eligible student with a family income at or below fifty
10 percent of the state's median family income as determined by the
11 council for higher education (~~coordinating board~~); and

12 (b) Offset the remainder as follows:

13 (i) Students with demonstrated need whose family incomes are at or
14 below fifty percent of the state's median family income shall receive
15 financial aid equal to one hundred percent of the remainder if an
16 institution's full-time tuition fees for resident undergraduate
17 students is five percent or greater of the state's median family income
18 for a family of four as provided by the council for higher education
19 (~~coordinating board~~);

20 (ii) Students with demonstrated need whose family incomes are
21 greater than fifty percent and no more than seventy percent of the
22 state's median family income shall receive financial aid equal to
23 seventy-five percent of the remainder if an institution's full-time
24 tuition fees for resident undergraduate students is ten percent or
25 greater of the state's median family income for a family of four as
26 provided by the council for higher education (~~coordinating board~~);

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

34 (iv) Students with demonstrated need whose family incomes are at or
35 exceed one hundred percent and are no more than one hundred twenty-five
36 percent of the state's median family income shall receive financial aid
37 equal to twenty-five percent of the remainder if an institution's
38 full-time tuition fees for resident undergraduate students is twenty

1 percent or greater of the state's median family income for a family of
2 four as provided by the council for higher education (~~coordinating~~
3 ~~board~~)).

4 (3) The financial aid required in subsection (2) of this section
5 shall:

- 6 (a) Be reduced by the amount of other financial aid awards, not
7 including the state need grant;
- 8 (b) Be prorated based on credit load; and
- 9 (c) Only be provided to students up to demonstrated need.

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

- 11 (a) Tuition revenue or locally held funds;
- 12 (b) Tuition waivers created by a four-year institution of higher
13 education for the specific purpose of serving low and middle-income
14 students; or
- 15 (c) Local financial aid programs.

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

19 (6) By August 15, 2012, and August 15th every year thereafter,
20 four-year institutions of higher education shall report to the governor
21 and relevant committees of the legislature on the effectiveness of the
22 various sources and methods of financial aid in mitigating tuition
23 increases. A key purpose of these reports is to provide information
24 regarding the results of the decision to grant tuition-setting
25 authority to the four-year institutions of higher education and whether
26 tuition setting authority should continue to be granted to the
27 institutions or revert back to the legislature after consideration of
28 the impacts on students, including educational access, affordability,
29 and quality. These reports shall include:

- 30 (a) The amount of additional financial aid provided to middle-
31 income and low-income students with demonstrated need in the aggregate
32 and per student;
- 33 (b) An itemization of the sources and methods of financial aid
34 provided by the four-year institution of higher education in the
35 aggregate and per student;
- 36 (c) An analysis of the combined impact of federal tuition tax
37 credits and financial aid provided by the institution of higher

1 education on the net cost to students and their families resulting from
2 tuition increases;

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

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

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

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

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

20 (7) Beginning in the 2012-13 academic year, the University of
21 Washington shall enroll during each academic year at least the same
22 number of resident freshman undergraduate students at the Seattle
23 campus, as defined in RCW 28B.15.012, as enrolled during the 2009-10
24 academic year. This requirement shall not apply to nonresident
25 undergraduate and graduate and professional students.

26 **Sec. 520.** RCW 28B.15.460 and 1997 c 5 s 2 are each amended to read
27 as follows:

28 (1) An institution of higher education shall not grant any waivers
29 for the purpose of achieving gender equity until the 1991-92 academic
30 year, and may grant waivers for the purpose of achieving gender equity
31 in intercollegiate athletic programs as authorized in RCW 28B.15.740,
32 for the 1991-92 academic year only if the institution's governing board
33 has adopted a plan for complying with the provisions of RCW 28B.15.455
34 and submitted the plan to the council for higher education
35 (~~coordinating board~~)).

36 (2)(a) Beginning in the 1992-93 academic year, an institution of
37 higher education shall not grant any waiver for the purpose of

1 achieving gender equity in intercollegiate athletic programs as
2 authorized in RCW 28B.15.740 unless the institution's plan has been
3 approved by the council for higher education (~~coordinating board~~)).

4 (b) Beginning in the 1999-2000 academic year, an institution that
5 did not provide, by June 30, 1998, athletic opportunities for an
6 historically underrepresented gender class at a rate that meets or
7 exceeds the current rate at which that class participates in high
8 school athletics in Washington state shall have a new institutional
9 plan approved by the council for higher education (~~coordinating~~
10 ~~board~~)) before granting further waivers.

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

17 (3) The plan shall include, but not be limited to:

18 (a) For any institution with an historically underrepresented
19 gender class described in subsection (2)(b) of this section, provisions
20 that ensure that by July 1, 2000, the institution shall provide
21 athletic opportunities for the underrepresented gender class at a rate
22 that meets or exceeds the current rate at which that class participates
23 in high school interscholastic athletics in Washington state not to
24 exceed the point at which the underrepresented gender class is no
25 longer underrepresented;

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

30 (c) Activities to be undertaken by the institution to increase
31 participation rates of any underrepresented gender class in
32 interscholastic and intercollegiate athletics. These activities may
33 include, but are not limited to: Sponsoring equity conferences,
34 coaches clinics and sports clinics; and taking a leadership role in
35 working with athletic conferences to reduce barriers to participation
36 by those gender classes in interscholastic and intercollegiate
37 athletics;

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

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

5 **Sec. 521.** RCW 28B.15.760 and 2011 1st sp.s. c 11 s 155 are each
6 reenacted and amended to read as follows:

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

9 (1) (~~("Board" means the higher education coordinating board.~~
10 ~~+2+)) "Borrower" means an eligible student who has received a loan~~
11 under RCW 28B.15.762.

12 (2) "Council" means the council for higher education.

13 (3) "Eligible student" means a student registered for at least ten
14 credit hours or the equivalent and demonstrates achievement of a 3.00
15 grade point average for each academic year, who is a resident student
16 as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy
17 student" as defined in RCW 28B.92.030, and who has a declared major in
18 a program leading to a degree in teacher education in a field of
19 science or mathematics, or a certificated teacher who meets the same
20 credit hour and "needy student" requirements and is seeking an
21 additional degree in science or mathematics.

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

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

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

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

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

34 **Sec. 522.** RCW 28B.30.515 and 2011 c 321 s 1 are each amended to
35 read as follows:

36 (1) The legislature finds that access to baccalaureate and graduate

1 degree programs continues to be limited for residents of north
2 Snohomish, Island, and Skagit counties. Studies conducted by the state
3 board for community and technical colleges, the higher education
4 coordinating board, and the council of presidents confirm that
5 enrollment in higher education compared to demand in this geographic
6 region lags behind enrollment in other parts of the state, particularly
7 for upper-division courses leading to advanced degrees.

8 (2) The legislature also finds that access to high employer demand
9 programs of study is imperative for the state's global competitiveness
10 and economic prosperity, particularly those degrees in the science,
11 technology, engineering, and mathematics (STEM) fields that align with
12 the workforce skill demands of the regional economy, that support the
13 aerospace industry, and provide skilled undergraduate and
14 graduate-degree engineers required by the largest employers in the
15 aerospace industry cluster.

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

21 (4) Management and leadership of the University Center of North
22 Puget Sound is assigned to Washington State University to meet the
23 needs of the Everett metropolitan area and the north Snohomish, Island,
24 and Skagit county region and the state of Washington for baccalaureate
25 and graduate degrees offered by a state university. The chief
26 executive officer of the University Center of North Puget Sound is the
27 director who reports to the president of Washington State University.
28 The director shall manage the activities and logistics of operating the
29 center, make policy and planning recommendations to the council in
30 subsection (5) of this section, and implement decisions of the council.

31 (5)(a) Washington State University and Everett Community College
32 must collaborate with community leaders, and other four-year
33 institutions of higher education that offer programs at the University
34 Center of North Puget Sound to serve the varied interests of students
35 in the region. To this end, a coordinating and planning council must
36 be established to be responsible for long-range and strategic planning,
37 interinstitutional collaboration, collaboration with the community

1 served, and dispute resolution for the center. The following
2 individuals shall comprise the coordinating and planning council:

3 (i) The president of Washington State University, or his or her
4 designee;

5 (ii) The provost of Washington State University, or his or her
6 designee;

7 (iii) The president of Everett Community College;

8 (iv) Two representatives of two other institutions of higher
9 education that offer baccalaureate or graduate degree programs at the
10 center;

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

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

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

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

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

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

34 (b) Center partners must implement the strategic plan with careful
35 attention to the academic and professional standards established and
36 maintained by each institution and by the appropriate accrediting
37 bodies, and to the historic role of each institution's governing board
38 in setting policy.

1 (c) The strategic plan must address expansion of the range and
2 depth of educational opportunities in the region and include strategies
3 that:

4 (i) Build upon baccalaureate and graduate degree offerings at the
5 center;

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

8 (iii) Meet employers' needs for skilled workers by expanding high
9 employer demand programs of study as defined in RCW 28B.50.030, with an
10 initial and ongoing emphasis by Washington State University on
11 undergraduate and graduate science, technology, mathematics, and
12 engineering degree programs, including a variety of engineering
13 disciplines such as civil, mechanical, aeronautical, and aerospace
14 manufacturing;

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

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

19 (d) The strategic plan must be completed by December 1, 2012, and
20 submitted to the legislature for review. The strategic plan shall be
21 considered approved if the legislature does not take further action on
22 the strategic plan during the 2013 legislative session. The transfer
23 of the responsibility for the management and operation of the
24 University Center of North Puget Sound to Washington State University
25 must occur by July 1, 2014.

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

30 (b) Each institution shall abide by the guidelines for university
31 centers adopted by the council for higher education (~~coordinating~~
32 ~~board~~)).

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

35 (d) The coordinating council described in subsection (5) of this
36 section shall establish a process for prioritizing new programs and
37 revising existing programs that facilitates timeliness of new

1 offerings, recognizes the internal processes of the proposing
2 institutions, and addresses each proposal's fit with the needs of the
3 region.

4 (8)(a) Washington State University shall review center expansion
5 needs and consider capital facilities funding at least annually.
6 Washington State University and Everett Community College must
7 cooperate in preparing funding requests and bond financing for
8 submission to the legislature on behalf of development at the center,
9 in accordance with each institution's process and priorities for
10 advancing legislative requests.

11 (b) Washington State University shall design, construct, and manage
12 any facility developed at the center. Any facility developed at the
13 center with Everett Community College capital funding must be designed
14 by Everett Community College in consultation with Washington State
15 University. Building construction may be managed by Washington State
16 University via an interagency agreement which details responsibility
17 and associated costs. Building operations and management for all
18 facilities at the center must be governed by the infrastructure and
19 operating cost allocation method described in subsection (9) of this
20 section.

21 (9) Washington State University has responsibility for
22 infrastructure development and maintenance for the center. All
23 infrastructure operating and maintenance costs are to be shared in what
24 is deemed to be an equitable and fair manner based on space allocation,
25 special cost, and other relevant considerations. Washington State
26 University may make infrastructure development and maintenance
27 decisions in consultation with the council described in subsection (5)
28 of this section.

29 (10) In the event that conflict cannot be resolved through the
30 coordinating council described in subsection (5) of this section the
31 council for higher education (~~(coordinating board)~~) dispute resolution
32 must be employed.

33 **Sec. 523.** RCW 28B.45.014 and 2011 c 208 s 1 are each amended to
34 read as follows:

35 (1) The primary mission of the higher education branch campuses
36 created under this chapter remains to expand access to baccalaureate
37 and graduate education in underserved urban areas of the state in

1 collaboration with community and technical colleges. The top priority
2 for each of the campuses is to expand courses and degree programs for
3 transfer and graduate students. New degree programs should be driven
4 by the educational needs and demands of students and the community, as
5 well as the economic development needs of local businesses and
6 employers.

7 (2) Branch campuses shall collaborate with the community and
8 technical colleges in their region to develop articulation agreements,
9 dual admissions policies, and other partnerships to ensure that branch
10 campuses serve as innovative models of a two plus two educational
11 system. Other possibilities for collaboration include but are not
12 limited to joint development of curricula and degree programs,
13 colocation of instruction, and arrangements to share faculty.

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

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

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

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

1 (7) The council for higher education (~~coordinating board~~) shall
2 monitor and evaluate growth of the branch campuses and periodically
3 report and make recommendations to the higher education committees of
4 the legislature to ensure the campuses continue to follow the
5 priorities established under this chapter.

6 **Sec. 524.** RCW 28B.45.020 and 2005 c 258 s 3 are each amended to
7 read as follows:

8 (1) The University of Washington is responsible for ensuring the
9 expansion of baccalaureate and graduate educational programs in the
10 central Puget Sound area under rules or guidelines adopted by the
11 council for higher education (~~coordinating board~~) and in accordance
12 with proportionality agreements emphasizing access for transfer
13 students developed with the state board for community and technical
14 colleges. The University of Washington shall meet that responsibility
15 through the operation of at least two branch campuses. One branch
16 campus shall be located in the Tacoma area. Another branch campus
17 shall be collocated with Cascadia Community College in the Bothell-
18 Woodinville area.

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

31 (3) At the University of Washington Bothell, a top priority is
32 expansion of upper division capacity for transfer students and graduate
33 capacity and programs. The campus shall also seek additional
34 opportunities to collaborate with and maximize its (~~collocation~~
35 ~~relocation~~) colocation with Cascadia Community College. Beginning
36 in the fall of 2006, the campus may offer lower division courses linked
37 to specific majors in fields not addressed at local community colleges.

1 The campus may admit lower division students through coadmission or
2 coenrollment agreements with a community college, or through direct
3 transfer for students who have accumulated approximately one year of
4 transferable college credits. In addition to offering lower division
5 courses linked to specific majors as addressed above, the campus may
6 also directly admit freshmen and sophomores (~~((gradually—and
7 deliberately in accordance with the campus plan submitted to the higher
8 education coordinating board in 2004))~~).

9 **Sec. 525.** RCW 28B.45.030 and 2006 c 166 s 1 are each amended to
10 read as follows:

11 (1) Washington State University is responsible for providing
12 baccalaureate and graduate level higher education programs to the
13 citizens of the Tri-Cities area, under rules or guidelines adopted by
14 the council for higher education (~~((coordinating—board))~~) and in
15 accordance with proportionality agreements emphasizing access for
16 transfer students developed with the state board for community and
17 technical colleges. Washington State University shall meet that
18 responsibility through the operation of a branch campus in the Tri-
19 Cities area. The branch campus shall replace and supersede the Tri-
20 Cities university center. All land, facilities, equipment, and
21 personnel of the Tri-Cities university center shall be transferred from
22 the University of Washington to Washington State University.

23 (2) (~~((In 2005, the legislature authorized the expansion on a
24 limited basis of Washington State University's branch campus in the
25 Tri-Cities area. The legislature authorized the Tri-Cities branch
26 campus to continue providing innovative coadmission and coenrollment
27 options with Columbia Basin College, and to expand its upper division
28 capacity for transfer students and graduate capacity and programs. The
29 branch campus was given authority beginning in fall 2006 to offer
30 lower division courses linked to specific majors in fields not
31 addressed at the local community colleges. The campus was also
32 authorized to directly admit freshmen and sophomores for a bachelor's
33 degree program in biotechnology subject to approval by the higher
34 education coordinating board. The legislature finds that the Tri-
35 Cities community is very engaged in and committed to exploring the
36 further expansion of Washington State University Tri-Cities branch~~

1 ~~campus into a four-year institution and considers this issue to be a~~
2 ~~top priority for the larger Tri-Cities region.~~

3 ~~(3) Washington State University Tri-Cities shall continue providing~~
4 ~~innovative coadmission and coenrollment options with Columbia Basin~~
5 ~~College, and expand its upper division capacity for transfer students~~
6 ~~and graduate capacity and programs. The campus shall also seek~~
7 ~~additional opportunities to collaborate with the Pacific Northwest~~
8 ~~national laboratory. Beginning in the fall of 2006, the campus may~~
9 ~~offer lower division courses linked to specific majors in fields not~~
10 ~~addressed at local community colleges. The campus may admit lower~~
11 ~~division students through coadmission or coenrollment agreements with~~
12 ~~a community college, or through direct transfer for students who have~~
13 ~~accumulated approximately one year of transferable college credits. In~~
14 ~~addition to offering lower division courses linked to specific majors~~
15 ~~as addressed above, the campus may also directly admit freshmen and~~
16 ~~sophomores for a bachelor's degree program in biotechnology subject to~~
17 ~~approval by the higher education coordinating board.~~

18 ~~(4) The Washington State University Tri-Cities branch campus shall~~
19 ~~develop a plan for expanding into a four-year institution and shall~~
20 ~~identify new degree programs and course offerings focused on areas of~~
21 ~~specific need in higher education that exist in southeastern~~
22 ~~Washington. The branch campus's plan should examine the resources and~~
23 ~~talent available in the Tri-Cities area, including but not limited to~~
24 ~~resources and talent available at the Pacific Northwest national~~
25 ~~laboratory, and how these resources and talent may best be used by the~~
26 ~~Tri-Cities branch campus to expand into a four-year institution. The~~
27 ~~branch campus shall submit its plan to the legislature and the higher~~
28 ~~education coordinating board by November 30, 2006.~~

29 ~~(5)) Beginning in the fall of 2007, the Washington State~~
30 ~~University Tri-Cities branch campus may ((begin, subject to approval by~~
31 ~~the higher education coordinating board, admitting lower division~~
32 ~~students directly into programs beyond the biotechnology field that are~~
33 ~~identified in its plan as being in high need in southeastern~~
34 ~~Washington. Such fields may include but need not be limited to~~
35 ~~science, engineering and technology, biomedical sciences, alternative~~
36 ~~energy, and computational and information sciences. By gradually and~~
37 ~~deliberately admitting freshmen and sophomores in accordance with its~~
38 ~~plan, increasing transfer enrollment, and coadmitting transfer~~

1 ~~students, the campus shall develop into a four-year institution serving~~
2 ~~the southeastern Washington region)) directly admit freshman and~~
3 ~~sophomore students.~~

4 **Sec. 526.** RCW 28B.45.040 and 2005 c 258 s 5 are each amended to
5 read as follows:

6 (1) Washington State University is responsible for providing
7 baccalaureate and graduate level higher education programs to the
8 citizens of the southwest Washington area, under rules or guidelines
9 adopted by the council for higher education (~~coordinating board~~) and
10 in accordance with proportionality agreements emphasizing access for
11 transfer students developed with the state board for community and
12 technical colleges. Washington State University shall meet that
13 responsibility through the operation of a branch campus in the
14 southwest Washington area.

15 (2) Washington State University Vancouver shall expand upper
16 division capacity for transfer students and graduate capacity and
17 programs and continue to collaborate with local community colleges on
18 coadmission and coenrollment programs. In addition, beginning in the
19 fall of 2006, the campus may admit lower division students directly.
20 By simultaneously admitting freshmen and sophomores, increasing
21 transfer enrollment, coadmitting transfer students, and expanding
22 graduate and professional programs, the campus shall develop into a
23 four-year institution serving the southwest Washington region.

24 **Sec. 527.** RCW 28B.45.080 and 2004 c 57 s 5 are each amended to
25 read as follows:

26 The (~~higher education coordinating board~~) state board for
27 community and technical colleges and the council for higher education
28 shall adopt performance measures to ensure a collaborative partnership
29 between the community and technical colleges and the branch campuses.
30 The partnership shall be one in which the community and technical
31 colleges prepare students for transfer to the upper-division programs
32 of the branch campuses and the branch campuses work with community and
33 technical colleges to enable students to transfer and obtain degrees
34 efficiently.

1 **Sec. 528.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and
2 2009 c 64 s 3 are each reenacted and amended to read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Adult education" means all education or instruction, including
6 academic, vocational education or training, basic skills and literacy
7 training, and "occupational education" provided by public educational
8 institutions, including common school districts for persons who are
9 eighteen years of age and over or who hold a high school diploma or
10 certificate. However, "adult education" shall not include academic
11 education or instruction for persons under twenty-one years of age who
12 do not hold a high school degree or diploma and who are attending a
13 public high school for the sole purpose of obtaining a high school
14 diploma or certificate, nor shall "adult education" include education
15 or instruction provided by any four-year public institution of higher
16 education.

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

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

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

26 (3) "Board" means the workforce training and education coordinating
27 board.

28 (4) "Board of trustees" means the local community and technical
29 college board of trustees established for each college district within
30 the state.

31 (5) "Center of excellence" means a community or technical college
32 designated by the college board as a statewide leader in
33 industry-specific, community and technical college workforce education
34 and training.

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

37 (7) "Common school board" means a public school district board of
38 directors.

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

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

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

15 (11) "Dislocated salmon fishing worker" means a finfish products
16 worker who: (a)(i) Has been terminated or received notice of
17 termination from employment and is unlikely to return to employment in
18 the individual's principal occupation or previous industry because of
19 a diminishing demand for his or her skills in that occupation or
20 industry; or (ii) is self-employed and has been displaced from his or
21 her business because of the diminishing demand for the business's
22 services or goods; and (b) at the time of last separation from
23 employment, resided in or was employed in a rural natural resources
24 impact area.

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

27 (13) "Forest products worker" means a worker in the forest products
28 industries affected by the reduction of forest fiber enhancement,
29 transportation, or production. The workers included within this
30 definition shall be determined by the employment security department,
31 but shall include workers employed in the industries assigned the major
32 group standard industrial classification codes "24" and "26" and the
33 industries involved in the harvesting and management of logs,
34 transportation of logs and wood products, processing of wood products,
35 and the manufacturing and distribution of wood processing and logging
36 equipment. The commissioner may adopt rules further interpreting these
37 definitions. For the purposes of this subsection, "standard industrial
38 classification code" means the code identified in RCW 50.29.025(3).

1 (14) "High employer demand program of study" means an
2 apprenticeship, or an undergraduate or graduate certificate or degree
3 program in which the number of students prepared for employment per
4 year from in-state institutions is substantially less than the number
5 of projected job openings per year in that field, statewide or in a
6 substate region.

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

9 (16) "Occupational education" means education or training that will
10 prepare a student for employment that does not require a baccalaureate
11 degree, and education and training that will prepare a student for
12 transfer to bachelor's degrees in professional fields, subject to rules
13 adopted by the college board.

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

15 (a) Washington public community and technical colleges;

16 (b) Private career schools that are members of an accrediting
17 association recognized by rule of the council for higher education
18 (~~coordinating board~~) for the purposes of chapter 28B.92 RCW; and

19 (c) Washington state apprenticeship and training council-approved
20 apprenticeship programs.

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

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

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

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

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

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

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

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

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

3 (e) An unemployment rate twenty percent or more above the state
4 average. The counties that meet these criteria shall be determined by
5 the employment security department for the most recent year for which
6 data is available. For the purposes of administration of programs
7 under this chapter, the United States post office five-digit zip code
8 delivery areas will be used to determine residence status for
9 eligibility purposes. For the purpose of this definition, a zip code
10 delivery area of which any part is ten miles or more from an urbanized
11 area is considered nonurbanized. A zip code totally surrounded by zip
12 codes qualifying as nonurbanized under this definition is also
13 considered nonurbanized. The office of financial management shall make
14 available a zip code listing of the areas to all agencies and
15 organizations providing services under this chapter.

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

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

25 (22) "Technical college" includes those higher education
26 institutions with the mission of conducting occupational education,
27 basic skills, literacy programs, and offering on short notice, when
28 appropriate, programs that meet specific industry needs. For purposes
29 of this chapter, technical colleges shall include Lake Washington
30 Vocational-Technical Institute, Renton Vocational-Technical Institute,
31 Bates Vocational-Technical Institute, Clover Park Vocational Institute,
32 and Bellingham Vocational-Technical Institute.

33 **Sec. 529.** RCW 28B.50.140 and 2010 c 51 s 4 are each amended to
34 read as follows:

35 Each board of trustees:

36 (1) Shall operate all existing community and technical colleges in
37 its district;

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

4 (3) Shall employ for a period to be fixed by the board a college
5 president for each community and technical college and, may appoint a
6 president for the district, and fix their duties and compensation,
7 which may include elements other than salary. Compensation under this
8 subsection shall not affect but may supplement retirement, health care,
9 and other benefits that are otherwise applicable to the presidents as
10 state employees. The board shall also employ for a period to be fixed
11 by the board members of the faculty and such other administrative
12 officers and other employees as may be necessary or appropriate and fix
13 their salaries and duties. Compensation and salary increases under
14 this subsection shall not exceed the amount or percentage established
15 for those purposes in the state appropriations act by the legislature
16 as allocated to the board of trustees by the state board for community
17 and technical colleges. The state board for community and technical
18 colleges shall adopt rules defining the permissible elements of
19 compensation under this subsection;

20 (4) May establish, under the approval and direction of the college
21 board, new facilities as community needs and interests demand.
22 However, the authority of boards of trustees to purchase or lease major
23 off-campus facilities shall be subject to the approval of the council
24 for higher education (~~(coordinating board)~~) pursuant to RCW 28B.76.230
25 (as recodified by this act);

26 (5) May establish or lease, operate, equip and maintain
27 dormitories, food service facilities, bookstores and other self-
28 supporting facilities connected with the operation of the community and
29 technical college;

30 (6) May, with the approval of the college board, borrow money and
31 issue and sell revenue bonds or other evidences of indebtedness for the
32 construction, reconstruction, erection, equipping with permanent
33 fixtures, demolition and major alteration of buildings or other capital
34 assets, and the acquisition of sites, rights-of-way, easements,
35 improvements or appurtenances, for dormitories, food service
36 facilities, and other self-supporting facilities connected with the
37 operation of the community and technical college in accordance with the
38 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

1 (7) May establish fees and charges for the facilities authorized
2 hereunder, including reasonable rules and regulations for the
3 government thereof, not inconsistent with the rules of the college
4 board; each board of trustees operating a community and technical
5 college may enter into agreements, subject to rules of the college
6 board, with owners of facilities to be used for housing regarding the
7 management, operation, and government of such facilities, and any board
8 entering into such an agreement may:

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

11 (b) Employ necessary employees to govern, manage and operate the
12 same;

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

22 (9) May establish and maintain night schools whenever in the
23 discretion of the board of trustees it is deemed advisable, and
24 authorize classrooms and other facilities to be used for summer or
25 night schools, or for public meetings and for any other uses consistent
26 with the use of such classrooms or facilities for community and
27 technical college purposes;

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

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

34 (12) May grant to every student, upon graduation or completion of
35 a course of study, a suitable diploma, degree, or certificate under the
36 rules of the state board for community and technical colleges that are
37 appropriate to their mission. The purposes of these diplomas,
38 certificates, and degrees are to lead individuals directly to

1 employment in a specific occupation or prepare individuals for a
2 bachelor's degree or beyond. Technical colleges may only offer
3 transfer degrees that prepare students for bachelor's degrees in
4 professional fields, subject to rules adopted by the college board. In
5 adopting rules, the college board, where possible, shall create
6 consistency between community and technical colleges and may address
7 issues related to tuition and fee rates; tuition waivers; enrollment
8 counting, including the use of credits instead of clock hours; degree
9 granting authority; or any other rules necessary to offer the associate
10 degrees that prepare students for transfer to bachelor's degrees in
11 professional areas. Only ((pilot)) colleges under RCW 28B.50.810 may
12 award baccalaureate degrees. The board, upon recommendation of the
13 faculty, may also confer honorary associate of arts degrees upon
14 persons other than graduates of the community college, in recognition
15 of their learning or devotion to education, literature, art, or
16 science. No degree may be conferred in consideration of the payment of
17 money or the donation of any kind of property;

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

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

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

36 (16) Notwithstanding any other provision of law, may offer
37 educational services on a contractual basis other than the tuition and
38 fee basis set forth in chapter 28B.15 RCW for a special fee to private

1 or governmental entities, consistent with rules adopted by the state
2 board for community and technical colleges: PROVIDED, That the whole
3 of such special fee shall go to the college district and be not less
4 than the full instructional costs of such services including any salary
5 increases authorized by the legislature for community and technical
6 college employees during the term of the agreement: PROVIDED FURTHER,
7 That enrollments generated hereunder shall not be counted toward the
8 official enrollment level of the college district for state funding
9 purposes;

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

24 (18) Shall be authorized to pay dues to any association of trustees
25 that may be formed by the various boards of trustees; such association
26 may expend any or all of such funds to submit biennially, or more often
27 if necessary, to the governor and to the legislature, the
28 recommendations of the association regarding changes which would affect
29 the efficiency of such association;

30 (19) May participate in higher education centers and consortia that
31 involve any four-year public or independent college or university((+
32 ~~PROVIDED, That new degree programs or off-campus programs offered by a~~
33 ~~four-year public or independent college or university in collaboration~~
34 ~~with a community or technical college are subject to approval by the~~
35 ~~higher education coordinating board under RCW 28B.76.230)));~~

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

1 (21) May confer honorary associate of arts degrees upon persons who
2 request an honorary degree if they were students at the college in 1942
3 and did not graduate because they were ordered into an internment camp.
4 The honorary degree may also be requested by a representative of
5 deceased persons who meet these requirements. For the purposes of this
6 subsection, "internment camp" means a relocation center to which
7 persons were ordered evacuated by Presidential Executive Order 9066,
8 signed on February 19, 1942.

9 **Sec. 530.** RCW 28B.50.810 and 2010 c 245 s 3 are each amended to
10 read as follows:

11 (1) The college board may select community or technical colleges to
12 develop and offer programs of study leading to applied baccalaureate
13 degrees. Colleges may submit applications to the college board. The
14 college board and the council for higher education (~~coordinating~~
15 ~~board~~) shall review the applications and select the colleges using
16 objective criteria, including, but not limited to:

17 (a) The college demonstrates the capacity to make a long-term
18 commitment of resources to build and sustain a high quality program;

19 (b) The college has or can readily engage faculty appropriately
20 qualified to develop and deliver a high quality curriculum at the
21 baccalaureate level;

22 (c) The college can demonstrate demand for the proposed program
23 from a sufficient number of students within its service area to make
24 the program cost-effective and feasible to operate;

25 (d) The college can demonstrate that employers demand the level of
26 technical training proposed within the program, making it cost-
27 effective for students to seek the degree; and

28 (e) The proposed program fills a gap in options available for
29 students because it is not offered by a public four-year institution of
30 higher education in the college's geographic area.

31 (2) A college selected under this section may develop the
32 curriculum for and design and deliver courses leading to an applied
33 baccalaureate degree. However, degree programs developed under this
34 section are subject to approval by the college board under RCW
35 28B.50.090 (~~and by the higher education coordinating board under RCW~~
36 ~~28B.76.230 before a college may enroll students in upper division~~
37 ~~courses~~).

1 **Sec. 531.** RCW 28B.50.820 and 2005 c 258 s 12 are each amended to
2 read as follows:

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

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

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

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

24 **Sec. 532.** RCW 28B.65.040 and 1995 c 399 s 29 are each amended to
25 read as follows:

26 (1) The Washington high-technology coordinating board is hereby
27 created.

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

29 (a) Eleven shall be citizen members appointed by the governor, with
30 the consent of the senate, for four-year terms. In making the
31 appointments the governor shall ensure that a balanced geographic
32 representation of the state is achieved and shall attempt to choose
33 persons experienced in high-technology fields, including at least one
34 representative of labor. Any person appointed to fill a vacancy
35 occurring before a term expires shall be appointed only for the
36 remainder of that term; and

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

11 (3) Members of the board shall not receive any salary for their
12 services, but shall be reimbursed for travel expenses under RCW
13 43.03.050 and 43.03.060 for each day actually spent in attending to
14 duties as a member of the board.

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

18 **Sec. 533.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to
19 read as follows:

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

22 (2) The board shall:

23 (a) Determine the specific high-technology occupational fields in
24 which technical training is needed and advise the institutions of
25 higher education and the council for higher education (~~coordinating~~
26 ~~board~~) on their findings;

27 (b) Identify economic areas and high-technology industries in need
28 of technical training and research and development critical to economic
29 development and advise the institutions of higher education and the
30 council for higher education (~~coordinating board~~) on their findings;

31 (c) Oversee and coordinate the Washington high-technology education
32 and training program to ensure high standards, efficiency, and
33 effectiveness;

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

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

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

13 (g) Work towards increasing private sector participation and
14 contributions in Washington high-technology programs;

15 (h) Identify and evaluate the effectiveness of state sponsored
16 research related to high technology; and

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

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

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

28 **Sec. 534.** RCW 28B.76.250 and 2004 c 55 s 2 are each amended to
29 read as follows:

30 (1) The (~~higher education coordinating board~~) council must
31 convene work groups to develop transfer associate degrees that will
32 satisfy lower division requirements at public four-year institutions of
33 higher education for specific academic majors. Work groups must
34 include representatives from the state board for community and
35 technical colleges and the council of presidents, as well as faculty
36 from two and four-year institutions. Work groups may include
37 representatives from independent four-year institutions.

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

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

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

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

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

28 (7) Beginning January 10, 2005, the (~~higher education coordinating~~
29 ~~board~~) council must submit a progress report on the development of
30 transfer associate degrees to the higher education committees of the
31 house of representatives and the senate. The first progress report
32 must include measurable benchmark indicators to monitor the
33 effectiveness of the initiatives in improving transfer and baseline
34 data for those indicators before the implementation of the initiatives.
35 Subsequent reports must be submitted by January 10 of each odd-numbered
36 year and must monitor progress on the indicators, describe development
37 of additional transfer associate degrees, and provide other data on
38 improvements in transfer efficiency.

1 **Sec. 535.** RCW 28B.85.010 and 1986 c 136 s 1 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout this chapter:

5 (1) (~~("Board")~~) "Council" means the council for higher education
6 (~~(coordinating board)~~).

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

12 (3) "Degree-granting institution" means an entity that offers
13 educational credentials, instruction, or services prerequisite to or
14 indicative of an academic or professional degree beyond the secondary
15 level.

16 **Sec. 536.** RCW 28B.85.020 and 2006 c 234 s 3 are each amended to
17 read as follows:

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

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

25 (i) Be accredited;

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

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

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

32 (b) May investigate any entity the (~~(board)~~) council reasonably
33 believes to be subject to the jurisdiction of this chapter. In
34 connection with the investigation, the (~~(board)~~) council may administer
35 oaths and affirmations, issue subpoenas and compel attendance, take
36 evidence, and require the production of any books, papers,
37 correspondence, memorandums, or other records which the (~~(board)~~)

1 council deems relevant or material to the investigation. The ((~~board~~))
2 council, including its staff and any other authorized persons, may
3 conduct site inspections, the cost of which shall be borne by the
4 institution, and examine records of all institutions subject to this
5 chapter;

6 (c) Shall develop an interagency agreement with the workforce
7 training and education coordinating board to regulate degree-granting
8 private vocational schools with respect to degree and nondegree
9 programs; and

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

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

22 **Sec. 537.** RCW 28B.85.030 and 2003 c 53 s 175 are each amended to
23 read as follows:

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

27 (2) Any person, group, or entity or any owner, officer, agent, or
28 employee of such entity who willfully violates this section is guilty
29 of a gross misdemeanor and shall be punished by a fine not to exceed
30 one thousand dollars or by imprisonment in the county jail for a term
31 not to exceed one year, or by both such fine and imprisonment. Each
32 day on which a violation occurs constitutes a separate violation. The
33 criminal sanctions may be imposed by a court of competent jurisdiction
34 in an action brought by the attorney general of this state.

35 **Sec. 538.** RCW 28B.85.040 and 2006 c 234 s 4 are each amended to
36 read as follows:

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

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

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

17 (a) Any public college, university, community college, technical
18 college, or institute operating as part of the public higher
19 educational system of this state;

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

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

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

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

1 **Sec. 539.** RCW 28B.85.050 and 1986 c 136 s 5 are each amended to
2 read as follows:

3 All degree-granting institutions subject to this chapter shall file
4 information with the ((~~board~~)) council as the ((~~board~~)) council may
5 require.

6 **Sec. 540.** RCW 28B.85.060 and 1986 c 136 s 6 are each amended to
7 read as follows:

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

13 **Sec. 541.** RCW 28B.85.070 and 1986 c 136 s 7 are each amended to
14 read as follows:

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

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

30 (3) Each bond shall:

31 (a) Be executed by the institution as principal and by a corporate
32 surety licensed to do business in the state;

33 (b) Be payable to the state for the benefit and protection of any
34 student or enrollee of an institution, or, in the case of a minor, his
35 or her parents or guardian;

1 (c) Be conditioned on compliance with all provisions of this
2 chapter and the ((~~board's~~)) council's rules adopted under this chapter;

3 (d) Require the surety to give written notice to the ((~~board~~))
4 council at least thirty-five days before cancellation of the bond; and

5 (e) Remain in effect for one year following the effective date of
6 its cancellation or termination as to any obligation occurring on or
7 before the effective date of cancellation or termination.

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

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

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

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

33 (c) After reviewing the claims, the ((~~board~~)) council may make
34 demands upon the bond on behalf of those claimants whose claims have
35 been filed. The ((~~board~~)) council may settle or compromise the claims
36 with the surety and may execute and deliver a release and discharge of
37 the bond.

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

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

8 (6) The liability of the surety shall not exceed the amount of the
9 bond.

10 **Sec. 542.** RCW 28B.85.080 and 1986 c 136 s 8 are each amended to
11 read as follows:

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

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

17 (2) The education to be offered addresses a substantial,
18 demonstrated need among residents of the state or that literal
19 application of this chapter would cause a manifestly unreasonable
20 hardship.

21 **Sec. 543.** RCW 28B.85.090 and 1989 c 175 s 82 are each amended to
22 read as follows:

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

29 (2) The ((~~board~~)) council shall investigate any complaint under
30 this section and may attempt to bring about a settlement. The
31 ((~~board~~)) council may hold a hearing pursuant to the Administrative
32 Procedure Act, chapter 34.05 RCW, in order to determine whether a
33 violation has occurred. If the ((~~board~~)) council prevails, the degree-
34 granting institution shall pay the costs of the administrative hearing.

35 (3) If, after the hearing, the ((~~board~~)) council finds that the
36 institution or its agent engaged in or is engaging in any unfair

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

9 **Sec. 544.** RCW 28B.85.100 and 1986 c 136 s 10 are each amended to
10 read as follows:

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

18 **Sec. 545.** RCW 28B.85.130 and 1986 c 136 s 13 are each amended to
19 read as follows:

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

30 **Sec. 546.** RCW 28B.85.170 and 1986 c 136 s 17 are each amended to
31 read as follows:

32 The ((~~board~~)) council may seek injunctive relief, after giving
33 notice to the affected party, in a court of competent jurisdiction for
34 a violation of this chapter or the rules adopted under this chapter.
35 The ((~~board~~)) council need not allege or prove that the ((~~board~~))

1 council has no adequate remedy at law. The right of injunction
2 provided in this section is in addition to any other legal remedy which
3 the (~~board~~) council has and is in addition to any right of criminal
4 prosecution provided by law. The existence of (~~board~~) council action
5 with respect to alleged violations of this chapter and rules adopted
6 under this chapter does not operate as a bar to an action for
7 injunctive relief under this section.

8 **Sec. 547.** RCW 28B.90.010 and 1993 c 181 s 2 are each amended to
9 read as follows:

10 Unless the context clearly requires otherwise, the definitions in
11 this section apply throughout this chapter.

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

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

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

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

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

25 (3) "Approved branch campus" means a foreign degree-granting
26 institution's branch campus that has been approved by the council for
27 higher education (~~coordinating board~~) to operate in the state.

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

30 (a) Is either owned and operated directly by a foreign degree-
31 granting institution or indirectly through a Washington profit or
32 nonprofit corporation in which the foreign degree-granting institution
33 is the sole or controlling shareholder or member; and

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

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

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

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

9 (5) (~~"Board"~~) "Council" means the council for higher education
10 (~~(coordinating board)~~).

11 **Sec. 548.** RCW 28B.90.020 and 1999 c 85 s 1 are each amended to
12 read as follows:

13 A foreign degree-granting institution that submits evidence
14 satisfactory to the (~~board~~) council of its authorized status in its
15 country of domicile and its intent to establish an educational facility
16 in the state is entitled to operate a branch campus as defined in RCW
17 28B.90.010. Upon receipt of the satisfactory evidence, the (~~board~~)
18 council may certify that the branch campus of the foreign degree-
19 granting institution is approved to operate in the state under this
20 chapter, for as long as the foreign degree-granting institution retains
21 its authorized status in its country of domicile.

22 **Sec. 549.** RCW 28B.90.030 and 1993 c 181 s 4 are each amended to
23 read as follows:

24 A branch campus of a foreign degree-granting institution previously
25 found by the (~~board~~) council to be exempt from chapter 28B.85 RCW may
26 continue to operate in the state. However, within one year of July 25,
27 1993, the institution shall provide evidence of authorization as
28 required under RCW 28B.90.020. Upon receipt of the satisfactory
29 evidence, the (~~board~~) council shall certify that the branch campus of
30 the foreign degree-granting institution is approved to operate in the
31 state under this chapter.

32 **Sec. 550.** RCW 28B.92.030 and 2011 1st sp.s. c 11 s 159 are each
33 amended to read as follows:

34 As used in this chapter:

35 (1) "Council" means the council for higher education.

1 (2) "Disadvantaged student" means a posthigh school student who by
2 reason of adverse cultural, educational, environmental, experiential,
3 familial or other circumstances is unable to qualify for enrollment as
4 a full-time student in an institution of higher education, who would
5 otherwise qualify as a needy student, and who is attending an
6 institution of higher education under an established program designed
7 to qualify the student for enrollment as a full-time student.

8 ((+2)) (3) "Financial aid" means loans and/or grants to needy
9 students enrolled or accepted for enrollment as a student at
10 institutions of higher education.

11 ((+3)) (4) "Institution" or "institutions of higher education"
12 means:

13 (a) Any public university, college, community college, or technical
14 college operated by the state of Washington or any political
15 subdivision thereof; or

16 (b) Any other university, college, school, or institute in the
17 state of Washington offering instruction beyond the high school level
18 which is a member institution of an accrediting association recognized
19 by rule of the ((board)) council for the purposes of this section:
20 PROVIDED, That any institution, branch, extension or facility operating
21 within the state of Washington which is affiliated with an institution
22 operating in another state must be a separately accredited member
23 institution of any such accrediting association, or a branch of a
24 member institution of an accrediting association recognized by rule of
25 the ((board)) council for purposes of this section, that is eligible
26 for federal student financial aid assistance and has operated as a
27 nonprofit college or university delivering on-site classroom
28 instruction for a minimum of twenty consecutive years within the state
29 of Washington, and has an annual enrollment of at least seven hundred
30 full-time equivalent students: PROVIDED FURTHER, That no institution
31 of higher education shall be eligible to participate in a student
32 financial aid program unless it agrees to and complies with program
33 rules and regulations adopted pursuant to RCW 28B.92.150.

34 ((+4)) (5) "Needy student" means a posthigh school student of an
35 institution of higher education who demonstrates to the ((board))
36 office the financial inability, either through the student's parents,
37 family and/or personally, to meet the total cost of board, room, books,
38 and tuition and incidental fees for any semester or quarter. "Needy

1 student" also means an opportunity internship graduate as defined by
2 RCW 28C.18.162 who enrolls in a postsecondary program of study as
3 defined in RCW 28C.18.162 within one year of high school graduation.

4 ~~((+5))~~ (6) "Office" means the office of student financial
5 assistance.

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

12 **Sec. 551.** RCW 28B.92.060 and 2011 1st sp.s. c 11 s 162 and 2011
13 1st sp.s. c 10 s 9 are each reenacted and amended to read as follows:

14 In awarding need grants, the office shall proceed substantially as
15 follows: PROVIDED, That nothing contained herein shall be construed to
16 prevent the office, in the exercise of its sound discretion, from
17 following another procedure when the best interest of the program so
18 dictates:

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

22 (a) Financial need as determined by the amount of the family
23 contribution; and

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

27 (2) The financial need of the highest ranked students shall be met
28 by grants depending upon the evaluation of financial need until the
29 total allocation has been disbursed. Funds from grants which are
30 declined, forfeited or otherwise unused shall be reawarded until
31 disbursed, except that eligible former foster youth shall be assured
32 receipt of a grant. The ~~((board))~~ office, in consultation with four-
33 year institutions of higher education, the council for higher
34 education, and the state board for community and technical colleges,
35 shall develop award criteria and methods of disbursement based on level
36 of need, and not solely rely on a first-come, first-served basis.

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

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

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

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

30 (c) An institution of higher education may award a state need grant
31 to an eligible student enrolled in three to six credit-bearing quarter
32 credits, or the semester equivalent, on a provisional basis if:

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

35 (ii) The student completes the required free application for
36 federal student aid;

37 (iii) The institution has reviewed the student's financial

1 condition, and the financial condition of the student's family if the
2 student is a dependent student, and has determined that the student is
3 likely eligible for a state need grant; and

4 (iv) The student has signed a document attesting to the fact that
5 the financial information provided on the free application for federal
6 student aid and any additional financial information provided directly
7 to the institution is accurate and complete, and that the student
8 agrees to repay the institution for the grant amount if the student
9 submitted false or incomplete information.

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

14 **Sec. 552.** RCW 28B.92.070 and 2004 c 275 s 38 are each amended to
15 read as follows:

16 Under rules adopted by the ((board)) council, the provisions of RCW
17 28B.92.060(3) shall not apply to eligible students, as defined in RCW
18 28B.10.017, and eligible students shall not be required to repay the
19 unused portions of grants received under the state student financial
20 aid program.

21 **Sec. 553.** RCW 28B.92.082 and 2009 c 215 s 3 are each amended to
22 read as follows:

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

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

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

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

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

33 **Sec. 554.** RCW 28B.97.020 and 2011 1st sp.s. c 11 s 175 are each
34 amended to read as follows:

1 The definitions in this section apply throughout this chapter
2 unless the context clearly requires otherwise.

3 (1) "Institution of higher education" means a college or university
4 in the state of Washington that is accredited by an accrediting
5 association recognized as such by rule of the ((~~board~~)) council for
6 higher education.

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

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

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

11 **Sec. 555.** RCW 28B.102.020 and 2011 1st sp.s. c 11 s 176 are each
12 reenacted and amended to read as follows:

13 Unless the context clearly requires otherwise, the definitions in
14 this section apply throughout this chapter.

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

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

20 (b) Other K-12 educational sites in the state of Washington as
21 designated by the ((~~board~~)) council for higher education.

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

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

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

36 (5) "Forgiven" or "to forgive" or "forgiveness" means to render

1 service as a teacher in an approved education program in the state of
2 Washington in lieu of monetary repayment.

3 (6) "Institution of higher education" or "institution" means a
4 college or university in the state of Washington that is accredited by
5 an accrediting association recognized as such by rule of the council
6 for higher education.

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

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

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

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

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

17 (12) "Teacher shortage area" means a shortage of elementary or
18 secondary school teachers in a specific subject area, discipline,
19 classification, or geographic area as defined by the office of the
20 superintendent of public instruction.

21 **Sec. 556.** RCW 28B.109.010 and 2011 1st sp.s. c 11 s 195 are each
22 amended to read as follows:

23 Unless the context clearly requires otherwise, the definitions in
24 this section apply throughout this chapter.

25 (1) "Eligible participant" means an international student whose
26 country of residence has a trade relationship with the state of
27 Washington.

28 (2) "Institution of higher education" or "institution" means a
29 college or university in the state of Washington that is accredited by
30 an accrediting association recognized as such by rule of the ((~~board~~))
31 council for higher education.

32 (3) "Office" means the office of student financial assistance.

33 (4) "Service obligation" means volunteering for a minimum number of
34 hours as established by the ((~~board~~)) council for higher education
35 based on the amount of scholarship award, to speak to or teach groups
36 of Washington citizens, including but not limited to elementary,
37 middle, and high schools, service clubs, and universities.

1 (5) "Washington international exchange scholarship program" means
2 a scholarship award for a period not to exceed one academic year to
3 attend a Washington institution of higher education made to an
4 international student whose country has an established trade
5 relationship with Washington.

6 **Sec. 557.** RCW 28B.110.030 and 1989 c 341 s 3 are each amended to
7 read as follows:

8 In consultation with institutions of higher education, the council
9 for higher education (~~(coordinating board)~~) shall develop rules and
10 guidelines to eliminate possible gender discrimination to students,
11 including sexual harassment, at institutions of higher education as
12 defined in RCW 28B.10.016. The rules and guidelines shall include but
13 not be limited to access to academic programs, student employment,
14 counseling and guidance services, financial aid, recreational
15 activities including club sports, and intercollegiate athletics.

16 (1) With respect to higher education student employment, all
17 institutions shall be required to:

18 (a) Make no differentiation in pay scales on the basis of gender;

19 (b) Assign duties without regard to gender except where there is a
20 bona fide occupational qualification as approved by the Washington
21 human rights commission;

22 (c) Provide the same opportunities for advancement to males and
23 females; and

24 (d) Make no difference in the conditions of employment on the basis
25 of gender in areas including, but not limited to, hiring practices,
26 leaves of absence, and hours of employment.

27 (2) With respect to admission standards, admissions to academic
28 programs shall be made without regard to gender.

29 (3) Counseling and guidance services for students shall be made
30 available to all students without regard to gender. All academic and
31 counseling personnel shall be required to stress access to all career
32 and vocational opportunities to students without regard to gender.

33 (4) All academic programs shall be available to students without
34 regard to gender.

35 (5) With respect to recreational activities, recreational
36 activities shall be offered to meet the interests of students.
37 Institutions which provide the following shall do so with no

1 disparities based on gender: Equipment and supplies; medical care;
2 services and insurance; transportation and per diem allowances;
3 opportunities to receive coaching and instruction; laundry services;
4 assignment of game officials; opportunities for competition, publicity,
5 and awards; and scheduling of games and practice times, including use
6 of courts, gyms, and pools. Each institution which provides showers,
7 toilets, lockers, or training room facilities for recreational purposes
8 shall provide comparable facilities for both males and females.

9 (6) With respect to financial aid, financial aid shall be equitably
10 awarded by type of aid, with no disparities based on gender.

11 (7) With respect to intercollegiate athletics, institutions that
12 provide the following shall do so with no disparities based on gender:

13 (a) Benefits and services including, but not limited to, equipment
14 and supplies; medical services; services and insurance; transportation
15 and per diem allowances; opportunities to receive coaching and
16 instruction; scholarships and other forms of financial aid;
17 conditioning programs; laundry services; assignment of game officials;
18 opportunities for competition, publicity, and awards; and scheduling of
19 games and practice times, including use of courts, gyms, and pools.
20 Each institution which provides showers, toilets, lockers, or training
21 room facilities for athletic purposes shall provide comparable
22 facilities for both males and females.

23 (b) Opportunities to participate in intercollegiate athletics.
24 Institutions shall provide equitable opportunities to male and female
25 students.

26 (c) Male and female coaches and administrators. Institutions shall
27 attempt to provide some coaches and administrators of each gender to
28 act as role models for male and female athletes.

29 (8) Each institution shall develop and distribute policies and
30 procedures for handling complaints of sexual harassment.

31 **Sec. 558.** RCW 28B.110.040 and 2011 1st sp.s. c 11 s 203 are each
32 amended to read as follows:

33 The (~~executive~~) director of the council for higher education
34 (~~coordinating board~~), in consultation with the council of presidents
35 and the state board for community and technical colleges, shall monitor
36 the compliance by institutions of higher education with this chapter.

1 (1) The ((~~board~~)) council shall establish a timetable and
2 guidelines for compliance with this chapter.

3 (2) By November 30, 1990, each institution shall submit to the
4 ((~~board~~)) council for approval a plan to comply with the requirements
5 of RCW 28B.110.030. The plan shall contain measures to ensure
6 institutional compliance with the provisions of this chapter by
7 September 30, 1994. If participation in activities, such as
8 intercollegiate athletics and matriculation in academic programs is not
9 proportionate to the percentages of male and female enrollment, the
10 plan should outline efforts to identify barriers to equal participation
11 and to encourage gender equity in all aspects of college and university
12 life.

13 (3) The ((~~board~~)) council may delegate to the state board for
14 community and technical colleges any or all responsibility for
15 community college compliance with the provisions of this chapter.

16 **Sec. 559.** RCW 28B.116.010 and 2011 1st sp.s. c 11 s 214 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) "Cost of attendance" means the cost associated with the
21 attendance of the institution of higher education as determined by the
22 office of student financial assistance, including but not limited to
23 tuition, room, board, and books.

24 (2) "Eligible student" means a student who:

25 (a) Is between the ages of sixteen and twenty-three;

26 (b) Has been in foster care in the state of Washington for a
27 minimum of six months since his or her fourteenth birthday;

28 (c) Is a financially needy student, as defined in RCW 28B.92.030;

29 (d) Is a resident student, as defined in RCW 28B.15.012(2);

30 (e) Has entered or will enter an institution of higher education in
31 Washington state within three years of high school graduation or having
32 successfully completed his or her GED;

33 (f) Is not pursuing a degree in theology; and

34 (g) Makes satisfactory progress towards the completion of a degree
35 or certificate program.

36 (3) "Institution of higher education" means a college or university

1 in the state of Washington that is accredited by an accrediting
2 association recognized as such by rule of the council for higher
3 education (~~coordinating board~~)).

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

5 **Sec. 560.** RCW 28B.117.020 and 2011 1st sp.s. c 11 s 220 are each
6 amended to read as follows:

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

9 (1) "Cost of attendance" means the cost associated with attending
10 a particular institution of higher education as determined by the
11 office, including but not limited to tuition, fees, room, board, books,
12 personal expenses, and transportation, plus the cost of reasonable
13 additional expenses incurred by an eligible student and approved by a
14 financial aid administrator at the student's school of attendance.

15 (2) "Emancipated from foster care" means a person who was a
16 dependent of the state in accordance with chapter 13.34 RCW and who was
17 receiving foster care in the state of Washington when he or she reached
18 his or her eighteenth birthday.

19 (3) "Financial need" means the difference between a student's cost
20 of attendance and the student's total family contribution as determined
21 by the method prescribed by the United States department of education.

22 (4) "Independent college or university" means a private, nonprofit
23 institution of higher education, open to residents of the state,
24 providing programs of education beyond the high school level leading to
25 at least the baccalaureate degree, and accredited by the Northwest
26 association of schools and colleges, and other institutions as may be
27 developed that are approved by the (~~board~~) council as meeting
28 equivalent standards as those institutions accredited under this
29 section.

30 (5) "Institution of higher education" means:

31 (a) Any public university, college, community college, or technical
32 college operated by the state of Washington or any political
33 subdivision thereof; or

34 (b) Any independent college or university in Washington; or

35 (c) Any other university, college, school, or institute in the
36 state of Washington offering instruction beyond the high school level
37 that is a member institution of an accrediting association recognized

1 by rule of the council for higher education (~~(coordinating board)~~) for
2 the purposes of this section: PROVIDED, That any institution, branch,
3 extension, or facility operating within the state of Washington that is
4 affiliated with an institution operating in another state must be a
5 separately accredited member institution of any such accrediting
6 association, or a branch of a member institution of an accrediting
7 association recognized by rule of the (~~board~~) council for purposes of
8 this section, that is eligible for federal student financial aid
9 assistance and has operated as a nonprofit college or university
10 delivering on-site classroom instruction for a minimum of twenty
11 consecutive years within the state of Washington, and has an annual
12 enrollment of at least seven hundred full-time equivalent students.

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

14 (7) "Program" means the passport to college promise pilot program
15 created in this chapter.

16 **Sec. 561.** RCW 28B.120.010 and 2010 c 245 s 7 are each amended to
17 read as follows:

18 The Washington fund for innovation and quality in higher education
19 program is established. The council for higher education
20 (~~(coordinating board)~~) shall administer the program and shall work in
21 close collaboration with the state board for community and technical
22 colleges and other local and regional entities. Through this program
23 the council for higher education (~~(coordinating board)~~) may award on a
24 competitive basis incentive grants to state public or private nonprofit
25 institutions of higher education or consortia of institutions to
26 encourage programs designed to address specific system problems. Each
27 institution or consortia of institutions receiving the award shall
28 contribute some financial support, either by covering part of the costs
29 for the program during its implementation, or by assuming continuing
30 support at the end of the grant period. Strong priority will be given
31 to proposals that involve more than one sector of education.
32 Institutions are encouraged to solicit nonstate funds to support these
33 cooperative programs.

34 **Sec. 562.** RCW 28B.120.020 and 2011 1st sp.s. c 11 s 235 are each
35 amended to read as follows:

36 The council for higher education (~~(coordinating board)~~) shall have

1 the following powers and duties in administering the program for those
2 proposals in which a four-year institution of higher education is named
3 as the lead institution and fiscal agent:

4 (1) To adopt rules necessary to carry out the program;

5 (2) To award grants no later than September 1st in those years when
6 funding is available by June 30th;

7 (3) To establish each biennium specific guidelines for submitting
8 grant proposals consistent with RCW 28B.120.005 and consistent with the
9 (~~strategic master~~) ten-year statewide plan for higher education, the
10 system design plan, the overall goals of the program and the guidelines
11 established by the state board for community and technical colleges
12 under RCW 28B.120.025.

13 After June 30, 2001, and each biennium thereafter, the (~~board~~)
14 council shall determine funding priorities for proposals for the
15 biennium in consultation with the legislature, the office of the
16 superintendent of public instruction, the state board for community and
17 technical colleges, the workforce training and education coordinating
18 board, higher education institutions, educational associations, and
19 business and community groups consistent with statewide needs;

20 (4) To solicit grant proposals and provide information to the
21 institutions of higher education about the program; and

22 (5) To establish reporting, evaluation, accountability, monitoring,
23 and dissemination requirements for the recipients of the grants awarded
24 by the office of financial management.

25 **Sec. 563.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to
26 read as follows:

27 The state board for community and technical colleges has the
28 following powers and duties in administering the program for those
29 proposals in which a community or technical college is named as the
30 lead institution and fiscal agent:

31 (1) To adopt rules necessary to carry out the program;

32 (2) To establish one or more review committees to assist in the
33 evaluation of proposals for funding. The review committee shall
34 include individuals with significant experience in higher education in
35 areas relevant to one or more of the funding period priorities and
36 shall include representatives from both the four-year and two-year
37 sectors of higher education;

1 (3) To award grants no later than September 1st in those years when
2 funding is available by June 30th;

3 (4) To establish each biennium specific guidelines for submitting
4 grant proposals consistent with the overall goals of the program and
5 consistent with the guidelines established by the council for higher
6 education (~~coordinating board~~) under RCW 28B.120.020. During the
7 1999-01 biennium the guidelines shall be consistent with the following
8 desired outcomes of:

9 (a) Minority and diversity initiatives that encourage the
10 participation of minorities in higher education, including students
11 with disabilities;

12 (b) K-12 teacher preparation models that encourage collaboration
13 between higher education and K-12 to improve the preparedness of
14 teachers, including provisions for higher education faculty involved
15 with teacher preparation to spend time teaching in K-12 schools;

16 (c) Collaborative instructional programs involving K-12, community
17 and technical colleges, and four-year institutions of higher education
18 to develop a three-year degree program, or reduce the time to degree;

19 (d) Contracts with public or private institutions or businesses to
20 provide services or the development of collaborative programs;

21 (e) Articulation and transfer activities to smooth the transfer of
22 students from K-12 to higher education, or from the community colleges
23 and technical colleges to four-year institutions;

24 (f) Projects that further the development of learner-centered,
25 technology-assisted course delivery; and

26 (g) Projects that further the development of competency-based
27 measurements of student achievement to be used as the basis for
28 awarding degrees and certificates;

29 (5) To solicit grant proposals and provide information to the
30 community and technical colleges and private career schools; and

31 (6) To establish reporting, evaluation, accountability, monitoring,
32 and dissemination requirements for the recipients of the grants awarded
33 by the state board for community and technical colleges.

34 **Sec. 564.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to
35 read as follows:

36 The council for higher education (~~coordinating board~~) and the
37 state board for community and technical colleges may solicit and

1 receive such gifts, grants, and endowments from public or private
2 sources as may be made from time to time, in trust or otherwise, for
3 the use and benefit of the purposes of the program and may expend the
4 same or any income therefrom according to the terms of the gifts,
5 grants, or endowments.

6 **Sec. 565.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to
7 read as follows:

8 The council for higher education (~~(coordinating board)~~) fund for
9 innovation and quality is hereby established in the custody of the
10 state treasurer. The council for higher education (~~(coordinating~~
11 ~~board)~~) shall deposit in the fund all moneys received under RCW
12 28B.120.030. Moneys in the fund may be spent only for the purposes of
13 RCW 28B.120.010 and 28B.120.020. Disbursements from the fund shall be
14 on the authorization of the council for higher education (~~(coordinating~~
15 ~~board)~~). The fund is subject to the allotment procedure provided under
16 chapter 43.88 RCW, but no appropriation is required for disbursements.

17 **Sec. 566.** RCW 28C.10.030 and 1994 sp.s. c 9 s 723 are each amended
18 to read as follows:

19 This chapter does not apply to:

20 (1) Bona fide trade, business, professional, or fraternal
21 organizations sponsoring educational programs primarily for that
22 organization's membership or offered by that organization on a no-fee
23 basis;

24 (2) Entities offering education that is exclusively avocational or
25 recreational;

26 (3) Education not requiring payment of money or other consideration
27 if this education is not advertised or promoted as leading toward
28 educational credentials;

29 (4) Entities that are established, operated, and governed by this
30 state or its political subdivisions under Title 28A, 28B, or 28C RCW;

31 (5) Degree-granting programs in compliance with the rules of the
32 council for higher education (~~(coordinating board)~~);

33 (6) Any other entity to the extent that it has been exempted from
34 some or all of the provisions of this chapter under RCW 28C.10.100;

35 (7) Entities not otherwise exempt that are of a religious

1 character, but only as to those educational programs exclusively
2 devoted to religious or theological objectives and represented
3 accurately in institutional catalogs or other official publications;

4 (8) Entities offering only courses certified by the federal
5 aviation administration;

6 (9) Barber and cosmetology schools licensed under chapter 18.16
7 RCW;

8 (10) Entities which only offer courses approved to meet the
9 continuing education requirements for licensure under chapter 18.04,
10 18.79, or 48.17 RCW; and

11 (11) Entities not otherwise exempt offering only workshops or
12 seminars lasting no longer than three calendar days.

13 **Sec. 567.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to
14 read as follows:

15 The agency:

16 (1) Shall maintain a list of private vocational schools licensed
17 under this chapter;

18 (2) Shall adopt rules in accordance with chapter 34.05 RCW to carry
19 out this chapter;

20 (3) May investigate any entity the agency reasonably believes to be
21 subject to the jurisdiction of this chapter. In connection with the
22 investigation, the agency may administer oaths and affirmations, issue
23 subpoenas and compel attendance, take evidence, and require the
24 production of any books, papers, correspondence, memorandums, or other
25 records which the agency deems relevant or material to the
26 investigation. The agency, including its staff and any other
27 authorized persons, may conduct site inspections and examine records of
28 all schools subject to this chapter;

29 (4) Shall develop an interagency agreement with the council for
30 higher education (~~coordinating board~~) to regulate degree-granting
31 private vocational schools with respect to degree and nondegree
32 programs.

33 **Sec. 568.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to
34 read as follows:

35 The purpose of the board is to provide planning, coordination,
36 evaluation, monitoring, and policy analysis for the state training

1 system as a whole, and advice to the governor and legislature
2 concerning the state training system, in cooperation with the state
3 training system and the council for higher education (~~coordinating~~
4 ~~board~~)).

5 **Sec. 569.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to
6 read as follows:

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

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

12 (2) Advocate for the state training system and for meeting the
13 needs of employers and the workforce for workforce education and
14 training;

15 (3) Establish and maintain an inventory of the programs of the
16 state training system, and related state programs, and perform a
17 biennial assessment of the vocational education, training, and adult
18 basic education and literacy needs of the state; identify ongoing and
19 strategic education needs; and assess the extent to which employment,
20 training, vocational and basic education, rehabilitation services, and
21 public assistance services represent a consistent, integrated approach
22 to meet such needs;

23 (4) Develop and maintain a state comprehensive plan for workforce
24 training and education, including but not limited to, goals,
25 objectives, and priorities for the state training system, and review
26 the state training system for consistency with the state comprehensive
27 plan. In developing the state comprehensive plan for workforce
28 training and education, the board shall use, but shall not be limited
29 to: Economic, labor market, and populations trends reports in office
30 of financial management forecasts; joint office of financial management
31 and employment security department labor force, industry employment,
32 and occupational forecasts; the results of scientifically based
33 outcome, net-impact and cost-benefit evaluations; the needs of
34 employers as evidenced in formal employer surveys and other employer
35 input; and the needs of program participants and workers as evidenced
36 in formal surveys and other input from program participants and the
37 labor community;

1 (5) In consultation with the council for higher education
2 (~~coordinating board~~), review and make recommendations to the office
3 of financial management and the legislature on operating and capital
4 facilities budget requests for operating agencies of the state training
5 system for purposes of consistency with the state comprehensive plan
6 for workforce training and education;

7 (6) Provide for coordination among the different operating agencies
8 and components of the state training system at the state level and at
9 the regional level;

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

13 (8)(a) Establish standards for data collection and maintenance for
14 the operating agencies of the state training system in a format that is
15 accessible to use by the board. The board shall require a minimum of
16 common core data to be collected by each operating agency of the state
17 training system;

18 (b) Develop requirements for minimum common core data in
19 consultation with the office of financial management and the operating
20 agencies of the training system;

21 (9) Establish minimum standards for program evaluation for the
22 operating agencies of the state training system, including, but not
23 limited to, the use of common survey instruments and procedures for
24 measuring perceptions of program participants and employers of program
25 participants, and monitor such program evaluation;

26 (10) Every two years administer scientifically based outcome
27 evaluations of the state training system, including, but not limited
28 to, surveys of program participants, surveys of employers of program
29 participants, and matches with employment security department payroll
30 and wage files. Every five years administer scientifically based net-
31 impact and cost-benefit evaluations of the state training system;

32 (11) In cooperation with the employment security department,
33 provide for the improvement and maintenance of quality and utility in
34 occupational information and forecasts for use in training system
35 planning and evaluation. Improvements shall include, but not be
36 limited to, development of state-based occupational change factors
37 involving input by employers and employees, and delineation of skill

1 and training requirements by education level associated with current
2 and forecasted occupations;

3 (12) Provide for the development of common course description
4 formats, common reporting requirements, and common definitions for
5 operating agencies of the training system;

6 (13) Provide for effectiveness and efficiency reviews of the state
7 training system;

8 (14) In cooperation with the council for higher education
9 (~~coordinating board~~), facilitate transfer of credit policies and
10 agreements between institutions of the state training system, and
11 encourage articulation agreements for programs encompassing two years
12 of secondary workforce education and two years of postsecondary
13 workforce education;

14 (15) In cooperation with the council for higher education
15 (~~coordinating board~~), facilitate transfer of credit policies and
16 agreements between private training institutions and institutions of
17 the state training system;

18 (16) Develop policy objectives for the workforce investment act,
19 P.L. 105-220, or its successor; develop coordination criteria for
20 activities under the act with related programs and services provided by
21 state and local education and training agencies; and ensure that
22 entrepreneurial training opportunities are available through programs
23 of each local workforce investment board in the state;

24 (17) Make recommendations to the commission of student assessment,
25 the state board of education, and the superintendent of public
26 instruction, concerning basic skill competencies and essential core
27 competencies for K-12 education. Basic skills for this purpose shall
28 be reading, writing, computation, speaking, and critical thinking,
29 essential core competencies for this purpose shall be English, math,
30 science/technology, history, geography, and critical thinking. The
31 board shall monitor the development of and provide advice concerning
32 secondary curriculum which integrates vocational and academic
33 education;

34 (18) Establish and administer programs for marketing and outreach
35 to businesses and potential program participants;

36 (19) Facilitate the location of support services, including but not
37 limited to, child care, financial aid, career counseling, and job

1 placement services, for students and trainees at institutions in the
2 state training system, and advocate for support services for trainees
3 and students in the state training system;

4 (20) Facilitate private sector assistance for the state training
5 system, including but not limited to: Financial assistance, rotation
6 of private and public personnel, and vocational counseling;

7 (21) Facilitate the development of programs for school-to-work
8 transition that combine classroom education and on-the-job training,
9 including entrepreneurial education and training, in industries and
10 occupations without a significant number of apprenticeship programs;

11 (22) Include in the planning requirements for local workforce
12 investment boards a requirement that the local workforce investment
13 boards specify how entrepreneurial training is to be offered through
14 the one-stop system required under the workforce investment act, P.L.
15 105-220, or its successor;

16 (23) Encourage and assess progress for the equitable representation
17 of racial and ethnic minorities, women, and people with disabilities
18 among the students, teachers, and administrators of the state training
19 system. Equitable, for this purpose, shall mean substantially
20 proportional to their percentage of the state population in the
21 geographic area served. This function of the board shall in no way
22 lessen more stringent state or federal requirements for representation
23 of racial and ethnic minorities, women, and people with disabilities;

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

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

29 (26) Allocate funding from the state job training trust fund;

30 (27) Work with the director of (~~community, trade, and economic~~
31 ~~development~~) commerce and the economic development commission to
32 ensure coordination among workforce training priorities, the long-term
33 economic development strategy of the economic development commission,
34 and economic development and entrepreneurial development efforts,
35 including but not limited to assistance to industry clusters;

36 (28) Conduct research into workforce development programs designed
37 to reduce the high unemployment rate among young people between
38 approximately eighteen and twenty-four years of age. In consultation

1 with the operating agencies, the board shall advise the governor and
2 legislature on policies and programs to alleviate the high unemployment
3 rate among young people. The research shall include disaggregated
4 demographic information and, to the extent possible, income data for
5 adult youth. The research shall also include a comparison of the
6 effectiveness of programs examined as a part of the research conducted
7 in this subsection in relation to the public investment made in these
8 programs in reducing unemployment of young adults. The board shall
9 report to the appropriate committees of the legislature by November 15,
10 2008, and every two years thereafter. Where possible, the data
11 reported to the legislative committees should be reported in numbers
12 and in percentages;

13 (29) Adopt rules as necessary to implement this chapter.

14 The board may delegate to the director any of the functions of this
15 section.

16 **Sec. 570.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to
17 read as follows:

18 The definitions in this section apply throughout this chapter
19 unless the context clearly requires otherwise.

20 (1) "Authority" means a health sciences and services authority
21 created pursuant to this chapter.

22 (2) "Board" means the governing board of trustees of an authority.

23 (3) "Director" means (~~{the director of}~~) the director of the
24 council for higher education (~~((coordinating board))~~).

25 (4) "Health sciences and services" means biosciences that advance
26 new therapies and procedures to combat disease and promote public
27 health.

28 (5) "Local government" means a city, town, or county.

29 (6) "Sponsoring local government" means a city, town, or county
30 that creates a health sciences and services authority.

31 **Sec. 571.** RCW 35.104.040 and 2011 c 155 s 1 are each amended to
32 read as follows:

33 (1) The council for higher education (~~((coordinating board))~~) may
34 approve applications submitted by local governments for an area's
35 designation as a health sciences and services authority under this
36 chapter. The director must determine the division to review

1 applications submitted by local governments under this chapter. The
2 application for designation must be in the form and manner and contain
3 such information as the council for higher education (~~coordinating~~
4 ~~board~~) may prescribe, provided the application:

5 (a) Contains sufficient information to enable the director to
6 determine the viability of the proposal;

7 (b) Demonstrates that an ordinance or resolution has been passed by
8 the legislative authority of a local government that delineates the
9 boundaries of an area that may be designated an authority;

10 (c) Is submitted on behalf of the local government, or, if that
11 office does not exist, by the legislative body of the local government;

12 (d) Demonstrates that the public funds directed to programs or
13 facilities in the authority will leverage private sector resources and
14 contributions to activities to be performed;

15 (e) Provides a plan or plans for the development of the authority
16 as an entity to advance as a cluster for health sciences education,
17 health sciences research, biotechnology development, biotechnology
18 product commercialization, and/or health care services; and

19 (f) Demonstrates that the state has previously provided funds to
20 health sciences and services programs or facilities in the applicant
21 city, town, or county.

22 (2) The director must determine the division to develop criteria to
23 evaluate the application. The criteria must include:

24 (a) The presence of infrastructure capable of spurring development
25 of the area as a center of health sciences and services;

26 (b) The presence of higher education facilities where undergraduate
27 or graduate coursework or research is conducted; and

28 (c) The presence of facilities in which health services are
29 provided.

30 (3) There may be no more than two authorities statewide.

31 (4) An authority may only be created in a county with a population
32 of less than one million persons and located east of the crest of the
33 Cascade mountains.

34 (5) The director may reject or approve an application. When
35 denying an application, the director must specify the application's
36 deficiencies. The decision regarding such designation as it relates to
37 a specific local government is final; however, a rejected application
38 may be resubmitted.

1 (6) Applications are due by December 31, 2010, and must be
2 processed within sixty days of submission.

3 (7) The director may, at his or her discretion, amend the
4 boundaries of an authority upon the request of the local government.

5 (8) The council for higher education (~~(coordinating board)~~) may
6 adopt any rules necessary to implement this chapter.

7 (9) The council for higher education (~~(coordinating board)~~) must
8 develop evaluation criteria that enables the local governments to
9 measure the effectiveness of the program.

10 **Sec. 572.** RCW 42.17A.705 and 2011 1st sp.s. c 43 s 109 are each
11 amended to read as follows:

12 For the purposes of RCW 42.17A.700, "executive state officer"
13 includes:

14 (1) The chief administrative law judge, the director of
15 agriculture, the director of the department of services for the blind,
16 the chief information officer of the office of chief information
17 officer, the director of the state system of community and technical
18 colleges, the director of commerce, the director of the consolidated
19 technology services agency, the secretary of corrections, the director
20 of early learning, the director of ecology, the commissioner of
21 employment security, the chair of the energy facility site evaluation
22 council, the director of enterprise services, the secretary of the
23 state finance committee, the director of financial management, the
24 director of fish and wildlife, the executive secretary of the forest
25 practices appeals board, the director of the gambling commission, the
26 secretary of health, the administrator of the Washington state health
27 care authority, the executive secretary of the health care facilities
28 authority, the executive secretary of the higher education facilities
29 authority, the executive secretary of the horse racing commission, the
30 human resources director, the executive secretary of the human rights
31 commission, the executive secretary of the indeterminate sentence
32 review board, the executive director of the state investment board, the
33 director of labor and industries, the director of licensing, the
34 director of the lottery commission, the director of the office of
35 minority and women's business enterprises, the director of parks and
36 recreation, the executive director of the public disclosure commission,
37 the executive director of the Puget Sound partnership, the director of

1 the recreation and conservation office, the director of retirement
2 systems, the director of revenue, the secretary of social and health
3 services, the chief of the Washington state patrol, the executive
4 secretary of the board of tax appeals, the secretary of transportation,
5 the secretary of the utilities and transportation commission, the
6 director of veterans affairs, the president of each of the regional and
7 state universities and the president of The Evergreen State College,
8 and each district and each campus president of each state community
9 college;

10 (2) Each professional staff member of the office of the governor;

11 (3) Each professional staff member of the legislature; and

12 (4) Central Washington University board of trustees, the boards of
13 trustees of each community college and each technical college, each
14 member of the state board for community and technical colleges, state
15 convention and trade center board of directors, Eastern Washington
16 University board of trustees, Washington economic development finance
17 authority, Washington energy northwest executive board, The Evergreen
18 State College board of trustees, executive ethics board, fish and
19 wildlife commission, forest practices appeals board, forest practices
20 board, gambling commission, Washington health care facilities
21 authority, council for higher education (~~(coordinating board)~~), higher
22 education facilities authority, horse racing commission, state housing
23 finance commission, human rights commission, indeterminate sentence
24 review board, board of industrial insurance appeals, state investment
25 board, commission on judicial conduct, legislative ethics board, life
26 sciences discovery fund authority board of trustees, liquor control
27 board, lottery commission, Pacific Northwest electric power and
28 conservation planning council, parks and recreation commission,
29 Washington personnel resources board, board of pilotage commissioners,
30 pollution control hearings board, public disclosure commission, public
31 employees' benefits board, recreation and conservation funding board,
32 salmon recovery funding board, shorelines hearings board, board of tax
33 appeals, transportation commission, University of Washington board of
34 regents, utilities and transportation commission, Washington State
35 University board of regents, and Western Washington University board of
36 trustees.

1 **Sec. 573.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to
2 read as follows:

3 (1) The governor may, by executive order, after consultation with
4 or notification of the executive-legislative committee on economic
5 development created by chapter . . . (Senate Bill No. 5300), Laws of
6 1993, declare a community to be a "military impacted area." A
7 "military impacted area" means a community or communities, as
8 identified in the executive order, that experience serious social and
9 economic hardships because of a change in defense spending by the
10 federal government in that community or communities.

11 (2) If the governor executes an order under subsection (1) of this
12 section, the governor shall establish a response team to coordinate
13 state efforts to assist the military impacted community. The response
14 team may include, but not be limited to, one member from each of the
15 following agencies: (a) The department of (~~community, trade, and~~
16 ~~economic development~~) commerce; (b) the department of social and
17 health services; (c) the employment security department; (d) the state
18 board for community and technical colleges; (e) the council for higher
19 education (~~coordinating board~~); and (f) the department of
20 transportation. The governor may appoint a response team coordinator.
21 The governor shall seek to actively involve the impacted community or
22 communities in planning and implementing a response to the crisis. The
23 governor may seek input or assistance from the community
24 diversification advisory committee, and the governor may establish task
25 forces in the community or communities to assist in the coordination
26 and delivery of services to the local community. The state and
27 community response shall consider economic development, human service,
28 and training needs of the community or communities impacted.

29 **Sec. 574.** RCW 43.19.797 and 2011 1st sp.s. c 43 s 734 are each
30 amended to read as follows:

31 (1) State agencies that are purchasing wireless devices or services
32 must make such purchases through the state master contract, unless the
33 state agency provides to the office of the chief information officer
34 evidence that the state agency is securing its wireless devices or
35 services from another source for a lower cost than through
36 participation in the state master contract.

1 (2) For the purposes of this section, "state agency" means any
2 office, department, board, commission, or other unit of state
3 government, but does not include a unit of state government headed by
4 a statewide elected official, an institution of higher education as
5 defined in RCW 28B.10.016, the council for higher education
6 (~~coordinating board~~), the state board for community and technical
7 colleges, or agencies of the legislative or judicial branches of state
8 government.

9 **Sec. 575.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to
10 read as follows:

11 (1) An education data center shall be established in the office of
12 financial management. The education data center shall jointly, with
13 the legislative evaluation and accountability program committee,
14 conduct collaborative analyses of early learning, K-12, and higher
15 education programs and education issues across the P-20 system, which
16 includes the department of early learning, the superintendent of public
17 instruction, the professional educator standards board, the state board
18 of education, the state board for community and technical colleges, the
19 workforce training and education coordinating board, the council for
20 higher education (~~coordinating board~~), public and private nonprofit
21 four-year institutions of higher education, and the employment security
22 department. The education data center shall conduct collaborative
23 analyses under this section with the legislative evaluation and
24 accountability program committee and provide data electronically to the
25 legislative evaluation and accountability program committee, to the
26 extent permitted by state and federal confidentiality requirements.
27 The education data center shall be considered an authorized
28 representative of the state educational agencies in this section under
29 applicable federal and state statutes for purposes of accessing and
30 compiling student record data for research purposes.

31 (2) The education data center shall:

32 (a) In consultation with the legislative evaluation and
33 accountability program committee and the agencies and organizations
34 participating in the education data center, identify the critical
35 research and policy questions that are intended to be addressed by the
36 education data center and the data needed to address the questions;

1 (b) Coordinate with other state education agencies to compile and
2 analyze education data, including data on student demographics that is
3 disaggregated by distinct ethnic categories within racial subgroups,
4 and complete P-20 research projects;

5 (c) Collaborate with the legislative evaluation and accountability
6 program committee and the education and fiscal committees of the
7 legislature in identifying the data to be compiled and analyzed to
8 ensure that legislative interests are served;

9 (d) Annually provide to the K-12 data governance group a list of
10 data elements and data quality improvements that are necessary to
11 answer the research and policy questions identified by the education
12 data center and have been identified by the legislative committees in
13 (c) of this subsection. Within three months of receiving the list, the
14 K-12 data governance group shall develop and transmit to the education
15 data center a feasibility analysis of obtaining or improving the data,
16 including the steps required, estimated time frame, and the financial
17 and other resources that would be required. Based on the analysis, the
18 education data center shall submit, if necessary, a recommendation to
19 the legislature regarding any statutory changes or resources that would
20 be needed to collect or improve the data;

21 (e) Monitor and evaluate the education data collection systems of
22 the organizations and agencies represented in the education data center
23 ensuring that data systems are flexible, able to adapt to evolving
24 needs for information, and to the extent feasible and necessary,
25 include data that are needed to conduct the analyses and provide
26 answers to the research and policy questions identified in (a) of this
27 subsection;

28 (f) Track enrollment and outcomes through the public centralized
29 higher education enrollment system;

30 (g) Assist other state educational agencies' collaborative efforts
31 to develop a long-range enrollment plan for higher education including
32 estimates to meet demographic and workforce needs;

33 (h) Provide research that focuses on student transitions within and
34 among the early learning, K-12, and higher education sectors in the P-
35 20 system; and

36 (i) Make recommendations to the legislature as necessary to help
37 ensure the goals and objectives of this section and RCW 28A.655.210 and
38 28A.300.507 are met.

1 (3) The department of early learning, superintendent of public
2 instruction, professional educator standards board, state board of
3 education, state board for community and technical colleges, workforce
4 training and education coordinating board, council for higher education
5 (~~coordinating board~~), public four-year institutions of higher
6 education, and employment security department shall work with the
7 education data center to develop data-sharing and research agreements,
8 consistent with applicable security and confidentiality requirements,
9 to facilitate the work of the center. Private, nonprofit institutions
10 of higher education that provide programs of education beyond the high
11 school level leading at least to the baccalaureate degree and are
12 accredited by the Northwest association of schools and colleges or
13 their peer accreditation bodies may also develop data-sharing and
14 research agreements with the education data center, consistent with
15 applicable security and confidentiality requirements. The education
16 data center shall make data from collaborative analyses available to
17 the education agencies and institutions that contribute data to the
18 education data center to the extent allowed by federal and state
19 security and confidentiality requirements applicable to the data of
20 each contributing agency or institution.

21 **Sec. 576.** RCW 43.41A.100 and 2011 1st sp.s. c 43 s 721 are each
22 amended to read as follows:

23 (1) In overseeing the technical aspects of the K-20 network, the
24 office is not intended to duplicate the statutory responsibilities of
25 the council for higher education (~~coordinating board~~), the
26 superintendent of public instruction, the state librarian, or the
27 governing boards of the institutions of higher education.

28 (2) The office may not interfere in any curriculum or legally
29 offered programming offered over the K-20 network.

30 (3) The responsibility to review and approve standards and common
31 specifications for the K-20 network remains the responsibility of the
32 office under RCW 43.41A.025.

33 (4) The coordination of telecommunications planning for the common
34 schools remains the responsibility of the superintendent of public
35 instruction. Except as set forth in RCW 43.41A.025(2)(f), the office
36 may recommend, but not require, revisions to the superintendent's
37 telecommunications plans.

1 **Sec. 577.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to
2 read as follows:

3 (1) For purposes of developing budget proposals to the legislature,
4 the governor shall have the power, and it shall be the governor's duty,
5 to require from proper agency officials such detailed estimates and
6 other information in such form and at such times as the governor shall
7 direct. The governor shall communicate statewide priorities to
8 agencies for use in developing biennial budget recommendations for
9 their agency and shall seek public involvement and input on these
10 priorities. The estimates for the legislature and the judiciary shall
11 be transmitted to the governor and shall be included in the budget
12 without revision. The estimates for state pension contributions shall
13 be based on the rates provided in chapter 41.45 RCW. Copies of all
14 such estimates shall be transmitted to the standing committees on ways
15 and means of the house and senate at the same time as they are filed
16 with the governor and the office of financial management.

17 The estimates shall include statements or tables which indicate, by
18 agency, the state funds which are required for the receipt of federal
19 matching revenues. The estimates shall be revised as necessary to
20 reflect legislative enactments and adopted appropriations and shall be
21 included with the initial biennial allotment submitted under RCW
22 43.88.110. The estimates must reflect that the agency considered any
23 alternatives to reduce costs or improve service delivery identified in
24 the findings of a performance audit of the agency by the joint
25 legislative audit and review committee. Nothing in this subsection
26 requires performance audit findings to be published as part of the
27 budget.

28 (2) Each state agency shall define its mission and establish
29 measurable goals for achieving desirable results for those who receive
30 its services and the taxpayers who pay for those services. Each agency
31 shall also develop clear strategies and timelines to achieve its goals.
32 This section does not require an agency to develop a new mission or
33 goals in place of identifiable missions or goals that meet the intent
34 of this section. The mission and goals of each agency must conform to
35 statutory direction and limitations.

36 (3) For the purpose of assessing activity performance, each state
37 agency shall establish quality and productivity objectives for each
38 major activity in its budget. The objectives must be consistent with

1 the missions and goals developed under this section. The objectives
2 must be expressed to the extent practicable in outcome-based,
3 objective, and measurable form unless an exception to adopt a different
4 standard is granted by the office of financial management and approved
5 by the legislative committee on performance review. Objectives must
6 specifically address the statutory purpose or intent of the program or
7 activity and focus on data that measure whether the agency is achieving
8 or making progress toward the purpose of the activity and toward
9 statewide priorities. The office of financial management shall provide
10 necessary professional and technical assistance to assist state
11 agencies in the development of strategic plans that include the mission
12 of the agency and its programs, measurable goals, strategies, and
13 performance measurement systems.

14 (4) Each state agency shall adopt procedures for and perform
15 continuous self-assessment of each activity, using the mission, goals,
16 objectives, and measurements required under subsections (2) and (3) of
17 this section. The assessment of the activity must also include an
18 evaluation of major information technology systems or projects that may
19 assist the agency in achieving or making progress toward the activity
20 purpose and statewide priorities. The evaluation of proposed major
21 information technology systems or projects shall be in accordance with
22 the standards and policies established by the information services
23 board. Agencies' progress toward the mission, goals, objectives, and
24 measurements required by subsections (2) and (3) of this section is
25 subject to review as set forth in this subsection.

26 (a) The office of financial management shall regularly conduct
27 reviews of selected activities to analyze whether the objectives and
28 measurements submitted by agencies demonstrate progress toward
29 statewide results.

30 (b) The office of financial management shall consult with the four-
31 year institutions of higher education and the council for higher
32 education (~~(coordinating board)~~), and the state board for community and
33 technical colleges in those reviews that involve two-year institutions
34 of higher education.

35 (c) The goal is for all major activities to receive at least one
36 review each year.

37 (d) The office of financial management shall consult with the

1 information services board when conducting reviews of major information
2 technology systems in use by state agencies. The goal is that reviews
3 of these information technology systems occur periodically.

4 (5) It is the policy of the legislature that each agency's budget
5 recommendations must be directly linked to the agency's stated mission
6 and program, quality, and productivity goals and objectives.
7 Consistent with this policy, agency budget proposals must include
8 integration of performance measures that allow objective determination
9 of an activity's success in achieving its goals. When a review under
10 subsection (4) of this section or other analysis determines that the
11 agency's objectives demonstrate that the agency is making insufficient
12 progress toward the goals of any particular program or is otherwise
13 underachieving or inefficient, the agency's budget request shall
14 contain proposals to remedy or improve the selected programs. The
15 office of financial management shall develop a plan to merge the budget
16 development process with agency performance assessment procedures. The
17 plan must include a schedule to integrate agency strategic plans and
18 performance measures into agency budget requests and the governor's
19 budget proposal over three fiscal biennia. The plan must identify
20 those agencies that will implement the revised budget process in the
21 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.
22 In consultation with the legislative fiscal committees, the office of
23 financial management shall recommend statutory and procedural
24 modifications to the state's budget, accounting, and reporting systems
25 to facilitate the performance assessment procedures and the merger of
26 those procedures with the state budget process. The plan and
27 recommended statutory and procedural modifications must be submitted to
28 the legislative fiscal committees by September 30, 1996.

29 (6) In reviewing agency budget requests in order to prepare the
30 governor's biennial budget request, the office of financial management
31 shall consider the extent to which the agency's activities demonstrate
32 progress toward the statewide budgeting priorities, along with any
33 specific review conducted under subsection (4) of this section.

34 (7) In the year of the gubernatorial election, the governor shall
35 invite the governor-elect or the governor-elect's designee to attend
36 all hearings provided in RCW 43.88.100; and the governor shall furnish
37 the governor-elect or the governor-elect's designee with such
38 information as will enable the governor-elect or the governor-elect's

1 designee to gain an understanding of the state's budget requirements.
2 The governor-elect or the governor-elect's designee may ask such
3 questions during the hearings and require such information as the
4 governor-elect or the governor-elect's designee deems necessary and may
5 make recommendations in connection with any item of the budget which,
6 with the governor-elect's reasons therefor, shall be presented to the
7 legislature in writing with the budget document. Copies of all such
8 estimates and other required information shall also be submitted to the
9 standing committees on ways and means of the house and senate.

10 **Sec. 578.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to
11 read as follows:

12 (1) In overseeing the technical aspects of the K-20 network, the
13 information services board is not intended to duplicate the statutory
14 responsibilities of the council for higher education (~~(coordinating~~
15 ~~board)~~), the superintendent of public instruction, the information
16 services board, the state librarian, or the governing boards of the
17 institutions of higher education.

18 (2) The board may not interfere in any curriculum or legally
19 offered programming offered over the network.

20 (3) The responsibility to review and approve standards and common
21 specifications for the network remains the responsibility of the
22 information services board under RCW 43.105.041.

23 (4) The coordination of telecommunications planning for the common
24 schools remains the responsibility of the superintendent of public
25 instruction. Except as set forth in RCW 43.105.041(1)(d), the board
26 may recommend, but not require, revisions to the superintendent's
27 telecommunications plans.

28 **Sec. 579.** RCW 43.215.090 and 2011 c 177 s 2 are each amended to
29 read as follows:

30 (1) The early learning advisory council is established to advise
31 the department on statewide early learning issues that would build a
32 comprehensive system of quality early learning programs and services
33 for Washington's children and families by assessing needs and the
34 availability of services, aligning resources, developing plans for data
35 collection and professional development of early childhood educators,
36 and establishing key performance measures.

1 (2) The council shall work in conjunction with the department to
2 develop a statewide early learning plan that guides the department in
3 promoting alignment of private and public sector actions, objectives,
4 and resources, and ensuring school readiness.

5 (3) The council shall include diverse, statewide representation
6 from public, nonprofit, and for-profit entities. Its membership shall
7 reflect regional, racial, and cultural diversity to adequately
8 represent the needs of all children and families in the state.

9 (4) Councilmembers shall serve two-year terms. However, to stagger
10 the terms of the council, the initial appointments for twelve of the
11 members shall be for one year. Once the initial one-year to two-year
12 terms expire, all subsequent terms shall be for two years, with the
13 terms expiring on June 30th of the applicable year. The terms shall be
14 staggered in such a way that, where possible, the terms of members
15 representing a specific group do not expire simultaneously.

16 (5) The council shall consist of not more than twenty-three
17 members, as follows:

18 (a) The governor shall appoint at least one representative from
19 each of the following: The department, the office of financial
20 management, the department of social and health services, the
21 department of health, the council for higher education (~~coordinating~~
22 ~~board~~)), and the state board for community and technical colleges;

23 (b) One representative from the office of the superintendent of
24 public instruction, to be appointed by the superintendent of public
25 instruction;

26 (c) The governor shall appoint seven leaders in early childhood
27 education, with at least one representative with experience or
28 expertise in one or more of the areas such as the following: The K-12
29 system, family day care providers, and child care centers with four of
30 the seven governor's appointees made as follows:

31 (i) The head start state collaboration office director or the
32 director's designee;

33 (ii) A representative of a head start, early head start,
34 migrant/seasonal head start, or tribal head start program;

35 (iii) A representative of a local education agency; and

36 (iv) A representative of the state agency responsible for programs
37 under section 619 or part C of the federal individuals with
38 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. 580.** 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 council for higher education (~~coordinating board~~), shall develop a
34 defined list of terms, consistent with current workforce and economic
35 development terms, associated with green economy industries and jobs.

36 (3)(a) The employment security department, in consultation with the
37 department, the state workforce training and education coordinating

1 board, the state board for community and technical colleges, the
2 council for higher education (~~(coordinating board)~~), Washington State
3 University small business development center, and the Washington State
4 University extension energy program, shall conduct labor market
5 research to analyze the current labor market and projected job growth
6 in the green economy, the current and projected recruitment and skill
7 requirement of green economy industry employers, the wage and benefits
8 ranges of jobs within green economy industries, and the education and
9 training requirements of entry-level and incumbent workers in those
10 industries.

11 (i) The employment security department shall conduct an analysis of
12 occupations in the forest products industry to: (A) Determine key
13 growth factors and employment projections in the industry; and (B)
14 define the education and skill standards required for current and
15 emerging green occupations in the industry.

16 (ii) The term "forest products industry" must be given a broad
17 interpretation when implementing (a)(i) of this subsection and
18 includes, but is not limited to, businesses that grow, manage, harvest,
19 transport, and process forest, wood, and paper products.

20 (b) The University of Washington business and economic development
21 center shall: Analyze the current opportunities for and participation
22 in the green economy by minority and women-owned business enterprises
23 in Washington; identify existing barriers to their successful
24 participation in the green economy; and develop strategies with
25 specific policy recommendations to improve their successful
26 participation in the green economy. The research may be informed by
27 the research of the Puget Sound regional council prosperity
28 partnership, as well as other entities. The University of Washington
29 business and economic development center shall report to the
30 appropriate committees of the house of representatives and the senate
31 on their research, analysis, and recommendations by December 1, 2008.

32 (4) Based on the findings from subsection (3) of this section, the
33 employment security department, in consultation with the department and
34 taking into account the requirements and goals of chapter 14, Laws of
35 2008 and other state clean energy and energy efficiency policies, shall
36 propose which industries will be considered high-demand green
37 industries, based on current and projected job creation and their
38 strategic importance to the development of the state's green economy.

1 The employment security department and the department shall take into
2 account which jobs within green economy industries will be considered
3 high-wage occupations and occupations that are part of career pathways
4 to the same, based on family-sustaining wage and benefits ranges.
5 These designations, and the results of the employment security
6 department's broader labor market research, shall inform the planning
7 and strategic direction of the department, the state workforce training
8 and education coordinating board, the state board for community and
9 technical colleges, and the council for higher education (~~coordinating~~
10 ~~board~~)).

11 (5) The department shall identify emerging technologies and
12 innovations that are likely to contribute to advancements in the green
13 economy, including the activities in designated innovation partnership
14 zones established in RCW 43.330.270.

15 (6) The department, consistent with the priorities established by
16 the state economic development commission, shall:

17 (a) Develop targeting criteria for existing investments, and make
18 recommendations for new or expanded financial incentives and
19 comprehensive strategies, to recruit, retain, and expand green economy
20 industries and small businesses; and

21 (b) Make recommendations for new or expanded financial incentives
22 and comprehensive strategies to stimulate research and development of
23 green technology and innovation, including designating innovation
24 partnership zones linked to the green economy.

25 (7) For the purposes of this section, "target populations" means
26 (a) entry-level or incumbent workers in high-demand green industries
27 who are in, or are preparing for, high-wage occupations; (b) dislocated
28 workers in declining industries who may be retrained for high-wage
29 occupations in high-demand green industries; (c) dislocated
30 agriculture, timber, or energy sector workers who may be retrained for
31 high-wage occupations in high-demand green industries; (d) eligible
32 veterans or national guard members; (e) disadvantaged populations; or
33 (f) anyone eligible to participate in the state opportunity grant
34 program under RCW 28B.50.271.

35 (8) The legislature directs the state workforce training and
36 education coordinating board to create and pilot green industry skill
37 panels. These panels shall consist of business representatives from:
38 Green industry sectors, including but not limited to forest product

1 companies, companies engaged in energy efficiency and renewable energy
2 production, companies engaged in pollution prevention, reduction, and
3 mitigation, and companies engaged in green building work and green
4 transportation; labor unions representing workers in those industries
5 or labor affiliates administering state-approved, joint apprenticeship
6 programs or labor-management partnership programs that train workers
7 for these industries; state and local veterans agencies; employer
8 associations; educational institutions; and local workforce development
9 councils within the region that the panels propose to operate; and
10 other key stakeholders as determined by the applicant. Any of these
11 stakeholder organizations are eligible to receive grants under this
12 section and serve as the intermediary that convenes and leads the
13 panel. Panel applicants must provide labor market and industry
14 analysis that demonstrates high demand, or demand of strategic
15 importance to the development of the state's clean energy economy as
16 identified in this section, for high-wage occupations, or occupations
17 that are part of career pathways to the same, within the relevant
18 industry sector. The panel shall:

19 (a) Conduct labor market and industry analyses, in consultation
20 with the employment security department, and drawing on the findings of
21 its research when available;

22 (b) Plan strategies to meet the recruitment and training needs of
23 the industry and small businesses; and

24 (c) Leverage and align other public and private funding sources.

25 (9) The green industries jobs training account is created in the
26 state treasury. Moneys from the account must be utilized to supplement
27 the state opportunity grant program established under RCW 28B.50.271.
28 All receipts from appropriations directed to the account must be
29 deposited into the account. Expenditures from the account may be used
30 only for the activities identified in this subsection. The state board
31 for community and technical colleges, in consultation with the state
32 workforce training and education coordinating board, informed by the
33 research of the employment security department and the strategies
34 developed in this section, may authorize expenditures from the account.
35 The state board for community and technical colleges must distribute
36 grants from the account on a competitive basis.

37 (a)(i) Allowable uses of these grant funds, which should be used

1 when other public or private funds are insufficient or unavailable, may
2 include:

- 3 (A) Curriculum development;
- 4 (B) Transitional jobs strategies for dislocated workers in
5 declining industries who may be retrained for high-wage occupations in
6 green industries;
- 7 (C) Workforce education to target populations; and
- 8 (D) Adult basic and remedial education as necessary linked to
9 occupation skills training.

10 (ii) Allowable uses of these grant funds do not include student
11 assistance and support services available through the state opportunity
12 grant program under RCW 28B.50.271.

13 (b) Applicants eligible to receive these grants may be any
14 organization or a partnership of organizations that has demonstrated
15 expertise in:

- 16 (i) Implementing effective education and training programs that
17 meet industry demand; and
- 18 (ii) Recruiting and supporting, to successful completion of those
19 training programs carried out under these grants, the target
20 populations of workers.

21 (c) In awarding grants from the green industries jobs training
22 account, the state board for community and technical colleges shall
23 give priority to applicants that demonstrate the ability to:

- 24 (i) Use labor market and industry analysis developed by the
25 employment security department and green industry skill panels in the
26 design and delivery of the relevant education and training program, and
27 otherwise utilize strategies developed by green industry skill panels;
- 28 (ii) Leverage and align existing public programs and resources and
29 private resources toward the goal of recruiting, supporting, educating,
30 and training target populations of workers;
- 31 (iii) Work collaboratively with other relevant stakeholders in the
32 regional economy;
- 33 (iv) Link adult basic and remedial education, where necessary, with
34 occupation skills training;
- 35 (v) Involve employers and, where applicable, labor unions in the
36 determination of relevant skills and competencies and, where relevant,
37 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. 581.** 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 council for higher education (~~(coordinating board)~~).

9 **Sec. 582.** 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 council for higher education (~~(coordinating board)~~) to ensure the
32 development of appropriate educational and training opportunities for
33 citizens of the state in support of the transition of some portion of
34 vehicular transportation from combustion to electric vehicles;

35 (d) Development of an implementation plan for counties with a
36 population greater than five hundred thousand with the goal of having

1 public and private parking spaces, in the aggregate, be ten percent
2 electric vehicle ready by December 31, 2018; and

3 (e) Development of model ordinances and guidance for local
4 governments for siting and installing electric vehicle infrastructure,
5 in particular battery charging stations, and appropriate handling,
6 recycling, and storage of electric vehicle batteries and equipment.

7 (2) These plans and any recommendations developed as a result of
8 the consultations required by this section must be submitted to the
9 legislature by December 31, 2010, or as soon as reasonably practicable
10 after the securing of any federal or private funding. Priority will be
11 given to the activities in subsection (1)(e) of this section and any
12 ordinances or guidance that is developed will be submitted to the
13 legislature, the department of (~~community, trade, and economic~~
14 ~~development~~) commerce, and affected local governments prior to
15 December 31, 2010, if completed.

16 (3) The definitions in this subsection apply (~~through~~
17 ~~[throughout]~~) throughout this section unless the context clearly
18 requires otherwise.

19 (a) "Battery charging station" means an electrical component
20 assembly or cluster of component assemblies designed specifically to
21 charge batteries within electric vehicles, which meet or exceed any
22 standards, codes, and regulations set forth by chapter 19.28 RCW and
23 consistent with rules adopted under RCW 19.27.540.

24 (b) "Battery exchange station" means a fully automated facility
25 that will enable an electric vehicle with a swappable battery to enter
26 a drive lane and exchange the depleted battery with a fully charged
27 battery through a fully automated process, which meets or exceeds any
28 standards, codes, and regulations set forth by chapter 19.28 RCW and
29 consistent with rules adopted under RCW 19.27.540.

30 (c) "Electric vehicle infrastructure" means structures, machinery,
31 and equipment necessary and integral to support an electric vehicle,
32 including battery charging stations, rapid charging stations, and
33 battery exchange stations.

34 (d) "Rapid charging station" means an industrial grade electrical
35 outlet that allows for faster recharging of electric vehicle batteries
36 through higher power levels, which meets or exceeds any standards,
37 codes, and regulations set forth by chapter 19.28 RCW and consistent
38 with rules adopted under RCW 19.27.540.

1 **Sec. 583.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to
2 read as follows:

3 (1) The department, in consultation with at least the council for
4 higher education (~~(coordinating board)~~), the state board for community
5 and technical colleges, the superintendent of public instruction, and
6 state-supported education programs in medicine, pharmacy, and nursing,
7 shall develop a plan for increasing rural training opportunities for
8 students in medicine, pharmacy, and nursing. The plan shall provide
9 for direct exposure to rural health professional practice conditions
10 for students planning careers in medicine, pharmacy, and nursing.

11 (2) The department and the medical, pharmacy, and nurse education
12 programs shall:

13 (a) Inventory existing rural-based clinical experience programs,
14 including internships, clerkships, residencies, and other training
15 opportunities available to students pursuing degrees in nursing,
16 pharmacy, and medicine;

17 (b) Identify where training opportunities do not currently exist
18 and are needed;

19 (c) Develop recommendations for improving the availability of rural
20 training opportunities;

21 (d) Develop recommendations on establishing agreements between
22 education programs to assure that all students in medical, pharmacist,
23 and nurse education programs in the state have access to rural training
24 opportunities; and

25 (e) Review private and public funding sources to finance rural-
26 based training opportunities.

27 **Sec. 584.** RCW 74.13.570 and 2005 c 93 s 2 are each amended to read
28 as follows:

29 (1) The department shall establish an oversight committee composed
30 of staff from the children's administration of the department, the
31 office of the superintendent of public instruction, the council for
32 higher education (~~(coordinating board)~~), foster youth, former foster
33 youth, foster parents, and advocacy agencies to develop strategies for
34 maintaining foster children in the schools they were attending at the
35 time they entered foster care and to promote opportunities for foster
36 youth to participate in postsecondary education or training.

1 (2) The duties of the oversight committee shall include, but are
2 not limited to:

3 (a) Developing strategies for school-based recruitment of foster
4 homes;

5 (b) Monitoring the progress of current pilot projects that assist
6 foster children to continue attending the schools they were attending
7 at the time they entered foster care;

8 (c) Overseeing the expansion of the number of pilot projects;

9 (d) Promoting the use of best practices, throughout the state,
10 demonstrated by the pilot projects and other programs relating to
11 maintaining foster children in the schools they were attending at the
12 time they entered foster care;

13 (e) Informing the legislature of the status of efforts to maintain
14 foster children in the schools they were attending at the time they
15 entered foster care;

16 (f) Assessing the scope and nature of statewide need among current
17 and former foster youth for assistance to pursue and participate in
18 postsecondary education or training opportunities;

19 (g) Identifying available sources of funding available in the state
20 for services to former foster youth to pursue and participate in
21 postsecondary education or training opportunities;

22 (h) Reviewing the effectiveness of activities in the state to
23 support former foster youth to pursue and participate in postsecondary
24 education or training opportunities;

25 (i) Identifying new activities, or existing activities that should
26 be modified or expanded, to best meet statewide needs; and

27 (j) Reviewing on an ongoing basis the progress toward improving
28 educational and vocational outcomes for foster youth.

29 **PART VI**

30 **REFERENCES TO THE OFFICE OF STUDENT FINANCIAL ASSISTANCE**

31 **Sec. 601.** RCW 28A.175.135 and 2011 c 288 s 3 are each amended to
32 read as follows:

33 Subject to funds appropriated for this purpose, funds shall be
34 allocated as specified in the omnibus appropriations act to support the
35 PASS program through the following programs:

1 (1) The opportunity internship program under RCW 28C.18.160 through
2 28C.18.168;

3 (2) The jobs for America's graduates program administered through
4 the office of the superintendent of public instruction;

5 (3) The building bridges program under RCW 28A.175.025, to be used
6 to expand programs that have been implemented by building bridges
7 partnerships and determined by the building bridges work group to be
8 successful in reducing dropout rates, or to replicate such programs in
9 new partnerships; and

10 (4) Individualized student support services provided by a college
11 scholarship organization with expertise in managing scholarships for
12 low-income, high potential students and foster care youth under
13 contract with the (~~higher education coordinating board~~) office of
14 student financial assistance, including but not limited to college and
15 career advising, counseling, tutoring, community mentor programs, and
16 leadership development.

17 **Sec. 602.** RCW 28A.660.050 and 2011 1st sp.s. c 11 s 134 are each
18 amended to read as follows:

19 Subject to the availability of amounts appropriated for these
20 purposes, the conditional scholarship programs in this chapter are
21 created under the following guidelines:

22 (1) The programs shall be administered by the office of student
23 financial assistance. In administering the programs, the office has
24 the following powers and duties:

25 (a) To adopt necessary rules and develop guidelines to administer
26 the programs;

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

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

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

33 (a) The alternative route conditional scholarship program is
34 limited to interns of professional educator standards board-approved
35 alternative routes to teaching programs under RCW 28A.660.040. For
36 fiscal year 2011, priority must be given to fiscal year 2010

1 participants in the alternative route partnership program. In order to
2 receive conditional scholarship awards, recipients shall:

3 (i) Be accepted and maintain enrollment in alternative
4 certification routes through a professional educator standards board-
5 approved program;

6 (ii) Continue to make satisfactory progress toward completion of
7 the alternative route certification program and receipt of a residency
8 teaching certificate; and

9 (iii) Receive no more than the annual amount of the scholarship,
10 not to exceed eight thousand dollars, for the cost of tuition, fees,
11 and educational expenses, including books, supplies, and transportation
12 for the alternative route certification program in which the recipient
13 is enrolled. The ((~~board~~)) office may adjust the annual award by the
14 average rate of resident undergraduate tuition and fee increases at the
15 state universities as defined in RCW 28B.10.016.

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

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

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

27 (iii) Receive no more than the annual amount of the scholarship,
28 not to exceed four thousand dollars, for the cost of tuition, fees, and
29 educational expenses, including books, supplies, and transportation for
30 the alternative route certification program in which the recipient is
31 enrolled. The ((~~board~~)) office may adjust the annual award by the
32 average rate of tuition and fee increases at the state community and
33 technical colleges.

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

37 (i) Individuals currently employed as teachers shall pursue a

1 middle level mathematics or science, or secondary mathematics or
2 science endorsement; or

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

6 (iii) Individuals shall use one of the pathways to endorsement
7 processes to receive a mathematics or science endorsement, or both,
8 which shall include passing a mathematics or science endorsement test,
9 or both tests, plus observation and completing applicable coursework to
10 attain the proper endorsement; and

11 (iv) Individuals shall receive no more than the annual amount of
12 the scholarship, not to exceed three thousand dollars, for the cost of
13 tuition, test fees, and educational expenses, including books,
14 supplies, and transportation for the endorsement pathway being pursued.

15 (3) The Washington professional educator standards board shall
16 select individuals to receive conditional scholarships. In selecting
17 recipients, preference shall be given to eligible veterans or national
18 guard members.

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

28 (5) Recipients who fail to fulfill the required teaching obligation
29 are required to repay the remaining loan principal with interest and
30 any other applicable fees. The office of student financial assistance
31 shall adopt rules to define the terms for repayment, including
32 applicable interest rates, fees, and deferments.

33 (6) The office of student financial assistance may deposit all
34 appropriations, collections, and any other funds received for the
35 program in this chapter in the future teachers conditional scholarship
36 account authorized in RCW 28B.102.080.

1 **Sec. 603.** RCW 28B.12.040 and 2011 1st sp.s. c 11 s 143 are each
2 amended to read as follows:

3 The office of student financial assistance shall develop and
4 administer the state work-study program. The ((~~board~~)) office shall be
5 authorized to enter into agreements with employers and eligible
6 institutions for the operation of the program. These agreements shall
7 include such provisions as the office may deem necessary or appropriate
8 to carry out the purposes of this chapter.

9 With the exception of off-campus community service placements, the
10 share from moneys disbursed under the state work-study program of the
11 compensation of students employed under such program in accordance with
12 such agreements shall not exceed eighty percent of the total such
13 compensation paid such students.

14 By rule, the office shall define community service placements and
15 may determine any salary matching requirements for any community
16 service employers.

17 **Sec. 604.** RCW 28B.12.070 and 2011 1st sp.s. c 11 s 147 are each
18 amended to read as follows:

19 Each eligible institution shall submit to the office of student
20 financial assistance an annual report in accordance with such
21 requirements as are adopted by the ((~~board~~)) office.

22 **Sec. 605.** RCW 28B.15.012 and 2011 1st sp.s. c 11 s 148 are each
23 amended to read as follows:

24 Whenever used in this chapter:

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

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

28 (a) A financially independent student who has had a domicile in the
29 state of Washington for the period of one year immediately prior to the
30 time of commencement of the first day of the semester or quarter for
31 which the student has registered at any institution and has in fact
32 established a bona fide domicile in this state primarily for purposes
33 other than educational;

34 (b) A dependent student, if one or both of the student's parents or
35 legal guardians have maintained a bona fide domicile in the state of

1 Washington for at least one year immediately prior to commencement of
2 the semester or quarter for which the student has registered at any
3 institution;

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

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

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

31 (f) Any person who has lived in Washington, primarily for purposes
32 other than educational, for at least one year immediately before the
33 date on which the person has enrolled in an institution, and who holds
34 lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii),
35 (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse
36 or child of a person having nonimmigrant status under one of those
37 subsections, or who, holding or having previously held such lawful

1 nonimmigrant status as a principal or derivative, has filed an
2 application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

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

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

10 (i) A student who resides in the state of Washington and is the
11 spouse or a dependent of a person who is a member of the Washington
12 national guard;

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

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

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

28 (m) A student who resides in Washington and is the spouse or a
29 dependent of a person who resides in Washington and is on active
30 military duty stationed in the Oregon counties of Columbia, Gilliam,
31 Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla,
32 Union, Wallowa, Wasco, or Washington. If the person on active military
33 duty moves from Washington or is reassigned out of the Oregon counties
34 of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas,
35 Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the
36 student maintains the status as a resident student so long as the
37 student resides in Washington and is continuously enrolled in a degree
38 program.

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

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

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

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

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

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

34 (a) The armed forces of the United States government; or

35 (b) The Washington national guard; or

36 (c) The coast guard, merchant mariners, or other nonmilitary
37 organization when such service is recognized by the United States
38 government as equivalent to service in the armed forces.

1 **Sec. 606.** RCW 28B.15.762 and 2011 1st sp.s. c 11 s 156 are each
2 amended to read as follows:

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

24 (2) The office is responsible for collection of loans made under
25 subsection (1) of this section and shall exercise due diligence in such
26 collection, maintaining all necessary records to insure that maximum
27 repayments are made. Collection and servicing of loans under
28 subsection (1) of this section shall be pursued using the full extent
29 of the law, including wage garnishment if necessary, and shall be
30 performed by entities approved for such servicing by the Washington
31 student loan guaranty association or its successor agency. The
32 ((board)) office is responsible to forgive all or parts of such loans
33 under the criteria established in subsection (1) of this section and
34 shall maintain all necessary records of forgiven payments.

35 (3) Receipts from the payment of principal or interest or any other
36 subsidies to which the ((board)) office as lender is entitled, which
37 are paid by or on behalf of borrowers under subsection (1) of this
38 section, shall be deposited with the office and shall be used to cover

1 the costs of making the loans under subsection (1) of this section,
2 maintaining necessary records, and making collections under subsection
3 (2) of this section. The office shall maintain accurate records of
4 these costs, and all receipts beyond those necessary to pay such costs
5 shall be used to make loans to eligible students.

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

9 (5) The office shall adopt necessary rules to implement this
10 section.

11 **Sec. 607.** RCW 28B.15.764 and 1985 c 370 s 81 are each amended to
12 read as follows:

13 The (~~board~~) office and institutions of higher education shall
14 work cooperatively to implement RCW 28B.15.762 and to publicize this
15 program to eligible students.

16 **Sec. 608.** RCW 28B.76.505 and 2011 1st sp.s. c 11 s 107 are each
17 amended to read as follows:

18 (1) The investment of funds from all scholarship endowment programs
19 administered by the office shall be managed by the state investment
20 board.

21 (2) The state investment board has the full power to invest,
22 reinvest, manage, contract, sell, or exchange investment money in
23 scholarship endowment funds. All investment and operating costs
24 associated with the investment of a scholarship endowment fund shall be
25 paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of
26 these expenses, the earnings from the investments of the fund belong to
27 the fund.

28 (3) Funds from all scholarship endowment programs administered by
29 the (~~board~~) office shall be in the custody of the state treasurer.

30 (4) All investments made by the state investment board shall be
31 made with the exercise of that degree of judgment and care pursuant to
32 RCW 43.33A.140 and the investment policies established by the state
33 investment board.

34 (5) As deemed appropriate by the state investment board, money in
35 a scholarship endowment fund may be commingled for investment with
36 other funds subject to investment by the state investment board.

1 (6) The authority to establish all policies relating to scholarship
2 endowment funds, other than the investment policies in subsections (2)
3 through (5) of this section, resides with the office.

4 (7) The office may request and accept moneys from the state
5 investment board. With the exception of expenses of the state
6 investment board in subsection (2) of this section, disbursements from
7 the fund shall be made only on the authorization of the office and
8 money in the fund may be spent only for the purposes of the endowment
9 programs as specified in the authorizing chapter of each program.

10 (8) The state investment board shall routinely consult and
11 communicate with the office on the investment policy, earnings of the
12 scholarship endowment funds, and related needs of the programs.

13 **Sec. 609.** RCW 28B.92.080 and 2009 c 238 s 9 are each amended to
14 read as follows:

15 Except for opportunity internship graduates whose eligibility is
16 provided under RCW 28B.92.084, for a student to be eligible for a state
17 need grant a student must:

18 (1) Be a "needy student" or "disadvantaged student" as determined
19 by the (~~board~~) office in accordance with RCW 28B.92.030 (~~(+3)~~) (1)
20 and (4);

21 (2) Have been domiciled within the state of Washington for at least
22 one year;

23 (3) Be enrolled or accepted for enrollment on at least a half-time
24 basis at an institution of higher education in Washington as defined in
25 RCW 28B.92.030(~~(+1)~~) (3);

26 (4) Until June 30, 2011, to the extent funds are specifically
27 appropriated for this purpose, and subject to any terms and conditions
28 specified in the omnibus appropriations act, be enrolled or accepted
29 for enrollment for at least three quarter credits or the equivalent
30 semester credits at an institution of higher education in Washington as
31 defined in RCW 28B.92.030(~~(+1)~~) (3); and

32 (5) Have complied with all the rules adopted by the (~~board~~)
33 council for the administration of this chapter.

34 **Sec. 610.** RCW 28B.95.020 and 2011 1st sp.s. c 11 s 168 are each
35 amended to read as follows:

1 The definitions in this section apply throughout this chapter,
2 unless the context clearly requires otherwise.

3 (1) "Academic year" means the regular nine-month, three-quarter, or
4 two-semester period annually occurring between August 1st and July
5 31st.

6 (2) "Account" means the Washington advanced college tuition payment
7 program account established for the deposit of all money received by
8 the (~~board~~) office from eligible purchasers and interest earnings on
9 investments of funds in the account, as well as for all expenditures on
10 behalf of eligible beneficiaries for the redemption of tuition units
11 and for the development of any authorized college savings program
12 pursuant to RCW 28B.95.150.

13 (3) "Committee on advanced tuition payment" or "committee" means a
14 committee of the following members: The state treasurer, the director
15 of the office of financial management, the director of the office, or
16 their designees, and two members to be appointed by the governor, one
17 representing program participants and one private business
18 representative with marketing, public relations, or financial
19 expertise.

20 (4) "Contractual obligation" means a legally binding contract of
21 the state with the purchaser and the beneficiary establishing that
22 purchases of tuition units will be worth the same number of tuition
23 units at the time of redemption as they were worth at the time of the
24 purchase.

25 (5) "Eligible beneficiary" means the person for whom the tuition
26 unit will be redeemed for attendance at an institution of higher
27 education. The beneficiary is that person named by the purchaser at
28 the time that a tuition unit contract is accepted by the governing
29 body. Qualified organizations, as allowed under section 529 of the
30 federal internal revenue code, purchasing tuition unit contracts as
31 future scholarships need not designate a beneficiary at the time of
32 purchase.

33 (6) "Eligible purchaser" means an individual or organization that
34 has entered into a tuition unit contract with the governing body for
35 the purchase of tuition units for an eligible beneficiary. The state
36 of Washington may be an eligible purchaser for purposes of purchasing
37 tuition units to be held for granting Washington college bound
38 scholarships.

1 (7) "Full-time tuition charges" means resident tuition charges at
2 a state institution of higher education for enrollments between ten
3 credits and eighteen credit hours per academic term.

4 (8) "Governing body" means the committee empowered by the
5 legislature to administer the Washington advanced college tuition
6 payment program.

7 (9) "Institution of higher education" means an institution that
8 offers education beyond the secondary level and is recognized by the
9 internal revenue service under chapter 529 of the internal revenue
10 code.

11 (10) "Investment board" means the state investment board as defined
12 in chapter 43.33A RCW.

13 (11) "Office" means the office of student financial assistance as
14 defined in chapter 28B.76 RCW.

15 (12) "State institution of higher education" means institutions of
16 higher education as defined in RCW 28B.10.016.

17 (13) "Tuition and fees" means undergraduate tuition and services
18 and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded
19 to the nearest whole dollar. For purposes of this chapter, services
20 and activities fees do not include fees charged for the payment of
21 bonds heretofore or hereafter issued for, or other indebtedness
22 incurred to pay, all or part of the cost of acquiring, constructing, or
23 installing any lands, buildings, or facilities.

24 (14) "Tuition unit contract" means a contract between an eligible
25 purchaser and the governing body, or a successor agency appointed for
26 administration of this chapter, for the purchase of tuition units for
27 a specified beneficiary that may be redeemed at a later date for an
28 equal number of tuition units.

29 (15) "Unit purchase price" means the minimum cost to purchase one
30 tuition unit for an eligible beneficiary. Generally, the minimum
31 purchase price is one percent of the undergraduate tuition and fees for
32 the current year, rounded to the nearest whole dollar, adjusted for the
33 costs of administration and adjusted to ensure the actuarial soundness
34 of the account. The analysis for price setting shall also include, but
35 not be limited to consideration of past and projected patterns of
36 tuition increases, program liability, past and projected investment
37 returns, and the need for a prudent stabilization reserve.

1 **Sec. 611.** RCW 28B.102.030 and 2011 1st sp.s. c 11 s 177 are each
2 amended to read as follows:

3 The future teachers conditional scholarship and loan repayment
4 program is established. The program shall be administered by the
5 office. In administering the program, the ((board)) office shall have
6 the following powers and duties:

7 (1) Select students to receive conditional scholarships or loan
8 repayments;

9 (2) Adopt necessary rules and guidelines;

10 (3) Publicize the program;

11 (4) Collect and manage repayments from students who do not meet
12 their teaching obligations under this chapter; and

13 (5) Solicit and accept grants and donations from public and private
14 sources for the program.

15 **Sec. 612.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to
16 read as follows:

17 (1) Participants in the conditional scholarship program incur an
18 obligation to repay the conditional scholarship, with interest, unless
19 they serve in the Washington national guard for one additional year for
20 each year of conditional scholarship received, under rules adopted by
21 the office.

22 (2) The entire principal and interest of each yearly repayment
23 shall be forgiven for each additional year in which a participant
24 serves in the Washington national guard, under rules adopted by the
25 office.

26 (3) If a participant elects to repay the conditional scholarship,
27 the period of repayment shall be four years, with payments accruing
28 quarterly commencing nine months from the date that the participant
29 leaves the Washington national guard or withdraws from the institution
30 of higher education, whichever comes first. The interest rate on the
31 repayments shall be eight percent per year. Provisions for deferral
32 and forgiveness shall be determined by the office.

33 (4) The office is responsible for collection of repayments made
34 under this section. The office shall exercise due diligence in such
35 collection, maintaining all necessary records to ensure that maximum
36 repayments are made. Collection and servicing of repayments under this
37 section shall be pursued using the full extent of law, including wage

1 garnishment if necessary. The office is responsible to forgive all or
2 parts of such repayments under the criteria established in this
3 section, and shall maintain all necessary records of forgiven payments.
4 The office may contract with the (~~higher education coordinating~~
5 ~~board~~) office of student financial assistance for collection of
6 repayments under this section.

7 (5) Receipts from the payment of principal or interest paid by or
8 on behalf of participants shall be deposited with the office and shall
9 be used to cover the costs of granting the conditional scholarships,
10 maintaining necessary records, and making collections under subsection
11 (4) of this section. The office shall maintain accurate records of
12 these costs, and all receipts beyond those necessary to pay such costs
13 shall be used to grant conditional scholarships to eligible students.

14 **Sec. 613.** RCW 28B.108.020 and 2011 1st sp.s. c 11 s 192 are each
15 amended to read as follows:

16 (1) The American Indian endowed scholarship program is created.
17 The program shall be administered by the office. In administering the
18 program, the (~~board's~~) office's powers and duties shall include but
19 not be limited to:

20 ~~((1))~~ (a) Selecting students to receive scholarships, with the
21 assistance of a screening committee composed of persons involved in
22 helping American Indian students to obtain a higher education. The
23 membership of the committee may include, but is not limited to
24 representatives of: Indian tribes, urban Indians, the governor's
25 office of Indian affairs, the Washington state Indian education
26 association, and institutions of higher education;

27 ~~((2) Adopting necessary rules and guidelines;~~

28 ~~(3))~~ (b) Publicizing the program;

29 ~~((4))~~ (c) Accepting and depositing donations into the endowment
30 fund created in RCW 28B.108.060;

31 ~~((5))~~ (d) Requesting from the state investment board and
32 accepting from the state treasurer moneys earned from the endowment
33 fund created in RCW 28B.108.060;

34 ~~((6))~~ (e) Soliciting and accepting grants and donations from
35 public and private sources for the program; and

36 ~~((7))~~ (f) Naming scholarships in honor of those American Indians
37 from Washington who have acted as role models.

1 (2) The council for higher education shall adopt necessary rules
2 and guidelines for the American Indian endowed scholarship program.

3 **Sec. 614.** 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~~)) office for this purpose, or
8 from any private donations, or from any other funds given to the
9 ((~~board~~)) office 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. 615.** RCW 28B.116.030 and 2011 1st sp.s. c 11 s 216 are each
23 amended to read as follows:

24 (1) The office may award scholarships to eligible students from the
25 foster care scholarship endowment fund in RCW 28B.116.060, from funds
26 appropriated to the ((~~board~~)) office for this purpose, from any private
27 donations, or from any other funds given to the office for the program.

28 (2) The office may award scholarships to eligible students from
29 moneys earned from the foster care scholarship endowment fund created
30 in RCW 28B.116.060, or from funds appropriated to the ((~~board~~)) office
31 for this purpose, or from any private donations, or from any other
32 funds given to the office for this program. For an undergraduate
33 student, the amount of the scholarship shall not exceed the student's
34 demonstrated financial need. For a graduate student, the amount of the
35 scholarship shall not exceed the student's demonstrated need; or the
36 stipend of a teaching assistant, including tuition, at the University

1 of Washington; whichever is higher. In calculating a student's need,
2 the office shall consider the student's costs for tuition, fees, books,
3 supplies, transportation, room, board, personal expenses, and child
4 care. The student's scholarship awarded under this chapter shall not
5 exceed the amount received by a student attending a state research
6 university. A student is eligible to receive a scholarship for a
7 maximum of five years. However, the length of the scholarship shall be
8 determined at the discretion of the office.

9 (3) Grants under this chapter shall not affect eligibility for the
10 state student financial aid program.

11 **Sec. 616.** RCW 28B.117.030 and 2011 1st sp.s. c 11 s 221 are each
12 amended to read as follows:

13 (1) The office shall design and, to the extent funds are
14 appropriated for this purpose, implement, a program of supplemental
15 scholarship and student assistance for students who have emancipated
16 from the state foster care system after having spent at least one year
17 in care.

18 (2) The office shall convene and consult with an advisory committee
19 to assist with program design and implementation. The committee shall
20 include but not be limited to former foster care youth and their
21 advocates; representatives from the state board for community and
22 technical colleges, and from public and private agencies that assist
23 current and former foster care recipients in their transition to
24 adulthood; and student support specialists from public and private
25 colleges and universities.

26 (3) To the extent that sufficient funds have been appropriated for
27 this purpose, a student is eligible for assistance under this section
28 if he or she:

29 (a) Emancipated from foster care on or after January 1, 2007, after
30 having spent at least one year in foster care subsequent to his or her
31 sixteenth birthday;

32 (b) Is a resident student, as defined in RCW 28B.15.012(2);

33 (c) Is enrolled with or will enroll on at least a half-time basis
34 with an institution of higher education in Washington state by the age
35 of twenty-one;

36 (d) Is making satisfactory academic progress toward the completion

1 of a degree or certificate program, if receiving supplemental
2 scholarship assistance;

3 (e) Has not earned a bachelor's or professional degree; and

4 (f) Is not pursuing a degree in theology.

5 (4) A passport to college scholarship under this section:

6 (a) Shall not exceed resident undergraduate tuition and fees at the
7 highest-priced public institution of higher education in the state; and

8 (b) Shall not exceed the student's financial need, less a
9 reasonable self-help amount defined by the ((board)) office, when
10 combined with all other public and private grant, scholarship, and
11 waiver assistance the student receives.

12 (5) An eligible student may receive a passport to college
13 scholarship under this section for a maximum of five years after the
14 student first enrolls with an institution of higher education or until
15 the student turns age twenty-six, whichever occurs first. If a student
16 turns age twenty-six during an academic year, and would otherwise be
17 eligible for a scholarship under this section, the student shall
18 continue to be eligible for a scholarship for the remainder of the
19 academic year.

20 (6) The office, in consultation with and with assistance from the
21 state board for community and technical colleges, shall perform an
22 annual analysis to verify that those institutions of higher education
23 at which students have received a scholarship under this section have
24 awarded the student all available need-based and merit-based grant and
25 scholarship aid for which the student qualifies.

26 (7) In designing and implementing the passport to college student
27 support program under this section, the office, in consultation with
28 and with assistance from the state board for community and technical
29 colleges, shall ensure that a participating college or university:

30 (a) Has a viable plan for identifying students eligible for
31 assistance under this section, for tracking and enhancing their
32 academic progress, for addressing their unique needs for assistance
33 during school vacations and academic interims, and for linking them to
34 appropriate sources of assistance in their transition to adulthood;

35 (b) Receives financial and other incentives for achieving
36 measurable progress in the recruitment, retention, and graduation of
37 eligible students.

1 PART VII

2 MISCELLANEOUS REFERENCES

3 **Sec. 701.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to
4 read as follows:

5 (1) The building fee for each academic year shall be a percentage
6 of total tuition fees. This percentage shall be calculated by the
7 (~~higher education coordinating board~~) office of financial management
8 and be based on the actual percentage the building fee is of total
9 tuition for each tuition category in the 1994-95 academic year, rounded
10 up to the nearest half percent.

11 (2) The governing boards of each institution of higher education,
12 except for the technical colleges, shall charge to and collect from
13 each student a services and activities fee. A governing board may
14 increase the existing fee annually, consistent with budgeting
15 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
16 the annual percentage increase in student tuition fees for resident
17 undergraduate students: PROVIDED, That such percentage increase shall
18 not apply to that portion of the services and activities fee previously
19 committed to the repayment of bonded debt. These rate adjustments may
20 exceed the fiscal growth factor. For the 2003-04 academic year, the
21 services and activities fee shall be based upon the resident
22 undergraduate services and activities fee in 2002-03. The services and
23 activities fee committee provided for in RCW 28B.15.045 may initiate a
24 request to the governing board for a fee increase.

25 (3) Tuition and services and activities fees consistent with
26 subsection (2) of this section shall be set by the state board for
27 community and technical colleges for community college summer school
28 students unless the community college charges fees in accordance with
29 RCW 28B.15.515.

30 (4) Subject to the limitations of RCW 28B.15.910, each governing
31 board of a community college may charge such fees for ungraded courses,
32 noncredit courses, community services courses, and self-supporting
33 courses as it, in its discretion, may determine, consistent with the
34 rules of the state board for community and technical colleges.

35 (5) The governing board of a college offering an applied
36 baccalaureate degree program under RCW 28B.50.810 may charge tuition
37 fees for those courses above the associate degree level at rates

1 consistent with rules adopted by the state board for community and
2 technical colleges, not to exceed tuition fee rates at the regional
3 universities.

4 **Sec. 702.** RCW 28A.600.310 and 2011 1st sp.s. c 10 s 10 are each
5 amended to read as follows:

6 (1) Eleventh and twelfth grade students or students who have not
7 yet received the credits required for the award of a high school
8 diploma and are eligible to be in the eleventh or twelfth grades may
9 apply to a participating institution of higher education to enroll in
10 courses or programs offered by the institution of higher education. A
11 student receiving home-based instruction enrolling in a public high
12 school for the sole purpose of participating in courses or programs
13 offered by institutions of higher education shall not be counted by the
14 school district in any required state or federal accountability
15 reporting if the student's parents or guardians filed a declaration of
16 intent to provide home-based instruction and the student received home-
17 based instruction during the school year before the school year in
18 which the student intends to participate in courses or programs offered
19 by the institution of higher education. Students receiving home-based
20 instruction under chapter 28A.200 RCW and students attending private
21 schools approved under chapter 28A.195 RCW shall not be required to
22 meet the student learning goals, obtain a certificate of academic
23 achievement or a certificate of individual achievement to graduate from
24 high school, or to master the essential academic learning requirements.
25 However, students are eligible to enroll in courses or programs in
26 participating universities only if the board of directors of the
27 student's school district has decided to participate in the program.
28 Participating institutions of higher education, in consultation with
29 school districts, may establish admission standards for these students.
30 If the institution of higher education accepts a secondary school pupil
31 for enrollment under this section, the institution of higher education
32 shall send written notice to the pupil and the pupil's school district
33 within ten days of acceptance. The notice shall indicate the course
34 and hours of enrollment for that pupil.

35 (2)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020
36 and 28B.15.041:

1 (i) Running start students shall pay to the community or technical
2 college all other mandatory fees as established by each community or
3 technical college and, in addition, the state board for community and
4 technical colleges may authorize a fee of up to ten percent of tuition
5 and fees as defined in RCW 28B.15.020 and 28B.15.041; and

6 (ii) All other institutions of higher education operating a running
7 start program may charge running start students a fee of up to ten
8 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041
9 in addition to technology fees.

10 (b) The fees charged under this subsection (2) shall be prorated
11 based on credit load.

12 (3)(a) The institutions of higher education must make available fee
13 waivers for low-income running start students. Each institution must
14 establish a written policy for the determination of low-income students
15 before offering the fee waiver. A student shall be considered low
16 income and eligible for a fee waiver upon proof that the student is
17 currently qualified to receive free or reduced-price lunch. Acceptable
18 documentation of low-income status may also include, but is not limited
19 to, documentation that a student has been deemed eligible for free or
20 reduced-price lunches in the last five years, or other criteria
21 established in the institution's policy.

22 (b) Institutions of higher education, in collaboration with
23 relevant student associations, shall aim to have students who can
24 benefit from fee waivers take advantage of these waivers. Institutions
25 shall make every effort to communicate to students and their families
26 the benefits of the waivers and provide assistance to students and
27 their families on how to apply. Information about waivers shall, to
28 the greatest extent possible, be incorporated into financial aid
29 counseling, admission information, and individual billing statements.
30 Institutions also shall, to the greatest extent possible, use all means
31 of communication, including but not limited to web sites, online
32 catalogues, admission and registration forms, mass e-mail messaging,
33 social media, and outside marketing to ensure that information about
34 waivers is visible, compelling, and reaches the maximum number of
35 students and families that can benefit.

36 (4) The pupil's school district shall transmit to the institution
37 of higher education an amount per each full-time equivalent college
38 student at statewide uniform rates for vocational and nonvocational

1 students. The superintendent of public instruction shall separately
2 calculate and allocate moneys appropriated for basic education under
3 RCW 28A.150.260 to school districts for purposes of making such
4 payments and for granting school districts seven percent thereof to
5 offset program related costs. The calculations and allocations shall
6 be based upon the estimated statewide annual average per full-time
7 equivalent high school student allocations under RCW 28A.150.260,
8 excluding small high school enhancements, and applicable rules adopted
9 under chapter 34.05 RCW. The superintendent of public instruction,
10 (~~the higher education coordinating board~~) participating institutions
11 of higher education, and the state board for community and technical
12 colleges shall consult on the calculation and distribution of the
13 funds. The funds received by the institution of higher education from
14 the school district shall not be deemed tuition or operating fees and
15 may be retained by the institution of higher education. A student
16 enrolled under this subsection shall be counted for the purpose of
17 meeting enrollment targets in accordance with terms and conditions
18 specified in the omnibus appropriations act.

19 (5) The state board for community and technical colleges, in
20 collaboration with the other institutions of higher education that
21 participate in the running start program and the office of the
22 superintendent of public instruction, shall identify, assess, and
23 report on alternatives for providing ongoing and adequate financial
24 support for the program. Such alternatives shall include but are not
25 limited to student tuition, increased support from local school
26 districts, and reallocation of existing state financial support among
27 the community and technical college system to account for differential
28 running start enrollment levels and impacts. The state board for
29 community and technical colleges shall report the assessment of
30 alternatives to the governor and to the appropriate fiscal and policy
31 committees of the legislature by September 1, 2010.

32 **Sec. 703.** RCW 28B.15.380 and 2010 c 261 s 4 are each amended to
33 read as follows:

34 Subject to the limitations of RCW 28B.15.910, the governing boards
35 of the state universities, the regional universities, and The Evergreen
36 State College shall exempt the following students from the payment of
37 all tuition fees and services and activities fees:

1 (1) Children of any law enforcement officer as defined in chapter
2 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or
3 Washington state patrol officer who lost his or her life or became
4 totally disabled in the line of duty while employed by any public law
5 enforcement agency or full time or volunteer fire department in this
6 state: PROVIDED, That such persons may receive the exemption only if
7 they begin their course of study at a state-supported college or
8 university within ten years of their graduation from high school; and

9 (2) Surviving spouses of any law enforcement officer as defined in
10 chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24
11 RCW, or Washington state patrol officer who lost his or her life or
12 became totally disabled in the line of duty while employed by any
13 public law enforcement agency or full time or volunteer fire department
14 in this state.

15 (3) The governing boards of the state universities, the regional
16 universities, and The Evergreen State College shall report to the
17 (~~higher education coordinating board~~) education data center on the
18 annual cost of tuition fees and services and activities fees waived for
19 surviving spouses and children under this section. The (~~higher~~
20 ~~education coordinating board~~) education data center shall consolidate
21 the reports of the waived fees and annually report to the appropriate
22 fiscal and policy committees of the legislature.

23 **Sec. 704.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended
24 to read as follows:

25 Subject to the limitations of RCW 28B.15.910, the state board for
26 community and technical colleges and the governing boards of the state
27 universities, the regional universities, the community colleges, and
28 The Evergreen State College may waive all or a portion of the
29 nonresident tuition fees differential for residents of Oregon, upon
30 completion of and to the extent permitted by an agreement between the
31 governing boards of the respective individual institutions of higher
32 education (~~coordinating board~~) and appropriate officials and agencies
33 in Oregon granting similar waivers for residents of the state of
34 Washington.

35 **Sec. 705.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to
36 read as follows:

1 The (~~higher education coordinating board~~) governing boards of the
2 state universities, the regional universities, The Evergreen State
3 College, and the community and technical colleges may enter into an
4 agreement with appropriate officials or agencies in Oregon to implement
5 the provisions of RCW 28B.15.730 through 28B.15.734.

6 **Sec. 706.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended
7 to read as follows:

8 Subject to the limitations of RCW 28B.15.910, the governing boards
9 of the state universities, the regional universities, and The Evergreen
10 State College and the state board for community and technical colleges
11 may waive all or a portion of the nonresident tuition fees differential
12 for residents of Idaho, upon completion of and to the extent permitted
13 by an agreement between the governing boards of the individual
14 institutions of higher education (~~coordinating board~~) and appropriate
15 officials and agencies in Idaho granting similar waivers for residents
16 of the state of Washington.

17 **Sec. 707.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended
18 to read as follows:

19 Subject to the limitations of RCW 28B.15.910, the governing boards
20 of the state universities, the regional universities, and The Evergreen
21 State College and the state board for community and technical colleges
22 may waive all or a portion of the nonresident tuition fees differential
23 for residents of the Canadian province of British Columbia, upon
24 completion of and to the extent permitted by an agreement between the
25 governing boards of the individual institutions of higher education
26 (~~coordinating board~~) and appropriate officials and agencies in the
27 Canadian province of British Columbia providing for enrollment
28 opportunities for residents of the state of Washington without payment
29 of tuition or fees in excess of those charged to residents of British
30 Columbia.

31 **Sec. 708.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are
32 each reenacted and amended to read as follows:

33 (1) The Washington state economic development commission shall,
34 with the advice of an innovation partnership advisory group selected by
35 the commission:

1 (a) Provide information and advice to the department of commerce to
2 assist in the implementation of the innovation partnership zone
3 program, including criteria to be used in the selection of grant
4 applicants for funding;

5 (b) Document clusters of companies throughout the state that have
6 comparative competitive advantage or the potential for comparative
7 competitive advantage, using the process and criteria for identifying
8 strategic clusters developed by the working group specified in
9 subsection (2) of this section;

10 (c) Conduct an innovation opportunity analysis to identify (i) the
11 strongest current intellectual assets and research teams in the state
12 focused on emerging technologies and their commercialization, and (ii)
13 faculty and researchers that could increase their focus on
14 commercialization of technology if provided the appropriate technical
15 assistance and resources;

16 (d) Based on its findings and analysis, and in conjunction with the
17 (~~higher education coordinating board and~~) research institutions:

18 (i) Develop a plan to build on existing, and develop new,
19 intellectual assets and innovation research teams in the state in
20 research areas where there is a high potential to commercialize
21 technologies. The commission shall present the plan to the governor
22 and legislature by December 31, 2009. The (~~higher education~~
23 ~~coordinating board~~) publicly funded research institutions in the state
24 shall be responsible for implementing the plan (~~in conjunction with~~
25 ~~the publicly funded research institutions in the state~~). The plan
26 shall address the following elements and such other elements as the
27 commission deems important:

28 (A) Specific mechanisms to support, enhance, or develop innovation
29 research teams and strengthen their research and commercialization
30 capacity in areas identified as useful to strategic clusters and
31 innovative firms in the state;

32 (B) Identification of the funding necessary for laboratory
33 infrastructure needed to house innovation research teams;

34 (C) Specification of the most promising research areas meriting
35 enhanced resources and recruitment of significant entrepreneurial
36 researchers to join or lead innovation research teams;

37 (D) The most productive approaches to take in the recruitment, in

1 the identified promising research areas, of a minimum of ten
2 significant entrepreneurial researchers over the next ten years to join
3 or lead innovation research teams;

4 (E) Steps to take in solicitation of private sector support for the
5 recruitment of entrepreneurial researchers and the commercialization
6 activity of innovation research teams; and

7 (F) Mechanisms for ensuring the location of innovation research
8 teams in innovation partnership zones;

9 (ii) Provide direction for the development of comprehensive
10 entrepreneurial assistance programs at research institutions. The
11 programs may involve multidisciplinary students, faculty,
12 entrepreneurial researchers, entrepreneurs, and investors in building
13 business models and evolving business plans around innovative ideas.
14 The programs may provide technical assistance and the support of an
15 entrepreneur-in-residence to innovation research teams and offer
16 entrepreneurial training to faculty, researchers, undergraduates, and
17 graduate students. Curriculum leading to a certificate in
18 entrepreneurship may also be offered;

19 (e) Develop performance measures to be used in evaluating the
20 performance of innovation research teams, the implementation of the
21 plan and programs under (d)(i) and (ii) of this subsection, and the
22 performance of innovation partnership zone grant recipients, including
23 but not limited to private investment measures, business initiation
24 measures, job creation measures, and measures of innovation such as
25 licensing of ideas in research institutions, patents, or other
26 recognized measures of innovation. The performance measures developed
27 shall be consistent with the economic development commission's
28 comprehensive plan for economic development and its standards and
29 metrics for program evaluation. The commission shall report to the
30 legislature and the governor by June 30, 2009, on the measures
31 developed; and

32 (f) Using the performance measures developed, perform a biennial
33 assessment and report, the first of which shall be due December 31,
34 2012, on:

35 (i) Commercialization of technologies developed at state
36 universities, found at other research institutions in the state, and
37 facilitated with public assistance at existing companies;

1 (ii) Outcomes of the funding of innovation research teams and
2 recruitment of significant entrepreneurial researchers;

3 (iii) Comparison with other states of Washington's outcomes from
4 the innovation research teams and efforts to recruit significant
5 entrepreneurial researchers; and

6 (iv) Outcomes of the grants for innovation partnership zones.

7 The report shall include recommendations for modifications of chapter
8 227, Laws of 2007 and of state commercialization efforts that would
9 enhance the state's economic competitiveness.

10 (2) The economic development commission and the workforce training
11 and education coordinating board shall jointly convene a working group
12 to:

13 (a) Specify the process and criteria for identification of substate
14 geographic concentrations of firms or employment in an industry and the
15 industry's customers, suppliers, supporting businesses, and
16 institutions, which process will include the use of labor market
17 information from the employment security department and local labor
18 markets; and

19 (b) Establish criteria for identifying strategic clusters which are
20 important to economic prosperity in the state, considering cluster
21 size, growth rate, and wage levels among other factors.

22 **PART VIII**

23 **DELETED REFERENCES**

24 **Sec. 801.** RCW 28A.175.130 and 2011 c 288 s 2 are each amended to
25 read as follows:

26 (1) The pay for actual student success (PASS) program is created
27 under this section and RCW 28A.175.135 through 28A.175.160 to invest in
28 proven dropout prevention and intervention programs as provided in RCW
29 28A.175.135 and provide a financial award for high schools that
30 demonstrate improvement in the dropout prevention indicators
31 established under RCW 28A.175.140. The legislature finds that
32 increased accumulation of credits and reductions in incidents of
33 student discipline lead to improved graduation rates.

34 (2) The office of the superintendent of public instruction, the
35 workforce training and education coordinating board, the building
36 bridges working group, the (~~higher education coordinating board,~~) and

1 the college scholarship organization under RCW 28A.175.135(4) shall
2 collaborate to assure that the programs under RCW 28A.175.135 operate
3 systematically and are expanded to include as many additional students
4 and schools as possible.

5 **Sec. 802.** RCW 28A.230.100 and 2006 c 263 s 402 and 2006 c 114 s 4
6 are each reenacted and amended to read as follows:

7 The superintendent of public instruction, in consultation with the
8 (~~higher education coordinating board,~~) the state board for community
9 and technical colleges, and the workforce training and education
10 coordinating board, shall adopt rules pursuant to chapter 34.05 RCW, to
11 implement the course requirements set forth in RCW 28A.230.090. The
12 rules shall include, as the superintendent deems necessary, granting
13 equivalencies for and temporary exemptions from the course requirements
14 in RCW 28A.230.090 and special alterations of the course requirements
15 in RCW 28A.230.090. In developing such rules the superintendent shall
16 recognize the relevance of vocational and applied courses and allow
17 such courses to fulfill in whole or in part the courses required for
18 graduation in RCW 28A.230.090, as determined by the high school or
19 school district in accordance with RCW 28A.230.097. The rules may
20 include provisions for competency testing in lieu of such courses
21 required for graduation in RCW 28A.230.090 or demonstration of specific
22 skill proficiency or understanding of concepts through work or
23 experience.

24 **Sec. 803.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to
25 read as follows:

26 (1) The superintendent of public instruction, the state board for
27 community and technical colleges, (~~the higher education coordinating~~
28 ~~board,~~) and the public baccalaureate institutions shall jointly
29 develop and each adopt rules governing the college in the high school
30 program. The association of Washington school principals shall be
31 consulted during the rules development. The rules shall be written to
32 encourage the maximum use of the program and may not narrow or limit
33 the enrollment options.

34 (2) College in the high school programs shall each be governed by
35 a local contract between the district and the institution of higher

1 education, in compliance with the guidelines adopted by the
2 superintendent of public instruction, the state board for community and
3 technical colleges, and the public baccalaureate institutions.

4 (3) The college in the high school program must include the
5 provisions in this subsection.

6 (a) The high school and institution of higher education together
7 shall define the criteria for student eligibility. The institution of
8 higher education may charge tuition fees to participating students.

9 (b) School districts shall report no student for more than one
10 full-time equivalent including college in the high school courses.

11 (c) The funds received by the institution of higher education may
12 not be deemed tuition or operating fees and may be retained by the
13 institution of higher education.

14 (d) Enrollment information on persons registered under this section
15 must be maintained by the institution of higher education separately
16 from other enrollment information and may not be included in official
17 enrollment reports, nor may such persons be considered in any
18 enrollment statistics that would affect higher education budgetary
19 determinations.

20 (e) A school district must grant high school credit to a student
21 enrolled in a program course if the student successfully completes the
22 course. If no comparable course is offered by the school district, the
23 school district superintendent shall determine how many credits to
24 award for the course. The determination shall be made in writing
25 before the student enrolls in the course. The credits shall be applied
26 toward graduation requirements and subject area requirements. Evidence
27 of successful completion of each program course shall be included in
28 the student's secondary school records and transcript.

29 (f) An institution of higher education must grant college credit to
30 a student enrolled in a program course if the student successfully
31 completes the course. The college credit shall be applied toward
32 general education requirements or major requirements. If no comparable
33 course is offered by the college, the institution of higher education
34 at which the teacher of the program course is employed shall determine
35 how many credits to award for the course and whether the course
36 fulfills general education or major requirements. Evidence of
37 successful completion of each program course must be included in the
38 student's college transcript.

1 (g) Eleventh and twelfth grade students or students who have not
2 yet received a high school diploma or its equivalent and are eligible
3 to be in the eleventh or twelfth grades may participate in the college
4 in the high school program.

5 (h) Participating school districts must provide general information
6 about the college in the high school program to all students in grades
7 ten, eleven, and twelve and to the parents and guardians of those
8 students.

9 (i) Full-time and part-time faculty at institutions of higher
10 education, including adjunct faculty, are eligible to teach program
11 courses.

12 (4) The definitions in this subsection apply throughout this
13 section.

14 (a) "Institution of higher education" has the meaning in RCW
15 28B.10.016 and also includes a public tribal college located in
16 Washington and accredited by the Northwest commission on colleges and
17 universities or another accrediting association recognized by the
18 United States department of education.

19 (b) "Program course" means a college course offered in a high
20 school under the college in the high school program.

21 **Sec. 804.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to
22 read as follows:

23 (1) The office of the superintendent of public instruction, in
24 consultation with the workforce training and education coordinating
25 board, the Washington state apprenticeship and training council, and
26 the state board for community and technical colleges, shall develop a
27 list of statewide high-demand programs for secondary career and
28 technical education. The list shall be developed using the high-demand
29 list maintained by workforce development councils in consultation with
30 the employment security department, and the high employer demand
31 programs of study identified by the workforce training and education
32 coordinating board(~~, and the high employer demand programs of study
33 identified by the higher education coordinating board~~). Local school
34 districts may recommend additional high-demand programs in consultation
35 with local career and technical education advisory committees by
36 submitting evidence of local high demand.

1 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,
2 and 28A.700.060, and section 307 of this act:

3 (a) "High-demand program" means a career and technical education
4 program that prepares students for either a high employer demand
5 program of study or a high-demand occupation, or both.

6 (b) "High employer demand program of study" means an apprenticeship
7 or an undergraduate or graduate certificate or degree program in which
8 the number of students per year prepared for employment from in-state
9 programs is substantially fewer than the number of projected job
10 openings per year in that field, either statewide or in a substate
11 region.

12 (c) "High-demand occupation" means an occupation with a substantial
13 number of current or projected employment opportunities.

14 **Sec. 805.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to
15 read as follows:

16 (1) The office of the superintendent of public instruction, the
17 workforce training and education coordinating board, the state board
18 for community and technical colleges, (~~the higher education~~
19 ~~coordinating board,~~) and the council of presidents shall work with
20 local school districts, workforce education programs in colleges, tech
21 prep consortia, and four-year institutions of higher education to
22 develop model career and technical education programs of study as
23 described by this section.

24 (2) Career and technical education programs of study:

25 (a) Incorporate secondary and postsecondary education elements;

26 (b) Include coherent and rigorous academic content aligned with
27 state learning standards and relevant career and technical content in
28 a coordinated, nonduplicative progression of courses that are aligned
29 with postsecondary education in a related field;

30 (c) Include opportunities for students to earn dual high school and
31 college credit; and

32 (d) Lead to an industry-recognized credential or certificate at the
33 postsecondary level, or an associate or baccalaureate degree.

34 (3) During the 2008-09 school year, model career and technical
35 education programs of study shall be developed for the following
36 high-demand programs: Construction, health care, and information
37 technology. Each school year thereafter, the office of the

1 superintendent of public instruction, the state board for community and
2 technical colleges, (~~the higher education coordinating board,~~) and
3 the workforce training and education coordinating board shall select
4 additional programs of study to develop, with a priority on high-demand
5 programs as identified under RCW 28A.700.020.

6 **Sec. 806.** RCW 28B.20.130 and 2010 c 51 s 1 are each amended to
7 read as follows:

8 General powers and duties of the board of regents are as follows:

9 (1) To have full control of the university and its property of
10 various kinds, except as otherwise provided by law.

11 (2) To employ the president of the university, his or her
12 assistants, members of the faculty, and employees of the institution,
13 who except as otherwise provided by law, shall hold their positions
14 during the pleasure of said board of regents.

15 (3) Establish entrance requirements for students seeking admission
16 to the university (~~which meet or exceed the standards specified under~~
17 ~~RCW 28B.76.290(2)~~). Completion of examinations satisfactory to the
18 university may be a prerequisite for entrance by any applicant at the
19 university's discretion. Evidence of completion of public high schools
20 and other educational institutions whose courses of study meet the
21 approval of the university may be acceptable for entrance.

22 (4) Establish such colleges, schools, or departments necessary to
23 carry out the purpose of the university and not otherwise proscribed by
24 law.

25 (5) With the assistance of the faculty of the university, prescribe
26 the course of study in the various colleges, schools, and departments
27 of the institution and publish the necessary catalogues thereof.

28 (6) Grant to students such certificates or degrees as recommended
29 for such students by the faculty. The board, upon recommendation of
30 the faculty, may also confer honorary degrees upon persons other than
31 graduates of this university in recognition of their learning or
32 devotion to literature, art, or science: PROVIDED, That no degree
33 shall ever be conferred in consideration of the payment of money or the
34 giving of property of whatsoever kind.

35 (7) Accept such gifts, grants, conveyances, bequests, and devises,
36 whether real or personal property, or both, in trust or otherwise, for
37 the use or benefit of the university, its colleges, schools,

1 departments, or agencies; and sell, lease or exchange, invest or expend
2 the same or the proceeds, rents, profits, and income thereof except as
3 limited by the terms of said gifts, grants, conveyances, bequests, and
4 devises. The board shall adopt proper rules to govern and protect the
5 receipt and expenditure of the proceeds of all fees, and the proceeds,
6 rents, profits, and income of all gifts, grants, conveyances, bequests,
7 and devises above-mentioned.

8 (8) Except as otherwise provided by law, to enter into such
9 contracts as the regents deem essential to university purposes.

10 (9) To submit upon request such reports as will be helpful to the
11 governor and to the legislature in providing for the institution.

12 (10) (~~Subject to the approval of the higher education coordinating~~
13 ~~board pursuant to RCW 28B.76.230,~~) To offer new degree programs, offer
14 off-campus programs, participate in consortia or centers, contract for
15 off-campus educational programs, and purchase or lease major off-campus
16 facilities.

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. 807.** 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)~~). Completion of examinations satisfactory to the

1 university may be a prerequisite for entrance by any applicant, at the
2 university's discretion. Evidence of completion of public high schools
3 and other educational institutions whose courses of study meet the
4 approval of the university may be acceptable for entrance.

5 (4) Establish such colleges, schools, or departments necessary to
6 carry out the purpose of the university and not otherwise proscribed by
7 law.

8 (5) (~~Subject to the approval of the higher education coordinating~~
9 ~~board pursuant to RCW 28B.76.230,~~) Offer new degree programs, offer
10 off-campus programs, participate in consortia or centers, contract for
11 off-campus educational programs, and purchase or lease major off-campus
12 facilities.

13 (6) With the assistance of the faculty of the university, prescribe
14 the courses of instruction in the various colleges, schools, and
15 departments of the institution and publish the necessary catalogues
16 thereof.

17 (7) Collect such information as the board deems desirable as to the
18 schemes of technical instruction adopted in other parts of the United
19 States and foreign countries.

20 (8) Provide for holding agricultural institutes including farm
21 marketing forums.

22 (9) Provide that instruction given in the university, as far as
23 practicable, be conveyed by means of laboratory work and provide in
24 connection with the university one or more physical, chemical, and
25 biological laboratories, and suitably furnish and equip the same.

26 (10) Provide training in military tactics for those students
27 electing to participate therein.

28 (11) Establish a department of elementary science and in connection
29 therewith provide instruction in elementary mathematics, including
30 elementary trigonometry, elementary mechanics, elementary and
31 mechanical drawing, and land surveying.

32 (12) Establish a department of agriculture and in connection
33 therewith provide instruction in physics with special application of
34 its principles to agriculture, chemistry with special application of
35 its principles to agriculture, morphology and physiology of plants with
36 special reference to common grown crops and fungus enemies, morphology
37 and physiology of the lower forms of animal life, with special
38 reference to insect pests, morphology and physiology of the higher

1 forms of animal life and in particular of the horse, cow, sheep, and
2 swine, agriculture with special reference to the breeding and feeding
3 of livestock and the best mode of cultivation of farm produce, and
4 mining and metallurgy, appointing demonstrators in each of these
5 subjects to superintend the equipment of a laboratory and to give
6 practical instruction therein.

7 (13) Establish agricultural experiment stations in connection with
8 the department of agriculture, including at least one in the western
9 portion of the state, and appoint the officers and prescribe
10 regulations for their management.

11 (14) Grant to students such certificates or degrees, as recommended
12 for such students by the faculty.

13 (15) Confer honorary degrees upon persons other than graduates of
14 the university in recognition of their learning or devotion to
15 literature, art, or science when recommended thereto by the faculty:
16 PROVIDED, That no degree shall ever be conferred in consideration of
17 the payment of money or the giving of property of whatsoever kind.

18 (16) Adopt plans and specifications for university buildings and
19 facilities or improvements thereto and employ skilled architects and
20 engineers to prepare such plans and specifications and supervise the
21 construction of buildings or facilities which the board is authorized
22 to erect, and fix the compensation for such services. The board shall
23 enter into contracts with one or more contractors for such suitable
24 buildings, facilities, or improvements as the available funds will
25 warrant, upon the most advantageous terms offered at a public
26 competitive letting, pursuant to public notice under rules established
27 by the board. The board shall require of all persons with whom they
28 contract for construction and improvements a good and sufficient bond
29 for the faithful performance of the work and full protection against
30 all liens.

31 (17) Except as otherwise provided by law, direct the disposition of
32 all money appropriated to or belonging to the state university.

33 (18) Receive and expend the money appropriated under the act of
34 congress approved May 8, 1914, entitled "An Act to provide for
35 cooperative agricultural extension work between the agricultural
36 colleges in the several States receiving the benefits of the Act of
37 Congress approved July 2, 1862, and Acts supplemental thereto and the
38 United States Department of Agriculture" and organize and conduct

1 agricultural extension work in connection with the state university in
2 accordance with the terms and conditions expressed in the acts of
3 congress.

4 (19) Except as otherwise provided by law, to enter into such
5 contracts as the regents deem essential to university purposes.

6 (20) Acquire by lease, gift, or otherwise, lands necessary to
7 further the work of the university or for experimental or
8 demonstrational purposes.

9 (21) Establish and maintain at least one agricultural experiment
10 station in an irrigation district to conduct investigational work upon
11 the principles and practices of irrigational agriculture including the
12 utilization of water and its relation to soil types, crops, climatic
13 conditions, ditch and drain construction, fertility investigations,
14 plant disease, insect pests, marketing, farm management, utilization of
15 fruit by-products, and general development of agriculture under
16 irrigation conditions.

17 (22) Supervise and control the agricultural experiment station at
18 Puyallup.

19 (23) Establish and maintain at Wenatchee an agricultural experiment
20 substation for the purpose of conducting investigational work upon the
21 principles and practices of orchard culture, spraying, fertilization,
22 pollenization, new fruit varieties, fruit diseases and pests, by-
23 products, marketing, management, and general horticultural problems.

24 (24) Accept such gifts, grants, conveyances, devises, and bequests,
25 whether real or personal property, in trust or otherwise, for the use
26 or benefit of the university, its colleges, schools, or departments;
27 and sell, lease or exchange, invest or expend the same or the proceeds,
28 rents, profits, and income thereof except as limited by the terms of
29 said gifts, grants, conveyances, bequests, and devises; and adopt
30 proper rules to govern and protect the receipt and expenditure of the
31 proceeds of all fees, and the proceeds, rents, profits, and income of
32 all gifts, grants, conveyances, bequests, and devises.

33 (25) Construct when the board so determines a new foundry and a
34 mining, physical, technological building, and fabrication shop at the
35 university, or add to the present foundry and other buildings, in order
36 that both instruction and research be expanded to include permanent
37 molding and die casting with a section for new fabricating techniques,
38 especially for light metals, including magnesium and aluminum; purchase

1 equipment for the shops and laboratories in mechanical, electrical, and
2 civil engineering; establish a pilot plant for the extraction of
3 alumina from native clays and other possible light metal research;
4 purchase equipment for a research laboratory for technological research
5 generally; and purchase equipment for research in electronics,
6 instrumentation, energy sources, plastics, food technology, mechanics
7 of materials, hydraulics, and similar fields.

8 (26) Make and transmit to the governor and members of the
9 legislature upon request such reports as will be helpful in providing
10 for the institution.

11 (27) Confer honorary degrees upon persons who request an honorary
12 degree if they were students at the university in 1942 and did not
13 graduate because they were ordered into an internment camp. The
14 honorary degree may also be requested by a representative of deceased
15 persons who meet these requirements. For the purposes of this
16 subsection, "internment camp" means a relocation center to which
17 persons were ordered evacuated by Presidential Executive Order 9066,
18 signed February 19, 1942.

19 **Sec. 808.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to
20 read as follows:

21 (1) A global Asia institute is created within the Henry M. Jackson
22 School of International Studies. The mission of the institute is to
23 promote the understanding of Asia and its interactions with Washington
24 state and the world. The institute shall host visiting scholars and
25 policymakers, sponsor programs and learning initiatives, engage in
26 collaborative research projects, and facilitate broader understanding
27 and cooperation between the state of Washington and Asia through
28 general public programs and targeted collaborations with specific
29 communities in the state.

30 (2) Within existing resources, a global Asia institute advisory
31 board is established. The director of the Henry M. Jackson School of
32 International Studies shall appoint members of the advisory board and
33 determine the advisory board's roles and responsibilities. The board
34 shall include members representing academia, business, and government.

35 ~~((3) The higher education coordinating board may solicit, accept,~~
36 ~~receive, and administer federal funds or private funds, in trust or~~

1 otherwise, and contract with foundations or with for-profit or
2 nonprofit organizations to support the purposes of this section.))

3 **Sec. 809.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to
4 read as follows:

5 ((~~(1)~~)) A University of Washington center for human rights is
6 created. The mission of the center is to expand opportunities for
7 Washington residents to receive a world-class education in human
8 rights, generate research data and expert knowledge to enhance public
9 and private policymaking, and become an academic center for human
10 rights teaching and research in the nation. The center shall align
11 with the founding principles and philosophies of the United States of
12 America and engage faculty, staff, and students in service to enhance
13 the promise of life and liberty as outlined in the Preamble of the
14 United States Constitution. Key substantive issues for the center
15 include: The rights of all persons to security against violence; the
16 rights of immigrants, native Americans, and ethnic or religious
17 minorities; human rights and the environment; health as a human right;
18 human rights and trade; the human rights of working people; and women's
19 rights as human rights. State funds may not be used to support the
20 center for human rights created in this section.

21 ((~~(2) The higher education coordinating board and the University of
22 Washington may solicit, accept, receive, and administer federal funds
23 or private funds, in trust or otherwise, and contract with foundations
24 or with for-profit or nonprofit organizations to support the purposes
25 of this section.~~))

26 **Sec. 810.** RCW 28B.30.530 and 2010 c 165 s 3 are each amended to
27 read as follows:

28 (1) The board of regents of Washington State University shall
29 establish the Washington State University small business development
30 center.

31 (2) The center shall provide management and technical assistance
32 including but not limited to training, counseling, and research
33 services to small businesses throughout the state. The center shall
34 work with the department of commerce, the state board for community and
35 technical colleges, ((~~the higher education coordinating board,~~)) the
36 workforce training and education coordinating board, the employment

1 security department, the Washington state economic development
2 commission, associate development organizations, and workforce
3 development councils to:

4 (a) Integrate small business development centers with other state
5 and local economic development and workforce development programs;

6 (b) Target the centers' services to small businesses;

7 (c) Tailor outreach and services at each center to the needs and
8 demographics of entrepreneurs and small businesses located within the
9 service area;

10 (d) Establish and expand small business development center
11 satellite offices when financially feasible; and

12 (e) Coordinate delivery of services to avoid duplication.

13 (3) The administrator of the center may contract with other public
14 or private entities for the provision of specialized services.

15 (4) The small business development center may accept and disburse
16 federal grants or federal matching funds or other funds or donations
17 from any source when made, granted, or donated to carry out the
18 center's purposes. When drawing on funds from the business assistance
19 account created in RCW 28B.30.531, the center must first use the funds
20 to make increased management and technical assistance available to
21 existing small businesses and start-up businesses at satellite offices.
22 The funds may also be used to develop and expand assistance programs
23 such as small business planning workshops and small business
24 counseling.

25 (5) By December 1, 2010, the center shall provide a written
26 progress report and a final report to the appropriate committees of the
27 legislature with respect to the requirements in subsection (2) of this
28 section and the amount and use of funding received through the business
29 assistance account. The reports must also include data on the number,
30 location, staffing, and budget levels of satellite offices;
31 affiliations with community colleges, associate development
32 organizations or other local organizations; the number, size, and type
33 of small businesses assisted; and the types of services provided. The
34 reports must also include information on the outcomes achieved, such as
35 jobs created or retained, private capital invested, and return on the
36 investment of state and federal dollars.

37 (6)(a) Subject to the availability of amounts appropriated for this
38 specific purpose, by December 1, 2010, the center, in conjunction with

1 the department of commerce, must prepare and present to the governor
2 and appropriate legislative committees a specific, actionable plan to
3 increase access to capital and technical assistance to small businesses
4 and entrepreneurs beginning with the 2011-2013 biennium. In developing
5 the plan, the center and the department may consult with the Washington
6 state microenterprise association, and with other government,
7 nonprofit, and private organizations as necessary. The plan must
8 identify:

9 (i) Existing sources of capital and technical assistance for small
10 businesses and entrepreneurs;

11 (ii) Critical gaps and barriers to availability of capital and
12 delivery of technical assistance to small businesses and entrepreneurs;

13 (iii) Workable solutions to filling the gaps and removing barriers
14 identified in (a)(ii) of this subsection; and

15 (iv) The financial resources and statutory changes necessary to put
16 the plan into effect beginning with the 2011-2013 biennium.

17 (b) With respect to increasing access to capital, the plan must
18 identify specific, feasible sources of capital and practical mechanisms
19 for expanding access to it.

20 (c) The center and the department must include, within the analysis
21 and recommendations in (a) of this subsection, any specific gaps,
22 barriers, and solutions related to rural and low-income communities and
23 small manufacturers interested in exporting.

24 **Sec. 811.** RCW 28B.35.120 and 2011 c 336 s 728 are each amended to
25 read as follows:

26 In addition to any other powers and duties prescribed by law, each
27 board of trustees of the respective regional universities:

28 (1) Shall have full control of the regional university and its
29 property of various kinds, except as otherwise provided by law.

30 (2) Shall employ the president of the regional university, his or
31 her assistants, members of the faculty, and other employees of the
32 institution, who, except as otherwise provided by law, shall hold their
33 positions, until discharged therefrom by the board for good and lawful
34 reason.

35 (3) With the assistance of the faculty of the regional university,
36 shall prescribe the course of study in the various schools and
37 departments thereof and publish such catalogues thereof as the board

1 deems necessary: PROVIDED, That the Washington professional educator
2 standards board shall determine the requisites for and give program
3 approval of all courses leading to teacher certification by such board.

4 (4) May establish such divisions, schools, or departments necessary
5 to carry out the purposes of the regional university and not otherwise
6 proscribed by law.

7 (5) Except as otherwise provided by law, may establish and erect
8 such new facilities as determined by the board to be necessary for the
9 regional university.

10 (6) May acquire real and other property as provided in RCW
11 28B.10.020, as now or hereafter amended.

12 (7) Except as otherwise provided by law, may purchase all supplies
13 and purchase or lease equipment and other personal property needed for
14 the operation or maintenance of the regional university.

15 (8) May establish, lease, operate, equip, and maintain self-
16 supporting facilities in the manner provided in RCW 28B.10.300 through
17 28B.10.330, as now or hereafter amended.

18 (9) Except as otherwise provided by law, ~~((to))~~ shall enter into
19 such contracts as the trustees deem essential to regional university
20 purposes.

21 (10) May receive such gifts, grants, conveyances, devises, and
22 bequests of real or personal property from whatsoever source, as may be
23 made from time to time, in trust or otherwise, whenever the terms and
24 conditions thereof will aid in carrying out the regional university
25 programs; sell, lease, or exchange, invest or expend the same or the
26 proceeds, rents, profits, and income thereof except as limited by the
27 terms and conditions thereof; and adopt regulations to govern the
28 receipt and expenditure of the proceeds, rents, profits, and income
29 thereof.

30 (11) ~~((Subject to the approval of the higher education coordinating
31 board pursuant to RCW 28B.76.230,))~~ May offer new degree programs,
32 offer off-campus programs, participate in consortia or centers,
33 contract for off-campus educational programs, and purchase or lease
34 major off-campus facilities.

35 (12) May promulgate such rules and regulations, and perform all
36 other acts not forbidden by law, as the board of trustees may in its
37 discretion deem necessary or appropriate to the administration of the
38 regional university.

1 **Sec. 812.** RCW 28B.35.202 and 2011 c 136 s 1 are each amended to
2 read as follows:

3 The board of trustees of Eastern Washington University may offer
4 educational specialist degrees (~~(subject to review and approval by the~~
5 ~~higher education coordinating board)~~).

6 **Sec. 813.** RCW 28B.35.205 and 2010 c 51 s 3 are each amended to
7 read as follows:

8 (1) In addition to all other powers and duties given to them by
9 law, Central Washington University, Eastern Washington University, and
10 Western Washington University are hereby authorized to grant any degree
11 through the master's degree to any student who has completed a program
12 of study and/or research in those areas which are determined by the
13 faculty and board of trustees of the college to be appropriate for the
14 granting of such degree(~~(~~PROVIDED, That before any degree is~~~~
15 ~~authorized under this section it shall be subject to the review and~~
16 ~~approval of the higher education coordinating board)~~).

17 (2) The board of trustees, upon recommendation of the faculty, may
18 also confer honorary bachelor's, master's, or doctorate level degrees
19 upon persons in recognition of their learning or devotion to education,
20 literature, art, or science. No degree may be conferred in
21 consideration of the payment of money or the donation of any kind of
22 property.

23 (3) The board of trustees may also confer honorary degrees upon
24 persons who request an honorary degree if they were students at the
25 university in 1942 and did not graduate because they were ordered into
26 an internment camp. The honorary degree may also be requested by a
27 representative of deceased persons who meet these requirements. For
28 the purposes of this subsection, "internment camp" means a relocation
29 center to which persons were ordered evacuated by Presidential
30 Executive Order 9066, signed February 19, 1942.

31 **Sec. 814.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to
32 read as follows:

33 The board of trustees of Eastern Washington University may offer
34 applied, but not research, doctorate level degrees in physical therapy
35 subject to review (~~(and approval by the higher education coordinating~~
36 ~~board)~~).

1 **Sec. 815.** RCW 28B.40.120 and 2011 c 336 s 734 are each amended to
2 read as follows:

3 In addition to any other powers and duties prescribed by law, the
4 board of trustees of The Evergreen State College:

5 (1) Shall have full control of the state college and its property
6 of various kinds, except as otherwise provided by law.

7 (2) Shall employ the president of the state college, his or her
8 assistants, members of the faculty, and other employees of the
9 institution, who, except as otherwise provided by law, shall hold their
10 positions, until discharged therefrom by the board for good and lawful
11 reason.

12 (3) With the assistance of the faculty of the state college, shall
13 prescribe the course of study in the various schools and departments
14 thereof and publish such catalogues thereof as the board deems
15 necessary: PROVIDED, That the Washington professional educator
16 standards board shall determine the requisites for and give program
17 approval of all courses leading to teacher certification by such board.

18 (4) May establish such divisions, schools, or departments necessary
19 to carry out the purposes of the college and not otherwise proscribed
20 by law.

21 (5) Except as otherwise provided by law, may establish and erect
22 such new facilities as determined by the board to be necessary for the
23 college.

24 (6) May acquire real and other property as provided in RCW
25 28B.10.020, as now or hereafter amended.

26 (7) Except as otherwise provided by law, may purchase all supplies
27 and purchase or lease equipment and other personal property needed for
28 the operation or maintenance of the college.

29 (8) May establish, lease, operate, equip, and maintain self-
30 supporting facilities in the manner provided in RCW 28B.10.300 through
31 28B.10.330, as now or hereafter amended.

32 (9) Except as otherwise provided by law, (~~to~~) shall enter into
33 such contracts as the trustees deem essential to college purposes.

34 (10) May receive such gifts, grants, conveyances, devises, and
35 bequests of real or personal property from whatsoever source, as may be
36 made from time to time, in trust or otherwise, whenever the terms and
37 conditions thereof will aid in carrying out the college programs; sell,
38 lease, or exchange, invest or expend the same or the proceeds, rents,

1 profits, and income thereof except as limited by the terms and
2 conditions thereof; and adopt regulations to govern the receipt and
3 expenditure of the proceeds, rents, profits, and income thereof.

4 (11) (~~Subject to the approval of the higher education coordinating~~
5 ~~board pursuant to RCW 28B.76.230,~~) May offer new degree programs,
6 offer off-campus programs, participate in consortia or centers,
7 contract for off-campus educational programs, and purchase or lease
8 major off-campus facilities.

9 (12) May promulgate such rules and regulations, and perform all
10 other acts not forbidden by law, as the board of trustees may in its
11 discretion deem necessary or appropriate to the administration of the
12 college.

13 **Sec. 816.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to
14 read as follows:

15 In addition to all other powers and duties given to them by law,
16 the board of trustees of The Evergreen State College is hereby
17 authorized to grant any degree through the master's degree to any
18 student who has completed a program of study and/or research in those
19 areas which are determined by the faculty and board of trustees of the
20 college to be appropriate for the granting of such degree(~~(:—PROVIDED,~~
21 ~~That any degree authorized under this section shall be subject to the~~
22 ~~review and approval of the higher education coordinating board))~~).

23 The board of trustees, upon recommendation of the faculty, may also
24 confer honorary bachelor's or master's degrees upon persons other than
25 graduates of the institution, in recognition of their learning or
26 devotion to education, literature, art, or science. No degree may be
27 conferred in consideration of the payment of money or the donation of
28 any kind of property.

29 **Sec. 817.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each
30 amended to read as follows:

31 Central Washington University is responsible for providing upper-
32 division and graduate level higher education programs to the citizens
33 of the Yakima area(~~(, under rules or guidelines adopted by the higher~~
34 ~~education coordinating board))~~).

1 **Sec. 818.** 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(~~(, 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. 819.** 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. 820.** 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. 821.** 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. 822.** 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 102 through 110 of this act are
6 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 560 and 616 of this act expire
15 June 30, 2013.

16 NEW SECTION. **Sec. 908.** Sections 101, 120, 124, 401, 501 through
17 584, 601 through 616, 701 through 708, 801 through 822, 902, and 904 of
18 this act take effect July 1, 2012.

19 NEW SECTION. **Sec. 909.** Sections 105 and 901 of this act are
20 necessary for the immediate preservation of the public peace, health,
21 or safety, or support of the state government and its existing public
22 institutions, and take effect immediately.

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