

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1961

64th Legislature
2015 Regular Session

Passed by the House March 2, 2015
Yeas 97 Nays 0

Speaker of the House of Representatives

Passed by the Senate April 8, 2015
Yeas 47 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1961** as passed by House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1961

Passed Legislature - 2015 Regular Session

State of Washington

64th Legislature

2015 Regular Session

By Representatives Zeiger, Reykdal, and Sells; by request of State Board for Community and Technical Colleges

Read first time 02/04/15. Referred to Committee on Higher Education.

1 AN ACT Relating to decodifying, expiring, and making
2 nonsubstantive changes to community and technical college provisions;
3 amending RCW 28B.15.546, 28B.50.1401, 28B.50.1402, 28B.50.1403,
4 28B.50.1404, 28B.50.1405, 28B.50.1406, 28B.50.256, 28B.50.285,
5 28B.50.327, 28B.50.482, 28B.50.534, 28B.10.025, 28B.10.280,
6 28B.10.570, 28B.10.571, 28B.10.650, 28B.10.679, 28B.15.012,
7 28B.15.014, 28B.15.025, 28B.15.041, 28B.15.067, 28B.15.069,
8 28B.15.100, 28B.15.385, 28B.15.395, 28B.15.520, 28B.15.522,
9 28B.15.543, 28B.15.545, 28B.15.558, 28B.15.621, 28B.15.740,
10 28B.15.910, 28B.15.915, 28B.50.030, 28B.50.455, 28B.50.850,
11 28B.50.851, and 28B.50.862; reenacting and amending RCW 28B.15.515;
12 adding a new section to chapter 28B.04 RCW; adding a new section to
13 chapter 28B.06 RCW; decodifying RCW 28B.56.010, 28B.56.020,
14 28B.56.040, 28B.56.050, 28B.56.070, 28B.56.080, 28B.56.090,
15 28B.56.100, 28B.56.110, 28B.56.120, 28B.57.010, 28B.57.020,
16 28B.57.030, 28B.57.040, 28B.57.060, 28B.57.070, 28B.57.080,
17 28B.57.090, 28B.57.100, 28B.58.010, 28B.58.020, 28B.58.030,
18 28B.58.040, 28B.58.050, 28B.58.060, 28B.58.070, 28B.58.080,
19 28B.58.090, 28B.59.010, 28B.59.020, 28B.59.030, 28B.59.040,
20 28B.59.050, 28B.59.060, 28B.59.070, 28B.59.080, 28B.59.090,
21 28B.59B.010, 28B.59B.020, 28B.59B.030, 28B.59B.040, 28B.59B.050,
22 28B.59B.060, 28B.59B.070, 28B.59B.080, 28B.59B.090, 28B.59C.010,
23 28B.59C.020, 28B.59C.030, 28B.59C.040, 28B.59C.050, 28B.59C.060,

1 28B.59C.070, 28B.59C.080, 28B.59D.010, 28B.59D.020, 28B.59D.030,
2 28B.59D.040, 28B.59D.050, 28B.59D.060, 28B.59D.070, 28B.50.301,
3 28B.50.302, 28B.50.914, 28B.50.915, and 28B.50.917; and providing
4 expiration dates.

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

6 **PART I**

7 NEW SECTION. **Sec. 101.** A new section is added to chapter 28B.04
8 RCW to read as follows:

9 DISPLACED HOMEMAKER ACT. This chapter expires August 1, 2015.

10 NEW SECTION. **Sec. 102.** A new section is added to chapter 28B.06
11 RCW to read as follows:

12 PROJECT EVEN START. This chapter expires August 1, 2015.

13 NEW SECTION. **Sec. 103.** 1972 COMMUNITY COLLEGES FACILITIES AID—
14 BOND ISSUE. RCW 28B.56.010, 28B.56.020, 28B.56.040, 28B.56.050,
15 28B.56.070, 28B.56.080, 28B.56.090, 28B.56.100, 28B.56.110, and
16 28B.56.120 are each decodified.

17 NEW SECTION. **Sec. 104.** 1975 COMMUNITY COLLEGE SPECIAL CAPITAL
18 PROJECTS BOND ACT. RCW 28B.57.010, 28B.57.020, 28B.57.030,
19 28B.57.040, 28B.57.060, 28B.57.070, 28B.57.080, 28B.57.090, and
20 28B.57.100 are each decodified.

21 NEW SECTION. **Sec. 105.** 1975 COMMUNITY COLLEGE GENERAL CAPITAL
22 PROJECTS BOND ACT. RCW 28B.58.010, 28B.58.020, 28B.58.030,
23 28B.58.040, 28B.58.050, 28B.58.060, 28B.58.070, 28B.58.080, and
24 28B.58.090 are each decodified.

25 NEW SECTION. **Sec. 106.** 1976 COMMUNITY COLLEGE CAPITAL PROJECTS
26 BOND ACT. RCW 28B.59.010, 28B.59.020, 28B.59.030, 28B.59.040,
27 28B.59.050, 28B.59.060, 28B.59.070, 28B.59.080, and 28B.59.090 are
28 each decodified.

29 NEW SECTION. **Sec. 107.** 1977 COMMUNITY COLLEGE CAPITAL PROJECTS
30 BOND ACT. RCW 28B.59B.010, 28B.59B.020, 28B.59B.030, 28B.59B.040,

1 28B.59B.050, 28B.59B.060, 28B.59B.070, 28B.59B.080, and 28B.59B.090
2 are each decodified.

3 NEW SECTION. **Sec. 108.** 1979 COMMUNITY COLLEGE CAPITAL PROJECTS
4 BOND ACT. RCW 28B.59C.010, 28B.59C.020, 28B.59C.030, 28B.59C.040,
5 28B.59C.050, 28B.59C.060, 28B.59C.070, and 28B.59C.080 are each
6 decodified.

7 NEW SECTION. **Sec. 109.** 1981 COMMUNITY COLLEGE CAPITAL PROJECTS
8 BOND ACT. RCW 28B.59D.010, 28B.59D.020, 28B.59D.030, 28B.59D.040,
9 28B.59D.050, 28B.59D.060, and 28B.59D.070 are each decodified.

10 **Sec. 110.** RCW 28B.15.546 and 1987 c 231 s 5 are each amended to
11 read as follows:

12 (1) Students receiving the Washington award for vocational
13 excellence in 1987 and thereafter are eligible for a second-year
14 waiver.

15 (2) This section expires August 1, 2015.

16 **Sec. 111.** RCW 28B.50.1401 and 2011 c 118 s 1 are each amended to
17 read as follows:

18 (1) There is hereby created a board of trustees for district
19 twenty-six and Lake Washington Vocational-Technical Institute,
20 hereafter known as Lake Washington Institute of Technology. The
21 members of the board shall be appointed pursuant to the provisions of
22 RCW 28B.50.100.

23 (2) This section expires August 1, 2015.

24 **Sec. 112.** RCW 28B.50.1402 and 1991 c 238 s 25 are each amended
25 to read as follows:

26 (1) There is hereby created a board of trustees for district
27 twenty-seven and Renton Vocational-Technical Institute, hereafter
28 known as Renton Technical College. The members of the board shall be
29 appointed pursuant to the provisions of RCW 28B.50.100.

30 (2) This section expires August 1, 2015.

31 **Sec. 113.** RCW 28B.50.1403 and 1991 c 238 s 26 are each amended
32 to read as follows:

33 (1) There is hereby created a board of trustees for district
34 twenty-five and Bellingham Vocational-Technical Institute, hereafter

1 known as Bellingham Technical College. The members of the board shall
2 be appointed pursuant to the provisions of RCW 28B.50.100.

3 (2) This section expires August 1, 2015.

4 **Sec. 114.** RCW 28B.50.1404 and 1991 c 238 s 27 are each amended
5 to read as follows:

6 (1) There is hereby created a new board of trustees for district
7 twenty-eight and Bates Vocational-Technical Institute, hereafter
8 known as Bates Technical College. The members of the board shall be
9 appointed pursuant to the provisions of RCW 28B.50.100.

10 (2) This section expires August 1, 2015.

11 **Sec. 115.** RCW 28B.50.1405 and 1991 c 238 s 28 are each amended
12 to read as follows:

13 (1) There is hereby created a new board of trustees for district
14 twenty-nine and Clover Park Vocational-Technical Institute, hereafter
15 known as Clover Park Technical College. The members of the board
16 shall be appointed pursuant to the provisions of RCW 28B.50.100.

17 (2) This section expires August 1, 2015.

18 **Sec. 116.** RCW 28B.50.1406 and 1994 c 217 s 4 are each amended to
19 read as follows:

20 (1) There is hereby created a board of trustees for district
21 thirty and Cascadia Community College. The members of the board shall
22 be appointed pursuant to the provisions of RCW 28B.50.100.

23 (2) This section expires August 1, 2015.

24 **Sec. 117.** RCW 28B.50.256 and 1991 c 238 s 132 are each amended
25 to read as follows:

26 If, before September 1, 1991, the use of a single building
27 facility is being shared between an existing vocational-technical
28 institute program and a K-12 program, the respective boards shall
29 continue to share the use of the facility until such time as it is
30 convenient to remove one of the two programs to another facility. The
31 determination of convenience shall be based solely upon the best
32 interests of the students involved.

33 If a vocational-technical institute district board and a common
34 school district board are sharing the use of a single facility, the
35 program occupying the majority of the space of such facility,
36 exclusive of space utilized equally by both, shall determine which

1 board will be charged with the administration and control of such
2 facility. The determination of occupancy shall be based upon the
3 space occupied as of January 1, 1990.

4 The board charged with the administration and control of such
5 facility may share expenses with the other board for the use of the
6 facility.

7 In the event that the two boards are unable to agree upon which
8 board is to administer and control the facility or upon a fair share
9 of expenses for the use of the facility, the governor shall appoint
10 an arbitrator to settle the matter. The decisions of the arbitrator
11 shall be final and binding upon both boards. The expenses of the
12 arbitration shall be divided equally by each board.

13 This section expires August 1, 2015.

14 **Sec. 118.** RCW 28B.50.285 and 2010 1st sp.s. c 24 s 3 are each
15 amended to read as follows:

16 (1) By July 1, 2010, and within existing resources, the college
17 board may create a single web site for the purpose of advertising the
18 availability of opportunity express funding to Washington citizens;
19 explaining that opportunity express helps people who want to pursue
20 college and apprenticeship for certain targeted industries; and
21 explaining that opportunity express includes the following tracks:
22 Worker retraining for unemployed adults; training programs approved
23 by the commissioner of the employment security department, training
24 programs administered by labor and management partnerships, and
25 training programs prioritized by industry, for unemployed adults and
26 incumbent workers; opportunity internships for high school students;
27 and opportunity grants for low-income adults. The web site may also
28 direct interested individuals to the appropriate local intake office.
29 The web site may also include a link to the Washington state
30 department of labor and industries apprenticeship program.

31 (2) This section expires August 1, 2015.

32 NEW SECTION. **Sec. 119.** TITLE TO OR ALL INTEREST IN REAL ESTATE
33 AND ASSETS OBTAINED FOR VOCATIONAL-TECHNICAL INSTITUTE PURPOSES. RCW
34 28B.50.301 and 28B.50.302 are each decodified.

35 **Sec. 120.** RCW 28B.50.327 and 1991 c 238 s 84 are each amended to
36 read as follows:

1 Notwithstanding the provisions of chapter 28B.15 RCW, technical
2 colleges and the Seattle Vocational Institute may continue to collect
3 student tuition and fees per their standard operating procedures in
4 effect on September 1, 1991. The applicability of existing community
5 college rules and statutes pursuant to chapter 28B.15 RCW regarding
6 tuition and fees shall be determined by the state board for community
7 and technical colleges within two years of September 1, 1991.

8 This section expires August 1, 2015.

9 **Sec. 121.** RCW 28B.50.482 and 1991 c 238 s 136 are each amended
10 to read as follows:

11 Sick leave accumulated by employees of vocational-technical
12 institutes shall be transferred to the college districts without loss
13 of time subject to the provisions of RCW 28B.50.551 and the further
14 provisions of any negotiated agreements then in force.

15 This section expires August 1, 2015.

16 **Sec. 122.** RCW 28B.50.534 and 2007 c 355 s 3 are each amended to
17 read as follows:

18 (1) A pilot program is created for two community or technical
19 colleges to make available courses or a program of study, on the
20 college campus, designed to enable students under the age of
21 twenty-one who have completed all state and local high school
22 graduation requirements except the certificate of academic
23 achievement or certificate of individual achievement to complete
24 their high school education and obtain a high school diploma.

25 (a) The colleges participating in the pilot program in this
26 section may make courses or programs under this section available by
27 entering into contracts with local school districts to deliver the
28 courses or programs. Colleges participating in the pilot program that
29 offer courses or programs under contract shall be reimbursed for each
30 enrolled eligible student as provided in the contract, and the high
31 school diploma shall be issued by the local school district;

32 (b) Colleges participating in the pilot program may deliver
33 courses or programs under this section directly. Colleges that
34 deliver courses or programs directly shall be reimbursed for each
35 enrolled eligible student as provided in RCW 28A.600.405, and the
36 high school diploma shall be issued by the college;

37 (c) Colleges participating in the pilot program may make courses
38 or programs under this section available through a combination of

1 contracts with local school districts, collaboration with educational
2 service districts, and direct service delivery. Colleges
3 participating in the pilot program may also make courses or programs
4 under this section available for students at locations in addition to
5 the college campus; or

6 (d) Colleges participating in the pilot program may enter into
7 regional partnerships to carry out the provisions of this subsection
8 (1).

9 (2) Regardless of the service delivery method chosen, colleges
10 participating in the pilot program shall ensure that all eligible
11 students located in school districts within their college district as
12 defined in RCW 28B.50.040 have an opportunity to enroll in a course
13 or program under this section.

14 (3) Colleges participating in the pilot program shall not require
15 students enrolled under this section to pay tuition or services and
16 activities fees; however this waiver of tuition and services and
17 activities fees shall be in effect only for those courses that lead
18 to a high school diploma.

19 (4) Nothing in this section or RCW 28A.600.405 precludes a
20 community or technical college from offering courses or a program of
21 study for students other than eligible students as defined by RCW
22 28A.600.405 to obtain a high school diploma, nor is this section or
23 RCW 28A.600.405 intended to restrict diploma completion programs
24 offered by school districts or educational service districts.
25 Community and technical colleges and school districts are encouraged
26 to consult with educational service districts in the development and
27 delivery of programs and courses required under this section.

28 (5) Community and technical colleges participating in the pilot
29 program shall not be required to administer the
30 ((Washington))statewide student assessment ((of student learning)).

31 (6) This section expires August 1, 2015.

32 NEW SECTION. Sec. 123. TRANSFERS OF POWERS. RCW 28B.50.914 and
33 28B.50.915 are each decodified.

34 NEW SECTION. Sec. 124. EFFECTIVE DATES. RCW 28B.50.917 is
35 decodified.

36 **PART II**

1 **Sec. 201.** RCW 28B.10.025 and 2005 c 36 s 2 are each amended to
2 read as follows:

3 The Washington state arts commission shall, in consultation with
4 the boards of regents of the University of Washington and Washington
5 State University and with the boards of trustees of the regional
6 universities, The Evergreen State College, and the community and
7 technical college districts, determine the amount to be made
8 available for the purchases of art under RCW 28B.10.027, and payment
9 therefor shall be made in accordance with law. The designation of
10 projects and sites, the selection, contracting, purchase,
11 commissioning, reviewing of design, execution and placement,
12 acceptance, maintenance, and sale, exchange, or disposition of works
13 of art shall be the responsibility of the Washington state arts
14 commission in consultation with the board of regents or trustees.

15 **Sec. 202.** RCW 28B.10.280 and 1977 ex.s. c 169 s 11 are each
16 amended to read as follows:

17 The boards of regents of the state universities and the boards of
18 trustees of regional universities, The Evergreen State College, and
19 community and technical college districts may each create student
20 loan funds, and qualify and participate in the National Defense
21 Education Act of 1958 and such other similar federal student aid
22 programs as are or may be enacted from time to time, and to that end
23 may comply with all of the laws of the United States, and all of the
24 rules, regulations and requirements promulgated pursuant thereto.

25 **Sec. 203.** RCW 28B.10.570 and 2003 c 53 s 171 are each amended to
26 read as follows:

27 (1) It shall be unlawful for any person, singly or in concert
28 with others, to interfere by force or violence with any
29 administrator, faculty member, or student of any university, college,
30 or community or technical college who is in the peaceful discharge or
31 conduct of his or her duties or studies.

32 (2) A person violating this section is guilty of a gross
33 misdemeanor and shall be fined not more than five hundred dollars, or
34 imprisoned in jail not more than six months, or both such fine and
35 imprisonment.

36 **Sec. 204.** RCW 28B.10.571 and 2003 c 53 s 172 are each amended to
37 read as follows:

1 (1) It shall be unlawful for any person, singly or in concert
2 with others, to intimidate by threat of force or violence any
3 administrator, faculty member, or student of any university, college,
4 or community or technical college who is in the peaceful discharge or
5 conduct of his or her duties or studies.

6 (2) A person violating this section is guilty of a gross
7 misdemeanor and shall be fined not more than five hundred dollars, or
8 imprisoned in jail not more than six months, or both such fine and
9 imprisonment.

10 **Sec. 205.** RCW 28B.10.650 and 2004 c 275 s 45 are each amended to
11 read as follows:

12 It is the intent of the legislature that when the state and
13 regional universities, The Evergreen State College, and community and
14 technical colleges grant professional leaves to faculty and exempt
15 staff, such leaves be for the purpose of providing opportunities for
16 study, research, and creative activities for the enhancement of the
17 institution's instructional and research programs.

18 The boards of regents of the state universities, the boards of
19 trustees of the regional universities and of The Evergreen State
20 College and the board of trustees of each community or technical
21 college district may grant remunerated professional leaves to faculty
22 members and exempt staff, as defined in RCW 41.06.070, in accordance
23 with regulations adopted by the respective governing boards for
24 periods not to exceed twelve consecutive months in accordance with
25 the following provisions:

26 (1) The remuneration from state general funds and general local
27 funds for any such leave granted for any academic year shall not
28 exceed the average of the highest quartile of a rank order of
29 salaries of all full time teaching faculty holding academic year
30 contracts or appointments at the institution or in the district.

31 (2) Remunerated professional leaves for a period of more or less
32 than an academic year shall be compensated at rates not to exceed a
33 proportional amount of the average salary as otherwise calculated for
34 the purposes of subsection (1) of this section.

35 (3) The grant of any such professional leave shall be contingent
36 upon a signed contractual agreement between the respective governing
37 board and the recipient providing that the recipient shall return to
38 the granting institution or district following his or her completion
39 of such leave and serve in a professional status for a period

1 commensurate with the amount of leave so granted. Failure to comply
2 with the provisions of such signed agreement shall constitute an
3 obligation of the recipient to repay to the institution any
4 remuneration received from the institution during the leave.

5 (4) The aggregate cost of remunerated professional leaves awarded
6 at the institution or district during any year, including the cost of
7 replacement personnel, shall not exceed the cost of salaries which
8 otherwise would have been paid to personnel on leaves: PROVIDED, That
9 for community or technical college districts the aggregate cost shall
10 not exceed one hundred fifty percent of the cost of salaries which
11 would have otherwise been paid to personnel on leaves: PROVIDED
12 FURTHER, That this subsection shall not apply to any community or
13 technical college district with fewer than seventy-five full time
14 faculty members and granting fewer than three individuals such leaves
15 in any given year.

16 (5) The average number of annual remunerated professional leaves
17 awarded at any such institution or district shall not exceed four
18 percent of the total number of full time equivalent faculty, as
19 defined by the office of financial management, who are engaged in
20 instruction, and exempt staff as defined in RCW 41.06.070.

21 (6) Negotiated agreements made in accordance with chapter 28B.52
22 RCW and entered into after July 1, 1977, shall be in conformance with
23 the provisions of this section.

24 (7) The respective institutions and districts shall maintain such
25 information which will ensure compliance with the provisions of this
26 section.

27 **Sec. 206.** RCW 28B.10.679 and 2007 c 396 s 10 are each amended to
28 read as follows:

29 ~~((1) By September 1, 2008, the state board for community and
30 technical colleges, the council of presidents, the higher education
31 coordinating board, and the office of the superintendent of public
32 instruction, under the leadership of the transition math project and
33 in collaboration with representatives of public two and four-year
34 institutions of higher education, shall jointly revise the Washington
35 mathematics placement test to serve as a common college readiness
36 test for all two and four-year institutions of higher education.~~

37 ~~(2) The revised mathematics college readiness test shall be
38 implemented by all public two and four-year institutions of higher
39 education by September 1, 2009.)~~ All public two and four-year

1 institutions of higher education must use a common performance
2 standard on the mathematics placement test for purposes of
3 determining college readiness in mathematics. The performance
4 standard must be publicized to all high schools in the state.

5 **Sec. 207.** RCW 28B.15.012 and 2014 c 183 s 1 are each amended to
6 read as follows:

7 Whenever used in this chapter:

8 (1) The term "institution" shall mean a public university,
9 college, or community or technical college within the state of
10 Washington.

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

12 (a) A financially independent student who has had a domicile in
13 the state of Washington for the period of one year immediately prior
14 to the time of commencement of the first day of the semester or
15 quarter for which the student has registered at any institution and
16 has in fact established a bona fide domicile in this state primarily
17 for purposes other than educational;

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

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

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

36 (e) Any person who has completed the full senior year of high
37 school and obtained a high school diploma, both at a Washington
38 public high school or private high school approved under chapter
39 28A.195 RCW, or a person who has received the equivalent of a

1 diploma; who has lived in Washington for at least three years
2 immediately prior to receiving the diploma or its equivalent; who has
3 continuously lived in the state of Washington after receiving the
4 diploma or its equivalent and until such time as the individual is
5 admitted to an institution of higher education under subsection (1)
6 of this section; and who provides to the institution an affidavit
7 indicating that the individual will file an application to become a
8 permanent resident at the earliest opportunity the individual is
9 eligible to do so and a willingness to engage in any other activities
10 necessary to acquire citizenship, including but not limited to
11 citizenship or civics review courses;

12 (f) Any person who has lived in Washington, primarily for
13 purposes other than educational, for at least one year immediately
14 before the date on which the person has enrolled in an institution,
15 and who holds lawful nonimmigrant status pursuant to 8 U.S.C. Sec.
16 (a)(15) (E)(iii), (H)(i), or (L), or who holds lawful nonimmigrant
17 status as the spouse or child of a person having nonimmigrant status
18 under one of those subsections, or who, holding or having previously
19 held such lawful nonimmigrant status as a principal or derivative,
20 has filed an application for adjustment of status pursuant to 8
21 U.S.C. Sec. 1255(a);

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

24 (h) A student who is on active military duty or a member of the
25 national guard who entered service as a Washington resident and who
26 has maintained Washington as his or her domicile but is not stationed
27 in the state;

28 (i) A student who is the spouse or a dependent of a person who is
29 on active military duty or a member of the national guard who entered
30 service as a Washington resident and who has maintained Washington as
31 his or her domicile but is not stationed in the state. If the person
32 on active military duty is reassigned out-of-state, the student
33 maintains the status as a resident student so long as the student is
34 continuously enrolled in a degree program;

35 (j) A student who resides in the state of Washington and is the
36 spouse or a dependent of a person who is a member of the Washington
37 national guard;

38 (k) A student who has separated from the military under honorable
39 conditions after at least two years of service, and who enters an

1 institution of higher education in Washington within one year of the
2 date of separation who:

3 (i) At the time of separation designated Washington as his or her
4 intended domicile; or

5 (ii) Has Washington as his or her official home of record; or

6 (iii) Moves to Washington and establishes a domicile as
7 determined in RCW 28B.15.013;

8 (l) A student who is the spouse or a dependent of an individual
9 who has separated from the military under honorable conditions after
10 at least two years of service who:

11 (i) At the time of discharge designates Washington as his or her
12 intended domicile; and

13 (ii) Has Washington as his or her primary domicile as determined
14 in RCW 28B.15.013; and

15 (iii) Enters an institution of higher education in Washington
16 within one year of the date of discharge;

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

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

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

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

1 Washington, the student maintains the status as a resident student so
2 long as the student resides in Washington and is continuously
3 enrolled in a degree program.

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

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

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

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

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

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

37 (a) The armed forces of the United States government; or

38 (b) The Washington national guard; or

1 (c) The coast guard, merchant mariners, or other nonmilitary
2 organization when such service is recognized by the United States
3 government as equivalent to service in the armed forces.

4 **Sec. 208.** RCW 28B.15.014 and 2000 c 117 s 3 are each amended to
5 read as follows:

6 Subject to the limitations of RCW 28B.15.910, the governing
7 boards of the state universities, the regional universities, The
8 Evergreen State College, and the community and technical colleges may
9 exempt the following nonresidents from paying all or a portion of the
10 nonresident tuition fees differential:

11 (1) Any person who resides in the state of Washington and who
12 holds a graduate service appointment designated as such by a public
13 institution of higher education or is employed for an academic
14 department in support of the instructional or research programs
15 involving not less than twenty hours per week during the term such
16 person shall hold such appointment.

17 (2) Any faculty member, classified staff member or
18 administratively exempt employee holding not less than a half time
19 appointment at an institution who resides in the state of Washington,
20 and the dependent children and spouse of such persons.

21 (3) Any immigrant refugee and the spouse and dependent children
22 of such refugee, if the refugee (a) is on parole status, or (b) has
23 received an immigrant visa, or (c) has applied for United States
24 citizenship.

25 (4) Any dependent of a member of the United States congress
26 representing the state of Washington.

27 **Sec. 209.** RCW 28B.15.025 and 1985 c 390 s 12 are each amended to
28 read as follows:

29 The term "building fees" means the fees charged students
30 registering at the state's colleges and universities, which fees are
31 to be used as follows: At the University of Washington, solely for
32 the purposes provided in RCW 28B.15.210; at Washington State
33 University, solely for the purposes provided in RCW 28B.15.310; at
34 each of the regional universities and at The Evergreen State College,
35 solely for the purposes provided in RCW 28B.35.370; and at the
36 community and technical colleges, for the purposes provided in RCW
37 28B.50.320, 28B.50.360 and 28B.50.370. The term "building fees" is a
38 renaming of the "general tuition fee," and shall not be construed to

1 affect otherwise moneys pledged to, or used for bond retirement
2 purposes.

3 **Sec. 210.** RCW 28B.15.041 and 1985 c 390 s 14 are each amended to
4 read as follows:

5 The term "services and activities fees" as used in this chapter
6 is defined to mean fees, other than tuition fees, charged to all
7 students registering at the state's community colleges, technical
8 colleges, regional universities, The Evergreen State College, and
9 state universities. Services and activities fees shall be used as
10 otherwise provided by law or by rule or regulation of the board of
11 trustees or regents of each of the state's community colleges,
12 technical colleges, The Evergreen State College, the regional
13 universities, or the state universities for the express purpose of
14 funding student activities and programs of their particular
15 institution. Student activity fees, student use fees, student
16 building use fees, special student fees, or other similar fees
17 charged to all full time students, or to all students, as the case
18 may be, registering at the state's colleges or universities and
19 pledged for the payment of bonds heretofore or hereafter issued for,
20 or other indebtedness incurred to pay, all or part of the cost of
21 acquiring, constructing or installing any lands, buildings, or
22 facilities of the nature described in RCW 28B.10.300 as now or
23 hereafter amended, shall be included within and deemed to be services
24 and activities fees.

25 **Sec. 211.** RCW 28B.15.067 and 2013 2nd sp.s. c 4 s 958 are each
26 amended to read as follows:

27 (1) Tuition fees shall be established under the provisions of
28 this chapter.

29 (2) Beginning in the 2011-12 academic year, reductions or
30 increases in full-time tuition fees shall be as provided in the
31 omnibus appropriations act for resident undergraduate students at
32 community and technical colleges. The governing boards of the state
33 universities, regional universities, and The Evergreen State College;
34 and the state board for community and technical colleges may reduce
35 or increase full-time tuition fees for all students other than
36 resident undergraduates, including nonresident students, summer
37 school students, and students in other self-supporting degree
38 programs. Percentage increases in full-time tuition may exceed the

1 fiscal growth factor. Except during the 2013-2015 fiscal biennium,
2 the state board for community and technical colleges may pilot or
3 institute differential tuition models. The board may define scale,
4 scope, and rationale for the models.

5 (3)(a) Beginning with the 2011-12 academic year and through the
6 end of the 2014-15 academic year, the governing boards of the state
7 universities, the regional universities, and The Evergreen State
8 College may reduce or increase full-time tuition fees for all
9 students, including summer school students and students in other
10 self-supporting degree programs. Percentage increases in full-time
11 tuition fees may exceed the fiscal growth factor. Reductions or
12 increases may be made for all or portions of an institution's
13 programs, campuses, courses, or students; however, during the
14 2013-2015 fiscal biennium, reductions or increases in tuition must be
15 uniform among resident undergraduate students.

16 (b) Prior to reducing or increasing tuition for each academic
17 year, the governing boards of the state universities, the regional
18 universities, and The Evergreen State College shall consult with
19 existing student associations or organizations with student
20 undergraduate and graduate representatives regarding the impacts of
21 potential tuition increases. Each governing board shall make public
22 its proposal for tuition and fee increases twenty-one days before the
23 governing board of the institution considers adoption and allow
24 opportunity for public comment. However, the requirement to make
25 public a proposal for tuition and fee increases twenty-one days
26 before the governing board considers adoption shall not apply if the
27 omnibus appropriations act has not passed the legislature by May
28 15th. Governing boards shall be required to provide data regarding
29 the percentage of students receiving financial aid, the sources of
30 aid, and the percentage of total costs of attendance paid for by aid.

31 (c) Prior to reducing or increasing tuition for each academic
32 year, the state board for community and technical college system
33 shall consult with existing student associations or organizations
34 with undergraduate student representation regarding the impacts of
35 potential tuition increases. The state board for community and
36 technical colleges shall provide data regarding the percentage of
37 students receiving financial aid, the sources of aid, and the
38 percentage of total costs of attendance paid for by aid.

39 (4) Beginning with the 2015-16 academic year through the 2018-19
40 academic year, the governing boards of the state universities,

1 regional universities, and The Evergreen State College may set
2 tuition for resident undergraduates as follows:

3 (a) If state funding for a college or university falls below the
4 state funding provided in the operating budget for fiscal year 2011,
5 the governing board may increase tuition up to the limits set in (d)
6 of this subsection, reduce enrollments, or both;

7 (b) If state funding for a college or university is at least at
8 the level of state funding provided in the operating budget for
9 fiscal year 2011, the governing board may increase tuition up to the
10 limits set in (d) of this subsection and shall continue to at least
11 maintain the actual enrollment levels for fiscal year 2011 or
12 increase enrollments as required in the omnibus appropriations act;

13 (c) If state funding is increased so that combined with resident
14 undergraduate tuition the sixtieth percentile of the total per-
15 student funding at similar public institutions of higher education in
16 the global challenge states under RCW 28B.15.068 is exceeded, the
17 governing board shall decrease tuition by the amount needed for the
18 total per-student funding to be at the sixtieth percentile under RCW
19 28B.15.068; and

20 (d) The amount of tuition set by the governing board for an
21 institution under this subsection (4) may not exceed the sixtieth
22 percentile of the resident undergraduate tuition of similar public
23 institutions of higher education in the global challenge states.

24 (5) The tuition fees established under this chapter shall not
25 apply to high school students enrolling in participating institutions
26 of higher education under RCW 28A.600.300 through 28A.600.400.

27 (6) The tuition fees established under this chapter shall not
28 apply to eligible students enrolling in a dropout reengagement
29 program through an interlocal agreement between a school district and
30 a community or technical college under RCW 28A.175.100 through
31 28A.175.110.

32 ~~(7) ((The tuition fees established under this chapter shall not
33 apply to eligible students enrolling in a community or technical
34 college participating in the pilot program under RCW 28B.50.534 for
35 the purpose of obtaining a high school diploma.~~

36 ~~(8))~~ Beginning in the 2019-20 academic year, reductions or
37 increases in full-time tuition fees for resident undergraduates at
38 four-year institutions of higher education shall be as provided in
39 the omnibus appropriations act.

1 ~~((+9))~~(8) The legislative advisory committee to the committee on
2 advanced tuition payment established in RCW 28B.95.170 shall:

3 (a) Review the impact of differential tuition rates on the funded
4 status and future unit price of the Washington advanced college
5 tuition payment program; and

6 (b) No later than January 14, 2013, make a recommendation to the
7 appropriate policy and fiscal committees of the legislature regarding
8 how differential tuition should be addressed in order to maintain the
9 ongoing solvency of the Washington advanced college tuition payment
10 program.

11 **Sec. 212.** RCW 28B.15.069 and 2013 2nd sp.s. c 4 s 959 are each
12 amended to read as follows:

13 (1) The building fee for each academic year shall be a percentage
14 of total tuition fees. This percentage shall be calculated by the
15 office of financial management and be based on the actual percentage
16 the building fee is of total tuition for each tuition category in the
17 1994-95 academic year, rounded up to the nearest half percent.

18 (2) The governing boards of each institution of higher education,
19 ~~((except for the technical colleges,))~~ shall charge to and collect
20 from each student a services and activities fee. A governing board
21 may increase the existing fee annually, consistent with budgeting
22 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
23 the annual percentage increase in student tuition fees for resident
24 undergraduate students: PROVIDED, That such percentage increase shall
25 not apply to that portion of the services and activities fee
26 previously committed to the repayment of bonded debt. These rate
27 adjustments may exceed the fiscal growth factor. For the 2013-2015
28 fiscal biennium, each governing board is authorized to increase the
29 services and activities fees by amounts judged reasonable and
30 necessary by the services and activities fee committee and the
31 governing board consistent with the budgeting procedures set forth in
32 RCW 28B.15.045. The services and activities fee committee provided
33 for in RCW 28B.15.045 may initiate a request to the governing board
34 for a fee increase.

35 (3) Tuition and services and activities fees consistent with
36 subsection (2) of this section shall be set by the state board for
37 community and technical colleges for community and technical college
38 summer school students unless the ~~((community))~~ college charges fees
39 in accordance with RCW 28B.15.515.

1 (4) Subject to the limitations of RCW 28B.15.910, each governing
2 board of a community or technical college may charge such fees for
3 ungraded courses, noncredit courses, community services courses, and
4 self-supporting courses as it, in its discretion, may determine,
5 consistent with the rules of the state board for community and
6 technical colleges.

7 (5) The governing board of a college offering an applied
8 baccalaureate degree program under RCW 28B.50.810 may charge tuition
9 fees for those courses above the associate degree level at rates
10 consistent with rules adopted by the state board for community and
11 technical colleges, not to exceed tuition fee rates at the regional
12 universities.

13 **Sec. 213.** RCW 28B.15.100 and 2011 1st sp.s. c 11 s 151 are each
14 amended to read as follows:

15 (1) The governing boards of the state universities, the regional
16 universities, The Evergreen State College, and the community and
17 technical colleges shall charge to and collect from each of the
18 students registering at the particular institution for any quarter or
19 semester such tuition fees and services and activities fees, and
20 other fees as such board shall in its discretion determine. For the
21 governing boards of the state universities, the regional
22 universities, and The Evergreen State College, the total of all fees
23 shall be rounded to the nearest whole dollar amount: PROVIDED, That
24 such tuition fees shall be established in accordance with RCW
25 28B.15.067.

26 (2) Part-time students shall be charged tuition and services and
27 activities fees proportionate to full-time student rates established
28 for residents and nonresidents: PROVIDED, That except for students
29 registered at community and technical colleges, students registered
30 for fewer than two credit hours shall be charged tuition and services
31 and activities fees at the rate established for two credit hours:
32 PROVIDED FURTHER, That, subject to the limitations of RCW 28B.15.910,
33 residents of Idaho or Oregon who are enrolled in community college
34 district number twenty for six or fewer credits during any quarter or
35 semester may be exempted from payment of all or a portion of the
36 nonresident tuition fees differential upon a declaration by the
37 office of student financial assistance that it finds Washington
38 residents from the community college district are afforded
39 substantially equivalent treatment by such other states.

1 (3) Full-time students registered for more than eighteen credit
2 hours shall be charged an additional operating fee for each credit
3 hour in excess of eighteen hours at the applicable established per
4 credit hour tuition fee rate for part-time students: PROVIDED, That,
5 subject to the limitations of RCW 28B.15.910, the governing boards of
6 the state universities and the community and technical colleges may
7 exempt all or a portion of the additional charge, for students who
8 are registered exclusively in first professional programs in
9 medicine, dental medicine, veterinary medicine, doctor of pharmacy,
10 or law, or who are registered exclusively in required courses in
11 vocational preparatory programs.

12 **Sec. 214.** RCW 28B.15.385 and 2008 c 188 s 2 are each amended to
13 read as follows:

14 For the purposes of RCW 28B.15.380 (~~and 28B.15.520~~), the phrase
15 "totally disabled" means a person who has become totally and
16 permanently disabled for life by bodily injury or disease, and is
17 thereby prevented from performing any occupation or gainful pursuit.

18 **Sec. 215.** RCW 28B.15.395 and 2013 c 175 s 11 are each amended to
19 read as follows:

20 (1) Subject to the conditions in subsection (2) of this section
21 and the limitations in RCW 28B.15.910, the governing boards of the
22 state universities, the regional universities, The Evergreen State
23 College, and the community and technical colleges, must waive all
24 tuition and fees for the following persons:

25 (a) A wrongly convicted person; and

26 (b) Any child or stepchild of a wrongly convicted person who was
27 born or became the stepchild of, or was adopted by, the wrongly
28 convicted person before compensation is awarded under RCW 4.100.060.

29 (2) The following conditions apply to waivers under subsection
30 (1) of this section:

31 (a) A wrongly convicted person must be a Washington domiciliary
32 to be eligible for the tuition waiver.

33 (b) A child must be a Washington domiciliary ages seventeen
34 through twenty-six years to be eligible for the tuition waiver. A
35 child's marital status does not affect eligibility.

36 (c) Each recipient's continued participation is subject to the
37 school's satisfactory progress policy.

1 (d) Tuition waivers for graduate students are not required for
2 those who qualify under subsection (1) of this section but are
3 encouraged.

4 (e) Recipients who receive a waiver under subsection (1) of this
5 section may attend full time or part time. Total credits earned using
6 the waiver may not exceed two hundred quarter credits, or the
7 equivalent of semester credits.

8 (3) Private vocational schools and private higher education
9 institutions are encouraged to provide waivers consistent with the
10 terms of this section.

11 (4) For the purposes of this section:

12 (a) "Child" means a biological child, stepchild, or adopted child
13 who was born of, became the stepchild of, or was adopted by a wrongly
14 convicted person before compensation is awarded under RCW 4.100.060.

15 (b) "Fees" includes all assessments for costs incurred as a
16 condition to a student's full participation in coursework and related
17 activities at an institution of higher education.

18 (c) "Washington domiciliary" means a person whose true, fixed,
19 and permanent house and place of habitation is the state of
20 Washington. In ascertaining whether a wrongly convicted person or
21 child is domiciled in the state of Washington, public institutions of
22 higher education must, to the fullest extent possible, rely upon the
23 standards provided in RCW 28B.15.013.

24 (d) "Wrongly convicted person" means a Washington domiciliary who
25 was awarded damages under RCW 4.100.060.

26 **Sec. 216.** RCW 28B.15.515 and 1993 sp.s. c 18 s 13 and 1993 sp.s.
27 c 15 s 8 are each reenacted and amended to read as follows:

28 (1) The boards of trustees of the community and technical college
29 districts may operate summer schools on either a self-supporting or a
30 state-funded basis.

31 If summer school is operated on a self-supporting basis, the fees
32 charged shall be retained by the colleges, and shall be sufficient to
33 cover the direct costs, which are instructional salaries and related
34 benefits, supplies, publications, and records.

35 Community and technical colleges that have self-supporting summer
36 schools shall continue to receive general fund state support for
37 vocational programs that require that students enroll in a four
38 quarter sequence of courses that includes summer quarter due to
39 clinical or laboratory requirements and for ungraded courses limited

1 to adult basic education, vocational apprenticeship, aging and
2 retirement, small business management, industrial first aid, and
3 parent education.

4 (2) The board of trustees of a community or technical college
5 district may permit the district's state-funded, full-time equivalent
6 enrollment level, as provided in the omnibus state appropriations
7 act, to vary. If the variance is above the state-funded level, the
8 district may charge those students above the state-funded level a fee
9 equivalent to the amount of tuition and fees that are charged
10 students enrolled in state-funded courses. These fees shall be
11 retained by the colleges.

12 (3) The state board for community and technical colleges shall
13 ensure compliance with this section.

14 **Sec. 217.** RCW 28B.15.520 and 2010 c 261 s 5 are each amended to
15 read as follows:

16 Subject to the limitations of RCW 28B.15.910, the governing
17 boards of the community and technical colleges (~~may~~):

18 (1)~~((a))~~ May waive all or a portion of tuition fees and services
19 and activities fees for(~~(+~~

20 ~~(i))~~)students nineteen years of age or older who are eligible for
21 resident tuition and fee rates as defined in RCW 28B.15.012 through
22 28B.15.015, who enroll in a course of study or program which will
23 enable them to finish their high school education and obtain a high
24 school diploma or certificate, but who are not eligible students as
25 defined by RCW 28A.600.405; (~~and~~)

26 (2)(a) Shall waive all of tuition fees and services and
27 activities fees for:

28 ~~((ii))~~(i) Children of any law enforcement officer as defined in
29 chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24
30 RCW, or Washington state patrol officer who lost his or her life or
31 became totally disabled in the line of duty while employed by any
32 public law enforcement agency or full time or volunteer fire
33 department in this state: PROVIDED, That such persons may receive the
34 waiver only if they begin their course of study at a community or
35 technical college within ten years of their graduation from high
36 school; and

37 ~~((iii))~~(ii) Surviving spouses of any law enforcement officer as
38 defined in chapter 41.26 RCW, firefighter as defined in chapter 41.26
39 or 41.24 RCW, or Washington state patrol officer who lost his or her

1 life or became totally disabled in the line of duty while employed by
2 any public law enforcement agency or full time or volunteer fire
3 department in this state.

4 (b) For the purposes of this section, "totally disabled" means a
5 person who has become totally and permanently disabled for life by
6 bodily injury or disease, and is thereby prevented from performing
7 any occupation or gainful pursuit.

8 (c) The governing boards of the community and technical colleges
9 shall report to the state board for community and technical colleges
10 on the annual cost of tuition fees and services and activities fees
11 waived for surviving spouses and children under (~~parts (a)(ii) and~~
12 ~~(iii)~~)(a) of this subsection. The state board for community and
13 technical colleges shall consolidate the reports of the waived fees
14 and annually report to the appropriate fiscal and policy committees
15 of the legislature; and

16 (~~(2)~~)(3) May waive all or a portion of the nonresident tuition
17 fees differential for:

18 (a) Nonresident students enrolled in a community or technical
19 college course of study or program which will enable them to finish
20 their high school education and obtain a high school diploma or
21 certificate but who are not eligible students as defined by RCW
22 28A.600.405. The waiver shall be in effect only for those courses
23 which lead to a high school diploma or certificate; and

24 (b) Up to forty percent of the students enrolled in the regional
25 education program for deaf students, subject to federal funding of
26 such program.

27 **Sec. 218.** RCW 28B.15.522 and 1993 sp.s. c 18 s 17 are each
28 amended to read as follows:

29 (1) The governing boards of the community and technical colleges
30 may waive all or a portion of the tuition and services and activities
31 fees for persons under subsection (2) of this section pursuant to the
32 following conditions:

33 (a) Such persons shall register for and be enrolled in courses on
34 a space available basis and new course sections shall not be created
35 as a result of the registration;

36 (b) Enrollment information on persons registered pursuant to this
37 section shall be maintained separately from other enrollment
38 information and shall not be included in official enrollment reports,

1 nor shall such persons be considered in any enrollment statistics
2 which would affect budgetary determinations; and

3 (c) Persons who enroll under this section shall have the same
4 access to support services as do all other students and shall be
5 subject to all course prerequisite requirements.

6 (2) A person is eligible for the waiver under subsection (1) of
7 this section if the person:

8 (a) Meets the requirements for a resident student under RCW
9 28B.15.011 through 28B.15.015;

10 (b) Is twenty-one years of age or older;

11 (c) At the time of initial enrollment under subsection (1) of
12 this section, has not attended an institution of higher education for
13 the previous six months;

14 (d) Is not receiving or is not entitled to receive unemployment
15 compensation of any nature under Title 50 RCW; and

16 (e) Has an income at or below the need standard established under
17 chapter 74.04 RCW by the department of social and health services.

18 (3) The state board for community and technical colleges shall
19 adopt rules to carry out this section.

20 **Sec. 219.** RCW 28B.15.543 and 2011 1st sp.s. c 11 s 152 are each
21 amended to read as follows:

22 ~~((1) Subject to the limitations of RCW 28B.15.910, the governing~~
23 ~~boards of the state universities, the regional universities, The~~
24 ~~Evergreen State College, and the community colleges shall waive~~
25 ~~tuition and service and activities fees for students named by the~~
26 ~~office of student financial assistance on or before June 30, 1994, as~~
27 ~~recipients of the Washington scholars award under RCW 28A.600.100~~
28 ~~through 28A.600.150. The waivers shall be used only for undergraduate~~
29 ~~studies. To qualify for the waiver, recipients shall enter the~~
30 ~~college or university within three years of high school graduation~~
31 ~~and maintain a minimum grade point average at the college or~~
32 ~~university equivalent to 3.30. Students shall be eligible to receive~~
33 ~~a maximum of twelve quarters or eight semesters of waivers and may~~
34 ~~transfer among state-supported institutions of higher education~~
35 ~~during that period and continue to have the tuition and services and~~
36 ~~activities fees waived by the state-supported institution of higher~~
37 ~~education that the student attends. Should the student's cumulative~~
38 ~~grade point average fall below 3.30 during the first three quarters~~
39 ~~or two semesters, that student may petition the office of student~~

1 ~~financial assistance which shall have the authority to establish a~~
2 ~~probationary period until such time as the student's grade point~~
3 ~~average meets required standards.~~

4 ~~(2))~~ Students named by the office of student financial
5 assistance after June 30, 1994, as recipients of the Washington
6 scholars award under RCW 28A.600.100 through 28A.600.150 shall be
7 eligible to receive a grant for undergraduate coursework as
8 authorized under RCW 28B.76.660.

9 **Sec. 220.** RCW 28B.15.545 and 2004 c 275 s 50 are each amended to
10 read as follows:

11 ~~((1) Subject to the limitations of RCW 28B.15.910, the governing~~
12 ~~boards of the state universities, the regional universities, The~~
13 ~~Evergreen State College, and the community colleges shall waive~~
14 ~~tuition and services and activities fees for a maximum of two years~~
15 ~~for those recipients of the Washington award for vocational~~
16 ~~excellence established under RCW 28C.04.520 through 28C.04.540 who~~
17 ~~received their awards before June 30, 1994. Each recipient shall~~
18 ~~not receive a waiver for more than six quarters or four semesters. To~~
19 ~~qualify for the waiver, recipients shall enter the college or~~
20 ~~university within three years of receiving the award. A minimum grade~~
21 ~~point average at the college or university equivalent to 3.00, or an~~
22 ~~above average rating at a technical college, shall be required in the~~
23 ~~first year to qualify for the second year waiver. The tuition waiver~~
24 ~~shall be granted for undergraduate studies only.~~

25 ~~(2))~~ Students named by the workforce training and education
26 coordinating board after June 30, 1994, as recipients of the
27 Washington award for vocational excellence under RCW 28C.04.520
28 through 28C.04.550 shall be eligible to receive a grant for
29 undergraduate coursework as authorized under RCW 28B.76.670.

30 **Sec. 221.** RCW 28B.15.558 and 2007 c 461 s 1 are each amended to
31 read as follows:

32 (1) The governing boards of the state universities, the regional
33 universities, The Evergreen State College, and the community and
34 technical colleges may waive all or a portion of the tuition and
35 services and activities fees for state employees as defined under
36 subsection (2) of this section and teachers and other certificated
37 instructional staff under subsection (3) of this section. The
38 enrollment of these persons is pursuant to the following conditions:

1 (a) Such persons shall register for and be enrolled in courses on
2 a space available basis and no new course sections shall be created
3 as a result of the registration;

4 (b) Enrollment information on persons registered pursuant to this
5 section shall be maintained separately from other enrollment
6 information and shall not be included in official enrollment reports,
7 nor shall such persons be considered in any enrollment statistics
8 that would affect budgetary determinations; and

9 (c) Persons registering on a space available basis shall be
10 charged a registration fee of not less than five dollars.

11 (2) For the purposes of this section, "state employees" means
12 persons employed half-time or more in one or more of the following
13 employee classifications:

14 (a) Permanent employees in classified service under chapter 41.06
15 RCW;

16 (b) Permanent employees governed by chapter 41.56 RCW pursuant to
17 the exercise of the option under RCW 41.56.201;

18 (c) Permanent classified employees and exempt paraprofessional
19 employees of technical colleges; and

20 (d) Faculty, counselors, librarians, and exempt professional and
21 administrative employees at institutions of higher education as
22 defined in RCW 28B.10.016.

23 (3) The waivers available to state employees under this section
24 shall also be available to teachers and other certificated
25 instructional staff employed at public common and vocational schools,
26 holding or seeking a valid endorsement and assignment in a state-
27 identified shortage area.

28 (4) In awarding waivers, an institution of higher education may
29 award waivers to eligible persons employed by the institution before
30 considering waivers for eligible persons who are not employed by the
31 institution.

32 (5) If an institution of higher education exercises the authority
33 granted under this section, it shall include all eligible state
34 employees in the pool of persons eligible to participate in the
35 program.

36 (6) In establishing eligibility to receive waivers, institutions
37 of higher education may not discriminate between full-time employees
38 and employees who are employed half-time or more.

1 **Sec. 222.** RCW 28B.15.621 and 2009 c 316 s 1 are each amended to
2 read as follows:

3 (1) The legislature finds that active military and naval
4 veterans, reserve military and naval veterans, and national guard
5 members called to active duty have served their country and have
6 risked their lives to defend the lives of all Americans and the
7 freedoms that define and distinguish our nation. The legislature
8 intends to honor active military and naval veterans, reserve military
9 and naval veterans, and national guard members who have served on
10 active military or naval duty for the public service they have
11 provided to this country.

12 (2) Subject to the limitations in RCW 28B.15.910, the governing
13 boards of the state universities, the regional universities, The
14 Evergreen State College, and the community and technical colleges,
15 may waive all or a portion of tuition and fees for an eligible
16 veteran or national guard member.

17 (3) The governing boards of the state universities, the regional
18 universities, The Evergreen State College, and the community and
19 technical colleges, may waive all or a portion of tuition and fees
20 for a military or naval veteran who is a Washington domiciliary, but
21 who did not serve on foreign soil or in international waters or in
22 another location in support of those serving on foreign soil or in
23 international waters and who does not qualify as an eligible veteran
24 or national guard member under subsection (8) of this section.
25 However, there shall be no state general fund support for waivers
26 granted under this subsection.

27 (4) Subject to the conditions in subsection (5) of this section
28 and the limitations in RCW 28B.15.910, the governing boards of the
29 state universities, the regional universities, The Evergreen State
30 College, and the community and technical colleges, shall waive all
31 tuition and fees for the following persons:

32 (a) A child and the spouse or the domestic partner or surviving
33 spouse or surviving domestic partner of an eligible veteran or
34 national guard member who became totally disabled as a result of
35 serving in active federal military or naval service, or who is
36 determined by the federal government to be a prisoner of war or
37 missing in action; and

38 (b) A child and the surviving spouse or surviving domestic
39 partner of an eligible veteran or national guard member who lost his

1 or her life as a result of serving in active federal military or
2 naval service.

3 (5) The conditions in this subsection (5) apply to waivers under
4 subsection (4) of this section.

5 (a) A child must be a Washington domiciliary between the age of
6 seventeen and twenty-six to be eligible for the tuition waiver. A
7 child's marital status does not affect eligibility.

8 (b)(i) A surviving spouse or surviving domestic partner must be a
9 Washington domiciliary.

10 (ii) Except as provided in (b)(iii) of this subsection, a
11 surviving spouse or surviving domestic partner has ten years from the
12 date of the death, total disability, or federal determination of
13 prisoner of war or missing in action status of the eligible veteran
14 or national guard member to receive benefits under the waiver. Upon
15 remarriage or registration in a subsequent domestic partnership, the
16 surviving spouse or surviving domestic partner is ineligible for the
17 waiver of all tuition and fees.

18 (iii) If a death results from total disability, the surviving
19 spouse has ten years from the date of death in which to receive
20 benefits under the waiver.

21 (c) Each recipient's continued participation is subject to the
22 school's satisfactory progress policy.

23 (d) Tuition waivers for graduate students are not required for
24 those who qualify under subsection (4) of this section but are
25 encouraged.

26 (e) Recipients who receive a waiver under subsection (4) of this
27 section may attend full-time or part-time. Total credits earned using
28 the waiver may not exceed two hundred quarter credits, or the
29 equivalent of semester credits.

30 (6) Required waivers of all tuition and fees under subsection (4)
31 of this section shall not affect permissive waivers of tuition and
32 fees under subsection (3) of this section.

33 (7) Private vocational schools and private higher education
34 institutions are encouraged to provide waivers consistent with the
35 terms in subsections (2) through (5) of this section.

36 (8) The definitions in this subsection apply throughout this
37 section.

38 (a) "Child" means a biological child, adopted child, or
39 stepchild.

1 (b) "Eligible veteran or national guard member" means a
2 Washington domiciliary who was an active or reserve member of the
3 United States military or naval forces, or a national guard member
4 called to active duty, who served in active federal service, under
5 either Title 10 or Title 32 of the United States Code, in a war or
6 conflict fought on foreign soil or in international waters or in
7 another location in support of those serving on foreign soil or in
8 international waters, and if discharged from service, has received an
9 honorable discharge.

10 (c) "Totally disabled" means a person who has been determined to
11 be one hundred percent disabled by the federal department of veterans
12 affairs.

13 (d) "Washington domiciliary" means a person whose true, fixed,
14 and permanent house and place of habitation is the state of
15 Washington. "Washington domiciliary" includes a person who is
16 residing in rental housing or residing in base housing. In
17 ascertaining whether a child or surviving spouse or surviving
18 domestic partner is domiciled in the state of Washington, public
19 institutions of higher education shall, to the fullest extent
20 possible, rely upon the standards provided in RCW 28B.15.013.

21 (9) As used in subsection (4) of this section, "fees" includes
22 all assessments for costs incurred as a condition to a student's full
23 participation in coursework and related activities at an institution
24 of higher education.

25 (10) The governing boards of the state universities, the regional
26 universities, The Evergreen State College, and the community and
27 technical colleges shall report to the higher education committees of
28 the legislature by November 15, 2010, and every two years thereafter,
29 regarding the status of implementation of the waivers under
30 subsection (4) of this section. The reports shall include the
31 following data and information:

32 (a) Total number of waivers;

33 (b) Total amount of tuition waived;

34 (c) Total amount of fees waived;

35 (d) Average amount of tuition and fees waived per recipient;

36 (e) Recipient demographic data that is disaggregated by distinct
37 ethnic categories within racial subgroups; and

38 (f) Recipient income level, to the extent possible.

1 **Sec. 223.** RCW 28B.15.740 and 1997 c 207 s 1 are each amended to
2 read as follows:

3 (1) Subject to the limitations of RCW 28B.15.910, the governing
4 boards of the state universities, the regional universities, The
5 Evergreen State College, and the community and technical colleges may
6 waive all or a portion of tuition and fees for needy students who are
7 eligible for resident tuition and fee rates pursuant to RCW
8 28B.15.012 and 28B.15.013. Subject to the limitations of RCW
9 28B.15.910, the governing boards of the state universities, the
10 regional universities, The Evergreen State College, and the community
11 and technical colleges may waive all or a portion of tuition and fees
12 for other students at the discretion of the governing boards, except
13 on the basis of participation in intercollegiate athletic programs,
14 not to exceed three-fourths of one percent of gross authorized
15 operating fees revenue under RCW 28B.15.910 for the community and
16 technical colleges considered as a whole and not to exceed two
17 percent of gross authorized operating fees revenue for the other
18 institutions of higher education.

19 (2) In addition to the tuition and fee waivers provided in
20 subsection (1) of this section and subject to the provisions of RCW
21 28B.15.455, 28B.15.460, and 28B.15.910, a total dollar amount of
22 tuition and fee waivers awarded by any state university, regional
23 university, or state college under this chapter, not to exceed one
24 percent, as calculated in subsection (1) of this section, may be used
25 for the purpose of achieving or maintaining gender equity in
26 intercollegiate athletic programs. At any institution that has an
27 underrepresented gender class in intercollegiate athletics, any such
28 waivers shall be awarded:

29 (a) First, to members of the underrepresented gender class who
30 participate in intercollegiate athletics, where such waivers result
31 in saved or displaced money that can be used for athletic programs
32 for the underrepresented gender class. Such saved or displaced money
33 shall be used for programs for the underrepresented gender class; and

34 (b) Second, (i) to nonmembers of the underrepresented gender
35 class who participate in intercollegiate athletics, where such
36 waivers result in saved or displaced money that can be used for
37 athletic programs for members of the underrepresented gender class.
38 Such saved or displaced money shall be used for programs for the
39 underrepresented gender class; or (ii) to members of the
40 underrepresented gender class who participate in intercollegiate

1 athletics, where such waivers do not result in any saved or displaced
2 money that can be used for athletic programs for members of the
3 underrepresented gender class.

4 **Sec. 224.** RCW 28B.15.910 and 2008 c 188 s 3 are each amended to
5 read as follows:

6 (1) For the purpose of providing state general fund support to
7 public institutions of higher education, except for revenue waived
8 under programs listed in subsections (3) and (4) of this section, and
9 unless otherwise expressly provided in the omnibus state
10 appropriations act, the total amount of operating fees revenue
11 waived, exempted, or reduced by a state university, a regional
12 university, The Evergreen State College, or the community and
13 technical colleges as a whole, shall not exceed the percentage of
14 total gross authorized operating fees revenue in this subsection. As
15 used in this section, "gross authorized operating fees revenue" means
16 the estimated gross operating fees revenue as estimated under RCW
17 82.33.020 or as revised by the office of financial management, before
18 granting any waivers. This limitation applies to all tuition waiver
19 programs established before or after July 1, 1992.

- 20 (a) University of Washington. 21 percent
- 21 (b) Washington State University. 20 percent
- 22 (c) Eastern Washington University. 11 percent
- 23 (d) Central Washington University. 10 percent
- 24 (e) Western Washington University. 10 percent
- 25 (f) The Evergreen State College. 10 percent
- 26 (g) Community and technical colleges as a whole. . . . 35 percent

27 (2) The limitations in subsection (1) of this section apply to
28 waivers, exemptions, or reductions in operating fees contained in the
29 following:

- 30 (a) RCW 28B.15.014;
- 31 (b) RCW 28B.15.100;
- 32 (c) RCW 28B.15.225;
- 33 (d) RCW 28B.15.380;
- 34 (e) RCW 28B.15.520;
- 35 (f) RCW 28B.15.526;
- 36 (g) RCW 28B.15.527;
- 37 (h) (~~RCW 28B.15.543;~~
- 38 ~~RCW 28B.15.545;~~
- 39 ~~RCW 28B.15.555;~~

- 1 ~~((k))~~(i) RCW 28B.15.556;
- 2 ~~((l))~~(j) RCW 28B.15.615;
- 3 ~~((m))~~(k) RCW 28B.15.621 (2) and (4);
- 4 ~~((n))~~(l) RCW 28B.15.730;
- 5 ~~((o))~~(m) RCW 28B.15.740;
- 6 ~~((p))~~(n) RCW 28B.15.750;
- 7 ~~((q))~~(o) RCW 28B.15.756;
- 8 ~~((r))~~(p) RCW 28B.50.259; and
- 9 ~~((s))~~(q) RCW 28B.70.050.

10 (3) The limitations in subsection (1) of this section do not
11 apply to waivers, exemptions, or reductions in services and
12 activities fees contained in the following:

- 13 (a) RCW 28B.15.522;
- 14 (b) RCW 28B.15.540;
- 15 (c) RCW 28B.15.558; and
- 16 (d) RCW 28B.15.621(3).

17 (4) The total amount of operating fees revenue waived, exempted,
18 or reduced by institutions of higher education participating in the
19 western interstate commission for higher education western
20 undergraduate exchange program under RCW 28B.15.544 shall not exceed
21 the percentage of total gross authorized operating fees revenue in
22 this subsection.

- 23 (a) Washington State University. 1 percent
- 24 (b) Eastern Washington University. 3 percent
- 25 (c) Central Washington University. 3 percent

26 (5) The institutions of higher education will participate in
27 outreach activities to increase the number of veterans who receive
28 tuition waivers. Colleges and universities shall revise the
29 application for admissions so that all applicants shall have the
30 opportunity to advise the institution that they are veterans who need
31 assistance. If a person indicates on the application for admissions
32 that the person is a veteran who is in need of assistance, then the
33 institution of higher education shall ask the person whether they
34 have any funds disbursed in accordance with the Montgomery GI Bill
35 available to them. Each institution shall encourage veterans to
36 utilize funds available to them in accordance with the Montgomery GI
37 Bill prior to providing the veteran a tuition waiver.

38 **Sec. 225.** RCW 28B.15.915 and 2000 c 152 s 1 are each amended to
39 read as follows:

1 In addition to waivers granted under the authority of RCW
2 28B.15.910, the governing boards of the state universities, the
3 regional universities, The Evergreen State College, and the community
4 and technical colleges, subject to state board policy, may waive all
5 or a portion of the operating fees for any student. There shall be no
6 state general fund support for waivers granted under this section.

7 By January 31st of each odd-numbered year, the institutions of
8 higher education shall prepare a report of the costs and benefits of
9 waivers granted under chapter 152, Laws of 2000 and shall transmit
10 copies of their report to the appropriate policy and fiscal
11 committees of the legislature.

12 **Sec. 226.** RCW 28B.50.030 and 2012 c 229 s 536 are each amended
13 to read as follows:

14 The definitions in this section apply throughout this chapter
15 unless the context clearly requires otherwise.

16 (1) "Adult education" means all education or instruction,
17 including academic, vocational education or training, basic skills
18 and literacy training, and "occupational education" provided by
19 public educational institutions, including common school districts
20 for persons who are eighteen years of age and over or who hold a high
21 school diploma or certificate. However, "adult education" shall not
22 include academic education or instruction for persons under twenty-
23 one years of age who do not hold a high school degree or diploma and
24 who are attending a public high school for the sole purpose of
25 obtaining a high school diploma or certificate, nor shall "adult
26 education" include education or instruction provided by any four-year
27 public institution of higher education.

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

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

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

37 (3) "Board" means the workforce training and education
38 coordinating board.

1 (4) "Board of trustees" means the local community and technical
2 college board of trustees established for each college district
3 within the state.

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

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

10 (7) "Common school board" means a public school district board of
11 directors.

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

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

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

26 (11) "Dislocated salmon fishing worker" means a finfish products
27 worker who: (a)(i) Has been terminated or received notice of
28 termination from employment and is unlikely to return to employment
29 in the individual's principal occupation or previous industry because
30 of a diminishing demand for his or her skills in that occupation or
31 industry; or (ii) is self-employed and has been displaced from his or
32 her business because of the diminishing demand for the business's
33 services or goods; and (b) at the time of last separation from
34 employment, resided in or was employed in a rural natural resources
35 impact area.

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

38 (13) "Forest products worker" means a worker in the forest
39 products industries affected by the reduction of forest fiber
40 enhancement, transportation, or production. The workers included

1 within this definition shall be determined by the employment security
2 department, but shall include workers employed in the industries
3 assigned the major group standard industrial classification codes
4 "24" and "26" and the industries involved in the harvesting and
5 management of logs, transportation of logs and wood products,
6 processing of wood products, and the manufacturing and distribution
7 of wood processing and logging equipment. The commissioner may adopt
8 rules further interpreting these definitions. For the purposes of
9 this subsection, "standard industrial classification code" means the
10 code identified in RCW 50.29.025(3).

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

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

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

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

25 (a) Washington public community and technical colleges;

26 (b) Private career schools that are members of an accrediting
27 association recognized by rule of the student achievement council for
28 the purposes of chapter 28B.92 RCW; and

29 (c) Washington state apprenticeship and training council-approved
30 apprenticeship programs.

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

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

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

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

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

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

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

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

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

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

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

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

33 (22) "Technical college" includes those higher education
34 institutions with the mission of conducting occupational education,
35 basic skills, literacy programs, and offering on short notice, when
36 appropriate, programs that meet specific industry needs. For purposes
37 of this chapter, technical colleges shall include (~~Lake Washington~~
38 ~~Vocational Technical Institute, Renton Vocational Technical~~
39 ~~Institute, Bates Vocational Technical Institute, Clover Park~~
40 ~~Vocational Institute, and Bellingham Vocational Technical~~

1 Institute))the following college districts as created in RCW
2 28B.50.040: The twenty-fifth college district, the twenty-sixth
3 college district, the twenty-seventh college district, the twenty-
4 eighth college district, and the twenty-ninth college district.

5 **Sec. 227.** RCW 28B.50.455 and 1991 c 238 s 158 are each amended
6 to read as follows:

7 Each community and technical college shall ~~((have—written~~
8 ~~procedures which include provisions for the vocational education of~~
9 ~~individuals with disabilities. These written procedures shall include~~
10 ~~a plan to provide services to individuals with disabilities, a~~
11 ~~written plan of how the technical college will))~~ comply with relevant
12 ~~((state—and))~~ federal requirements for ~~((providing vocational~~
13 ~~education to individuals with disabilities, a written plan of how the~~
14 ~~technical college will provide on site appropriate instructional~~
15 ~~support staff in compliance with P.L. 94-142, and as since amended,~~
16 ~~and))implementing section 504 of the rehabilitation act of 1973, and~~
17 ~~as thereafter amended, Title VI of the civil rights act of 1964, and~~
18 ~~as thereafter amended, and Title IX of education amendments of 1972,~~
19 ~~and as thereafter amended.~~

20 **Sec. 228.** RCW 28B.50.850 and 1991 c 238 s 67 are each amended to
21 read as follows:

22 It shall be the purpose of RCW 28B.50.850 through 28B.50.869 to
23 establish a system of faculty tenure which protects the concepts of
24 faculty employment rights and faculty involvement in the protection
25 of those rights in the state system of community and technical
26 colleges. RCW 28B.50.850 through 28B.50.869 shall define a reasonable
27 and orderly process for appointment of faculty members to tenure
28 status and the dismissal of the tenured faculty member.

29 ~~((Employees of the Seattle Vocational Institute are exempt from~~
30 ~~this section until July 1, 1993.))~~

31 **Sec. 229.** RCW 28B.50.851 and 1993 c 188 s 1 are each amended to
32 read as follows:

33 As used in RCW 28B.50.850 through 28B.50.869:

34 (1) "Tenure" shall mean a faculty appointment for an indefinite
35 period of time which may be revoked only for adequate cause and by
36 due process;

1 (2)(a) "Faculty appointment", except as otherwise provided in (b)
2 of this subsection, shall mean full time employment as a teacher,
3 counselor, librarian or other position for which the training,
4 experience and responsibilities are comparable as determined by the
5 appointing authority, except administrative appointments; "faculty
6 appointment" shall also mean department heads, division heads and
7 administrators to the extent that such department heads, division
8 heads or administrators have had or do have status as a teacher,
9 counselor, or librarian; faculty appointment shall also mean
10 employment on a reduced work load basis when a faculty member has
11 retained tenure under RCW 28B.50.859;

12 (b) "Faculty appointment" shall not mean special faculty
13 appointment as a teacher, counselor, librarian, or other position as
14 enumerated in (a) of this subsection, when such employment results
15 from special funds provided to a community or technical college
16 district from federal moneys or other special funds which other funds
17 are designated as "special funds" by the college board: PROVIDED,
18 That such "special funds" so designated by the college board for
19 purposes of this section shall apply only to teachers, counselors and
20 librarians hired from grants and service agreements and teachers,
21 counselors and librarians hired in nonformula positions. A special
22 faculty appointment resulting from such special financing may be
23 terminated upon a reduction or elimination of funding or a reduction
24 or elimination of program: PROVIDED FURTHER, That "faculty
25 appointees" holding faculty appointments pursuant to subsections (1)
26 or (2)(a) of this section who have been subsequently transferred to
27 positions financed from "special funds" pursuant to (b) of this
28 subsection and who thereafter lose their positions upon reduction or
29 elimination of such "special funding" shall be entitled to be
30 returned to previous status as faculty appointees pursuant to
31 subsection (1) or (2)(a) of this section depending upon their status
32 prior to the "special funding" transfer. Notwithstanding the fact
33 that tenure shall not be granted to anyone holding a special faculty
34 appointment, the termination of any such faculty appointment prior to
35 the expiration of the term of such faculty member's individual
36 contract for any cause which is not related to elimination or
37 reduction of financing or the elimination or reduction of program
38 shall be considered a termination for cause subject to the provisions
39 of this chapter;

1 (3) "Probationary faculty appointment" shall mean a faculty
2 appointment for a designated period of time which may be terminated
3 without cause upon expiration of the probationer's terms of
4 employment;

5 (4) "Probationer" shall mean an individual holding a probationary
6 faculty appointment;

7 (5) "Administrative appointment" shall mean employment in a
8 specific administrative position as determined by the appointing
9 authority;

10 (6) "Appointing authority" shall mean the board of trustees of a
11 college district;

12 (7) "Review committee" shall mean a committee composed of the
13 probationer's faculty peers, a student representative, and the
14 administrative staff of the community or technical college: PROVIDED,
15 That the majority of the committee shall consist of the probationer's
16 faculty peers.

17 **Sec. 230.** RCW 28B.50.862 and 1969 ex.s. c 283 s 40 are each
18 amended to read as follows:

19 Sufficient cause shall also include aiding and abetting or
20 participating in: (1) Any unlawful act of violence; (2) Any unlawful
21 act resulting in destruction of community or technical college
22 property; or (3) Any unlawful interference with the orderly conduct
23 of the educational process.

--- END ---