

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 3103

Chapter 275, Laws of 2004

(partial veto)

58th Legislature
2004 Regular Session

HIGHER EDUCATION

EFFECTIVE DATE: 6/10/04 - Except sections 28 through 32, which become effective July 1, 2005.

Passed by the House March 10, 2004
Yeas 91 Nays 5

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 3, 2004
Yeas 45 Nays 0

BRAD OWEN

President of the Senate

Approved April 1, 2004, with the exception of section 13, which is vetoed.

GARY F. LOCKE

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 3103** as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER

Chief Clerk

FILED

April 1, 2004 - 12:31 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 3103

AS AMENDED BY THE SENATE

Passed Legislature - 2004 Regular Session

State of Washington 58th Legislature 2004 Regular Session

By House Committee on Higher Education (originally sponsored by Representatives Kenney, Cox, Fromhold, Priest, Morrell, Hudgins, McCoy, McDermott, Haigh, G. Simpson and Santos)

READ FIRST TIME 02/10/04.

1 AN ACT Relating to higher education; amending RCW 28B.80.380,
2 28B.80.400, 28B.80.430, 28B.80.200, 28B.80.345, 28B.80.330, 28B.80.335,
3 28B.80.280, 28B.80.350, 28B.10.044, 28B.15.070, 28B.15.076, 28B.80.175,
4 28B.80.360, 28B.10.859, 28B.10.868, 28B.10.873, 28B.10.882, 28B.80.160,
5 28B.80.245, 28B.80.246, 28B.80.620, 28B.80.626, 28B.04.020, 28B.04.030,
6 28B.04.080, 28B.04.085, 28B.10.800, 28B.10.802, 28B.10.804, 28B.10.808,
7 28B.10.8081, 28B.10.810, 28B.10.816, 28B.10.818, 28B.10.820,
8 28B.10.822, 28B.10.790, 28B.10.650, 28A.600.110, 28B.10.020,
9 28B.10.050, 28B.15.543, 28B.15.545, 28B.15.910, 28B.20.130, 28B.30.150,
10 28B.35.120, 28B.38.010, 28B.40.120, 28B.50.090, 28B.50.140, 28B.95.020,
11 28B.119.010, 28C.04.545, 43.105.825, 43.157.010, 43.79.465, 28B.15.760,
12 28B.15.820, 28B.101.020, 28B.102.040, 28B.108.010, 28B.115.050,
13 28B.119.030, 28B.133.010, 28B.133.020, and 28B.133.050; adding a new
14 section to chapter 28B.45 RCW; adding new chapters to Title 28B RCW;
15 creating new sections; recodifying RCW 28B.80.300, 28B.80.310,
16 28B.80.390, 28B.80.400, 28B.80.410, 28B.80.420, 28B.80.110, 28B.80.430,
17 28B.80.380, 28B.80.200, 28B.80.370, 28B.80.345, 28B.80.330, 28B.80.335,
18 28B.80.280, 28B.80.350, 28B.10.044, 28B.15.070, 28B.15.076, 28B.80.175,
19 28B.80.240, 28B.80.210, 28B.80.230, 28B.80.180, 28B.80.360, 28B.10.859,
20 28B.10.866, 28B.10.867, 28B.10.868, 28B.10.869, 28B.10.870, 28B.10.871,
21 28B.10.872, 28B.10.873, 28B.10.880, 28B.10.881, 28B.10.882, 28B.10.883,

1 28B.10.884, 28B.10.885, 28B.10.886, 28B.80.150, 28B.80.160, 28B.80.170,
2 28B.80.245, 28B.80.246, 28B.80.272, 28B.80.805, 28B.80.806, 28B.80.807,
3 28B.80.620, 28B.80.622, 28B.80.624, 28B.80.626, 28B.80.810, 28B.10.800,
4 28B.10.801, 28B.10.802, 28B.10.804, 28B.10.806, 28B.10.808,
5 28B.10.8081, 28B.10.810, 28B.10.812, 28B.10.814, 28B.10.816,
6 28B.10.818, 28B.10.820, 28B.10.821, 28B.10.822, and 28B.80.510;
7 repealing RCW 28B.10.210, 28B.10.215, 28B.10.220, 28B.10.824,
8 28B.10.874, 28B.10.887, 28B.80.255, 28B.80.265, 28B.80.290, 28B.80.320,
9 28B.80.340, 28B.80.440, 28B.80.442, 28B.80.450, 28B.80.500, 28B.80.520,
10 28B.80.600, 28B.80.610, 28B.80.612, 28B.80.614, 28B.80.616, 28B.80.910,
11 28B.80.911, 28B.80.912, 28A.305.280, and 28A.305.285; providing an
12 effective date; and providing an expiration date.

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

14 **PART I**
15 **GENERAL PROVISIONS**

16 NEW SECTION. **Sec. 1.** The purpose of the board is to:

17 (1) Develop a statewide strategic master plan for higher education
18 and continually monitor state and institution progress in meeting the
19 vision, goals, priorities, and strategies articulated in the plan;

20 (2) Based on objective data analysis, develop and recommend
21 statewide policies to enhance the availability, quality, efficiency,
22 and accountability of public higher education in Washington state;

23 (3) Administer state and federal financial aid and other education
24 services programs in a cost-effective manner;

25 (4) Serve as an advocate on behalf of students and the overall
26 system of higher education to the governor, the legislature, and the
27 public;

28 (5) Represent the broad public interest above the interests of the
29 individual colleges and universities; and

30 (6) Coordinate with the governing boards of the two and four-year
31 institutions of higher education, the state board for community and
32 technical colleges, the work force training and education coordinating
33 board, and the superintendent of public instruction to create a
34 seamless system of public education for the citizens of Washington
35 state geared toward student success.

1 **Sec. 2.** RCW 28B.80.380 and 1985 c 370 s 9 are each amended to read
2 as follows:

3 (~~The board shall establish advisory committees composed of members~~
4 ~~representing faculty, administrators, students, regents and trustees,~~
5 ~~and staff of the public institutions, the superintendent of public~~
6 ~~instruction, and the independent institutions.)) (1) The board shall
7 establish an advisory council consisting of: The superintendent of
8 public instruction; a representative of the state board of education
9 appointed by the state board of education; a representative of the two-
10 year system of the state board for community and technical colleges
11 appointed by the state board for community and technical colleges; a
12 representative of the work force training and education coordinating
13 board appointed by the work force training and education coordinating
14 board; one representative of the research universities appointed by the
15 president of the University of Washington and the president of
16 Washington State University; a representative of the regional
17 universities and The Evergreen State College appointed through a
18 process developed by the council of presidents; a representative of the
19 faculty for the four-year institutions appointed by the council of
20 faculty representatives; a representative of the proprietary schools
21 appointed by the federation of private career schools and colleges; a
22 representative of the independent colleges appointed by the independent
23 colleges of Washington; and a faculty member in the community and
24 technical college system appointed by the state board for community and
25 technical colleges in consultation with the faculty unions.~~

26 (2) The members of the advisory council shall each serve a two-
27 year term except for the superintendent of public instruction, whose
28 term is concurrent with his or her term of office.

29 (3) The board shall meet with the advisory council at least
30 quarterly and shall seek advice from the council regarding the board's
31 discharge of its statutory responsibilities.

32 **Sec. 3.** RCW 28B.80.400 and 2002 c 129 s 2 are each amended to read
33 as follows:

34 The members of the board, except the chair serving on June 13,
35 2002, and the student member, shall serve for terms of four years, the
36 terms expiring on June 30th of the fourth year of the term except that
37 in the case of initial members, two shall be appointed to two-year

1 terms, three shall be appointed to three-year terms, and three shall be
2 appointed to four-year terms. The student member shall hold his or her
3 office for a term of one year from the first day of July. The chair
4 serving on June 13, 2002, shall serve at the pleasure of the governor.

5 **Sec. 4.** RCW 28B.80.430 and 1987 c 330 s 301 are each amended to
6 read as follows:

7 The board shall employ a director and may delegate agency
8 management to the director. The director shall serve at the pleasure
9 of the board, shall be the executive officer of the board, and shall,
10 under the board's supervision, administer the provisions of this
11 chapter. The executive director shall, with the approval of the board:
12 (1) Employ necessary deputy and assistant directors and other exempt
13 staff under chapter ((28B.16)) 41.06 RCW who shall serve at his or her
14 pleasure on such terms and conditions as he or she determines and (2)
15 subject to the provisions of chapter ((28B.16)) 41.06 RCW, appoint and
16 employ such other employees as may be required for the proper discharge
17 of the functions of the board. The executive director shall exercise
18 such additional powers, other than rule making, as may be delegated by
19 the board by resolution. In fulfilling the duties under this chapter,
20 the board shall make extensive use of those state agencies with
21 responsibility for implementing and supporting postsecondary education
22 plans and policies including but not limited to appropriate legislative
23 groups, the postsecondary education institutions, the office of
24 financial management, the ((~~commission for vocational education~~)) work
25 force training and education coordinating board, and the state board
26 for community ((~~college education~~)) and technical colleges. Outside
27 consulting and service agencies may also be employed. The board may
28 compensate these groups and consultants in appropriate ways.

29 **Sec. 5.** RCW 28B.80.200 and 1985 c 370 s 20 are each amended to
30 read as follows:

31 The higher education coordinating board is designated as the state
32 commission as provided for in Section 1202 of the education amendments
33 of 1972 (Public Law 92-318), as now or hereafter amended; and shall
34 perform such functions as is necessary to comply with federal
35 directives pertaining to the provisions of such law((~~PROVIDED, That~~
36 ~~notwithstanding the provisions of RCW 28B.80.050, all members of the~~

1 ~~board shall have full voting powers in taking actions related to~~
2 ~~federal postsecondary educational planning functions as provided for in~~
3 ~~this section and RCW 28B.80.210 through 28B.80.240)).~~

4 **PART II**
5 **POLICY AND PLANNING**

6 **Sec. 6.** RCW 28B.80.345 and 2003 c 130 s 2 are each amended to read
7 as follows:

8 (1) The board shall develop a statewide strategic master plan for
9 higher education that proposes a vision and identifies goals and
10 priorities for the system of higher education in Washington state. The
11 plan shall encompass all sectors of higher education, including the
12 two-year system, work force training, the four-year institutions, and
13 financial aid. The board shall also specify strategies for maintaining
14 and expanding access, affordability, quality, efficiency, and
15 accountability among the various institutions of higher education.

16 (2) In developing the statewide strategic master plan for higher
17 education, the board shall collaborate with the four-year institutions
18 of higher education including the council of presidents, the community
19 and technical college system, and, when appropriate, the work force
20 training and education coordinating board, the superintendent of public
21 instruction, and the independent higher education institutions. The
22 board shall identify and utilize models of regional planning and
23 decision making before initiating a statewide planning process. The
24 board shall also seek input from students, faculty organizations,
25 community and business leaders in the state, members of the
26 legislature, and the governor.

27 (3) As a foundation for the statewide strategic master plan for
28 higher education, the board shall ~~((develop and establish))~~ review role
29 and mission statements for each of the four-year institutions of higher
30 education and the community and technical college system. ~~((The board~~
31 ~~shall determine whether certain major lines of study or types of~~
32 ~~degrees, including applied degrees or research-oriented degrees, shall~~
33 ~~be assigned uniquely to some institutions or institutional sectors in~~
34 ~~order to create centers of excellence that focus resources and~~
35 ~~expertise))~~ The purpose of the review is to ensure institutional roles

1 and missions are aligned with the overall state vision and priorities
2 for higher education.

3 (4) In assessing needs of the state's higher education system, the
4 board may consider and analyze the following information:

5 (a) Demographic, social, economic, and technological trends and
6 their impact on service delivery;

7 (b) The changing ethnic composition of the population and the
8 special needs arising from those trends;

9 (c) Business and industrial needs for a skilled work force;

10 (d) College attendance, retention, transfer, and dropout rates;

11 (e) Needs and demands for basic and continuing education and
12 opportunities for lifelong learning by individuals of all age groups;
13 and

14 (f) Needs and demands for access to higher education by placebound
15 students and individuals in heavily populated areas underserved by
16 public institutions.

17 (5) The statewide strategic master plan for higher education shall
18 include, but not be limited to, the following:

19 (a) Recommendations based on enrollment forecasts and analysis of
20 data about demand for higher education, and policies and actions to
21 meet those needs;

22 (b) State or regional priorities for new or expanded degree
23 programs or off-campus programs, including what models of service
24 delivery may be most cost-effective;

25 (c) Recommended policies or actions to improve the efficiency of
26 student transfer and graduation or completion;

27 (d) State or regional priorities for addressing needs in high-
28 demand fields where enrollment access is limited and employers are
29 experiencing difficulty finding enough qualified graduates to fill job
30 openings;

31 (e) Recommended tuition and fees policies and levels; and

32 (f) Priorities and recommendations on financial aid.

33 (6) The board shall present the vision, goals, priorities, and
34 strategies in the statewide strategic master plan for higher education
35 in a way that provides guidance for institutions, the governor, and the
36 legislature to make further decisions regarding institution-level
37 plans, policies, legislation, and operating and capital funding for
38 higher education. In the statewide strategic master plan for higher

1 education, the board shall recommend specific actions to be taken and
2 identify measurable performance indicators and benchmarks for gauging
3 progress toward achieving the goals and priorities.

4 (7) Every four years by December 15th, beginning December 15, 2003,
5 the board shall submit an interim statewide strategic master plan for
6 higher education to the governor and the legislature. The interim plan
7 shall reflect the expectations and policy directions of the legislative
8 higher education and fiscal committees, and shall provide a timely and
9 relevant framework for the development of future budgets and policy
10 proposals. The legislature shall, by concurrent resolution, approve or
11 recommend changes to the interim plan, following public hearings. The
12 board shall submit the final plan, incorporating legislative changes,
13 to the governor and the legislature by June of the year in which the
14 legislature approves the concurrent resolution. The plan shall then
15 become state higher education policy unless legislation is enacted to
16 alter the policies set forth in the plan. The board shall report
17 annually to the governor and the legislature on the progress being made
18 by the institutions of higher education and the state to implement the
19 strategic master plan.

20 (8) Each four-year institution shall develop an institution-level
21 strategic plan that implements the vision, goals, priorities, and
22 strategies within the statewide strategic master plan for higher
23 education based on the institution's role and mission. Institutional
24 strategic plans shall also contain measurable performance indicators
25 and benchmarks for gauging progress toward achieving the goals and
26 priorities. The board shall review the institution-level plans to
27 ensure the plans are aligned with and implement the statewide strategic
28 master plan for higher education and shall periodically monitor
29 institutions' progress toward achieving the goals and priorities within
30 their plans.

31 (9) The board shall also review the comprehensive master plan
32 prepared by the state board for community and technical colleges for
33 the community and technical college system under RCW 28B.50.090 to
34 ensure the plan is aligned with and implements the statewide strategic
35 master plan for higher education.

36 **Sec. 7.** RCW 28B.80.330 and 2003 c 130 s 3 are each amended to read
37 as follows:

1 (1) The board shall ~~((perform the following planning duties in~~
2 ~~consultation))~~ collaborate with the four-year institutions including
3 the council of presidents, the community and technical college system,
4 and when appropriate the work force training and education coordinating
5 board, the superintendent of public instruction, and the independent
6 higher educational institutions((÷

7 ~~(1) Review, evaluate, and make recommendations on operating and~~
8 ~~capital budget requests from four-year institutions and the community~~
9 ~~and technical college system, based on how the budget requests align~~
10 ~~with and implement the statewide strategic master plan for higher~~
11 ~~education under RCW 28B.80.345;~~

12 ~~(a))~~ to identify budget priorities and levels of funding for
13 higher education, including the two and four-year institutions of
14 higher education and state financial aid programs. It is the intent of
15 the legislature that recommendations from the board reflect not merely
16 the sum of budget requests from multiple institutions, but prioritized
17 funding needs for the overall system of higher education.

18 (2) By December of each odd-numbered year, the board shall
19 distribute guidelines which outline the board's fiscal priorities to
20 the institutions and the state board for community and technical
21 colleges. The institutions and the state board for community and
22 technical colleges shall submit an outline of their proposed budgets,
23 identifying major components, to the board no later than August 1st of
24 each even-numbered year.

25 (3) The board shall review and evaluate the operating and capital
26 budget requests from four-year institutions and the community and
27 technical college system based on how the requests align with the
28 board's budget priorities, the missions of the institutions, and the
29 statewide strategic master plan for higher education under RCW
30 28B.80.345 (as recodified by this act).

31 (4) The board shall submit recommendations on the proposed budgets
32 and on the board's budget priorities to the office of financial
33 management before November 1st of each even-numbered year, and to the
34 legislature by January 1st of each odd-numbered year((÷

35 ~~(b))~~).

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

1 financial management. The board shall submit recommendations on the
2 proposed supplemental budget requests to the office of financial
3 management by November 1st and to the legislature by January 1st(
4 ~~(2) Recommend legislation affecting higher education;~~
5 ~~(3) Prepare recommendations on merging or closing institutions; and~~
6 ~~(4) Develop criteria for identifying the need for new baccalaureate~~
7 ~~institutions~~)).

8 **Sec. 8.** RCW 28B.80.335 and 2003 1st sp.s. c 8 s 2 are each amended
9 to read as follows:

10 (1) Beginning with the 2005-2007 biennial capital budget submittal,
11 the public four-year institutions, in consultation with the council of
12 presidents and the higher education coordinating board, shall prepare
13 a single prioritized individual ranking of the individual projects
14 proposed by the four-year institutions as provided in subsection (2) of
15 this section. The public four-year institutions may aggregate minor
16 works project requests into priority categories without separately
17 ranking each minor project, provided that these aggregated minor works
18 requests are ranked within the overall list. For repairs and
19 improvements to existing facilities and systems, the rating and ranking
20 of individual projects must be based on criteria or factors that
21 include, but are not limited to, the age and condition of buildings or
22 systems, the programmatic suitability of the building or system, and
23 the activity/occupancy level supported by the building or system. For
24 projects creating new space or capacity, the ratings and rankings of
25 projects must be based upon criteria or factors that include, but are
26 not limited to, measuring existing capacity and progress toward meeting
27 increased space utilization levels as determined by the higher
28 education coordinating board.

29 (2) The single prioritized four-year project list shall be approved
30 by the governing boards of each public four-year institution and shall
31 be submitted to the office of financial management and the higher
32 education coordinating board concurrent with the institution's
33 submittal of their biennial capital budget requests.

34 (3)(a) The higher education coordinating board, in consultation
35 with the office of financial management and the joint legislative audit
36 and review committee, shall develop common definitions that public

1 four-year institutions and the state board for community and technical
2 colleges shall use in developing their project lists under this
3 section.

4 (b) As part of its duties under RCW 28B.80.330(~~(+4)~~) (as
5 recodified by this act), the higher education coordinating board shall,
6 as part of its biennial budget guidelines, disseminate, by December 1st
7 of each odd-numbered year, the criteria framework, including general
8 definitions, categories, and rating system, to be used by the public
9 four-year institutions in the development of the prioritized four-year
10 project list. The criteria framework shall specify the general
11 priority order of project types based on criteria determined by the
12 board, in consultation with the public four-year institutions.

13 (c) Under RCW 28B.80.330(~~(+4)~~) (as recodified by this act), the
14 public four-year institutions shall submit a preliminary prioritized
15 four-year project list to the higher education coordinating board by
16 August 1st of each even-numbered year.

17 (d) The state board for community and technical colleges shall, as
18 part of its biennial capital budget request, submit a single
19 prioritized ranking of the individual projects proposed for the
20 community and technical colleges. The state board for community and
21 technical colleges shall submit an outline of the prioritized community
22 and technical college project list to the higher education coordinating
23 board under RCW 28B.80.330(~~(+4)~~) (as recodified by this act) by August
24 1st of each even-numbered year.

25 (4) The higher education coordinating board, in consultation with
26 the public four-year institutions, shall resolve any disputes or
27 disagreements arising among the four-year institutions concerning the
28 ranking of particular projects. Further, should one or more governing
29 boards of the public four-year institutions fail to approve the
30 prioritized four-year project list as required in this section, or
31 should a prioritized project list not be submitted by the public four-
32 year institutions concurrent with the submittal of their respective
33 biennial capital budget requests as provided in subsection (2) of this
34 section, the higher education coordinating board shall prepare the
35 prioritized four-year institution project list itself.

36 (5) In developing any rating and ranking of capital projects
37 proposed by the two-year and four-year public universities and
38 colleges, the board:

1 (a) Shall be provided with available information by the public two-
2 year and four-year institutions as deemed necessary by the board;

3 (b) May utilize independent services to verify, sample, or evaluate
4 information provided to the board by the two-year and four-year
5 institutions; and

6 (c) Shall have full access to all data maintained by the office of
7 financial management and the joint legislative audit and review
8 committee concerning the condition of higher education facilities.

9 (6) Beginning with the 2005-2007 biennial capital budget submittal,
10 the higher education coordinating board shall, in consultation with the
11 state board for community and technical colleges and four-year colleges
12 and universities, submit its capital budget recommendations and the
13 separate two-year and four-year prioritized project lists.

14 NEW SECTION. **Sec. 9.** (1) The board shall develop a comprehensive
15 and ongoing assessment process to analyze the need for additional
16 degrees and programs, additional off-campus centers and locations for
17 degree programs, and consolidation or elimination of programs by the
18 four-year institutions.

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

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

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

27 (c) Data from the work force training and education coordinating
28 board and the state board for community and technical colleges on the
29 supply and demand for work force education and certificates and
30 associate degrees.

31 (3) Every two years the board shall produce, jointly with the state
32 board for community and technical colleges and the work force training
33 and education coordinating board, an assessment of the number and type
34 of higher education and training credentials required to match employer
35 demand for a skilled and educated work force. The assessment shall
36 include the number of forecasted net job openings at each level of

1 higher education and training and the number of credentials needed to
2 match the forecast of net job openings.

3 (4) The board shall determine whether certain major lines of study
4 or types of degrees, including applied degrees or research-oriented
5 degrees, shall be assigned uniquely to some institutions or
6 institutional sectors in order to create centers of excellence that
7 focus resources and expertise.

8 (5) The following activities are subject to approval by the board:

9 (a) New degree programs by a four-year institution;

10 (b) Creation of any off-campus program by a four-year institution;

11 (c) Purchase or lease of major off-campus facilities by a four-year
12 institution or a community or technical college;

13 (d) Creation of higher education centers and consortia; and

14 (e) New degree programs and creation of off-campus programs by an
15 independent college or university in collaboration with a community or
16 technical college.

17 (6) Institutions seeking board approval under this section must
18 demonstrate that the proposal is justified by the needs assessment
19 developed under this section. Institutions must also demonstrate how
20 the proposals align with or implement the statewide strategic master
21 plan for higher education under RCW 28B.80.345 (as recodified by this
22 act).

23 (7) The board shall develop clear guidelines and objective
24 decision-making criteria regarding approval of proposals under this
25 section, which must include review and consultation with the
26 institution and other interested agencies and individuals.

27 (8) The board shall periodically recommend consolidation or
28 elimination of programs at the four-year institutions, based on the
29 needs assessment analysis.

30 **Sec. 10.** RCW 28B.80.280 and 1998 c 245 s 23 are each amended to
31 read as follows:

32 The board shall(~~(, in cooperation with the state institutions of~~
33 ~~higher education and the state board for community and technical~~
34 ~~colleges, establish and maintain a statewide transfer of credit policy~~
35 ~~and agreement. The policy and agreement shall, where feasible, include~~
36 ~~course and program descriptions consistent with statewide~~
37 ~~interinstitutional guidelines)) adopt statewide transfer and~~

1 articulation policies that ensure efficient transfer of credits and
2 courses across public two and four-year institutions of higher
3 education. The intent of the policies is to create a statewide system
4 of articulation and alignment between two and four-year institutions.
5 Policies may address but are not limited to creation of a statewide
6 system of course equivalency, creation of transfer associate degrees,
7 statewide articulation agreements, applicability of technical courses
8 toward baccalaureate degrees, and other issues. The institutions of
9 higher education and the state board for community and technical
10 colleges shall cooperate with the board in developing the statewide
11 policies and shall provide support and staff resources as necessary to
12 assist in ((developing and)) maintaining ((this policy and agreement.
13 The statewide transfer of credit policy and agreement shall be
14 effective beginning with the 1985-86 academic year)) the policies. The
15 board shall submit a progress report to the higher education committees
16 of the senate and house of representatives by December 1, 2006, by
17 which time the legislature expects measurable improvement in alignment
18 and transfer efficiency.

19 NEW SECTION. Sec. 11. (1) The board shall establish an
20 accountability monitoring and reporting system as part of a continuing
21 effort to make meaningful and substantial progress towards the
22 achievement of long-term performance goals in higher education.

23 (2) Based on guidelines prepared by the board, each four-year
24 institution and the state board for community and technical colleges
25 shall submit a biennial plan to achieve measurable and specific
26 improvements each academic year on statewide and institution-specific
27 performance measures. Plans shall be submitted to the board along with
28 the biennial budget requests from the institutions and the state board
29 for community and technical colleges. Performance measures established
30 for the community and technical colleges shall reflect the role and
31 mission of the colleges.

32 (3) The board shall approve biennial performance targets for each
33 four-year institution and for the community and technical college
34 system and shall review actual achievements annually. The state board
35 for community and technical colleges shall set biennial performance
36 targets for each college or district, where appropriate.

1 (4) The board shall submit a report on progress towards the
2 statewide goals, with recommendations for the ensuing biennium, to the
3 fiscal and higher education committees of the legislature along with
4 the board's biennial budget recommendations.

5 (5) The board, in collaboration with the four-year institutions and
6 the state board for community and technical colleges, shall
7 periodically review and update the accountability monitoring and
8 reporting system.

9 (6) The board shall develop measurable indicators and benchmarks
10 for its own performance regarding cost, quantity, quality, and
11 timeliness and including the performance of committees and advisory
12 groups convened under this chapter to accomplish such tasks as
13 improving transfer and articulation, improving articulation with the K-
14 12 education system, measuring educational costs, or developing data
15 protocols. The board shall submit its accountability plan to the
16 legislature concurrently with the biennial report on institution
17 progress.

18 NEW SECTION. **Sec. 12.** (1) In consultation with the institutions
19 of higher education and state education agencies, the board shall
20 identify the data needed to carry out its responsibilities for policy
21 analysis, accountability, program improvements, and public information.
22 The primary goals of the board's data collection and research are to
23 describe how students and other beneficiaries of higher education are
24 being served; to support higher education accountability; and to assist
25 state policymakers and institutions in making policy decisions.

26 (2) The board shall convene a research advisory group and shall
27 collaborate with the group to identify the most cost-effective manner
28 for the board to collect data or access existing data. The board shall
29 work with the advisory group to develop research priorities, policies,
30 and common definitions to maximize the reliability and consistency of
31 data across institutions. The advisory group shall include
32 representatives of public and independent higher education institutions
33 and other state agencies, including the state board for community and
34 technical colleges, the office of the superintendent of public
35 instruction, the office of financial management, the employment
36 security department, the work force training and education coordinating
37 board, and other agencies as appropriate.

1 (3) Specific protocols shall be developed by the board and the
2 advisory group to protect the privacy of individual student records
3 while ensuring the availability of student data for legitimate research
4 purposes.

5 *Sec. 13. RCW 28B.80.350 and 1993 c 77 s 2 are each amended to read
6 as follows:

7 The board shall (~~coordinate educational activities among all~~
8 ~~segments of higher education taking into account the educational~~
9 ~~programs, facilities, and other resources of both public and~~
10 ~~independent two and four-year colleges and universities. The four-year~~
11 ~~institutions and the state board for community and technical colleges~~
12 ~~shall coordinate information and activities with the board. The board~~
13 ~~shall~~) have the following additional policy responsibilities:

14 (1) (~~Promote interinstitutional cooperation~~) Perform periodic
15 analyses of tuition, financial aid, faculty compensation, institution
16 funding levels, enrollment, and other policy issues and provide reports
17 to the governor and the legislature;

18 (2) Establish minimum admission standards for four-year
19 institutions, including a requirement that coursework in American sign
20 language or an American Indian language shall satisfy any requirement
21 for instruction in a language other than English that the board or the
22 institutions may establish as a general undergraduate admissions
23 requirement;

24 (3) (~~Establish transfer policies;~~
25 ~~(4)~~) Adopt rules implementing statutory residency requirements;
26 (~~(5) Develop and administer reciprocity agreements with bordering~~
27 ~~states and the province of British Columbia;~~

28 ~~(6) Review and recommend compensation practices and levels for~~
29 ~~administrative employees, exempt under chapter 28B.16 RCW, and faculty~~
30 ~~using comparative data from peer institutions;~~

31 ~~(7) Monitor higher education activities for compliance with all~~
32 ~~relevant state policies for higher education;~~

33 ~~(8) Arbitrate disputes between and among four-year institutions or~~
34 ~~between and among four-year institutions and community colleges at the~~
35 ~~request of one or more of the institutions involved, or at the request~~
36 ~~of the governor, or from a resolution adopted by the legislature. The~~

1 ~~decision of the board shall be binding on the participants in the~~
2 ~~dispute;~~

3 ~~(9) Establish and implement a state system for collecting,~~
4 ~~analyzing, and distributing information;~~

5 ~~(10) Recommend to the governor and the legislature ways to remove~~
6 ~~any economic incentives to use off-campus program funds for on-campus~~
7 ~~activities; and~~

8 ~~(11)) (4) Make recommendations to increase minority participation,~~
9 ~~and monitor and report on the progress of minority participation in~~
10 ~~higher education;~~

11 (5) In cooperation with the institutions of higher education,
12 highlight and promote innovative programs to improve the quality of
13 instruction, promote local and regional economic development, and
14 enhance efficiency in higher education;

15 (6) Manage competitive processes for awarding high demand
16 enrollments authorized by the legislature. Public baccalaureate
17 institutions and private independent institutions are eligible to apply
18 for funding and may submit proposals; and

19 (7) Recommend legislation affecting higher education.

*Sec. 13 was vetoed. See message at end of chapter.

20 **Sec. 14.** RCW 28B.10.044 and 1997 c 48 s 1 are each amended to read
21 as follows:

22 (1) The ((higher education coordinating)) board shall annually
23 develop information on the approximate amount of state support that
24 students receive. For students at state-supported colleges and
25 universities, the information shall include the approximate level of
26 support received by students in each tuition category. That
27 information may include consideration of the following: Expenditures
28 included in the educational cost formula, revenue forgiven from waived
29 tuition and fees, state-funded financial aid awarded to students at
30 public institutions, and all or a portion of appropriated amounts not
31 reflected in the educational cost formula for institutional programs
32 and services that may affect or enhance the educational experience of
33 students at a particular institution. For students attending a private
34 college, university, or proprietary school, the information shall
35 include the amount of state-funded financial aid awarded to students
36 attending the institution.

1 (2) Beginning July 30, 1993, the board shall annually provide
2 information appropriate to each institution's student body to each
3 state-supported four-year institution of higher education and to the
4 state board for community and technical colleges for distribution to
5 community colleges and technical colleges.

6 (3) Beginning July 30, 1993, the board shall annually provide
7 information on the level of financial aid received by students at that
8 institution to each private university, college, or proprietary school,
9 that enrolls students receiving state-funded financial aid.

10 (4) Beginning with the 1997 fall academic term, each institution of
11 higher education described in subsection (2) or (3) of this section
12 shall provide to students at the institution information on the
13 approximate amount that the state is contributing to the support of
14 their education. Information provided to students at each state-
15 supported college and university shall include the approximate amount
16 of state support received by students in each tuition category at that
17 institution. The amount of state support shall be based on the
18 information provided by the (~~higher education coordinating~~) board
19 under subsections (1) through (3) of this section. The information
20 shall be provided to students at the beginning of each academic term
21 through one or more of the following: Registration materials, class
22 schedules, tuition and fee billing packets, student newspapers, or via
23 e-mail or kiosk.

24 **Sec. 15.** RCW 28B.15.070 and 1995 1st sp.s. c 9 s 7 are each
25 amended to read as follows:

26 (1) The (~~higher education coordinating~~) board, in consultation
27 with the house of representatives and senate committees responsible for
28 higher education, the respective fiscal committees of the house of
29 representatives and senate, the office of financial management, the
30 state board for community and technical colleges, and the state
31 institutions of higher education, shall develop (~~by December of every~~
32 ~~fourth year beginning in 1989, definitions, criteria, and procedures~~
33 ~~for determining~~) standardized methods and protocols for measuring the
34 undergraduate and graduate educational costs for the state
35 universities, regional universities, and community colleges, including
36 but not limited to the costs of instruction, costs to provide degrees
37 in specific fields, and costs for precollege remediation.

1 ~~(2) ((Every four years, the state institutions of higher education~~
2 ~~in cooperation with the higher education coordinating board shall~~
3 ~~perform an educational cost study pursuant to subsection (1) of this~~
4 ~~section. The study shall be conducted based on every fourth academic~~
5 ~~year beginning with 1989-90. Institutions shall complete the studies~~
6 ~~within one year of the end of the study year and report the results to~~
7 ~~the higher education coordinating board for consolidation, review, and~~
8 ~~distribution.))~~ By December 1, 2004, the board must propose a schedule
9 of regular cost study reports intended to meet the information needs of
10 the governor's office and the legislature and the requirements of RCW
11 28B.10.044 and submit the proposed schedule to the higher education and
12 fiscal committees of the house of representatives and the senate for
13 their review.

14 ~~(3) ((In order to conduct the study required by subsection (2) of~~
15 ~~this section, the higher education coordinating board, in cooperation~~
16 ~~with))~~ The institutions of higher education(, ~~shall develop a~~
17 ~~methodology that requires the collection of comparable educational cost~~
18 ~~data, which utilizes a faculty activity analysis or similar~~
19 ~~instrument))~~ shall participate in the development of cost study methods
20 and shall provide all necessary data in a timely fashion consistent
21 with the protocols developed.

22 **Sec. 16.** RCW 28B.15.076 and 1995 1st sp.s. c 9 s 6 are each
23 amended to read as follows:

24 ~~The ((higher education coordinating)) board shall determine and~~
25 ~~transmit amounts constituting approved undergraduate and graduate~~
26 ~~educational costs to the several boards of regents and trustees of the~~
27 ~~state institutions of higher education by November 10 of each even-~~
28 ~~numbered year ((except the year 1990 for which the transmittal shall be~~
29 ~~made by December 17)).~~

30 **Sec. 17.** RCW 28B.80.175 and 1994 c 222 s 3 are each amended to
31 read as follows:

32 The higher education coordinating board shall work with the state
33 board of education ((to establish the task force under RCW
34 28A.305.285)), the superintendent of public instruction, the state
35 board for community and technical colleges, the work force training and
36 education coordinating board, two and four-year institutions of higher

1 education, and school districts to improve coordination, articulation,
2 and transitions among the state's systems of education. The goal of
3 improved coordination is increased student success. Topics to address
4 include: Expansion of dual enrollment options for students;
5 articulation agreements between institutions of higher education and
6 high schools; improved alignment of high school preparatory curriculum
7 and college readiness. The board, in conjunction with the other
8 education agencies, shall submit a biennial update on the work
9 accomplished and planned under this section to the education and higher
10 education committees of the legislature, beginning January 15, 2005.

11 **PART III**
12 **EDUCATION SERVICES ADMINISTRATION**

13 **Sec. 18.** RCW 28B.80.360 and 1998 c 245 s 24 are each amended to
14 read as follows:

15 ~~((The board shall perform the following administrative~~
16 ~~responsibilities:~~

17 (1)) In addition to administrative responsibilities assigned in
18 this chapter, the board shall administer the programs set forth in the
19 following statutes: RCW 28A.600.100 through 28A.600.150 (Washington
20 scholars); ~~((chapter 28B.04 RCW (displaced homemakers);~~) chapter
21 28B.85 RCW (degree-granting institutions); ~~((RCW 28B.10.210 through~~
22 28B.10.220 (blind students subsidy); RCW 28B.10.800 through 28B.10.824
23 (student financial aid program)) chapter 28B.-- RCW (as created in
24 section 78 of this act) (state need grant); chapter 28B.12 RCW (work
25 study); ~~((RCW 28B.15.067 (establishing tuition and fees);~~) RCW
26 28B.15.543 (tuition waivers for Washington scholars); RCW 28B.15.760
27 through 28B.15.766 (math and science loans); ~~((RCW 28B.80.150 through~~
28 28B.80.170 (student exchange compact); RCW 28B.80.240 (student aid
29 programs); and RCW 28B.80.210 (federal programs).

30 ~~(2) Study the delegation of the administration of the following:~~
31 ~~RCW 28B.65.040 through 28B.65.060 (high technology board); chapter~~
32 ~~28B.85 RCW (degree-granting institutions); RCW 28B.80.150 through~~
33 ~~28B.80.170 (student exchange compact programs); RCW 28B.80.200 (state~~
34 ~~commission for federal law purposes); RCW 28B.80.210 (enumerated~~
35 ~~federal programs); RCW 28B.80.230 (receipt of federal funds); RCW~~
36 ~~28B.80.240 (student financial aid programs); RCW 28A.600.120 through~~

1 ~~28A.600.150 (Washington scholars); RCW 28B.15.543 (Washington~~
2 ~~scholars); RCW 28B.04.020 through 28B.04.110 (displaced homemakers);~~
3 ~~RCW 28B.10.215 and 28B.10.220 (blind students); RCW 28B.10.790,~~
4 ~~28B.10.792, and 28B.10.802 through 28B.10.844 (student financial aid);~~
5 ~~RCW 28B.12.040 through 28B.12.070 (student work study);)~~ RCW
6 28B.15.100 (reciprocity agreement); RCW 28B.15.730 through 28B.15.736
7 (Oregon reciprocity); RCW 28B.15.750 through 28B.15.754 (Idaho
8 reciprocity); RCW 28B.15.756 and 28B.15.758 (British Columbia
9 reciprocity); ((~~and RCW 28B.15.760 through 28B.15.764 (math/science~~
10 ~~loans)~~)) chapter 28B.101 RCW (educational opportunity grant); chapter
11 28B.102 RCW (future teachers conditional scholarship); chapter 28B.108
12 RCW (American Indian endowed scholarship); chapter 28B.109 RCW
13 (Washington international exchange scholarship); chapter 28B.115 RCW
14 (health professional conditional scholarship); chapter 28B.119 RCW
15 (Washington promise scholarship); and chapter 28B.133 RCW (gaining
16 independence for students with dependents).

17 **Sec. 19.** RCW 28B.10.859 and 1989 c 187 s 1 are each amended to
18 read as follows:

19 For the purposes of RCW 28B.10.866 through 28B.10.873 (as
20 recodified by this act), "private donation" includes assessments by
21 commodity commissions authorized to conduct research activities
22 including but not limited to research studies authorized under RCW
23 15.66.030 and 15.65.040.

24 **Sec. 20.** RCW 28B.10.868 and 1991 sp.s. c 13 s 99 are each amended
25 to read as follows:

26 Funds appropriated by the legislature for the distinguished
27 professorship program shall be deposited in the distinguished
28 professorship trust fund. At the request of the higher education
29 coordinating board under RCW 28B.10.870 (as recodified by this act),
30 the treasurer shall release the state matching funds to the designated
31 institution's local endowment fund. No appropriation is required for
32 expenditures from the fund.

33 **Sec. 21.** RCW 28B.10.873 and 1987 c 8 s 8 are each amended to read
34 as follows:

35 A distinguished professorship program established under chapter

1 343, Laws of 1985 shall continue to operate under RCW 28B.10.866
2 through 28B.10.872 (as recodified by this act) and the requirements of
3 RCW 28B.10.866 through 28B.10.872 (as recodified by this act) shall
4 apply.

5 **Sec. 22.** RCW 28B.10.882 and 1991 sp.s. c 13 s 88 are each amended
6 to read as follows:

7 Funds appropriated by the legislature for the graduate fellowship
8 program shall be deposited in the graduate fellowship trust fund. At
9 the request of the higher education coordinating board under RCW
10 28B.10.884 (as recodified by this act), the treasurer shall release the
11 state matching funds to the designated institution's local endowment
12 fund. No appropriation is required for expenditures from the fund.

13 **Sec. 23.** RCW 28B.80.160 and 1995 c 217 s 1 are each amended to
14 read as follows:

15 In the development of any such plans as called for within RCW
16 28B.80.150 (as recodified by this act), the board shall use at least
17 the following criteria:

18 (1) Students who are eligible to attend compact-authorized programs
19 in other states shall meet the Washington residency requirements of
20 chapter 28B.15 RCW prior to being awarded tuition assistance.

21 (2) For recipients named after January 1, 1995, the tuition
22 assistance shall be in the form of loans that may be completely
23 forgiven in exchange for the student's service within the state of
24 Washington after graduation. The requirements for such service and
25 provisions for loan forgiveness shall be determined in rules adopted by
26 the board.

27 (3) If appropriations are insufficient to fund all students
28 qualifying under subsection (1) of this section, then the plans shall
29 include criteria for student selection that would be in the best
30 interest in meeting the state's educational needs, as well as
31 recognizing the financial needs of students.

32 (4) Receipts from the payment of principal or interest or any other
33 subsidies to which the board as administrator is entitled, that are
34 paid by or on behalf of participants under this section, shall be
35 deposited with the board and placed in an account created in this
36 section and shall be used to cover the costs of granting the

1 scholarships, maintaining necessary records, and making collections.
2 The board shall maintain accurate records of these costs, and all
3 receipts beyond those necessary to pay such costs shall be used to
4 grant conditional loans to eligible students.

5 (5) The Washington interstate commission on higher education
6 professional student exchange program trust fund is created in the
7 custody of the state treasurer. All receipts from loan repayment shall
8 be deposited into the fund. Only the higher education coordinating
9 board, or its designee, may authorize expenditures from the fund. No
10 appropriation is required for expenditures from this fund.

11 **Sec. 24.** RCW 28B.80.245 and 1999 c 159 s 3 are each amended to
12 read as follows:

13 (1) Recipients of the Washington scholars award or the Washington
14 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who
15 choose to attend an independent college or university in this state, as
16 defined in subsection (4) of this section, and recipients of the award
17 named after June 30, 1994, who choose to attend a public college or
18 university in the state may receive grants under this section if moneys
19 are available. The higher education coordinating board shall
20 distribute grants to eligible students under this section from moneys
21 appropriated for this purpose. The individual grants shall not exceed,
22 on a yearly basis, the yearly, full-time, resident, undergraduate
23 tuition and service and activities fees in effect at the state-funded
24 research universities. Grants to recipients attending an independent
25 institution shall be contingent upon the institution matching on at
26 least a dollar-for-dollar basis, either with actual money or by a
27 waiver of fees, the amount of the grant received by the student from
28 the state. The higher education coordinating board shall establish
29 procedures, by rule, to disburse the awards as direct grants to the
30 students.

31 (2) The higher education coordinating board shall establish rules
32 that provide for the annual awarding of grants, if moneys are
33 available, to three Washington scholars per legislative district; and,
34 if not used by an original recipient, to the Washington scholars-
35 alternate from the same legislative district.

36 Beginning with scholars selected in the year 2000, if the
37 recipients of grants fail to demonstrate in a timely manner that they

1 will enroll in a Washington institution of higher education in the fall
2 term of the academic year following the award of the grant or are
3 deemed by the higher education coordinating board to have withdrawn
4 from college during the first academic year following the award, then
5 the grant shall be considered relinquished. The higher education
6 coordinating board may then award any remaining grant amounts to the
7 Washington scholars-alternate from the same legislative district if the
8 grants are awarded within one calendar year of the recipient being
9 named a Washington scholars-alternate. Washington scholars-alternates
10 named as recipients of the grant must also demonstrate in a timely
11 manner that they will enroll in a Washington institution of higher
12 education during the next available term, as determined by the higher
13 education coordinating board. The board may accept appeals and grant
14 waivers to the enrollment requirements of this section based on
15 exceptional mitigating circumstances of individual grant recipients.

16 To maintain eligibility for the grants, recipients must maintain a
17 minimum grade point average at the college or university equivalent to
18 3.30. Students shall be eligible to receive a maximum of twelve
19 quarters or eight semesters of grants for undergraduate study and may
20 transfer among in-state public and independent colleges and
21 universities during that period and continue to receive the grant as
22 provided under RCW 28B.80.246 (as recodified by this act). If the
23 student's cumulative grade point average falls below 3.30 during the
24 first three quarters or two semesters, that student may petition the
25 higher education coordinating board which shall have the authority to
26 establish a probationary period until such time as the student's grade
27 point average meets required standards.

28 (3) No grant shall be awarded to any student who is pursuing a
29 degree in theology.

30 (4) As used in this section, "independent college or university"
31 means a private, nonprofit educational institution, the main campus of
32 which is permanently situated in the state, open to residents of the
33 state, providing programs of education beyond the high school level
34 leading at least to the baccalaureate degree, and accredited by the
35 northwest association of schools and colleges as of June 9, 1988, and
36 other institutions as may be developed that are approved by the higher
37 education coordinating board as meeting equivalent standards as those
38 institutions accredited under this section.

1 (5) As used in this section, "public college or university" means
2 an institution of higher education as defined in RCW 28B.10.016.

3 **Sec. 25.** RCW 28B.80.246 and 1995 1st sp.s. c 5 s 4 are each
4 amended to read as follows:

5 Students receiving grants under RCW 28B.80.245 (as recodified by
6 this act) or waivers under RCW 28B.15.543 are entitled to transfer
7 among in-state public and independent colleges or universities and to
8 continue to receive award benefits, as provided in this section, in the
9 form of a grant or waiver of tuition and services and activities fees
10 while enrolled at such institutions during the period of eligibility.
11 The total grants or waivers for any one student shall not exceed twelve
12 quarters or eight semesters of undergraduate study.

13 (1) Scholars named to the award on or before June 30, 1994, may
14 transfer between in-state public institutions, or from an eligible
15 independent college or university to an in-state public institution of
16 higher education, and are entitled to receive the waiver of tuition and
17 services and activities fees.

18 (2) Scholars named to the award on or before June 30, 1994, may
19 transfer from an in-state public institution to an eligible independent
20 college or university, or between eligible independent colleges or
21 universities, and continue to receive a grant contingent upon available
22 funding.

23 (3) Scholars named to the award after June 30, 1994, may transfer
24 among in-state public or private colleges and universities and continue
25 to receive the grant contingent upon available funding.

26 (4) In addition, scholars who transfer to an eligible independent
27 institution may receive the grant contingent upon the agreement of the
28 school to match on at least a dollar-for-dollar basis, either with
29 actual money or by a waiver of fees, the amount of the grant received
30 by the student from the state.

31 **Sec. 26.** RCW 28B.80.620 and 1999 c 177 s 2 are each amended to
32 read as follows:

33 (1) The higher education coordinating board, in consultation with
34 the state board of education has the following powers and duties in
35 administering the pilot program established in RCW 28B.80.622 (as
36 recodified by this act):

- 1 (a) To adopt rules necessary to carry out the program;
- 2 (b) To establish one or more review committees to assist in the
3 evaluation of proposals for funding. The review committee shall
4 include individuals with significant experience in higher education in
5 areas relevant to one or more of the funding period priorities and
6 shall include representatives from elementary, two-year, and four-year
7 sectors of education;
- 8 (c) To award grants no later than September 1st in those years when
9 funding is available by June 30th;
- 10 (d) To establish each biennium specific guidelines for submitting
11 grant proposals consistent with the overall goals of the program.
12 During the 1999-2001 biennium, the guidelines shall be consistent with
13 the following desired outcomes of:
- 14 (i) Designing a college-level course for enrollment of selected
15 high school seniors interested in teaching careers and students
16 enrolled in a school-based future teachers academy;
- 17 (ii) Designing discipline-based lower division courses that are
18 thematically linked to state student learning goals, essential academic
19 learning requirements, and upper division courses in the
20 interdisciplinary arts and science curriculum and supportive of
21 teaching areas appropriate for prospective teachers;
- 22 (iii) Designing a preprofessional educational studies minor that
23 would be pursued by prospective kindergarten through eighth grade
24 teachers in conjunction with an interdisciplinary arts and science
25 major;
- 26 (iv) Designing mentoring and service learning activities at the
27 community college level that would provide prospective teachers with an
28 orientation to professional education; and
- 29 (v) Designing a process for satisfying certification requirements
30 that encompasses pedagogical coursework and school-based internships
31 cognizant of the financial constraints of working students.
- 32 (2) The pilot project in this section shall conclude no later than
33 January 1, 2005.
- 34 (3) Beginning on December 31, 2001, the higher education
35 coordinating board shall submit an annual written report to the
36 education and higher education committees of the legislature, the state
37 board of education, and the office of the superintendent of public
38 instruction on the status of the pilot project.

1 (c) Any appropriations made in connection with the powers, duties,
2 and functions transferred by this act shall, on the effective date of
3 this section, be transferred and credited to the state board for
4 community and technical colleges.

5 (3) All employees of the higher education coordinating board
6 related to the displaced homemaker program are transferred to the
7 jurisdiction of the state board for community and technical colleges.
8 All employees classified under chapter 41.06 RCW, the state civil
9 service law, are assigned to the state board for community and
10 technical colleges to perform their usual duties upon the same terms as
11 formerly, without any loss of rights, subject to any action that may be
12 appropriate thereafter in accordance with the laws and rules governing
13 state civil service.

14 (4) All rules and all pending business before the higher education
15 coordinating board related to the displaced homemaker program shall be
16 continued and acted upon by the state board for community and technical
17 colleges. All existing contracts and obligations shall remain in full
18 force and shall be performed by the state board for community and
19 technical colleges.

20 (5) The transfer of the powers, duties, functions, and personnel of
21 the higher education coordinating board related to the displaced
22 homemaker program shall not affect the validity of any act performed
23 before the effective date of this section.

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

30 **Sec. 29.** RCW 28B.04.020 and 1985 c 370 s 36 are each amended to
31 read as follows:

32 The legislature finds that homemakers are an unrecognized part of
33 the work force who make an invaluable contribution to the strength,
34 durability, and purpose of our state.

35 The legislature further finds that there is an increasing number of
36 persons in this state who, having fulfilled a role as homemaker, find
37 themselves "displaced" in their middle years through divorce, death of

1 spouse, disability of spouse, or other loss of family income of a
2 spouse. As a consequence, displaced homemakers are very often left
3 with little or no income; they are ineligible for categorical welfare
4 assistance; they are subject to the highest rate of unemployment of any
5 sector of the work force; they face continuing discrimination in
6 employment because of their age and lack of recent paid work
7 experience; they are ineligible for unemployment insurance because they
8 have been engaged in unpaid labor in the home; they are ineligible for
9 social security benefits because they are too young, and many never
10 qualify because they have been divorced from the family wage earner;
11 they may have lost beneficiaries' rights under employer's pension and
12 health plans through divorce or death of spouse; and they are often
13 unacceptable to private health insurance plans because of their age.

14 It is the purpose of this chapter to establish guidelines under
15 which the (~~higher education coordinating board~~) state board for
16 community and technical colleges shall contract to establish
17 multipurpose service centers and programs to provide necessary training
18 opportunities, counseling, and services for displaced homemakers so
19 that they may enjoy the independence and economic security vital to a
20 productive life.

21 **Sec. 30.** RCW 28B.04.030 and 1985 c 370 s 37 are each amended to
22 read as follows:

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

25 (1) "Board" means the (~~higher education coordinating board~~) state
26 board for community and technical colleges.

27 (2) "Center" means a multipurpose service center for displaced
28 homemakers as described in RCW 28B.04.040.

29 (3) "Program" means those programs described in RCW 28B.04.050
30 which provide direct, outreach, and information and training services
31 which serve the needs of displaced homemakers.

32 (4) "Displaced homemaker" means an individual who:

33 (a) Has worked in the home for ten or more years providing
34 unsalaried household services for family members on a full-time basis;
35 and

36 (b) Is not gainfully employed;

37 (c) Needs assistance in securing employment; and

1 (d) Has been dependent on the income of another family member but
2 is no longer supported by that income, or has been dependent on federal
3 assistance but is no longer eligible for that assistance, or is
4 supported as the parent of minor children by public assistance or
5 spousal support but whose children are within two years of reaching
6 their majority.

7 **Sec. 31.** RCW 28B.04.080 and 1985 c 370 s 42 are each amended to
8 read as follows:

9 (1) The board shall consult and cooperate with the department of
10 social and health services; the (~~state board for community college~~
11 ~~education~~) higher education coordinating board; the superintendent of
12 public instruction; the (~~commission for vocational education~~) work
13 force training and education coordinating board; the employment
14 security department; the department of labor and industries; sponsoring
15 agencies under the federal comprehensive employment and training act
16 (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.), and any other persons or
17 agencies as the board deems appropriate to facilitate the coordination
18 of centers established under this chapter with existing programs of a
19 similar nature.

20 (2) Annually on July 1st, each agency listed in subsection (1) of
21 this section shall submit a description of each service or program
22 under its jurisdiction which would support the programs and centers
23 established by this chapter and the funds available for such support.

24 (3) The board shall serve as a clearinghouse for displaced
25 homemaker information and resources and shall compile and disseminate
26 statewide information to the centers, related agencies, and interested
27 persons upon request.

28 **Sec. 32.** RCW 28B.04.085 and 1987 c 230 s 2 are each amended to
29 read as follows:

30 (1) The executive coordinator of the (~~higher education~~
31 ~~coordinating~~) board shall establish an advisory committee, to be known
32 as the displaced homemaker program advisory committee.

33 (2) The advisory committee shall be advisory to the executive
34 coordinator and staff of the board.

35 (3) Committee membership shall not exceed twenty-two persons and

1 shall be geographically and generally representative of the state. At
2 least one member of the advisory committee shall either be or recently
3 have been a displaced homemaker.

4 (4) Functions of the advisory committee shall be:

5 (a) To provide advice on all aspects of administration of the
6 displaced homemaker program, including content of program rules,
7 guidelines, and application procedures;

8 (b) To assist in coordination of activities under the displaced
9 homemaker program with related activities of other state and federal
10 agencies, with particular emphasis on facilitation of coordinated
11 funding.

12 NEW SECTION. **Sec. 33.** Sections 28 through 32 of this act take
13 effect July 1, 2005.

14 **PART V**
15 **STATE NEED GRANT**

16 **Sec. 34.** RCW 28B.10.800 and 1999 c 345 s 2 are each amended to
17 read as follows:

18 The purposes of (~~RCW 28B.10.800 through 28B.10.824~~) this chapter
19 are to establish the principles upon which the state financial aid
20 programs will be based and to establish the state of Washington state
21 need grant program, thus assisting financially needy or disadvantaged
22 students domiciled in Washington to obtain the opportunity of attending
23 an accredited institution of higher education(~~(, as defined in RCW~~
24 ~~28B.10.802(1))~~). State need grants under (~~RCW 28B.10.800 through~~
25 ~~28B.10.824~~) this chapter are available only to students who are
26 resident students as defined in RCW 28B.15.012(2) (a) through (d).

27 **Sec. 35.** RCW 28B.10.802 and 2002 c 187 s 1 are each amended to
28 read as follows:

29 As used in (~~RCW 28B.10.800 through 28B.10.824~~) this chapter:

30 (1) "Institution or institutions of higher education" (~~shall mean~~
31 ~~(1) [(a)]~~) means:

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

1 (~~(2)~~~~[(b)]~~) (b) Any other university, college, school, or
2 institute in the state of Washington offering instruction beyond the
3 high school level which is a member institution of an accrediting
4 association recognized by rule of the board for the purposes of this
5 section: PROVIDED, That any institution, branch, extension or facility
6 operating within the state of Washington which is affiliated with an
7 institution operating in another state must be a separately accredited
8 member institution of any such accrediting association, or a branch of
9 a member institution of an accrediting association recognized by rule
10 of the board for purposes of this section, that is eligible for federal
11 student financial aid assistance and has operated as a nonprofit
12 college or university delivering on-site classroom instruction for a
13 minimum of twenty consecutive years within the state of Washington, and
14 has an annual enrollment of at least seven hundred full-time equivalent
15 students: PROVIDED FURTHER, That no institution of higher education
16 shall be eligible to participate in a student financial aid program
17 unless it agrees to and complies with program rules and regulations
18 adopted pursuant to RCW 28B.10.822 (as recodified by this act).

19 (2) (~~The term~~) "Financial aid" (~~shall mean~~) means loans and/or
20 grants to needy students enrolled or accepted for enrollment as a
21 student at institutions of higher education.

22 (3) (~~The term~~) "Needy student" (~~shall mean~~) means a post high
23 school student of an institution of higher (~~learning as defined in~~
24 ~~subsection (1) of this section~~) education who demonstrates to the
25 board the financial inability, either through the student's parents,
26 family and/or personally, to meet the total cost of board, room, books,
27 and tuition and incidental fees for any semester or quarter.

28 (4) (~~The term~~) "Disadvantaged student" (~~shall mean~~) means a
29 post high school student who by reason of adverse cultural,
30 educational, environmental, experiential, familial or other
31 circumstances is unable to qualify for enrollment as a full time
32 student in an institution of higher (~~learning~~) education, who would
33 otherwise qualify as a needy student, and who is attending an
34 institution of higher (~~learning~~) education under an established
35 program designed to qualify the student for enrollment as a full time
36 student.

37 (5) (~~"Commission" or~~) "Board" (~~shall mean~~) means the higher
38 education coordinating board.

1 **Sec. 36.** RCW 28B.10.804 and 1999 c 345 s 3 are each amended to
2 read as follows:

3 The board shall be cognizant of the following guidelines in the
4 performance of its duties:

5 (1) The board shall be research oriented, not only at its inception
6 but continually through its existence.

7 (2) The board shall coordinate all existing programs of financial
8 aid except those specifically dedicated to a particular institution by
9 the donor.

10 (3) The board shall take the initiative and responsibility for
11 coordinating all federal student financial aid programs to ensure that
12 the state recognizes the maximum potential effect of these programs,
13 and shall design state programs that complement existing federal,
14 state, and institutional programs. The board shall ensure that state
15 programs continue to follow the principle that state financial aid
16 funding follows the student to the student's choice of institution of
17 higher education.

18 (4) Counseling is a paramount function of the state need grant and
19 other state student financial aid programs, and in most cases could
20 only be properly implemented at the institutional levels; therefore,
21 state student financial aid programs shall be concerned with the
22 attainment of those goals which, in the judgment of the board, are the
23 reasons for the existence of a student financial aid program, and not
24 solely with administration of the program on an individual basis.

25 (5) The "package" approach of combining loans, grants and
26 employment for student financial aid shall be the conceptual element of
27 the state's involvement.

28 (6) The board shall ensure that allocations of state appropriations
29 for financial aid are made to individuals and institutions in a timely
30 manner and shall closely monitor expenditures to avoid under or
31 overexpenditure of appropriated funds.

32 **Sec. 37.** RCW 28B.10.808 and 1999 c 345 s 5 are each amended to
33 read as follows:

34 In awarding need grants, the board shall proceed substantially as
35 follows: PROVIDED, That nothing contained herein shall be construed to
36 prevent the board, in the exercise of its sound discretion, from

1 following another procedure when the best interest of the program so
2 dictates:

3 (1) The board shall annually select the financial aid award
4 recipients from among Washington residents applying for student
5 financial aid who have been ranked according to financial need as
6 determined by the amount of the family contribution and other
7 considerations brought to the board's attention.

8 (2) The financial need of the highest ranked students shall be met
9 by grants depending upon the evaluation of financial need until the
10 total allocation has been disbursed. Funds from grants which are
11 declined, forfeited or otherwise unused shall be reawarded until
12 dispersed.

13 (3) A student shall be eligible to receive a state need grant for
14 up to five years, or the credit or clock hour equivalent of five years,
15 or up to one hundred twenty-five percent of the published length of
16 time of the student's program. A student may not start a new associate
17 degree program as a state need grant recipient until at least five
18 years have elapsed since earning an associate degree as a need grant
19 recipient, except that a student may earn two associate degrees
20 concurrently. Qualifications for renewal will include maintaining
21 satisfactory academic progress toward completion of an eligible program
22 as determined by the board. Should the recipient terminate his or her
23 enrollment for any reason during the academic year, the unused portion
24 of the grant shall be returned to the state educational grant fund by
25 the institution according to the institution's own policy for issuing
26 refunds, except as provided in RCW 28B.10.8081 (as recodified by this
27 act).

28 (4) In computing financial need, the board shall determine a
29 maximum student expense budget allowance, not to exceed an amount equal
30 to the total maximum student expense budget at the public institutions
31 plus the current average state appropriation per student for operating
32 expense in the public institutions.

33 **Sec. 38.** RCW 28B.10.8081 and 1991 c 164 s 3 are each amended to
34 read as follows:

35 Under rules adopted by the board, the provisions of RCW
36 28B.10.808(3) (as recodified by this act) shall not apply to eligible

1 students, as defined in RCW 28B.10.017, and eligible students shall not
2 be required to repay the unused portions of grants received under the
3 state student financial aid program.

4 **Sec. 39.** RCW 28B.10.810 and 1999 c 345 s 6 are each amended to
5 read as follows:

6 For a student to be eligible for a state need grant a student must:

7 (1) Be a "needy student" or "disadvantaged student" as determined
8 by the board in accordance with RCW 28B.10.802 (3) and (4) (as
9 recodified by this act).

10 (2) Have been domiciled within the state of Washington for at least
11 one year.

12 (3) Be enrolled or accepted for enrollment on at least a half-time
13 basis at an institution of higher education in Washington as defined in
14 RCW 28B.10.802(1) (as recodified by this act).

15 (4) Have complied with all the rules and regulations adopted by the
16 board for the administration of (~~RCW 28B.10.800 through 28B.10.824~~)
17 this chapter.

18 **Sec. 40.** RCW 28B.10.816 and 1969 ex.s. c 222 s 16 are each amended
19 to read as follows:

20 A state financial aid recipient under (~~RCW 28B.10.800 through~~
21 ~~28B.10.824~~) this chapter shall apply the award toward the cost of
22 tuition, room, board, books and fees at the institution of higher
23 education attended.

24 **Sec. 41.** RCW 28B.10.818 and 1969 ex.s. c 222 s 17 are each amended
25 to read as follows:

26 Funds appropriated for student financial assistance to be granted
27 pursuant to (~~RCW 28B.10.800 through 28B.10.824~~) this chapter shall be
28 disbursed as determined by the (~~commission~~) board.

29 **Sec. 42.** RCW 28B.10.820 and 1969 ex.s. c 222 s 18 are each amended
30 to read as follows:

31 The (~~commission~~) board shall be authorized to accept grants,
32 gifts, bequests, and devises of real and personal property from any
33 source for the purpose of granting financial aid in addition to that
34 funded by the state.

1 may grant remunerated professional leaves to faculty members and exempt
2 staff, as defined in RCW ((~~28B.16.040~~)) 41.06.070, in accordance with
3 regulations adopted by the respective governing boards for periods not
4 to exceed twelve consecutive months in accordance with the following
5 provisions:

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

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

15 (3) The grant of any such professional leave shall be contingent
16 upon a signed contractual agreement between the respective governing
17 board and the recipient providing that the recipient shall return to
18 the granting institution or district following his or her completion of
19 such leave and serve in a professional status for a period commensurate
20 with the amount of leave so granted. Failure to comply with the
21 provisions of such signed agreement shall constitute an obligation of
22 the recipient to repay to the institution any remuneration received
23 from the institution during the leave.

24 (4) The aggregate cost of remunerated professional leaves awarded
25 at the institution or district during any year, including the cost of
26 replacement personnel, shall not exceed the cost of salaries which
27 otherwise would have been paid to personnel on leaves: PROVIDED, That
28 for community college districts the aggregate cost shall not exceed one
29 hundred fifty percent of the cost of salaries which would have
30 otherwise been paid to personnel on leaves: PROVIDED FURTHER, That
31 this subsection shall not apply to any community college district with
32 fewer than seventy-five full time faculty members and granting fewer
33 than three individuals such leaves in any given year.

34 (5) The average number of annual remunerated professional leaves
35 awarded at any such institution or district shall not exceed four
36 percent of the total number of full time equivalent faculty, as defined
37 by the office of financial management, who are engaged in instruction,
38 and exempt staff as defined in RCW ((~~28B.16.040~~)) 41.06.070.

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

4 (7) The respective institutions and districts shall maintain such
5 information which will ensure compliance with the provisions of this
6 section. (~~(The higher education coordinating board shall periodically~~
7 ~~request such information as to ensure institutions are in compliance.)~~)

8 **Sec. 46.** RCW 28A.600.110 and 1994 c 234 s 4 are each amended to
9 read as follows:

10 There is established by the legislature of the state of Washington
11 the Washington state scholars program. The purposes of this program
12 annually are to:

13 (1) Provide for the selection of three seniors residing in each
14 legislative district in the state graduating from high schools who have
15 distinguished themselves academically among their peers.

16 (2) Maximize public awareness of the academic achievement,
17 leadership ability, and community contribution of Washington state
18 public and private high school seniors through appropriate recognition
19 ceremonies and events at both the local and state level.

20 (3) Provide a listing of the Washington scholars to all Washington
21 state public and private colleges and universities to facilitate
22 communication regarding academic programs and scholarship availability.

23 (4) Make available a state level mechanism for utilization of
24 private funds for scholarship awards to outstanding high school
25 seniors.

26 (5) Provide, on written request and with student permission, a
27 listing of the Washington scholars to private scholarship selection
28 committees for notification of scholarship availability.

29 (6) Permit a waiver of tuition and services and activities fees as
30 provided for in RCW 28B.15.543 and grants under RCW 28B.80.245 (as
31 recodified by this act).

32 **Sec. 47.** RCW 28B.10.020 and 1985 c 370 s 50 are each amended to
33 read as follows:

34 The boards of regents of the University of Washington and
35 Washington State University, respectively, and the boards of trustees
36 of Central Washington University, Eastern Washington University,

1 Western Washington University, and The Evergreen State College,
2 respectively, shall have the power and authority to acquire by
3 exchange, gift, purchase, lease, or condemnation in the manner provided
4 by chapter 8.04 RCW for condemnation of property for public use, such
5 lands, real estate and other property, and interests therein as they
6 may deem necessary for the use of said institutions respectively.
7 However, the purchase or lease of major off-campus facilities is
8 subject to the approval of the higher education coordinating board
9 under (~~RCW 28B.80.340~~) section 9 of this act.

10 **Sec. 48.** RCW 28B.10.050 and 1985 c 370 s 91 are each amended to
11 read as follows:

12 Except as the legislature shall otherwise specifically direct, the
13 boards of regents and the boards of trustees for the state
14 universities, the regional universities, and The Evergreen State
15 College may establish entrance requirements for their respective
16 institutions of higher education which meet or exceed the minimum
17 entrance requirements established under RCW 28B.80.350(2) (as
18 recodified by this act).

19 **Sec. 49.** RCW 28B.15.543 and 1995 1st sp.s. c 5 s 2 are each
20 amended to read as follows:

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

1 below 3.30 during the first three quarters or two semesters, that
2 student may petition the higher education coordinating board which
3 shall have the authority to establish a probationary period until such
4 time as the student's grade point average meets required standards.

5 (2) Students named by the higher education coordinating board after
6 June 30, 1994, as recipients of the Washington scholars award under RCW
7 28A.600.100 through 28A.600.150 shall be eligible to receive a grant
8 for undergraduate course work as authorized under RCW 28B.80.245 (as
9 recodified by this act).

10 **Sec. 50.** RCW 28B.15.545 and 1995 1st sp.s. c 7 s 7 are each
11 amended to read as follows:

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

26 (2) Students named by the work force training and education
27 coordinating board after June 30, 1994, as recipients of the Washington
28 award for vocational excellence under RCW 28C.04.520 through 28C.04.550
29 shall be eligible to receive a grant for undergraduate course work as
30 authorized under RCW 28B.80.272 (as recodified by this act).

31 **Sec. 51.** RCW 28B.15.910 and 2000 c 152 s 3 are each amended to
32 read as follows:

33 (1) For the purpose of providing state general fund support to
34 public institutions of higher education, except for revenue waived
35 under programs listed in subsections (3) and (4) of this section, and
36 unless otherwise expressly provided in the omnibus state appropriations

1 act, the total amount of operating fees revenue waived, exempted, or
2 reduced by a state university, a regional university, The Evergreen
3 State College, or the community colleges as a whole, shall not exceed
4 the percentage of total gross authorized operating fees revenue in this
5 subsection. As used in this section, "gross authorized operating fees
6 revenue" means the estimated gross operating fees revenue as estimated
7 under RCW 82.33.020 or as revised by the office of financial
8 management, before granting any waivers. This limitation applies to
9 all tuition waiver programs established before or after July 1, 1992.

- | | | |
|----|-----------------------------------|------------|
| 10 | (a) University of Washington | 21 percent |
| 11 | (b) Washington State University | 20 percent |
| 12 | (c) Eastern Washington University | 11 percent |
| 13 | (d) Central Washington University | 8 percent |
| 14 | (e) Western Washington University | 10 percent |
| 15 | (f) The Evergreen State College | 6 percent |
| 16 | (g) Community colleges as a whole | 35 percent |

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

- 20 (a) RCW 28B.10.265;
- 21 (b) RCW 28B.15.014;
- 22 (c) RCW 28B.15.100;
- 23 (d) RCW 28B.15.225;
- 24 (e) RCW 28B.15.380;
- 25 (f) RCW 28B.15.520;
- 26 (g) RCW 28B.15.526;
- 27 (h) RCW 28B.15.527;
- 28 (i) RCW 28B.15.543;
- 29 (j) RCW 28B.15.545;
- 30 (k) RCW 28B.15.555;
- 31 (l) RCW 28B.15.556;
- 32 (m) RCW 28B.15.615;
- 33 (n) RCW 28B.15.620;
- 34 (o) RCW 28B.15.628;
- 35 (p) RCW 28B.15.730;
- 36 (q) RCW 28B.15.740;
- 37 (r) RCW 28B.15.750;
- 38 (s) RCW 28B.15.756;

1 (t) RCW 28B.50.259;
2 (u) RCW 28B.70.050; and
3 (v) (~~RCW 28B.80.580; and~~
4 ~~(w)~~) During the 1997-99 fiscal biennium, the western interstate
5 commission for higher education undergraduate exchange program for
6 students attending Eastern Washington University.

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

- 10 (a) RCW 28B.15.522;
- 11 (b) RCW 28B.15.540; and
- 12 (c) RCW 28B.15.558.

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

- 19 (a) Washington State University 1 percent
- 20 (b) Eastern Washington University 3 percent
- 21 (c) Central Washington University 3 percent

22 **Sec. 52.** RCW 28B.20.130 and 1998 c 245 s 16 are each amended to
23 read as follows:

24 General powers and duties of the board of regents are as follows:

25 (1) To have full control of the university and its property of
26 various kinds, except as otherwise provided by law.

27 (2) To employ the president of the university, his or her
28 assistants, members of the faculty, and employees of the institution,
29 who except as otherwise provided by law, shall hold their positions
30 during the pleasure of said board of regents.

31 (3) Establish entrance requirements for students seeking admission
32 to the university which meet or exceed the standards specified under
33 RCW 28B.80.350(2) (as recodified by this act). Completion of
34 examinations satisfactory to the university may be a prerequisite for
35 entrance by any applicant at the university's discretion. Evidence of
36 completion of public high schools and other educational institutions

1 whose courses of study meet the approval of the university may be
2 acceptable for entrance.

3 (4) Establish such colleges, schools, or departments necessary to
4 carry out the purpose of the university and not otherwise proscribed by
5 law.

6 (5) With the assistance of the faculty of the university, prescribe
7 the course of study in the various colleges, schools, and departments
8 of the institution and publish the necessary catalogues thereof.

9 (6) Grant to students such certificates or degrees as recommended
10 for such students by the faculty. The board, upon recommendation of
11 the faculty, may also confer honorary degrees upon persons other than
12 graduates of this university in recognition of their learning or
13 devotion to literature, art, or science: PROVIDED, That no degree
14 shall ever be conferred in consideration of the payment of money or the
15 giving of property of whatsoever kind.

16 (7) Accept such gifts, grants, conveyances, bequests, and devises,
17 whether real or personal property, or both, in trust or otherwise, for
18 the use or benefit of the university, its colleges, schools,
19 departments, or agencies; and sell, lease or exchange, invest or expend
20 the same or the proceeds, rents, profits, and income thereof except as
21 limited by the terms of said gifts, grants, conveyances, bequests, and
22 devises. The board shall adopt proper rules to govern and protect the
23 receipt and expenditure of the proceeds of all fees, and the proceeds,
24 rents, profits, and income of all gifts, grants, conveyances, bequests,
25 and devises above-mentioned.

26 (8) Except as otherwise provided by law, to enter into such
27 contracts as the regents deem essential to university purposes.

28 (9) To submit upon request such reports as will be helpful to the
29 governor and to the legislature in providing for the institution.

30 (10) Subject to the approval of the higher education coordinating
31 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new
32 degree programs, offer off-campus programs, participate in consortia or
33 centers, contract for off-campus educational programs, and purchase or
34 lease major off-campus facilities.

35 **Sec. 53.** RCW 28B.30.150 and 1998 c 245 s 19 are each amended to
36 read as follows:

1 The regents of Washington State University, in addition to other
2 duties prescribed by law, shall:

3 (1) Have full control of the university and its property of various
4 kinds, except as otherwise provided by law.

5 (2) Employ the president of the university, his or her assistants,
6 members of the faculty, and employees of the university, who, except as
7 otherwise provided by law, shall hold their positions during the
8 pleasure of said board of regents.

9 (3) Establish entrance requirements for students seeking admission
10 to the university which meet or exceed the standards specified under
11 RCW 28B.80.350(2) (as recodified by this act). Completion of
12 examinations satisfactory to the university may be a prerequisite for
13 entrance by any applicant, at the university's discretion. Evidence of
14 completion of public high schools and other educational institutions
15 whose courses of study meet the approval of the university may be
16 acceptable for entrance.

17 (4) Establish such colleges, schools, or departments necessary to
18 carry out the purpose of the university and not otherwise proscribed by
19 law.

20 (5) Subject to the approval of the higher education coordinating
21 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new
22 degree programs, offer off-campus programs, participate in consortia or
23 centers, contract for off-campus educational programs, and purchase or
24 lease major off-campus facilities.

25 (6) With the assistance of the faculty of the university, prescribe
26 the courses of instruction in the various colleges, schools, and
27 departments of the institution and publish the necessary catalogues
28 thereof.

29 (7) Collect such information as the board deems desirable as to the
30 schemes of technical instruction adopted in other parts of the United
31 States and foreign countries.

32 (8) Provide for holding agricultural institutes including farm
33 marketing forums.

34 (9) Provide that instruction given in the university, as far as
35 practicable, be conveyed by means of laboratory work and provide in
36 connection with the university one or more physical, chemical, and
37 biological laboratories, and suitably furnish and equip the same.

1 (10) Provide training in military tactics for those students
2 electing to participate therein.

3 (11) Establish a department of elementary science and in connection
4 therewith provide instruction in elementary mathematics, including
5 elementary trigonometry, elementary mechanics, elementary and
6 mechanical drawing, and land surveying.

7 (12) Establish a department of agriculture and in connection
8 therewith provide instruction in physics with special application of
9 its principles to agriculture, chemistry with special application of
10 its principles to agriculture, morphology and physiology of plants with
11 special reference to common grown crops and fungus enemies, morphology
12 and physiology of the lower forms of animal life, with special
13 reference to insect pests, morphology and physiology of the higher
14 forms of animal life and in particular of the horse, cow, sheep, and
15 swine, agriculture with special reference to the breeding and feeding
16 of livestock and the best mode of cultivation of farm produce, and
17 mining and metallurgy, appointing demonstrators in each of these
18 subjects to superintend the equipment of a laboratory and to give
19 practical instruction therein.

20 (13) Establish agricultural experiment stations in connection with
21 the department of agriculture, including at least one in the western
22 portion of the state, and appoint the officers and prescribe
23 regulations for their management.

24 (14) Grant to students such certificates or degrees, as recommended
25 for such students by the faculty.

26 (15) Confer honorary degrees upon persons other than graduates of
27 the university in recognition of their learning or devotion to
28 literature, art, or science when recommended thereto by the faculty:
29 PROVIDED, That no degree shall ever be conferred in consideration of
30 the payment of money or the giving of property of whatsoever kind.

31 (16) Adopt plans and specifications for university buildings and
32 facilities or improvements thereto and employ skilled architects and
33 engineers to prepare such plans and specifications and supervise the
34 construction of buildings or facilities which the board is authorized
35 to erect, and fix the compensation for such services. The board shall
36 enter into contracts with one or more contractors for such suitable
37 buildings, facilities, or improvements as the available funds will
38 warrant, upon the most advantageous terms offered at a public

1 competitive letting, pursuant to public notice under rules established
2 by the board. The board shall require of all persons with whom they
3 contract for construction and improvements a good and sufficient bond
4 for the faithful performance of the work and full protection against
5 all liens.

6 (17) Except as otherwise provided by law, direct the disposition of
7 all money appropriated to or belonging to the state university.

8 (18) Receive and expend the money appropriated under the act of
9 congress approved May 8, 1914, entitled "An Act to provide for
10 cooperative agricultural extension work between the agricultural
11 colleges in the several States receiving the benefits of the Act of
12 Congress approved July 2, 1862, and Acts supplemental thereto and the
13 United States Department of Agriculture" and organize and conduct
14 agricultural extension work in connection with the state university in
15 accordance with the terms and conditions expressed in the acts of
16 congress.

17 (19) Except as otherwise provided by law, to enter into such
18 contracts as the regents deem essential to university purposes.

19 (20) Acquire by lease, gift, or otherwise, lands necessary to
20 further the work of the university or for experimental or
21 demonstrational purposes.

22 (21) Establish and maintain at least one agricultural experiment
23 station in an irrigation district to conduct investigational work upon
24 the principles and practices of irrigational agriculture including the
25 utilization of water and its relation to soil types, crops, climatic
26 conditions, ditch and drain construction, fertility investigations,
27 plant disease, insect pests, marketing, farm management, utilization of
28 fruit byproducts, and general development of agriculture under
29 irrigation conditions.

30 (22) Supervise and control the agricultural experiment station at
31 Puyallup.

32 (23) Establish and maintain at Wenatchee an agricultural experiment
33 substation for the purpose of conducting investigational work upon the
34 principles and practices of orchard culture, spraying, fertilization,
35 pollenization, new fruit varieties, fruit diseases and pests,
36 byproducts, marketing, management, and general horticultural problems.

37 (24) Accept such gifts, grants, conveyances, devises, and bequests,
38 whether real or personal property, in trust or otherwise, for the use

1 or benefit of the university, its colleges, schools, or departments;
2 and sell, lease or exchange, invest or expend the same or the proceeds,
3 rents, profits, and income thereof except as limited by the terms of
4 said gifts, grants, conveyances, bequests, and devises; and adopt
5 proper rules to govern and protect the receipt and expenditure of the
6 proceeds of all fees, and the proceeds, rents, profits, and income of
7 all gifts, grants, conveyances, bequests, and devises.

8 (25) Construct when the board so determines a new foundry and a
9 mining, physical, technological building, and fabrication shop at the
10 university, or add to the present foundry and other buildings, in order
11 that both instruction and research be expanded to include permanent
12 molding and die casting with a section for new fabricating techniques,
13 especially for light metals, including magnesium and aluminum; purchase
14 equipment for the shops and laboratories in mechanical, electrical, and
15 civil engineering; establish a pilot plant for the extraction of
16 alumina from native clays and other possible light metal research;
17 purchase equipment for a research laboratory for technological research
18 generally; and purchase equipment for research in electronics,
19 instrumentation, energy sources, plastics, food technology, mechanics
20 of materials, hydraulics, and similar fields.

21 (26) Make and transmit to the governor and members of the
22 legislature upon request such reports as will be helpful in providing
23 for the institution.

24 **Sec. 54.** RCW 28B.35.120 and 1985 c 370 s 94 are each amended to
25 read as follows:

26 In addition to any other powers and duties prescribed by law, each
27 board of trustees of the respective regional universities:

28 (1) Shall have full control of the regional university and its
29 property of various kinds, except as otherwise provided by law.

30 (2) Shall employ the president of the regional university, his
31 assistants, members of the faculty, and other employees of the
32 institution, who, except as otherwise provided by law, shall hold their
33 positions, until discharged therefrom by the board for good and lawful
34 reason.

35 (3) With the assistance of the faculty of the regional university,
36 shall prescribe the course of study in the various schools and
37 departments thereof and publish such catalogues thereof as the board

1 deems necessary: PROVIDED, That the state board of education shall
2 determine the requisites for and give program approval of all courses
3 leading to teacher certification by such board.

4 (4) Establish such divisions, schools or departments necessary to
5 carry out the purposes of the regional university and not otherwise
6 proscribed by law.

7 (5) Except as otherwise provided by law, may establish and erect
8 such new facilities as determined by the board to be necessary for the
9 regional university.

10 (6) May acquire real and other property as provided in RCW
11 28B.10.020, as now or hereafter amended.

12 (7) Except as otherwise provided by law, may purchase all supplies
13 and purchase or lease equipment and other personal property needed for
14 the operation or maintenance of the regional university.

15 (8) May establish, lease, operate, equip and maintain self-
16 supporting facilities in the manner provided in RCW 28B.10.300 through
17 28B.10.330, as now or hereafter amended.

18 (9) Except as otherwise provided by law, to enter into such
19 contracts as the trustees deem essential to regional university
20 purposes.

21 (10) May receive such gifts, grants, conveyances, devises and
22 bequests of real or personal property from whatsoever source, as may be
23 made from time to time, in trust or otherwise, whenever the terms and
24 conditions thereof will aid in carrying out the regional university
25 programs; sell, lease or exchange, invest or expend the same or the
26 proceeds, rents, profits and income thereof except as limited by the
27 terms and conditions thereof; and adopt regulations to govern the
28 receipt and expenditure of the proceeds, rents, profits and income
29 thereof.

30 (11) Subject to the approval of the higher education coordinating
31 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new
32 degree programs, offer off-campus programs, participate in consortia or
33 centers, contract for off-campus educational programs, and purchase or
34 lease major off-campus facilities.

35 (12) May promulgate such rules and regulations, and perform all
36 other acts not forbidden by law, as the board of trustees may in its
37 discretion deem necessary or appropriate to the administration of the
38 regional university.

1 **Sec. 55.** RCW 28B.38.010 and 1998 c 344 s 9 are each amended to
2 read as follows:

3 (1) The Spokane intercollegiate research and technology institute
4 is created.

5 (2) The institute shall be operated and administered as a multi-
6 institutional education and research center, housing appropriate
7 programs conducted in Spokane under the authority of institutions of
8 higher education as defined in RCW 28B.10.016. Washington independent
9 and private institutions of higher education may participate as full
10 partners in any academic and research activities of the institute.

11 (3) The institute shall house education and research programs
12 specifically designed to meet the needs of eastern Washington.

13 (4) The establishment of any education program at the institute and
14 the lease, purchase, or construction of any site or facility for the
15 institute is subject to the approval of the higher education
16 coordinating board under (~~RCW 28B.80.340~~) section 9 of this act.

17 (5) The institute shall be headquartered in Spokane.

18 (6) The mission of the institute is to perform and commercialize
19 research that benefits the intermediate and long-term economic vitality
20 of eastern Washington and to develop and strengthen university-industry
21 relationships through the conduct of research that is primarily of
22 interest to eastern Washington-based companies or state economic
23 development programs. The institute shall:

24 (a) Perform and facilitate research supportive of state science and
25 technology objectives, particularly as they relate to eastern
26 Washington industries;

27 (b) Provide leading edge collaborative research and technology
28 transfer opportunities primarily to eastern Washington industries;

29 (c) Provide substantial opportunities for training undergraduate
30 and graduate students through direct involvement in research and
31 industry interactions;

32 (d) Emphasize and develop nonstate support of the institute's
33 research activities; and

34 (e) Provide a forum for effective interaction between the state's
35 technology-based industries and its academic institutions through
36 promotion of faculty collaboration with industry, particularly within
37 eastern Washington.

1 **Sec. 56.** RCW 28B.40.120 and 1985 c 370 s 95 are each amended to
2 read as follows:

3 In addition to any other powers and duties prescribed by law, the
4 board of trustees of The Evergreen State College:

5 (1) Shall have full control of the state college and its property
6 of various kinds, except as otherwise provided by law.

7 (2) Shall employ the president of the state college, his
8 assistants, members of the faculty, and other employees of the
9 institution, who, except as otherwise provided by law, shall hold their
10 positions, until discharged therefrom by the board for good and lawful
11 reason.

12 (3) With the assistance of the faculty of the state college, shall
13 prescribe the course of study in the various schools and departments
14 thereof and publish such catalogues thereof as the board deems
15 necessary: PROVIDED, That the state board of education shall determine
16 the requisites for and give program approval of all courses leading to
17 teacher certification by such board.

18 (4) Establish such divisions, schools or departments necessary to
19 carry out the purposes of the college and not otherwise proscribed by
20 law.

21 (5) Except as otherwise provided by law, may establish and erect
22 such new facilities as determined by the board to be necessary for the
23 college.

24 (6) May acquire real and other property as provided in RCW
25 28B.10.020, as now or hereafter amended.

26 (7) Except as otherwise provided by law, may purchase all supplies
27 and purchase or lease equipment and other personal property needed for
28 the operation or maintenance of the college.

29 (8) May establish, lease, operate, equip and maintain self-
30 supporting facilities in the manner provided in RCW 28B.10.300 through
31 28B.10.330, as now or hereafter amended.

32 (9) Except as otherwise provided by law, to enter into such
33 contracts as the trustees deem essential to college purposes.

34 (10) May receive such gifts, grants, conveyances, devises and
35 bequests of real or personal property from whatsoever source, as may be
36 made from time to time, in trust or otherwise, whenever the terms and
37 conditions thereof will aid in carrying out the college programs; sell,
38 lease or exchange, invest or expend the same or the proceeds, rents,

1 profits and income thereof except as limited by the terms and
2 conditions thereof; and adopt regulations to govern the receipt and
3 expenditure of the proceeds, rents, profits and income thereof.

4 (11) Subject to the approval of the higher education coordinating
5 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new
6 degree programs, offer off-campus programs, participate in consortia or
7 centers, contract for off-campus educational programs, and purchase or
8 lease major off-campus facilities.

9 (12) May promulgate such rules and regulations, and perform all
10 other acts not forbidden by law, as the board of trustees may in its
11 discretion deem necessary or appropriate to the administration of the
12 college.

13 **Sec. 57.** RCW 28B.50.090 and 2003 c 130 s 6 are each amended to
14 read as follows:

15 The college board shall have general supervision and control over
16 the state system of community and technical colleges. In addition to
17 the other powers and duties imposed upon the college board by this
18 chapter, the college board shall be charged with the following powers,
19 duties and responsibilities:

20 (1) Review the budgets prepared by the boards of trustees, prepare
21 a single budget for the support of the state system of community and
22 technical colleges and adult education, and submit this budget to the
23 governor as provided in RCW 43.88.090;

24 (2) Establish guidelines for the disbursement of funds; and receive
25 and disburse such funds for adult education and maintenance and
26 operation and capital support of the college districts in conformance
27 with the state and district budgets, and in conformance with chapter
28 43.88 RCW;

29 (3) Ensure, through the full use of its authority:

30 (a) That each college district shall offer thoroughly comprehensive
31 educational, training and service programs to meet the needs of both
32 the communities and students served by combining high standards of
33 excellence in academic transfer courses; realistic and practical
34 courses in occupational education, both graded and ungraded; and
35 community services of an educational, cultural, and recreational
36 nature; and adult education, including basic skills and general,
37 family, and work force literacy programs and services. However,

1 technical colleges, and college districts containing only technical
2 colleges, shall maintain programs solely for occupational education,
3 basic skills, and literacy purposes. For as long as a need exists,
4 technical colleges may continue those programs, activities, and
5 services they offered during the twelve-month period preceding May 17,
6 1991;

7 (b) That each college district shall maintain an open-door policy,
8 to the end that no student will be denied admission because of the
9 location of the student's residence or because of the student's
10 educational background or ability; that, insofar as is practical in the
11 judgment of the college board, curriculum offerings will be provided to
12 meet the educational and training needs of the community generally and
13 the students thereof; and that all students, regardless of their
14 differing courses of study, will be considered, known and recognized
15 equally as members of the student body: PROVIDED, That the
16 administrative officers of a community or technical college may deny
17 admission to a prospective student or attendance to an enrolled student
18 if, in their judgment, the student would not be competent to profit
19 from the curriculum offerings of the college, or would, by his or her
20 presence or conduct, create a disruptive atmosphere within the college
21 not consistent with the purposes of the institution. This subsection
22 (3)(b) shall not apply to competency, conduct, or presence associated
23 with a disability in a person twenty-one years of age or younger
24 attending a technical college;

25 (4) Prepare a comprehensive master plan for the development of
26 community and technical college education and training in the state;
27 and assist the office of financial management in the preparation of
28 enrollment projections to support plans for providing adequate college
29 facilities in all areas of the state. The master plan shall include
30 implementation of the vision, goals, priorities, and strategies in the
31 statewide strategic master plan for higher education under RCW
32 28B.80.345 (as recodified by this act) based on the community and
33 technical college system's role and mission. The master plan shall
34 also contain measurable performance indicators and benchmarks for
35 gauging progress toward achieving the goals and priorities;

36 (5) Define and administer criteria and guidelines for the
37 establishment of new community and technical colleges or campuses
38 within the existing districts;

1 (6) Establish criteria and procedures for modifying district
2 boundary lines consistent with the purposes set forth in RCW 28B.50.020
3 as now or hereafter amended and in accordance therewith make such
4 changes as it deems advisable;

5 (7) Establish minimum standards to govern the operation of the
6 community and technical colleges with respect to:

7 (a) Qualifications and credentials of instructional and key
8 administrative personnel, except as otherwise provided in the state
9 plan for vocational education,

10 (b) Internal budgeting, accounting, auditing, and financial
11 procedures as necessary to supplement the general requirements
12 prescribed pursuant to chapter 43.88 RCW,

13 (c) The content of the curriculums and other educational and
14 training programs, and the requirement for degrees and certificates
15 awarded by the colleges,

16 (d) Standard admission policies,

17 (e) Eligibility of courses to receive state fund support;

18 (8) Establish and administer criteria and procedures for all
19 capital construction including the establishment, installation, and
20 expansion of facilities within the various college districts;

21 (9) Encourage innovation in the development of new educational and
22 training programs and instructional methods; coordinate research
23 efforts to this end; and disseminate the findings thereof;

24 (10) Exercise any other powers, duties and responsibilities
25 necessary to carry out the purposes of this chapter;

26 (11) Authorize the various community and technical colleges to
27 offer programs and courses in other districts when it determines that
28 such action is consistent with the purposes set forth in RCW 28B.50.020
29 as now or hereafter amended;

30 (12) Notwithstanding any other law or statute regarding the sale of
31 state property, sell or exchange and convey any or all interest in any
32 community and technical college real and personal property, except such
33 property as is received by a college district in accordance with RCW
34 28B.50.140(8), when it determines that such property is surplus or that
35 such a sale or exchange is in the best interests of the community and
36 technical college system;

37 (13) In order that the treasurer for the state board for community
38 and technical colleges appointed in accordance with RCW 28B.50.085 may

1 make vendor payments, the state treasurer will honor warrants drawn by
2 the state board providing for an initial advance on July 1, 1982, of
3 the current biennium and on July 1 of each succeeding biennium from the
4 state general fund in an amount equal to twenty-four percent of the
5 average monthly allotment for such budgeted biennium expenditures for
6 the state board for community and technical colleges as certified by
7 the office of financial management; and at the conclusion of such
8 initial month and for each succeeding month of any biennium, the state
9 treasurer will reimburse expenditures incurred and reported monthly by
10 the state board treasurer in accordance with chapter 43.88 RCW:
11 PROVIDED, That the reimbursement to the state board for actual
12 expenditures incurred in the final month of each biennium shall be less
13 the initial advance made in such biennium;

14 (14) Notwithstanding the provisions of subsection (12) of this
15 section, may receive such gifts, grants, conveyances, devises, and
16 bequests of real or personal property from private sources as may be
17 made from time to time, in trust or otherwise, whenever the terms and
18 conditions thereof will aid in carrying out the community and technical
19 college programs and may sell, lease or exchange, invest or expend the
20 same or the proceeds, rents, profits and income thereof according to
21 the terms and conditions thereof; and adopt regulations to govern the
22 receipt and expenditure of the proceeds, rents, profits and income
23 thereof;

24 (15) The college board shall have the power of eminent domain;

25 (16) Provide general supervision over the state's technical
26 colleges. The president of each technical college shall report
27 directly to the director of the state board for community and technical
28 colleges, or the director's designee, until local control is assumed by
29 a new or existing board of trustees as appropriate, except that a
30 college president shall have authority over program decisions of his or
31 her college until the establishment of a board of trustees for that
32 college. The directors of the vocational-technical institutes on March
33 1, 1991, shall be designated as the presidents of the new technical
34 colleges.

35 **Sec. 58.** RCW 28B.50.140 and 1997 c 281 s 1 are each amended to
36 read as follows:

37 Each board of trustees:

- 1 (1) Shall operate all existing community and technical colleges in
2 its district;
- 3 (2) Shall create comprehensive programs of community and technical
4 college education and training and maintain an open-door policy in
5 accordance with the provisions of RCW 28B.50.090(3). However,
6 technical colleges, and college districts containing only technical
7 colleges, shall maintain programs solely for occupational education,
8 basic skills, and literacy purposes. For as long as a need exists,
9 technical colleges may continue those programs, activities, and
10 services they offered during the twelve-month period preceding
11 September 1, 1991;
- 12 (3) Shall employ for a period to be fixed by the board a college
13 president for each community and technical college and, may appoint a
14 president for the district, and fix their duties and compensation,
15 which may include elements other than salary. Compensation under this
16 subsection shall not affect but may supplement retirement, health care,
17 and other benefits that are otherwise applicable to the presidents as
18 state employees. The board shall also employ for a period to be fixed
19 by the board members of the faculty and such other administrative
20 officers and other employees as may be necessary or appropriate and fix
21 their salaries and duties. Compensation and salary increases under
22 this subsection shall not exceed the amount or percentage established
23 for those purposes in the state appropriations act by the legislature
24 as allocated to the board of trustees by the state board for community
25 and technical colleges. The state board for community and technical
26 colleges shall adopt rules defining the permissible elements of
27 compensation under this subsection;
- 28 (4) May establish, under the approval and direction of the college
29 board, new facilities as community needs and interests demand.
30 However, the authority of boards of trustees to purchase or lease major
31 off-campus facilities shall be subject to the approval of the higher
32 education coordinating board pursuant to ((~~RCW 28B.80.340(5)~~)) section
33 9 of this act;
- 34 (5) May establish or lease, operate, equip and maintain
35 dormitories, food service facilities, bookstores and other self-
36 supporting facilities connected with the operation of the community and
37 technical college;

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

10 (7) May establish fees and charges for the facilities authorized
11 hereunder, including reasonable rules and regulations for the
12 government thereof, not inconsistent with the rules and regulations of
13 the college board; each board of trustees operating a community and
14 technical college may enter into agreements, subject to rules and
15 regulations of the college board, with owners of facilities to be used
16 for housing regarding the management, operation, and government of such
17 facilities, and any board entering into such an agreement may:

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

20 (b) Employ necessary employees to govern, manage and operate the
21 same;

22 (8) May receive such gifts, grants, conveyances, devises and
23 bequests of real or personal property from private sources, as may be
24 made from time to time, in trust or otherwise, whenever the terms and
25 conditions thereof will aid in carrying out the community and technical
26 college programs as specified by law and the regulations of the state
27 college board; sell, lease or exchange, invest or expend the same or
28 the proceeds, rents, profits and income thereof according to the terms
29 and conditions thereof; and adopt regulations to govern the receipt and
30 expenditure of the proceeds, rents, profits and income thereof;

31 (9) May establish and maintain night schools whenever in the
32 discretion of the board of trustees it is deemed advisable, and
33 authorize classrooms and other facilities to be used for summer or
34 night schools, or for public meetings and for any other uses consistent
35 with the use of such classrooms or facilities for community and
36 technical college purposes;

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

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

5 (12) May grant to every student, upon graduation or completion of
6 a course of study, a suitable diploma, nonbaccalaureate degree or
7 certificate. Technical colleges shall offer only nonbaccalaureate
8 technical degrees under the rules of the state board for community and
9 technical colleges that are appropriate to their work force education
10 and training mission. The primary purpose of this degree is to lead
11 the individual directly to employment in a specific occupation.
12 Technical colleges may not offer transfer degrees. The board, upon
13 recommendation of the faculty, may also confer honorary associate of
14 arts degrees upon persons other than graduates of the community
15 college, in recognition of their learning or devotion to education,
16 literature, art, or science. No degree may be conferred in
17 consideration of the payment of money or the donation of any kind of
18 property;

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

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

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

1 (16) Notwithstanding any other provision of law, may offer
2 educational services on a contractual basis other than the tuition and
3 fee basis set forth in chapter 28B.15 RCW for a special fee to private
4 or governmental entities, consistent with rules and regulations adopted
5 by the state board for community and technical colleges: PROVIDED,
6 That the whole of such special fee shall go to the college district and
7 be not less than the full instructional costs of such services
8 including any salary increases authorized by the legislature for
9 community and technical college employees during the term of the
10 agreement: PROVIDED FURTHER, That enrollments generated hereunder
11 shall not be counted toward the official enrollment level of the
12 college district for state funding purposes;

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

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

33 (19) (~~Subject to the approval of the higher education coordinating~~
34 ~~board pursuant to RCW 28B.80.340(4),~~) May participate in higher
35 education centers and consortia that involve any four-year public or
36 independent college or university: PROVIDED, That new degree programs
37 or off-campus programs offered by a four-year public or independent

1 college or university in collaboration with a community or technical
2 college are subject to approval by the higher education coordinating
3 board under section 9 of this act; and

4 (20) Shall perform any other duties and responsibilities imposed by
5 law or rule and regulation of the state board.

6 **Sec. 59.** RCW 28B.95.020 and 2001 c 184 s 1 are each amended to
7 read as follows:

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

10 (1) "Academic year" means the regular nine-month, three-quarter, or
11 two-semester period annually occurring between July 1st and June 30th.

12 (2) "Account" means the Washington advanced college tuition payment
13 program account established for the deposit of all money received by
14 the board from eligible purchasers and interest earnings on investments
15 of funds in the account, as well as for all expenditures on behalf of
16 eligible beneficiaries for the redemption of tuition units and for the
17 development of any authorized college savings program pursuant to RCW
18 28B.95.150.

19 (3) "Board" means the higher education coordinating board as
20 defined in chapter ~~((28B.80))~~ 28B.-- RCW (as created in section 76 of
21 this act).

22 (4) "Committee on advanced tuition payment" or "committee" means a
23 committee of the following members: The state treasurer, the director
24 of the office of financial management, the executive director of the
25 higher education coordinating board, or their designees, and two
26 members to be appointed by the governor, one representing program
27 participants and one private business representative with marketing,
28 public relations, or financial expertise.

29 (5) "Governing body" means the committee empowered by the
30 legislature to administer the Washington advanced college tuition
31 payment program.

32 (6) "Contractual obligation" means a legally binding contract of
33 the state with the purchaser and the beneficiary establishing that
34 purchases of tuition units will be worth the same number of tuition
35 units at the time of redemption as they were worth at the time of the
36 purchase.

1 (7) "Eligible beneficiary" means the person for whom the tuition
2 unit will be redeemed for attendance at an institution of higher
3 education. The beneficiary is that person named by the purchaser at
4 the time that a tuition unit contract is accepted by the governing
5 body. With the exception of tuition unit contracts purchased by
6 qualified organizations as future scholarships, the beneficiary must
7 reside in the state of Washington or otherwise be a resident of the
8 state of Washington at the time the tuition unit contract is accepted
9 by the governing body.

10 (8) "Eligible purchaser" means an individual or organization that
11 has entered into a tuition unit contract with the governing body for
12 the purchase of tuition units for an eligible beneficiary.

13 (9) "Full-time tuition charges" means resident tuition charges at
14 a state institution of higher education for enrollments between ten
15 credits and eighteen credit hours per academic term.

16 (10) "Institution of higher education" means an institution that
17 offers education beyond the secondary level and is recognized by the
18 internal revenue service under chapter 529 of the internal revenue
19 code.

20 (11) "Investment board" means the state investment board as defined
21 in chapter 43.33A RCW.

22 (12) "State institution of higher education" means institutions of
23 higher education as defined in RCW 28B.10.016.

24 (13) "Tuition and fees" means undergraduate tuition and services
25 and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded
26 to the nearest whole dollar. The maximum tuition and fees charges
27 recognized for beneficiaries enrolled in a state technical college
28 shall be equal to the tuition and fees for the community college
29 system.

30 (14) "Tuition unit contract" means a contract between an eligible
31 purchaser and the governing body, or a successor agency appointed for
32 administration of this chapter, for the purchase of tuition units for
33 a specified beneficiary that may be redeemed at a later date for an
34 equal number of tuition units.

35 (15) "Unit purchase price" means the minimum cost to purchase one
36 tuition unit for an eligible beneficiary. Generally, the minimum
37 purchase price is one percent of the undergraduate weighted average
38 tuition and fees for the current year, rounded to the nearest whole

1 dollar, adjusted for the costs of administration and adjusted to ensure
2 the actuarial soundness of the account. The analysis for price setting
3 shall also include, but not be limited to consideration of past and
4 projected patterns of tuition increases, program liability, past and
5 projected investment returns, and the need for a prudent stabilization
6 reserve.

7 (16) "Weighted average tuition" shall be calculated as the sum of
8 the undergraduate tuition and services and activities fees for each
9 four-year state institution of higher education, multiplied by the
10 respective full-time equivalent student enrollment at each institution
11 divided by the sum total of undergraduate full-time equivalent student
12 enrollments of all four-year state institutions of higher education,
13 rounded to the nearest whole dollar.

14 (17) "Weighted average tuition unit" is the value of the weighted
15 average tuition and fees divided by one hundred. The weighted average
16 is the basis upon which tuition benefits may be calculated as the basis
17 for any refunds provided from the program.

18 **Sec. 60.** RCW 28B.119.010 and 2003 c 233 s 5 are each amended to
19 read as follows:

20 The higher education coordinating board shall design the Washington
21 promise scholarship program based on the following parameters:

22 (1) Scholarships shall be awarded to students graduating from
23 public and approved private high schools under chapter 28A.195 RCW,
24 students participating in home-based instruction as provided in chapter
25 28A.200 RCW, and persons twenty-one years of age or younger receiving
26 a GED certificate, who meet both an academic and a financial
27 eligibility criteria.

28 (a) Academic eligibility criteria shall be defined as follows:

29 (i) Beginning with the graduating class of 2002, students
30 graduating from public and approved private high schools under chapter
31 28A.195 RCW must be in the top fifteen percent of their graduating
32 class, as identified by each respective high school at the completion
33 of the first term of the student's senior year; or

34 (ii) Students graduating from public high schools, approved private
35 high schools under chapter 28A.195 RCW, students participating in home-
36 based instruction as provided in chapter 28A.200 RCW, and persons
37 twenty-one years of age or younger receiving a GED certificate, must

1 equal or exceed a cumulative scholastic assessment test I score of
2 twelve hundred on their first attempt or must equal or exceed a
3 composite American college test score of twenty-seven on their first
4 attempt.

5 (b) To meet the financial eligibility criteria, a student's family
6 income shall not exceed one hundred thirty-five percent of the state
7 median family income adjusted for family size, as determined by the
8 higher education coordinating board for each graduating class.
9 Students not meeting the eligibility requirements for the first year of
10 scholarship benefits may reapply for the second year of benefits, but
11 must still meet the income standard set by the board for the student's
12 graduating class.

13 (2) Promise scholarships are not intended to supplant any grant,
14 scholarship, or tax program related to postsecondary education. If the
15 board finds that promise scholarships supplant or reduce any grant,
16 scholarship, or tax program for categories of students, then the board
17 shall adjust the financial eligibility criteria or the amount of
18 scholarship to the level necessary to avoid supplanting.

19 (3) Within available funds, each qualifying student shall receive
20 two consecutive annual awards, the value of each not to exceed the
21 full-time annual resident tuition rates charged by Washington's
22 community colleges. The higher education coordinating board shall
23 award scholarships to as many students as possible from among those
24 qualifying under this section.

25 (4) By October 15th of each year, the board shall determine the
26 award amount of the scholarships, after taking into consideration the
27 availability of funds.

28 (5) The scholarships may only be used for undergraduate coursework
29 at accredited institutions of higher education in the state of
30 Washington.

31 (6) The scholarships may be used for undergraduate coursework at
32 Oregon institutions of higher education that are part of the border
33 county higher education opportunity project in RCW 28B.80.806 (as
34 recodified by this act) when those institutions offer programs not
35 available at accredited institutions of higher education in Washington
36 state.

37 (7) The scholarships may be used for college-related expenses,

1 including but not limited to, tuition, room and board, books, and
2 materials.

3 (8) The scholarships may not be awarded to any student who is
4 pursuing a degree in theology.

5 (9) The higher education coordinating board may establish
6 satisfactory progress standards for the continued receipt of the
7 promise scholarship.

8 (10) The higher education coordinating board shall establish the
9 time frame within which the student must use the scholarship.

10 **Sec. 61.** RCW 28C.04.545 and 1999 c 28 s 1 are each amended to read
11 as follows:

12 (1) The respective governing boards of the public technical
13 colleges shall provide fee waivers for a maximum of two years for those
14 recipients of the Washington award for vocational excellence
15 established under RCW 28C.04.520 through 28C.04.540 who received the
16 award before June 30, 1994. To qualify for the waiver, recipients
17 shall enter the public technical college within three years of
18 receiving the award. An above average rating at the technical college
19 in the first year shall be required to qualify for the second-year
20 waiver.

21 (2) Students named by the work force training and education
22 coordinating board after June 30, 1994, as recipients of the Washington
23 award for vocational excellence under RCW 28C.04.520 through 28C.04.550
24 shall be eligible to receive a grant for undergraduate course work as
25 authorized under RCW 28B.80.272 (as recodified by this act).

26 (3)(a) Beginning with awards made during the 1998-99 academic year,
27 recipients must complete using the award before the fall term in the
28 sixth year following the date of the award. For these recipients,
29 eligibility for the award is forfeited after this period.

30 (b) All persons awarded a Washington award for vocational
31 excellence before the 1995-96 academic year and who have remaining
32 eligibility on April 19, 1999, must complete using the award before
33 September 2002. For these recipients, eligibility for the award is
34 forfeited after this period.

35 (c) All persons awarded a Washington award for vocational
36 excellence during the 1995-96, 1996-97, and 1997-98 academic years must

1 complete using the award before September 2005. For these recipients,
2 eligibility for the award is forfeited after this period.

3 **Sec. 62.** RCW 43.105.825 and 1999 c 285 s 7 are each amended to
4 read as follows:

5 (1) In overseeing the technical aspects of the K-20 network, the
6 information services board is not intended to duplicate the statutory
7 responsibilities of the higher education coordinating board, the
8 superintendent of public instruction, the information services board,
9 the state librarian, or the governing boards of the institutions of
10 higher education.

11 (2) The board may not interfere in any curriculum or legally
12 offered programming offered over the network.

13 ~~(3) ((The coordination of telecommunications planning for
14 institutions of higher education as defined in RCW 28B.10.016 remains
15 the responsibility of the higher education coordinating board under RCW
16 28B.80.600. The board may recommend, but not require, revisions to the
17 higher education coordinating board's telecommunications plan.~~

18 ~~(4))~~ The responsibility to review and approve standards and common
19 specifications for the network remains the responsibility of the
20 information services board under RCW 43.105.041.

21 ~~((5))~~ (4) The coordination of telecommunications planning for the
22 common schools remains the responsibility of the superintendent of
23 public instruction. Except as set forth in RCW 43.105.041(1)(d), the
24 board may recommend, but not require, revisions to the superintendent's
25 telecommunications plans.

26 **Sec. 63.** RCW 43.157.010 and 2003 c 54 s 1 are each amended to read
27 as follows:

28 (1) For purposes of this chapter and RCW 28A.525.166, 28B.80.330
29 (as recodified by this act), 28C.18.080, 43.21A.350, 47.06.030, and
30 90.58.100 and an industrial project of statewide significance is a
31 border crossing project that involves both private and public
32 investments carried out in conjunction with adjacent states or
33 provinces or a private industrial development with private capital
34 investment in manufacturing or research and development. To qualify as
35 an industrial project of statewide significance: (a) The project must
36 be completed after January 1, 1997; (b) the applicant must submit an

1 application for designation as an industrial project of statewide
2 significance to the department of community, trade, and economic
3 development; and (c) the project must have:

4 (i) In counties with a population of less than or equal to twenty
5 thousand, a capital investment of twenty million dollars;

6 (ii) In counties with a population of greater than twenty thousand
7 but no more than fifty thousand, a capital investment of fifty million
8 dollars;

9 (iii) In counties with a population of greater than fifty thousand
10 but no more than one hundred thousand, a capital investment of one
11 hundred million dollars;

12 (iv) In counties with a population of greater than one hundred
13 thousand but no more than two hundred thousand, a capital investment of
14 two hundred million dollars;

15 (v) In counties with a population of greater than two hundred
16 thousand but no more than four hundred thousand, a capital investment
17 of four hundred million dollars;

18 (vi) In counties with a population of greater than four hundred
19 thousand but no more than one million, a capital investment of six
20 hundred million dollars;

21 (vii) In counties with a population of greater than one million, a
22 capital investment of one billion dollars;

23 (viii) In counties with fewer than one hundred persons per square
24 mile as determined annually by the office of financial management and
25 published by the department of revenue effective for the period July
26 1st through June 30th, projected full-time employment positions after
27 completion of construction of fifty or greater;

28 (ix) In counties with one hundred or more persons per square mile
29 as determined annually by the office of financial management and
30 published by the department of revenue effective for the period July
31 1st through June 30th, projected full-time employment positions after
32 completion of construction of one hundred or greater; or

33 (x) Been designated by the director of community, trade, and
34 economic development as an industrial project of statewide significance
35 either: (A) Because the county in which the project is to be located
36 is a distressed county and the economic circumstances of the county
37 merit the additional assistance such designation will bring; or (B)

1 because the impact on a region due to the size and complexity of the
2 project merits such designation.

3 (2) The term manufacturing shall have the meaning assigned it in
4 RCW 82.61.010.

5 (3) The term research and development shall have the meaning
6 assigned it in RCW 82.61.010.

7 (4) The term applicant means a person applying to the department of
8 community, trade, and economic development for designation of a
9 development project as an industrial project of statewide significance.

10 **Sec. 64.** RCW 43.79.465 and 2001 2nd sp.s. c 7 s 917 are each
11 amended to read as follows:

12 The education savings account is created in the state treasury.
13 The account shall consist of all moneys appropriated to the account by
14 the legislature.

15 (1) Ten percent of legislative appropriations to the education
16 savings account shall be distributed as follows: (a) Fifty percent to
17 the distinguished professorship trust fund under RCW 28B.10.868 (as
18 recodified by this act); (b) seventeen percent to the graduate
19 fellowship trust fund under RCW 28B.10.882 (as recodified by this act);
20 and (c) thirty-three percent to the college faculty awards trust fund
21 under RCW 28B.50.837.

22 (2) The remaining moneys in the education savings account may be
23 appropriated solely for (a) common school construction projects that
24 are eligible for funding from the common school construction account,
25 (b) technology improvements in the common schools, and (c) during the
26 2001-03 fiscal biennium, technology improvements in public higher
27 education institutions.

28 **Sec. 65.** RCW 28B.15.760 and 1985 c 370 s 79 are each amended to
29 read as follows:

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

32 (1) "Institution of higher education" or "institution" means a
33 college or university in the state of Washington which is a member
34 institution of an accrediting association recognized as such by rule of
35 the higher education coordinating board.

36 (2) "Board" means the higher education coordinating board.

1 (3) "Eligible student" means a student registered for at least ten
2 credit hours or the equivalent and demonstrates achievement of a 3.00
3 grade point average for each academic year, who is a resident student
4 as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy
5 student" as defined in RCW 28B.10.802 (as recodified by this act), and
6 who has a declared major in a program leading to a degree in teacher
7 education in a field of science or mathematics, or a certificated
8 teacher who meets the same credit hour and "needy student" requirements
9 and is seeking an additional degree in science or mathematics.

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

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

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

17 (7) "Borrower" means an eligible student who has received a loan
18 under RCW 28B.15.762.

19 **Sec. 66.** RCW 28B.15.820 and 1995 1st sp.s. c 9 s 10 are each
20 amended to read as follows:

21 (1) Each institution of higher education, including technical
22 colleges, shall deposit a minimum of three and one-half percent of
23 revenues collected from tuition and services and activities fees in an
24 institutional financial aid fund that is hereby created and which shall
25 be held locally. Moneys in the fund shall be used only for the
26 following purposes: (a) To make guaranteed long-term loans to eligible
27 students as provided in subsections (3) through (8) of this section;
28 (b) to make short-term loans as provided in subsection (9) of this
29 section; or (c) to provide financial aid to needy students as provided
30 in subsection (10) of this section.

31 (2) An "eligible student" for the purposes of subsections (3)
32 through (8) and (10) of this section is a student registered for at
33 least six credit hours or the equivalent, who is eligible for resident
34 tuition and fee rates as defined in RCW 28B.15.012 (~~(through [and])~~)
35 and 28B.15.013, and who is a "needy student" as defined in RCW
36 28B.10.802 (as recodified by this act).

1 (3) The amount of the guaranteed long-term loans made under this
2 section shall not exceed the demonstrated financial need of the
3 student. Each institution shall establish loan terms and conditions
4 which shall be consistent with the terms of the guaranteed loan program
5 established by 20 U.S. Code Section 1071 et seq., as now or hereafter
6 amended. All loans made shall be guaranteed by the Washington student
7 loan guaranty association or its successor agency. Institutions are
8 hereby granted full authority to operate as an eligible lender under
9 the guaranteed loan program.

10 (4) Before approving a guaranteed long-term loan, each institution
11 shall analyze the ability of the student to repay the loan based on
12 factors which include, but are not limited to, the student's
13 accumulated total education loan burdens and the employment
14 opportunities and average starting salary characteristics of the
15 student's chosen fields of study. The institution shall counsel the
16 student on the advisability of acquiring additional debt, and on the
17 availability of other forms of financial aid.

18 (5) Each institution is responsible for collection of guaranteed
19 long-term loans made under this section and shall exercise due
20 diligence in such collection, maintaining all necessary records to
21 insure that maximum repayments are made. Institutions shall cooperate
22 with other lenders and the Washington student loan guaranty
23 association, or its successor agency, in the coordinated collection of
24 guaranteed loans, and shall assure that the guarantability of the loans
25 is not violated. Collection and servicing of guaranteed long-term
26 loans under this section shall be performed by entities approved for
27 such servicing by the Washington student loan guaranty association or
28 its successor agency: PROVIDED, That institutions be permitted to
29 perform such servicing if specifically recognized to do so by the
30 Washington student loan guaranty association or its successor agency.
31 Collection and servicing of guaranteed long-term loans made by
32 community colleges under subsection (1) of this section shall be
33 coordinated by the state board for community and technical colleges and
34 shall be conducted under procedures adopted by the state board.

35 (6) Receipts from payment of interest or principal or any other
36 subsidies to which institutions as lenders are entitled, that are paid
37 by or on behalf of borrowers of funds under subsections (3) through (8)
38 of this section, shall be deposited in each institution's financial aid

1 fund and shall be used to cover the costs of making the guaranteed
2 long-term loans under this section and maintaining necessary records
3 and making collections under subsection (5) of this section: PROVIDED,
4 That such costs shall not exceed five percent of aggregate outstanding
5 loan principal. Institutions shall maintain accurate records of such
6 costs, and all receipts beyond those necessary to pay such costs, shall
7 be deposited in the institution's financial aid fund.

8 (7) The governing boards of the state universities, the regional
9 universities, and The Evergreen State College, and the state board for
10 community and technical colleges, on behalf of the community colleges
11 and technical colleges, shall each adopt necessary rules and
12 regulations to implement this section.

13 (8) First priority for any guaranteed long-term loans made under
14 this section shall be directed toward students who would not normally
15 have access to educational loans from private financial institutions in
16 Washington state, and maximum use shall be made of secondary markets in
17 the support of loan consolidation.

18 (9) Short-term loans, not to exceed one year, may be made from the
19 institutional financial aid fund to students enrolled in the
20 institution. No such loan shall be made to any student who is known by
21 the institution to be in default or delinquent in the payment of any
22 outstanding student loan. A short-term loan may be made only if the
23 institution has ample evidence that the student has the capability of
24 repaying the loan within the time frame specified by the institution
25 for repayment.

26 (10) Any moneys deposited in the institutional financial aid fund
27 that are not used in making long-term or short-term loans may be used
28 by the institution for locally-administered financial aid programs for
29 needy students, such as need-based institutional employment programs or
30 need-based tuition and fee scholarship or grant programs. These funds
31 shall be used in addition to and not to replace institutional funds
32 that would otherwise support these locally-administered financial aid
33 programs. First priority in the use of these funds shall be given to
34 needy students who have accumulated excessive educational loan burdens.
35 An excessive educational loan burden is a burden that will be difficult
36 to repay given employment opportunities and average starting salaries
37 in the student's chosen fields of study. Second priority in the use of

1 these funds shall be given to needy single parents, to assist these
2 students with their educational expenses, including expenses associated
3 with child care and transportation.

4 **Sec. 67.** RCW 28B.101.020 and 2003 c 233 s 3 are each amended to
5 read as follows:

6 (1) For the purposes of this chapter, "placebound" means unable to
7 complete a college program because of family or employment commitments,
8 health concerns, monetary inability, or other similar factors.

9 (2) To be eligible for an educational opportunity grant, applicants
10 must be placebound residents of the state of Washington as defined in
11 RCW 28B.15.012(2) (a) through (d), who: (a) Are needy students as
12 defined in RCW 28B.10.802(3) (as recodified by this act); and (b) have
13 completed the associate of arts or associate of science degree or the
14 equivalent. A placebound resident is one who may be influenced by the
15 receipt of an enhanced student financial aid award to complete a
16 baccalaureate degree at an eligible institution. An eligible
17 placebound applicant is further defined as a person who would be unable
18 to complete a baccalaureate course of study but for receipt of an
19 educational opportunity grant.

20 **Sec. 68.** RCW 28B.102.040 and 1987 c 437 s 4 are each amended to
21 read as follows:

22 The higher education coordinating board shall establish a planning
23 committee to develop criteria for the screening and selection of
24 recipients of the conditional scholarships. These criteria shall
25 emphasize factors demonstrating excellence including but not limited to
26 superior scholastic achievement, leadership ability, community
27 contributions, and an ability to act as a role model for targeted
28 ethnic minority students. These criteria also may include, for
29 approximately half of the recipients, requirements that those
30 recipients meet the definition of "needy student" under RCW 28B.10.802
31 (as recodified by this act).

32 **Sec. 69.** RCW 28B.108.010 and 1991 c 228 s 10 are each amended to
33 read as follows:

34 Unless the context clearly requires otherwise, the definitions in
35 this section apply throughout this chapter.

1 (1) "Institution of higher education" or "institution" means a
2 college or university in the state of Washington which is accredited by
3 an accrediting association recognized as such by rule of the higher
4 education coordinating board.

5 (2) "Board" means the higher education coordinating board.

6 (3) "Eligible student" or "student" means an American Indian who is
7 a financially needy student, as defined in RCW 28B.10.802 (as
8 recodified by this act), who is a resident student, as defined by RCW
9 28B.15.012(2), who is a full-time student at an institution of higher
10 education, and who promises to use his or her education to benefit
11 other American Indians.

12 **Sec. 70.** RCW 28B.115.050 and 1991 c 332 s 18 are each amended to
13 read as follows:

14 The board shall establish a planning committee to assist it in
15 developing criteria for the selection of participants. The board shall
16 include on the planning committee representatives of the department,
17 the department of social and health services, appropriate
18 representatives from health care facilities, provider groups,
19 consumers, the state board (~~(of community college education)~~) for
20 community and technical colleges, the superintendent of public
21 instruction, and other appropriate public and private agencies and
22 organizations. The criteria may require that some of the participants
23 meet the definition of "needy student" under RCW 28B.10.802 (as
24 recodified by this act).

25 **Sec. 71.** RCW 28B.119.030 and 2002 c 204 s 4 are each amended to
26 read as follows:

27 The Washington promise scholarship program shall not be funded at
28 the expense of the state need grant program as defined in (~~RCW~~
29 ~~28B.10.800 through 28B.10.824~~) chapter 28B.-- RCW (as created in
30 section 78 of this act). In administering the state need grant and
31 promise scholarship programs, the higher education coordinating board
32 shall first ensure that eligibility for state need grant recipients is
33 at least fifty-five percent of state median family income.

34 **Sec. 72.** RCW 28B.133.010 and 2003 c 19 s 2 are each amended to
35 read as follows:

1 The educational assistance grant program for students with
2 dependents is hereby created, subject to the availability of receipts
3 of gifts, grants, or endowments from private sources. The program is
4 created to serve financially needy students with dependents eighteen
5 years of age or younger, by assisting them directly through a grant
6 program to pursue a degree or certificate at public or private
7 institutions of higher education, as defined in RCW 28B.10.802 (as
8 recodified by this act), that participate in the state need grant
9 program.

10 **Sec. 73.** RCW 28B.133.020 and 2003 c 19 s 3 are each amended to
11 read as follows:

12 To be eligible for the educational assistance grant program for
13 students with dependents, applicants shall: (1) Be residents of the
14 state of Washington; (2) be needy students as defined in RCW
15 28B.10.802(3) (as recodified by this act); (3) be eligible to
16 participate in the state need grant program as set forth under RCW
17 28B.10.810 (as recodified by this act); and (4) have dependents
18 eighteen years of age or younger who are under their care.

19 **Sec. 74.** RCW 28B.133.050 and 2003 c 19 s 6 are each amended to
20 read as follows:

21 The educational assistance grant program for students with
22 dependents grants may be used by eligible participants to attend any
23 public or private college or university in the state of Washington as
24 defined in RCW 28B.10.802 (as recodified by this act). Each
25 participating student may receive an amount to be determined by the
26 higher education coordinating board, with a minimum amount of one
27 thousand dollars per academic year, not to exceed the student's
28 documented financial need for the course of study as determined by the
29 institution.

30 Educational assistance grants for students with dependents are not
31 intended to supplant any grant scholarship or tax program related to
32 postsecondary education. If the higher education coordinating board
33 finds that the educational assistance grants for students with
34 dependents supplant or reduce any grant, scholarship, or tax program
35 for categories of students, then the higher education coordinating

1 board shall adjust the financial eligibility criteria or the amount of
2 the grant to the level necessary to avoid supplanting.

3 NEW SECTION. **Sec. 75.** The following acts or parts of acts are
4 each repealed:

5 (1) RCW 28B.10.210 (Blind students, assistance to--"Blind student"
6 defined) and 1969 ex.s. c 223 s 28B.10.210;

7 (2) RCW 28B.10.215 (Blind students, assistance to--Allocation of
8 funds) and 1985 c 370 s 51, 1982 1st ex.s. c 37 s 6, 1974 ex.s. c 68 s
9 1, & 1969 ex.s. c 223 s 28B.10.215;

10 (3) RCW 28B.10.220 (Blind students, assistance to--Administration
11 of funds) and 1985 c 370 s 52, 1982 1st ex.s. c 37 s 7, 1974 ex.s. c 68
12 s 2, & 1969 ex.s. c 223 s 28B.10.220;

13 (4) RCW 28B.10.824 (State student financial aid program--
14 Commission, executive director, employees--Appointment--Salaries) and
15 1973 c 62 s 5 & 1969 ex.s. c 222 s 20;

16 (5) RCW 28B.10.874 (Distinguished professorship trust fund
17 program--Transfer of administration--Recommendations to governor and
18 legislature) and 1987 c 8 s 9;

19 (6) RCW 28B.10.887 (Graduate fellowship trust fund program--
20 Transfer of administration) and 1998 c 245 s 14 & 1987 c 147 s 8;

21 (7) RCW 28B.80.255 (Washington award for excellence--Use of
22 academic grant) and 1992 c 83 s 3, 1992 c 50 s 2, & 1991 c 255 s 6;

23 (8) RCW 28B.80.265 (Washington award for excellence--Rules) and
24 1992 c 83 s 4 & 1991 c 255 s 7;

25 (9) RCW 28B.80.290 (Statewide transfer of credit policy and
26 agreement--Requirements) and 1983 c 304 s 2;

27 (10) RCW 28B.80.320 (Purpose) and 1985 c 370 s 3;

28 (11) RCW 28B.80.340 (Program responsibilities) and 2003 c 130 s 4
29 & 1985 c 370 s 5;

30 (12) RCW 28B.80.440 (Interstate discussions and agreements about
31 standards and programs for teachers, administrators, and educational
32 staff associates) and 1987 c 40 s 1;

33 (13) RCW 28B.80.442 (Interstate discussions--Support and services
34 of western interstate commission on higher education) and 1987 c 40 s
35 2;

36 (14) RCW 28B.80.450 (Placebound students--Study of needs) and 1990
37 c 288 s 1;

- 1 (15) RCW 28B.80.500 (Branch campuses--Adjustment of enrollment
2 lids) and 1989 1st ex.s. c 7 s 2;
- 3 (16) RCW 28B.80.520 (Branch campuses--Facilities acquisition) and
4 1989 1st ex.s. c 7 s 9;
- 5 (17) RCW 28B.80.600 (Coordination of telecommunications planning)
6 and 1996 c 137 s 9 & 1990 c 208 s 9;
- 7 (18) RCW 28B.80.610 (Higher education institutional
8 responsibilities) and 2003 c 130 s 5 & 1993 c 363 s 2;
- 9 (19) RCW 28B.80.612 (Identification of methods to reduce
10 administrative barriers) and 1998 c 245 s 25 & 1993 c 363 s 3;
- 11 (20) RCW 28B.80.614 (Study of higher education system operations)
12 and 1993 c 363 s 4;
- 13 (21) RCW 28B.80.616 (Reports to legislature and citizens on
14 postsecondary educational system--Reports to board from state board for
15 community and technical colleges and state institutions of higher
16 education--Cooperation with independent colleges and universities) and
17 1993 c 363 s 5;
- 18 (22) RCW 28B.80.910 (Severability--1969 ex.s. c 277) and 1969 ex.s.
19 c 277 s 15;
- 20 (23) RCW 28B.80.911 (Severability--1985 c 370) and 1985 c 370 s
21 107;
- 22 (24) RCW 28B.80.912 (Effective dates--1985 c 370) and 1985 c 370 s
23 108;
- 24 (25) RCW 28A.305.280 (Forum for education issues) and 1994 c 222 s
25 1; and
- 26 (26) RCW 28A.305.285 (Forum for education issues--Task force) and
27 1997 c 222 s 3 & 1994 c 222 s 2.

28 NEW SECTION. **Sec. 76.** Sections 1, 9, 11, and 12 of this act
29 constitute a new chapter in Title 28B RCW.

30 NEW SECTION. **Sec. 77.** (1) The following sections are codified or
31 recodified in the order shown in Part I, General Provisions, of the
32 chapter created in section 76 of this act:

- 33 (a) RCW 28B.80.300;
- 34 (b) RCW 28B.80.310;
- 35 (c) Section 1 of this act;
- 36 (d) RCW 28B.80.390;

- 1 (e) RCW 28B.80.400;
- 2 (f) RCW 28B.80.410;
- 3 (g) RCW 28B.80.420;
- 4 (h) RCW 28B.80.110;
- 5 (i) RCW 28B.80.430;
- 6 (j) RCW 28B.80.380;
- 7 (k) RCW 28B.80.200; and
- 8 (l) RCW 28B.80.370.

9 (2) The following sections are codified or recodified in the order
10 shown in Part II, Policy and Planning, of the chapter created in
11 section 76 of this act:

- 12 (a) RCW 28B.80.345;
- 13 (b) RCW 28B.80.330;
- 14 (c) RCW 28B.80.335;
- 15 (d) Section 9 of this act;
- 16 (e) RCW 28B.80.280;
- 17 (f) Section 11 of this act;
- 18 (g) Section 12 of this act;
- 19 (h) RCW 28B.80.350;
- 20 (i) RCW 28B.10.044;
- 21 (j) RCW 28B.15.070;
- 22 (k) RCW 28B.15.076; and
- 23 (l) RCW 28B.80.175.

24 (3) The following sections are recodified in the order shown in
25 Part III, Education Services Administration, of the chapter created in
26 section 76 of this act:

- 27 (a) RCW 28B.80.240;
- 28 (b) RCW 28B.80.210;
- 29 (c) RCW 28B.80.230;
- 30 (d) RCW 28B.80.180;
- 31 (e) RCW 28B.80.360;
- 32 (f) RCW 28B.10.859;
- 33 (g) RCW 28B.10.866;
- 34 (h) RCW 28B.10.867;
- 35 (i) RCW 28B.10.868;
- 36 (j) RCW 28B.10.869;
- 37 (k) RCW 28B.10.870;
- 38 (l) RCW 28B.10.871;

- 1 (m) RCW 28B.10.872;
- 2 (n) RCW 28B.10.873;
- 3 (o) RCW 28B.10.880;
- 4 (p) RCW 28B.10.881;
- 5 (q) RCW 28B.10.882;
- 6 (r) RCW 28B.10.883;
- 7 (s) RCW 28B.10.884;
- 8 (t) RCW 28B.10.885;
- 9 (u) RCW 28B.10.886;
- 10 (v) RCW 28B.80.150;
- 11 (w) RCW 28B.80.160;
- 12 (x) RCW 28B.80.170;
- 13 (y) RCW 28B.80.245;
- 14 (z) RCW 28B.80.246;
- 15 (aa) RCW 28B.80.272;
- 16 (bb) RCW 28B.80.805;
- 17 (cc) RCW 28B.80.806;
- 18 (dd) RCW 28B.80.807;
- 19 (ee) RCW 28B.80.620;
- 20 (ff) RCW 28B.80.622;
- 21 (gg) RCW 28B.80.624;
- 22 (hh) RCW 28B.80.626; and
- 23 (ii) RCW 28B.80.810.

24 NEW SECTION. **Sec. 78.** The following sections are recodified in a
25 new chapter in Title 28B RCW:

- 26 (1) RCW 28B.10.800;
- 27 (2) RCW 28B.10.801;
- 28 (3) RCW 28B.10.802;
- 29 (4) RCW 28B.10.804;
- 30 (5) RCW 28B.10.806;
- 31 (6) RCW 28B.10.808;
- 32 (7) RCW 28B.10.8081;
- 33 (8) RCW 28B.10.810;
- 34 (9) RCW 28B.10.812;
- 35 (10) RCW 28B.10.814;
- 36 (11) RCW 28B.10.816;
- 37 (12) RCW 28B.10.818;

- 1 (13) RCW 28B.10.820;
2 (14) RCW 28B.10.821; and
3 (15) RCW 28B.10.822.

4 NEW SECTION. **Sec. 79.** RCW 28B.80.510 is recodified as a new
5 section in chapter 28B.45 RCW.

6 NEW SECTION. **Sec. 80.** Part headings used in this act are not part
7 of the law.

8 NEW SECTION. **Sec. 81.** Sections 26 and 27 of this act expire
9 January 30, 2005.

Passed by the House March 10, 2004.

Passed by the Senate March 3, 2004.

Approved by the Governor April 1, 2004, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State April 1, 2004.

Note: Governor's explanation of partial veto is as follows:

"I am returning herewith, without my approval as to section 13,
Substitute House Bill No. 3103 entitled:

"AN ACT Relating to higher education;"

Substitute House Bill No. 3103 refines the roles and responsibilities
of the Higher Education Coordinating Board (HECB) to more clearly
focus on appropriate administrative and policy functions, and
relieves the board of duties that are either outdated or unnecessary.

Section 13 of the bill would have authorized the HECB to manage a
competitive process for awarding high demand enrollments that both
public baccalaureate institutions and private independent
institutions would have been eligible for. In this time of fiscal
restraint, we should first direct our limited state resources to
providing opportunities for students to fill existing capacity in
public institutions before allowing private independent institutions
to compete for state enrollment funds.

Given the demographic pressure on the higher education system in the
next few years, we cannot ignore the important role that independent
colleges and universities can play in meeting student demand. I
believe, however, that the state must carefully consider all options
before implementing such a significant change in fiscal policy for
higher education. Thus, I am directing the HECB to work with the
Office of Financial Management and key stakeholders to develop
options for utilizing capacity in private independent institutions to
help meet student demand for access to higher education.

For these reasons, I have vetoed section 13 of Substitute House Bill
No. 3103.

With the exception of section 13, Substitute House Bill No. 3103 is
approved."