
HOUSE BILL 3185

State of Washington

61st Legislature

2010 Regular Session

By Representative White

1 AN ACT Relating to establishing the student financial assistance
2 board by eliminating the higher education coordinating board and
3 transferring its functions to various entities; amending RCW
4 28B.76.010, 28B.76.020, 28B.76.030, 28B.76.090, 28B.76.110, 28B.76.505,
5 28B.76.525, 28B.76.560, 28B.76.565, 28B.76.570, 28B.76.575, 28B.76.605,
6 28B.76.610, 28B.76.615, 28B.76.620, 28B.76.645, 28B.76.660, 28B.76.670,
7 28B.76.690, 28A.600.120, 28A.600.130, 28A.600.140, 28A.600.150,
8 28A.230.125, 28A.600.285, 28A.630.400, 28A.650.015, 28B.04.080,
9 28B.07.020, 28B.07.030, 28B.10.786, 28B.10.790, 28B.10.792, 28B.10.840,
10 28B.12.030, 28B.12.040, 28B.12.050, 28B.12.055, 28B.12.060, 28B.12.070,
11 28B.15.012, 28B.15.013, 28B.15.015, 28B.15.100, 28B.15.543, 28B.15.732,
12 28B.15.736, 28B.15.752, 28B.15.760, 28B.15.762, 28B.50.272, 28B.92.020,
13 28B.95.020, 28B.95.025, 28B.95.040, 28B.95.060, 28B.95.160, 28B.97.020,
14 28B.101.010, 28B.101.030, 28B.101.040, 28B.101.050, 28B.102.020,
15 28B.102.030, 28B.105.020, 28B.106.010, 28B.108.010, 28B.108.020,
16 28B.108.030, 28B.108.060, 28B.109.010, 28B.115.020, 28B.115.030,
17 28B.115.130, 28B.115.140, 28B.116.010, 28B.116.020, 28B.116.030,
18 28B.116.050, 28B.116.060, 28B.116.070, 28B.117.020, 28B.117.030,
19 28B.117.040, 28B.117.050, 28B.117.060, 28B.117.070, 28B.118.010,
20 28B.118.020, 28B.118.040, 28B.118.050, 28B.118.060, 28B.119.010,
21 28B.119.020, 28B.119.030, 28B.119.050, 28B.120.010, 28B.120.020,

1 28B.120.025, 28B.120.030, 28B.120.040, 28B.133.030, 28B.133.040,
2 28B.133.050, 28B.135.010, 28B.135.030, 28B.135.040, 28C.18.166,
3 39.86.130, 42.17.2401, 43.41.400, 43.105.800, 43.105.810, 43.105.825,
4 74.13.570, 28B.76.230, 28B.76.290, 28B.76.310, 28B.10.020, 28B.10.922,
5 28B.15.460, 28B.15.465, 28B.20.130, 28B.20.280, 28B.30.150, 28B.30.500,
6 28B.35.120, 28B.35.205, 28B.35.215, 28B.38.010, 28B.40.120, 28B.40.206,
7 28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040, 28B.45.060, 28B.50.140,
8 28B.50.810, 28B.65.050, 28B.110.030, 28B.110.040, 28B.85.010,
9 28B.85.100, 28B.90.010, 35.104.020, 35.104.040, 43.06.115, 9A.60.070,
10 18.260.110, 28A.230.125, 28A.600.280, 28A.600.290, 28A.600.310,
11 28A.600.390, 28A.630.400, 28A.650.015, 28A.700.020, 28A.700.060,
12 28B.07.040, 28B.10.056, 28B.10.125, 28B.10.5691, 28B.10.682,
13 28B.10.784, 28B.15.068, 28B.15.069, 28B.15.730, 28B.15.734, 28B.15.750,
14 28B.15.754, 28B.15.756, 28B.15.758, 28B.15.796, 28B.20.308, 28B.20.478,
15 28B.30.530, 28B.45.080, 28B.65.040, 28B.67.010, 28B.103.030,
16 28B.76.200, 28C.10.030, 28C.10.040, 28C.18.030, 28C.18.060, 28C.18.132,
17 28C.18.134, 43.09.440, 43.43.934, 43.43.938, 43.60A.151, 43.88.090,
18 43.88D.010, 43.105.400, 43.215.090, 43.330.310, 43.330.375, 47.80.090,
19 and 70.180.110; reenacting and amending RCW 28A.660.050, 28B.50.030,
20 28B.92.030, 28A.230.100, and 43.330.280; adding new sections to chapter
21 43.41 RCW; adding new sections to chapter 28B.10 RCW; creating new
22 sections; recodifying RCW 28B.76.290, 28B.76.310, 28B.76.200, and
23 28B.76.230; repealing RCW 28B.76.040, 28B.76.050, 28B.76.060,
24 28B.76.100, 28B.76.210, 28B.76.240, 28B.76.2401, 28B.76.250,
25 28B.76.260, 28B.76.270, 28B.76.280, 28B.76.300, and 28B.76.335;
26 providing an effective date; and providing expiration dates.

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

28 NEW SECTION. **Sec. 1.** The legislature recognizes that the state's
29 higher education system plays a critical role in assuring Washington's
30 continued leadership role in driving economic prosperity, innovation,
31 and opportunity. By educating citizens for living wage jobs, producing
32 world-class research, and helping to create vibrant communities, the
33 state's institutions of higher education form a foundational component
34 in assuring prosperity for our citizens.

35 The legislature also recognizes the significant contributions made
36 by the higher education coordinating board in coordinating higher

1 education policy and planning, and administering the state's financial
2 aid programs. The board has also recently finished several significant
3 planning efforts that will provide guidance to the legislature and to
4 the institutions in forming priorities and deploying resources.

5 However, the legislature also recognizes the importance of
6 prioritizing scarce resources for the core, front-line services that
7 institutions provide--namely instruction, research, and robust
8 financial aid. During times of economic downturn, policymakers must
9 focus on those areas of public service that have the most direct and
10 immediate impact on students. Keeping class sections open, attracting
11 the best professors and instructors, providing comprehensive support
12 services, and offering meaningful financial help to offset the costs of
13 attending school must be the main concerns of policymakers.

14 It is for these reasons that the legislature intends to create a
15 new board dedicated entirely to the administration of student financial
16 aid programs. By focusing financial and governance resources on direct
17 aid to students, the state can provide the highest level of service in
18 this area. The legislature further intends to eliminate many of the
19 policy and planning functions of the higher education coordinating
20 board and rededicate those resources to the higher education
21 institutions that provide the core, front-line services associated with
22 instruction and research. Given the unprecedented budget crises the
23 state is facing, the state must take the opportunity to build on the
24 recommendations of the board and use the dollars where they can make
25 the most direct impact.

26 PART I

27 STUDENT FINANCIAL ASSISTANCE BOARD

28 **Sec. 101.** RCW 28B.76.010 and 1985 c 370 s 1 are each amended to
29 read as follows:

30 (1) There is hereby created the ((Washington higher education
31 coordinating)) student financial assistance board.

32 (2) The board shall consist of nine members. Two members shall
33 represent four-year institutions of higher education as defined in RCW
34 28B.10.016; two members shall represent two-year institutions of higher
35 education as defined in RCW 28B.10.016; one member shall represent the
36 independent colleges of Washington; and two members shall be students.

1 The director of the office of financial management and the
2 superintendent of public instruction shall each serve as nonvoting ex
3 officio members. Voting members shall be appointed at large by the
4 governor and approved by the senate. The board shall select from its
5 membership a chair who shall serve a one-year term. The chair may
6 serve more than one term if selected to do so by the membership.

7 (3) Except for initial members, whose terms shall be staggered, and
8 student members, the members of the board shall serve for terms of four
9 years, the terms expiring on June 30th of the fourth year of the term.
10 The student members shall each hold his or her office for a term of one
11 year beginning on the first day of July.

12 (4) Any vacancies among board members shall be filled by the
13 governor subject to confirmation by the senate then in session, or if
14 not in session, at the next session. Board members appointed under
15 this subsection have full authority to act as such before the time the
16 senate acts on their confirmation. Appointments to fill vacancies
17 shall be only for such terms as remain unexpired.

18 (5) The board must meet at least four times per year.

19 **Sec. 102.** RCW 28B.76.020 and 1985 c 370 s 2 are each amended to
20 read as follows:

21 ~~((For the purposes of this chapter:))~~ The definitions in this
22 section apply throughout this chapter unless the context clearly
23 requires otherwise.

24 (1) "Board" means the ~~((higher education coordinating board; and))~~
25 student financial assistance board.

26 (2) "Four-year institutions" means the University of Washington,
27 Washington State University, Central Washington University, Eastern
28 Washington University, Western Washington University, and The Evergreen
29 State College.

30 **Sec. 103.** RCW 28B.76.030 and 2004 c 275 s 1 are each amended to
31 read as follows:

32 The purpose of the board is to~~((+~~

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

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

4 ~~(3)) administer state and federal financial aid and other~~
5 ~~education services programs, including the advanced college tuition~~
6 ~~payment program in chapter 28B.95 RCW, in a cost-effective manner((+~~

7 ~~(4) Serve as an advocate on behalf of students and the overall~~
8 ~~system of higher education to the governor, the legislature, and the~~
9 ~~public;~~

10 ~~(5) Represent the broad public interest above the interests of the~~
11 ~~individual colleges and universities; and~~

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

18 **Sec. 104.** RCW 28B.76.090 and 2007 c 458 s 102 are each amended to
19 read as follows:

20 The board shall employ ((a)) an executive director and may delegate
21 agency management to the executive director. The executive director
22 shall be appointed by the governor, serve at the pleasure of the
23 ((board)) governor, shall be the executive officer of the board, and
24 shall, under the board's supervision, administer the provisions of this
25 chapter. The executive director shall, with the approval of the board:

26 (1) Employ necessary deputy and assistant directors and other exempt
27 staff under chapter 41.06 RCW who shall serve at his or her pleasure on
28 such terms and conditions as he or she determines and (2) subject to
29 the provisions of chapter 41.06 RCW, appoint and employ such other
30 employees as may be required for the proper discharge of the functions
31 of the board. The executive director shall exercise such additional
32 powers, other than rule making, as may be delegated by the board by
33 resolution. ((In fulfilling the duties under this chapter, the board
34 shall make extensive use of those state agencies with responsibility
35 for implementing and supporting postsecondary education plans and
36 policies including but not limited to appropriate legislative groups,
37 the postsecondary education institutions, the office of financial

1 ~~management, the workforce training and education coordinating board,~~
2 ~~the state board for community and technical colleges, and the office of~~
3 ~~the superintendent of public instruction. Outside consulting and~~
4 ~~service agencies may also be employed. The board may compensate these~~
5 ~~groups and consultants in appropriate ways.))~~

6 **Sec. 105.** RCW 28B.76.110 and 2004 c 275 s 5 are each amended to
7 read as follows:

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

13 **Sec. 106.** RCW 28B.76.505 and 2007 c 73 s 1 are each amended to
14 read as follows:

15 (1) The investment of funds from all scholarship endowment programs
16 administered by the ((~~higher education coordinating~~)) board shall be
17 managed by the state investment board.

18 (2) The state investment board has the full power to invest,
19 reinvest, manage, contract, sell, or exchange investment money in
20 scholarship endowment funds. All investment and operating costs
21 associated with the investment of a scholarship endowment fund shall be
22 paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of
23 these expenses, the earnings from the investments of the fund belong to
24 the fund.

25 (3) Funds from all scholarship endowment programs administered by
26 the board shall be in the custody of the state treasurer.

27 (4) All investments made by the state investment board shall be
28 made with the exercise of that degree of judgment and care pursuant to
29 RCW 43.33A.140 and the investment policies established by the state
30 investment board.

31 (5) As deemed appropriate by the state investment board, money in
32 a scholarship endowment fund may be commingled for investment with
33 other funds subject to investment by the state investment board.

34 (6) The authority to establish all policies relating to scholarship
35 endowment funds, other than the investment policies in subsections (2)

1 through (5) of this section, resides with the ((higher education
2 coordinating)) board.

3 (7) The ((higher education coordinating)) board may request and
4 accept moneys from the state investment board. With the exception of
5 expenses of the state investment board in subsection (2) of this
6 section, disbursements from the fund shall be made only on the
7 authorization of the ((higher education coordinating)) board, and money
8 in the fund may be spent only for the purposes of the endowment
9 programs as specified in the authorizing chapter of each program.

10 (8) The state investment board shall routinely consult and
11 communicate with the ((higher education coordinating)) board on the
12 investment policy, earnings of the scholarship endowment funds, and
13 related needs of the programs.

14 **Sec. 107.** RCW 28B.76.525 and 2005 c 139 s 1 are each amended to
15 read as follows:

16 (1) The state financial aid account is created in the custody of
17 the state treasurer. The primary purpose of the account is to ensure
18 that all appropriations designated for financial aid through statewide
19 student financial aid programs are made available to eligible students.
20 The account shall be a nontreasury account.

21 (2) The ((higher education coordinating)) board shall deposit in
22 the account all money received for the state need grant program
23 established under RCW 28B.92.010, the state work-study program
24 established under chapter 28B.12 RCW, the Washington scholars program
25 established under RCW 28A.600.110, the Washington award for vocational
26 excellence program established under RCW 28C.04.525, and the
27 educational opportunity grant program established under chapter 28B.101
28 RCW. The account shall consist of funds appropriated by the
29 legislature for the programs listed in this subsection and private
30 contributions to the programs. Moneys deposited in the account do not
31 lapse at the close of the fiscal period for which they were
32 appropriated. Both during and after the fiscal period in which moneys
33 were deposited in the account, the board may expend moneys in the
34 account only for the purposes for which they were appropriated, and the
35 expenditures are subject to any other conditions or limitations placed
36 on the appropriations.

1 (3) Expenditures from the account shall be used for scholarships to
2 students eligible for the programs according to program rules and
3 policies.

4 (4) Disbursements from the account are exempt from appropriations
5 and the allotment provisions of chapter 43.88 RCW.

6 (5) Only the executive director of the (~~higher education~~
7 ~~coordinating~~) board or the executive director's designee may authorize
8 expenditures from the account.

9 **Sec. 108.** RCW 28B.76.560 and 1987 c 8 s 2 are each amended to read
10 as follows:

11 The Washington distinguished professorship trust fund program is
12 established.

13 The program shall be administered by the (~~higher education~~
14 ~~coordinating~~) board.

15 The trust fund shall be administered by the state treasurer.

16 **Sec. 109.** RCW 28B.76.565 and 2009 c 564 s 1805 are each amended to
17 read as follows:

18 Funds appropriated by the legislature for the distinguished
19 professorship program shall be deposited in the distinguished
20 professorship trust fund. At the request of the (~~higher education~~
21 ~~coordinating~~) board under RCW 28B.76.575, the treasurer shall release
22 the state matching funds to the designated institution's local
23 endowment fund. No appropriation is required for expenditures from the
24 fund. During the 2007-2009 fiscal biennium, the legislature may
25 transfer from the distinguished professorship trust fund to the state
26 general fund such amounts as reflect the excess fund balance in the
27 (~~account-[fund]~~) fund.

28 **Sec. 110.** RCW 28B.76.570 and 1987 c 8 s 4 are each amended to read
29 as follows:

30 In consultation with the eligible institutions of higher education,
31 the (~~higher education coordinating~~) board shall set guidelines for
32 the program. These guidelines may include an allocation system based
33 on factors which include but are not limited to: The amount of money
34 available in the trust fund; characteristics of the institutions

1 including the size of the faculty and student body; and the number of
2 professorships previously received.

3 Any allocation system shall be superseded by conditions in any act
4 of the legislature appropriating funds for this program.

5 **Sec. 111.** RCW 28B.76.575 and 1988 c 125 s 3 are each amended to
6 read as follows:

7 All state four-year institutions of higher education shall be
8 eligible for matching trust funds. An institution may apply to the
9 (~~higher education coordinating~~) board for two hundred fifty thousand
10 dollars from the fund when the institution can match the state funds
11 with an equal amount of pledged or contributed private donations or
12 with funds received through legislative appropriation specifically for
13 the G. Robert Ross distinguished faculty award and designated as being
14 qualified to be matched from trust fund moneys. These donations shall
15 be made specifically to the professorship program, and shall be donated
16 after July 1, 1985.

17 Upon an application by an institution, the board may designate two
18 hundred fifty thousand dollars from the trust fund for that
19 institution's pledged professorship. If the pledged two hundred fifty
20 thousand dollars is not received within three years, the board shall
21 make the designated funds available for another pledged professorship.

22 Once the private donation is received by the institution, the
23 (~~higher education coordinating~~) board shall ask the state treasurer
24 to release the state matching funds to a local endowment fund
25 established by the institution for the professorship.

26 **Sec. 112.** RCW 28B.76.605 and 1987 c 147 s 2 are each amended to
27 read as follows:

28 The Washington graduate fellowship trust fund program is
29 established. The program shall be administered by the (~~higher
30 education coordinating~~) board. The trust fund shall be administered
31 by the state treasurer.

32 **Sec. 113.** RCW 28B.76.610 and 2009 c 564 s 1806 are each amended to
33 read as follows:

34 Funds appropriated by the legislature for the graduate fellowship
35 program shall be deposited in the graduate fellowship trust fund. At

1 the request of the (~~higher education coordinating~~) board under RCW
2 28B.76.620, the treasurer shall release the state matching funds to the
3 designated institution's local endowment fund. No appropriation is
4 required for expenditures from the fund. During the 2007-2009 fiscal
5 biennium, the legislature may transfer from the graduate fellowship
6 trust fund to the state general fund such amounts as reflect the excess
7 fund balance in the (~~account {fund}~~) fund.

8 **Sec. 114.** RCW 28B.76.615 and 1987 c 147 s 4 are each amended to
9 read as follows:

10 In consultation with eligible institutions of higher education, the
11 (~~higher education coordinating~~) board shall set guidelines for the
12 program. These guidelines may include an allocation system based on
13 factors which include but are not limited to: The amount of money
14 available in the trust fund; characteristics of the institutions
15 including the size of the faculty and student body; and the number of
16 fellowships previously received.

17 Any allocation system shall be superseded by conditions in any
18 legislative act appropriating funds for the program.

19 **Sec. 115.** RCW 28B.76.620 and 1987 c 147 s 5 are each amended to
20 read as follows:

21 (1) All state four-year institutions of higher education shall be
22 eligible for matching trust funds. Institutions may apply to the
23 (~~higher education coordinating~~) board for twenty-five thousand
24 dollars from the fund when they can match the state funds with equal
25 pledged or contributed private donations. These donations shall be
26 made specifically to the graduate fellowship program, and shall be
27 donated after July 1, 1987.

28 (2) Upon an application by an institution, the board may designate
29 twenty-five thousand dollars from the trust fund for that institution's
30 pledged graduate fellowship fund. If the pledged twenty-five thousand
31 dollars is not received within two years, the board shall make the
32 designated funds available for another pledged graduate fellowship
33 fund.

34 (3) Once the private donation is received by the institution, the
35 (~~higher education coordinating~~) board shall ask the state treasurer

1 to release the state matching funds to a local endowment fund
2 established by the institution for the graduate fellowships.

3 **Sec. 116.** RCW 28B.76.645 and 2004 c 275 s 23 are each amended to
4 read as follows:

5 In the development of any such plans as called for within RCW
6 28B.76.640, the board shall use at least the following criteria:

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

10 (2) For recipients named after January 1, 1995, the tuition
11 assistance shall be in the form of loans that may be completely
12 forgiven in exchange for the student's service within the state of
13 Washington after graduation. The requirements for such service and
14 provisions for loan forgiveness shall be determined in rules adopted by
15 the board.

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

21 (4) Receipts from the payment of principal or interest or any other
22 subsidies to which the board as administrator is entitled, that are
23 paid by or on behalf of participants under this section, shall be
24 deposited with the board and placed in an account created in this
25 section and shall be used to cover the costs of granting the
26 scholarships, maintaining necessary records, and making collections.
27 The board shall maintain accurate records of these costs, and all
28 receipts beyond those necessary to pay such costs shall be used to
29 grant conditional loans to eligible students.

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

1 **Sec. 117.** RCW 28B.76.660 and 2005 c 518 s 917 are each amended to
2 read as follows:

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

21 (2) The (~~higher education coordinating~~) board shall establish
22 rules that provide for the annual awarding of grants, if moneys are
23 available, to three Washington scholars per legislative district except
24 for fiscal year 2007 when no more than two scholars per district shall
25 be selected; and, if not used by an original recipient, to the
26 Washington scholars-alternate from the same legislative district.

27 Beginning with scholars selected in the year 2000, if the
28 recipients of grants fail to demonstrate in a timely manner that they
29 will enroll in a Washington institution of higher education in the fall
30 term of the academic year following the award of the grant or are
31 deemed by the (~~higher education coordinating~~) board to have withdrawn
32 from college during the first academic year following the award, then
33 the grant shall be considered relinquished. The (~~higher education~~
34 ~~coordinating~~) board may then award any remaining grant amounts to the
35 Washington scholars-alternate from the same legislative district if the
36 grants are awarded within one calendar year of the recipient being
37 named a Washington scholars-alternate. Washington scholars-alternates
38 named as recipients of the grant must also demonstrate in a timely

1 manner that they will enroll in a Washington institution of higher
2 education during the next available term, as determined by the (~~higher~~
3 ~~education-coordinating~~) board. The board may accept appeals and grant
4 waivers to the enrollment requirements of this section based on
5 exceptional mitigating circumstances of individual grant recipients.

6 To maintain eligibility for the grants, recipients must maintain a
7 minimum grade point average at the college or university equivalent to
8 3.30. Students shall be eligible to receive a maximum of twelve
9 quarters or eight semesters of grants for undergraduate study and may
10 transfer among in-state public and independent colleges and
11 universities during that period and continue to receive the grant as
12 provided under RCW 28B.76.665. If the student's cumulative grade point
13 average falls below 3.30 during the first three quarters or two
14 semesters, that student may petition the (~~higher-education~~
15 ~~coordinating~~) board which shall have the authority to establish a
16 probationary period until such time as the student's grade point
17 average meets required standards.

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

20 (4) As used in this section, "independent college or university"
21 means a private, nonprofit educational institution, the main campus of
22 which is permanently situated in the state, open to residents of the
23 state, providing programs of education beyond the high school level
24 leading at least to the baccalaureate degree, and accredited by the
25 northwest association of schools and colleges as of June 9, 1988, and
26 other institutions as may be developed that are approved by the
27 (~~higher-education-coordinating~~) board as meeting equivalent standards
28 as those institutions accredited under this section.

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

31 **Sec. 118.** RCW 28B.76.670 and 1995 1st sp.s. c 7 s 8 are each
32 amended to read as follows:

33 (1) Recipients of the Washington award for vocational excellence
34 under RCW 28C.04.520 through 28C.04.550, who receive the award after
35 June 30, 1994, may receive a grant, if funds are available. The grant
36 shall be used to attend a postsecondary institution located in the
37 state of Washington. Recipients may attend an institution of higher

1 education as defined in RCW 28B.10.016, or an independent college or
2 university, or a licensed private vocational school. The (~~higher~~
3 ~~education-coordinating~~) board shall distribute grants to eligible
4 students under this section from moneys appropriated for this purpose.
5 The individual grants shall not exceed, on a yearly basis, the yearly,
6 full-time, resident, undergraduate tuition and service and activities
7 fees in effect at the state-funded research universities. In
8 consultation with the workforce training and education coordinating
9 board, the (~~higher-education-coordinating~~) board shall establish
10 procedures, by rule, to disburse the awards as direct grants to the
11 students.

12 (2) To qualify for the grant, recipients shall enter the
13 postsecondary institution within three years of high school graduation
14 and maintain a minimum grade point average at the institution
15 equivalent to 3.00, or, at a technical college, an above average
16 rating. Students shall be eligible to receive a maximum of two years
17 of grants for undergraduate study and may transfer among in-state
18 eligible postsecondary institutions during that period and continue to
19 receive the grant.

20 (3) No grant may be awarded to any student who is pursuing a degree
21 in theology.

22 (4) As used in this section, "independent college or university"
23 means a private, nonprofit educational institution, the main campus of
24 which is permanently situated in the state, open to residents of the
25 state, providing programs of education beyond the high school level
26 leading at least to the baccalaureate degree, and accredited by the
27 Northwest association of schools and colleges as of June 9, 1988, and
28 other institutions as may be developed that are approved by the
29 (~~higher-education-coordinating~~) board as meeting equivalent standards
30 as those institutions accredited under this section.

31 (5) As used in this section, "licensed private vocational school"
32 means a private postsecondary institution, located in the state,
33 licensed by the workforce training and education coordinating board
34 under chapter 28C.10 RCW, and offering postsecondary education in order
35 to prepare persons for a vocation or profession, as defined in RCW
36 28C.10.020(7).

1 **Sec. 119.** RCW 28B.76.690 and 2003 c 159 s 3 are each amended to
2 read as follows:

3 The ((~~higher education coordinating~~)) board shall administer
4 Washington's participation in the border county higher education
5 opportunity project.

6 **Sec. 120.** RCW 28A.600.120 and 1985 c 370 s 32 are each amended to
7 read as follows:

8 The ((~~higher education coordinating~~)) student financial assistance
9 board shall have the responsibility for administration of the
10 Washington scholars program. The program will be developed
11 cooperatively with the Washington association of secondary school
12 principals, a voluntary professional association of secondary school
13 principals. The cooperation of other state agencies and private
14 organizations having interest and responsibility in public and private
15 education shall be sought for planning assistance.

16 **Sec. 121.** RCW 28A.600.130 and 2006 c 263 s 916 are each amended to
17 read as follows:

18 The ((~~higher education coordinating~~)) student financial assistance
19 board shall establish a planning committee to develop criteria for
20 screening and selection of the Washington scholars each year in
21 accordance with RCW 28A.600.110(1). It is the intent that these
22 criteria shall emphasize scholastic achievement but not exclude such
23 criteria as leadership ability and community contribution in final
24 selection procedures. The Washington scholars planning committee shall
25 have members from selected state agencies and private organizations
26 having an interest and responsibility in education, including but not
27 limited to, the office of superintendent of public instruction, the
28 council of presidents, the state board for community and technical
29 colleges, and the Washington friends of higher education.

30 **Sec. 122.** RCW 28A.600.140 and 1990 c 33 s 501 are each amended to
31 read as follows:

32 Each year on or before March 1st, the Washington association of
33 secondary school principals shall submit to the ((~~higher education~~
34 ~~coordinating~~)) student financial assistance board the names of

1 graduating senior high school students who have been identified and
2 recommended to be outstanding in academic achievement by their school
3 principals based on criteria to be established under RCW 28A.600.130.

4 **Sec. 123.** RCW 28A.600.150 and 2005 c 518 s 916 are each amended to
5 read as follows:

6 Each year, three Washington scholars and one Washington scholars-
7 alternate shall be selected from the students nominated under RCW
8 28A.600.140, except that during fiscal year 2007, no more than two
9 scholars plus one alternate may be selected. The (~~higher education~~
10 ~~coordinating~~) student financial assistance board shall notify the
11 students so designated, their high school principals, the legislators
12 of their respective districts, and the governor when final selections
13 have been made.

14 The board, in conjunction with the governor's office, shall prepare
15 appropriate certificates to be presented to the Washington scholars and
16 the Washington scholars-alternates. An awards ceremony at an
17 appropriate time and place shall be planned by the board in cooperation
18 with the Washington association of secondary school principals, and
19 with the approval of the governor.

20 **Sec. 124.** RCW 28A.230.125 and 2009 c 556 s 9 are each amended to
21 read as follows:

22 (1) The superintendent of public instruction, in consultation with
23 the (~~higher education coordinating~~) student financial assistance
24 board, the state board for community and technical colleges, and the
25 workforce training and education coordinating board, shall develop for
26 use by all public school districts a standardized high school
27 transcript. The superintendent shall establish clear definitions for
28 the terms "credits" and "hours" so that school programs operating on
29 the quarter, semester, or trimester system can be compared.

30 (2) The standardized high school transcript shall include a
31 notation of whether the student has earned a certificate of individual
32 achievement or a certificate of academic achievement.

33 **Sec. 125.** RCW 28A.600.285 and 2009 c 450 s 4 are each amended to
34 read as follows:

35 The superintendent of public instruction and the (~~higher education~~

1 ~~coordinating~~) student financial assistance board shall develop
2 advising guidelines to assure that students and parents understand that
3 college credits earned in high school dual credit programs may impact
4 eligibility for financial aid.

5 **Sec. 126.** RCW 28A.630.400 and 2006 c 263 s 815 are each amended to
6 read as follows:

7 (1) The professional educator standards board and the state board
8 for community and technical colleges, in consultation with the
9 superintendent of public instruction, the (~~higher—education~~
10 ~~coordinating~~) student financial assistance board, the state
11 apprenticeship training council, and community colleges, shall adopt
12 rules as necessary under chapter 34.05 RCW to implement the
13 paraeducator associate of arts degree.

14 (2) As used in this section, a "paraeducator" is an individual who
15 has completed an associate of arts degree for a paraeducator. The
16 paraeducator may be hired by a school district to assist certificated
17 instructional staff in the direct instruction of children in small and
18 large groups, individualized instruction, testing of children,
19 recordkeeping, and preparation of materials. The paraeducator shall
20 work under the direction of instructional certificated staff.

21 (3) The training program for a paraeducator associate of arts
22 degree shall include, but is not limited to, the general requirements
23 for receipt of an associate of arts degree and training in the areas of
24 introduction to childhood education, orientation to children with
25 disabilities, fundamentals of childhood education, creative activities
26 for children, instructional materials for children, fine art
27 experiences for children, the psychology of learning, introduction to
28 education, child health and safety, child development and guidance,
29 first aid, and a practicum in a school setting.

30 (4) Consideration shall be given to transferability of credit
31 earned in this program to teacher preparation programs at colleges and
32 universities.

33 **Sec. 127.** RCW 28A.650.015 and 2009 c 556 s 17 are each amended to
34 read as follows:

35 (1) The superintendent of public instruction, to the extent funds
36 are appropriated, shall develop and implement a Washington state K-12

1 education technology plan. The technology plan shall be updated on at
2 least a biennial basis, shall be developed to coordinate and expand the
3 use of education technology in the common schools of the state. The
4 plan shall be consistent with applicable provisions of chapter 43.105
5 RCW. The plan, at a minimum, shall address:

6 (a) The provision of technical assistance to schools and school
7 districts for the planning, implementation, and training of staff in
8 the use of technology in curricular and administrative functions;

9 (b) The continued development of a network to connect school
10 districts, institutions of higher learning, and other sources of online
11 information; and

12 (c) Methods to equitably increase the use of education technology
13 by students and school personnel throughout the state.

14 (2) The superintendent of public instruction shall appoint an
15 educational technology advisory committee to assist in the development
16 and implementation of the technology plan in subsection (1) of this
17 section. The committee shall include, but is not limited to, persons
18 representing: The department of information services, educational
19 service districts, school directors, school administrators, school
20 principals, teachers, classified staff, higher education faculty,
21 parents, students, business, labor, scientists and mathematicians, the
22 (~~higher education coordinating~~) student financial assistance board,
23 the workforce training and education coordinating board, and the state
24 library.

25 (3) The plan adopted and implemented under this section may not
26 impose on school districts any requirements that are not specifically
27 required by federal law or regulation, including requirements to
28 maintain eligibility for the federal schools and libraries program of
29 the universal service fund.

30 **Sec. 128.** RCW 28A.660.050 and 2009 c 539 s 3 and 2009 c 192 s 2
31 are each reenacted and amended to read as follows:

32 Subject to the availability of amounts appropriated for these
33 purposes, the conditional scholarship programs in this chapter are
34 created under the following guidelines:

35 (1) The programs shall be administered by the (~~higher education~~
36 ~~coordinating~~) student financial assistance board. In administering

1 the programs, the ((higher education coordinating)) board has the
2 following powers and duties:

3 (a) To adopt necessary rules and develop guidelines to administer
4 the programs;

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

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

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

11 (a) The alternative route conditional scholarship program is
12 limited to interns of the partnership grant programs under RCW
13 28A.660.040. In order to receive conditional scholarship awards,
14 recipients shall:

15 (i) Be accepted and maintain enrollment in alternative
16 certification routes through the partnership grant program;

17 (ii) Continue to make satisfactory progress toward completion of
18 the alternative route certification program and receipt of a residency
19 teaching certificate; and

20 (iii) Receive no more than the annual amount of the scholarship,
21 not to exceed eight thousand dollars, for the cost of tuition, fees,
22 and educational expenses, including books, supplies, and transportation
23 for the alternative route certification program in which the recipient
24 is enrolled. The board may adjust the annual award by the average rate
25 of resident undergraduate tuition and fee increases at the state
26 universities as defined in RCW 28B.10.016.

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

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

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

1 (iii) Receive no more than the annual amount of the scholarship,
2 not to exceed four thousand dollars, for the cost of tuition, fees, and
3 educational expenses, including books, supplies, and transportation for
4 the alternative route certification program in which the recipient is
5 enrolled. The board may adjust the annual award by the average rate of
6 tuition and fee increases at the state community and technical
7 colleges.

8 (c) The retooling to teach mathematics and science conditional
9 scholarship program is limited to current K-12 teachers and individuals
10 having an elementary education certificate but who are not employed in
11 positions requiring an elementary education certificate as provided by
12 RCW 28A.660.045. In order to receive conditional scholarship awards:

13 (i) Individuals currently employed as teachers shall pursue a
14 middle level mathematics or science, or secondary mathematics or
15 science endorsement; or

16 (ii) Individuals who are certificated with an elementary education
17 endorsement, but not employed in positions requiring an elementary
18 education certificate, shall pursue an endorsement in middle level
19 mathematics or science, or both; and

20 (iii) Individuals shall use one of the pathways to endorsement
21 processes to receive a mathematics or science endorsement, or both,
22 which shall include passing a mathematics or science endorsement test,
23 or both tests, plus observation and completing applicable coursework to
24 attain the proper endorsement; and

25 (iv) Individuals shall receive no more than the annual amount of
26 the scholarship, not to exceed three thousand dollars, for the cost of
27 tuition, test fees, and educational expenses, including books,
28 supplies, and transportation for the endorsement pathway being pursued.

29 (3) The Washington professional educator standards board shall
30 select individuals to receive conditional scholarships. In selecting
31 recipients, preference shall be given to eligible veterans or national
32 guard members.

33 (4) For the purpose of this chapter, a conditional scholarship is
34 a loan that is forgiven in whole or in part in exchange for service as
35 a certificated teacher employed in a Washington state K-12 public
36 school. The state shall forgive one year of loan obligation for every
37 two years a recipient teaches in a public school. Recipients who fail
38 to continue a course of study leading to residency teacher

1 certification or cease to teach in a public school in the state of
2 Washington in their endorsement area are required to repay the
3 remaining loan principal with interest.

4 (5) Recipients who fail to fulfill the required teaching obligation
5 are required to repay the remaining loan principal with interest and
6 any other applicable fees. The ((higher education coordinating))
7 student financial assistance board shall adopt rules to define the
8 terms for repayment, including applicable interest rates, fees, and
9 deferments.

10 (6) The ((higher education coordinating)) student financial
11 assistance board may deposit all appropriations, collections, and any
12 other funds received for the program in this chapter in the future
13 teachers conditional scholarship account authorized in RCW 28B.102.080.

14 **Sec. 129.** RCW 28B.04.080 and 2004 c 275 s 31 are each amended to
15 read as follows:

16 (1) The board shall consult and cooperate with the department of
17 social and health services; the ((higher education coordinating))
18 student financial assistance board; the superintendent of public
19 instruction; the workforce training and education coordinating board;
20 the employment security department; the department of labor and
21 industries; sponsoring agencies under the federal comprehensive
22 employment and training act (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.),
23 and any other persons or agencies as the board deems appropriate to
24 facilitate the coordination of centers established under this chapter
25 with existing programs of a similar nature.

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

30 (3) The board shall serve as a clearinghouse for displaced
31 homemaker information and resources and shall compile and disseminate
32 statewide information to the centers, related agencies, and interested
33 persons upon request.

34 **Sec. 130.** RCW 28B.07.020 and 2007 c 218 s 86 are each amended to
35 read as follows:

1 As used in this chapter, the following words and terms shall have
2 the following meanings, unless the context otherwise requires:

3 (1) "Authority" means the Washington higher education facilities
4 authority created under RCW 28B.07.030 or any board, body, commission,
5 department or officer succeeding to the principal functions of the
6 authority or to whom the powers conferred upon the authority shall be
7 given by law.

8 (2) "Bonds" means bonds, notes, commercial paper, certificates of
9 indebtedness, or other evidences of indebtedness of the authority
10 issued under this chapter.

11 (3) "Bond resolution" means any resolution of the authority,
12 adopted under this chapter, authorizing the issuance and sale of bonds.

13 (4) "Higher education institution" means a private, nonprofit
14 educational institution, the main campus of which is permanently
15 situated in the state, which is open to residents of the state, which
16 neither restricts entry on racial or religious grounds, which provides
17 programs of education beyond high school leading at least to the
18 baccalaureate degree, and which is accredited by the Northwest
19 Association of Schools and Colleges or by an accrediting association
20 recognized by the (~~higher education coordinating~~) student financial
21 assistance board.

22 (5) "Participant" means a higher education institution which, under
23 this chapter, undertakes the financing of a project or projects or
24 undertakes the refunding or refinancing of obligations, mortgages, or
25 advances previously incurred for a project or projects.

26 (6) "Project" means any land or any improvement, including, but not
27 limited to, buildings, structures, fixtures, utilities, machinery,
28 excavations, paving, and landscaping, and any interest in such land or
29 improvements, and any personal property pertaining or useful to such
30 land and improvements, which are necessary, useful, or convenient for
31 the operation of a higher education institution, including but not
32 limited to, the following: Dormitories or other multi-unit housing
33 facilities for students, faculty, officers, or employees; dining halls;
34 student unions; administration buildings; academic buildings;
35 libraries; laboratories; research facilities; computer facilities;
36 classrooms; athletic facilities; health care facilities; maintenance,
37 storage, or utility facilities; parking facilities; or any combination
38 thereof, or any other structures, facilities, or equipment so related.

1 (7) "Project cost" means any cost related to the acquisition,
2 construction, improvement, alteration, or rehabilitation by a
3 participant or the authority of any project and the financing of the
4 project through the authority, including, but not limited to, the
5 following costs paid or incurred: Costs of acquisition of land or
6 interests in land and any improvement; costs of contractors, builders,
7 laborers, material suppliers, and suppliers of tools and equipment;
8 costs of surety and performance bonds; fees and disbursements of
9 architects, surveyors, engineers, feasibility consultants, accountants,
10 attorneys, financial consultants, and other professionals; interest on
11 bonds issued by the authority during any period of construction;
12 principal of and interest on interim financing of any project; debt
13 service reserve funds; depreciation funds, costs of the initial start-
14 up operation of any project; fees for title insurance, document
15 recording, or filing; fees of trustees and the authority; taxes and
16 other governmental charges levied or assessed on any project; and any
17 other similar costs. Except as specifically set forth in this
18 definition, the term "project cost" does not include books, fuel,
19 supplies, and similar items which are required to be treated as a
20 current expense under generally accepted accounting principles.

21 (8) "Trust indenture" means any agreement, trust indenture, or
22 other similar instrument by and between the authority and one or more
23 corporate trustees.

24 **Sec. 131.** RCW 28B.07.030 and 2007 c 36 s 14 are each amended to
25 read as follows:

26 (1) The Washington higher education facilities authority is hereby
27 established as a public body corporate and politic, with perpetual
28 corporate succession, constituting an agency of the state of Washington
29 exercising essential governmental functions. The authority is a
30 "public body" within the meaning of RCW 39.53.010.

31 (2) The authority shall consist of seven members as follows: The
32 governor, lieutenant governor, executive director of the (~~higher~~
33 ~~education coordinating~~) student financial assistance board, and four
34 public members, one of whom shall be the president of a higher
35 education institution at the time of appointment. The public members
36 shall be residents of the state and appointed by the governor, subject
37 to confirmation by the senate, on the basis of their interest or

1 expertise in the provision of higher education and the financing of
2 higher education. The public members of the authority shall serve for
3 terms of four years. The initial terms of the public members shall be
4 staggered in a manner determined by the governor. In the event of a
5 vacancy on the authority due to death, resignation, or removal of one
6 of the public members, and upon the expiration of the term of any
7 public member, the governor shall appoint a successor for a term
8 expiring on the fourth anniversary of the successor's date of the
9 appointment. If any of the state offices are abolished, the resulting
10 vacancy on the authority shall be filled by the state officer who shall
11 succeed substantially to the power and duties of the abolished office.
12 Any public member of the authority may be removed by the governor for
13 misfeasance, malfeasance, wilful neglect of duty, or any other cause
14 after notice and a public hearing, unless such notice and hearing shall
15 be expressly waived in writing.

16 (3) The governor shall serve as chairperson of the authority. The
17 authority shall elect annually one of its members as secretary. If the
18 governor shall be absent from a meeting of the authority, the secretary
19 shall preside. However, the governor may designate an employee of the
20 governor's office to act on the governor's behalf in all other respects
21 during the absence of the governor at any meeting of the authority. If
22 the designation is in writing and is presented to the person presiding
23 at the meetings of the authority who is included in the designation,
24 the vote of the designee has the same effect as if cast by the
25 governor.

26 (4) Any person designated by resolution of the authority shall keep
27 a record of the proceedings of the authority and shall be the custodian
28 of all books, documents, and papers filed with the authority, the
29 minute book or a journal of the authority, and the authority's official
30 seal, if any. The person may cause copies to be made of all minutes
31 and other records and documents of the authority, and may give
32 certificates to the effect that such copies are true copies. All
33 persons dealing with the authority may rely upon the certificates.

34 (5) Four members of the authority constitute a quorum. Members
35 participating in a meeting through the use of any means of
36 communication by which all members participating can hear each other
37 during the meeting shall be deemed to be present in person at the
38 meeting for all purposes. The authority may act on the basis of a

1 motion except when authorizing the issuance and sale of bonds, in which
2 case the authority shall act by resolution. Bond resolutions and other
3 resolutions shall be adopted upon the affirmative vote of four members
4 of the authority, and shall be signed by those members voting yes.
5 Motions shall be adopted upon the affirmative vote of a majority of a
6 quorum of members present at any meeting of the authority. All actions
7 taken by the authority shall take effect immediately without need for
8 publication or other public notice. A vacancy in the membership of the
9 authority does not impair the power of the authority to act under this
10 chapter.

11 (6) The members of the authority shall be compensated in accordance
12 with RCW 43.03.240 and shall be entitled to reimbursement, solely from
13 the funds of the authority, for travel expenses as determined by the
14 authority incurred in the discharge of their duties under this chapter.

15 **Sec. 132.** RCW 28B.10.786 and 1993 sp.s. c 15 s 7 are each amended
16 to read as follows:

17 It is the policy of the state of Washington that financial need not
18 be a barrier to participation in higher education. It is also the
19 policy of the state of Washington that the essential requirements level
20 budget calculation include funding for state student financial aid
21 programs. The calculation should, at a minimum, include a funding
22 level equal to the amount provided in the second year of the previous
23 biennium in the omnibus appropriations act, adjusted for the percentage
24 of needy resident students, by educational sector, likely to be
25 included in any enrollment increases necessary to maintain, by
26 educational sector, the participation rate funded in the 1993 fiscal
27 year. The calculation should also be adjusted to reflect, by
28 educational sector, any increases in cost of attendance. The cost of
29 attendance figures should be calculated by the (~~higher education~~
30 ~~coordinating~~) student financial assistance board and provided to the
31 office of financial management and appropriate legislative committees
32 by June 30th of each even-numbered year.

33 **Sec. 133.** RCW 28B.10.790 and 2004 c 275 s 44 are each amended to
34 read as follows:

35 Washington residents attending any nonprofit college or university
36 in another state which has a reciprocity agreement with the state of

1 Washington shall be eligible for the student financial aid program
2 outlined in chapter 28B.92 RCW if (1) they qualify as a "needy student"
3 under RCW 28B.92.030(~~(+3)~~) (5), and (2) the institution attended is a
4 member institution of an accrediting association recognized by rule of
5 the (~~higher education coordinating~~) student financial assistance
6 board for the purposes of this section and is specifically encompassed
7 within or directly affected by such reciprocity agreement and agrees to
8 and complies with program rules and regulations pertaining to such
9 students and institutions adopted pursuant to RCW 28B.92.150.

10 **Sec. 134.** RCW 28B.10.792 and 1985 c 370 s 55 are each amended to
11 read as follows:

12 The (~~higher education coordinating~~) student financial assistance
13 board shall develop guidelines for determining the conditions under
14 which an institution can be determined to be directly affected by a
15 reciprocity agreement for the purposes of RCW 28B.10.790: PROVIDED,
16 That no institution shall be determined to be directly affected unless
17 students from the county in which the institution is located are
18 provided, pursuant to a reciprocity agreement, access to Washington
19 institutions at resident tuition and fee rates to the extent authorized
20 by Washington law.

21 **Sec. 135.** RCW 28B.10.840 and 1985 c 370 s 57 are each amended to
22 read as follows:

23 The term "institution of higher education" whenever used in RCW
24 28B.10.840 through 28B.10.844, shall be held and construed to mean any
25 public institution of higher education in Washington. The term
26 "educational board" whenever used in RCW 28B.10.840 through 28B.10.844,
27 shall be held and construed to mean the state board for community and
28 technical colleges (~~education~~) and the (~~higher education~~
29 ~~coordinating~~) student financial assistance board.

30 **Sec. 136.** RCW 28B.12.030 and 2002 c 187 s 2 are each amended to
31 read as follows:

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

1 (1) The term "needy student" shall mean a student enrolled or
2 accepted for enrollment at a (~~post-secondary~~) postsecondary
3 institution who, according to a system of need analysis approved by the
4 (~~higher education coordinating~~) student financial assistance board,
5 demonstrates a financial inability, either parental, familial, or
6 personal, to bear the total cost of education for any semester or
7 quarter.

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

17 **Sec. 137.** RCW 28B.12.040 and 2009 c 560 s 21 are each amended to
18 read as follows:

19 The (~~higher education coordinating~~) student financial assistance
20 board shall develop and administer the state work-study program. The
21 board shall be authorized to enter into agreements with employers and
22 eligible institutions for the operation of the program. These
23 agreements shall include such provisions as the (~~higher education~~
24 ~~coordinating~~) board may deem necessary or appropriate to carry out the
25 purposes of this chapter.

26 With the exception of off-campus community service placements, the
27 share from moneys disbursed under the state work-study program of the
28 compensation of students employed under such program in accordance with
29 such agreements shall not exceed eighty percent of the total such
30 compensation paid such students.

31 By rule, the board shall define community service placements and
32 may determine any salary matching requirements for any community
33 service employers.

34 **Sec. 138.** RCW 28B.12.050 and 1994 c 130 s 5 are each amended to
35 read as follows:

36 The (~~higher education coordinating~~) student financial assistance

1 board shall disburse state work-study funds. In performing its duties
2 under this section, the board shall consult eligible institutions and
3 (~~post-secondary~~) postsecondary education advisory and governing
4 bodies. The board shall establish criteria designed to achieve such
5 distribution of assistance under this chapter among students attending
6 eligible institutions as will most effectively carry out the purposes
7 of this chapter.

8 **Sec. 139.** RCW 28B.12.055 and 2009 c 215 s 12 are each amended to
9 read as follows:

10 (1) Within existing resources, the (~~higher—education~~
11 ~~coordinating~~) student financial assistance board shall establish the
12 work-study opportunity grant for high-demand occupations, a competitive
13 grant program to encourage job placements in high-demand fields. The
14 board shall award grants to eligible institutions of higher education
15 that have developed a partnership with a proximate organization willing
16 to host work-study placements. Partner organizations may be nonprofit
17 organizations, for-profit firms, or public agencies. Eligible
18 institutions of higher education must verify that all job placements
19 will last for a minimum of one academic quarter or one academic
20 semester, depending on the system used by the eligible institution of
21 higher education.

22 (2) The board may adopt rules to identify high-demand fields for
23 purposes of this section. The legislature recognizes that the high-
24 demand fields identified by the board may differ in different regions
25 of the state.

26 (3) The board may award grants to eligible institutions of higher
27 education that cover both student wages and program administration.

28 (4) The board shall develop performance benchmarks regarding
29 program success including, but not limited to, the number of students
30 served, the amount of employer contributions, and the number of
31 participating high-demand employers.

32 **Sec. 140.** RCW 28B.12.060 and 2009 c 172 s 1 are each amended to
33 read as follows:

34 The (~~higher—education—coordinating~~) student financial assistance
35 board shall adopt rules as may be necessary or appropriate for
36 effecting the provisions of this chapter, and not in conflict with this

1 chapter, in accordance with the provisions of chapter 34.05 RCW, the
2 (~~state higher education~~) administrative procedure act. Such rules
3 shall include provisions designed to make employment under the work-
4 study program reasonably available, to the extent of available funds,
5 to all eligible needy students in eligible postsecondary institutions.
6 The rules shall include:

7 (1) Providing work under the state work-study program that will not
8 result in the displacement of employed workers or impair existing
9 contracts for services;

10 (2) Furnishing work only to a student who:

11 (a) Is capable, in the opinion of the eligible institution, of
12 maintaining good standing in such course of study while employed under
13 the program covered by the agreement; and

14 (b) Has been accepted for enrollment as at least a half-time
15 student at the eligible institution or, in the case of a student
16 already enrolled in and attending the eligible institution, is in good
17 standing and in at least half-time attendance there either as an
18 undergraduate, graduate or professional student; and

19 (c) Is not pursuing a degree in theology;

20 (3) Placing priority on providing:

21 (a) Work opportunities for students who are residents of the state
22 of Washington as defined in RCW 28B.15.012 and 28B.15.013, particularly
23 former foster youth as defined in RCW 28B.92.060;

24 (b) Job placements in fields related to each student's academic or
25 vocational pursuits, with an emphasis on off-campus job placements
26 whenever appropriate; and

27 (c) Off-campus community service placements;

28 (4) To the extent practicable, limiting the proportion of state
29 subsidy expended upon nonresident students to fifteen percent, or such
30 less amount as specified in the biennial appropriations act;

31 (5) Provisions to assure that in the state institutions of higher
32 education, utilization of this work-study program:

33 (a) Shall only supplement and not supplant classified positions
34 under jurisdiction of chapter 41.06 RCW;

35 (b) That all positions established which are comparable shall be
36 identified to a job classification under the director of personnel's
37 classification plan and shall receive equal compensation;

1 (c) Shall not take place in any manner that would replace
2 classified positions reduced due to lack of funds or work; and

3 (d) That work study positions shall only be established at entry
4 level positions of the classified service unless the overall scope and
5 responsibilities of the position indicate a higher level; and

6 (6) Provisions to encourage job placements in high employer demand
7 occupations that meet Washington's economic development goals,
8 including those in international trade and international relations.
9 The board shall permit appropriate job placements in other states and
10 other countries.

11 **Sec. 141.** RCW 28B.12.070 and 1994 c 130 s 7 are each amended to
12 read as follows:

13 Each eligible institution shall submit to the (~~higher education~~
14 ~~coordinating~~) student financial assistance board an annual report in
15 accordance with such requirements as are adopted by the board.

16 **Sec. 142.** RCW 28B.15.012 and 2009 c 220 s 1 are each amended to
17 read as follows:

18 Whenever used in this chapter (~~28B.15-RCW~~):

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

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

22 (a) A financially independent student who has had a domicile in the
23 state of Washington for the period of one year immediately prior to the
24 time of commencement of the first day of the semester or quarter for
25 which the student has registered at any institution and has in fact
26 established a bona fide domicile in this state primarily for purposes
27 other than educational;

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

33 (c) A student classified as a resident based upon domicile by an
34 institution on or before May 31, 1982, who was enrolled at a state
35 institution during any term of the 1982-1983 academic year, so long as

1 such student's enrollment (excepting summer sessions) at an institution
2 in this state is continuous;

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

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

25 (f) Any person who has lived in Washington, primarily for purposes
26 other than educational, for at least one year immediately before the
27 date on which the person has enrolled in an institution, and who holds
28 lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii),
29 (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse
30 or child of a person having nonimmigrant status under one of those
31 subsections, or who, holding or having previously held such lawful
32 nonimmigrant status as a principal or derivative, has filed an
33 application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

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

36 (h) A student who is the spouse or a dependent of a person who is
37 on active military duty stationed in the state. If the person on

1 active military duty is reassigned out-of-state, the student maintains
2 the status as a resident student so long as the student is continuously
3 enrolled in a degree program;

4 (i) A student who resides in the state of Washington and is the
5 spouse or a dependent of a person who is a member of the Washington
6 national guard;

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

10 (k) A student who meets the requirements of RCW 28B.15.0131:
11 PROVIDED, That a nonresident student enrolled for more than six hours
12 per semester or quarter shall be considered as attending for primarily
13 educational purposes, and for tuition and fee paying purposes only such
14 period of enrollment shall not be counted toward the establishment of
15 a bona fide domicile of one year in this state unless such student
16 proves that the student has in fact established a bona fide domicile in
17 this state primarily for purposes other than educational.

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

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

27 (b) A person who is not a citizen of the United States of America
28 who does not have permanent or temporary resident status or does not
29 hold "Refugee-Parolee" or "Conditional Entrant" status with the United
30 States citizenship immigration (~~(and naturalization)~~) services or is
31 not otherwise permanently residing in the United States under color of
32 law and who does not also meet and comply with all the applicable
33 requirements in this section and RCW 28B.15.013.

34 (4) The term "domicile" shall denote a person's true, fixed and
35 permanent home and place of habitation. It is the place where the
36 student intends to remain, and to which the student expects to return
37 when the student leaves without intending to establish a new domicile

1 elsewhere. The burden of proof that a student, parent or guardian has
2 established a domicile in the state of Washington primarily for
3 purposes other than educational lies with the student.

4 (5) The term "dependent" shall mean a person who is not financially
5 independent. Factors to be considered in determining whether a person
6 is financially independent shall be set forth in rules (~~and~~
7 ~~regulations~~) adopted by the (~~higher education coordinating~~) student
8 financial assistance board and shall include, but not be limited to,
9 the state and federal income tax returns of the person and/or the
10 student's parents or legal guardian filed for the calendar year prior
11 to the year in which application is made and such other evidence as the
12 board may require.

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

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

16 (b) The Washington national guard; or

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

20 **Sec. 143.** RCW 28B.15.013 and 1989 c 175 s 79 are each amended to
21 read as follows:

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

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

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

32 (b) A person does not lose a domicile in the state of Washington by
33 reason of residency in any state or country while a member of the civil
34 or military service of this state or of the United States, nor while
35 engaged in the navigation of the waters of this state or of the United
36 States or of the high seas if that person returns to the state of
37 Washington within one year of discharge from said service with the

1 intent to be domiciled in the state of Washington; any resident
2 dependent student who remains in this state when such student's
3 parents, having theretofore been domiciled in this state for a period
4 of one year immediately prior to the time of commencement of the first
5 day of the semester or quarter for which the student has registered at
6 any institution, remove from this state, shall be entitled to continued
7 classification as a resident student so long as such student's
8 attendance (except summer sessions) at an institution in this state is
9 continuous.

10 (3) To aid the institution in deciding whether a student, parent,
11 legally appointed guardian or the person having legal custody of a
12 student is domiciled in the state of Washington primarily for purposes
13 other than educational, the rules and regulations adopted by the
14 (~~higher education coordinating~~) student financial assistance board
15 shall include but not be limited to the following:

16 (a) Registration or payment of Washington taxes or fees on a motor
17 vehicle, mobile home, travel trailer, boat, or any other item of
18 personal property owned or used by the person for which state
19 registration or the payment of a state tax or fee is required will be
20 a factor in considering evidence of the establishment of a Washington
21 domicile.

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

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

26 (4) After a student has registered at an institution such student's
27 classification shall remain unchanged in the absence of satisfactory
28 evidence to the contrary. A student wishing to apply for a change in
29 classification shall reduce such evidence to writing and file it with
30 the institution. In any case involving an application for a change
31 from nonresident to resident status, the burden of proof shall rest
32 with the applicant. Any change in classification, either nonresident
33 to resident, or the reverse, shall be based upon written evidence
34 maintained in the files of the institution and, if approved, shall take
35 effect the semester or quarter such evidence was filed with the
36 institution: PROVIDED, That applications for a change in
37 classification shall be accepted up to the thirtieth calendar day

1 following the first day of instruction of the quarter or semester for
2 which application is made.

3 **Sec. 144.** RCW 28B.15.015 and 1985 c 370 s 64 are each amended to
4 read as follows:

5 The (~~higher education coordinating~~) student financial assistance
6 board, upon consideration of advice from representatives of the state's
7 institutions with the advice of the attorney general, shall adopt rules
8 and regulations to be used by the state's institutions for determining
9 a student's resident and nonresident status and for recovery of fees
10 for improper classification of residency.

11 **Sec. 145.** RCW 28B.15.100 and 2003 c 232 s 6 are each amended to
12 read as follows:

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

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

35 (3) Full-time students registered for more than eighteen credit
36 hours shall be charged an additional operating fee for each credit hour

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

9 **Sec. 146.** RCW 28B.15.543 and 2004 c 275 s 49 are each amended to
10 read as follows:

11 (1) Subject to the limitations of RCW 28B.15.910, the governing
12 boards of the state universities, the regional universities, The
13 Evergreen State College, and the community colleges shall waive tuition
14 and service and activities fees for students named by the (~~higher~~
15 ~~education-coordinating~~) student financial assistance board on or
16 before June 30, 1994, as recipients of the Washington scholars award
17 under RCW 28A.600.100 through 28A.600.150. The waivers shall be used
18 only for undergraduate studies. To qualify for the waiver, recipients
19 shall enter the college or university within three years of high school
20 graduation and maintain a minimum grade point average at the college or
21 university equivalent to 3.30. Students shall be eligible to receive
22 a maximum of twelve quarters or eight semesters of waivers and may
23 transfer among state-supported institutions of higher education during
24 that period and continue to have the tuition and services and
25 activities fees waived by the state-supported institution of higher
26 education that the student attends. Should the student's cumulative
27 grade point average fall below 3.30 during the first three quarters or
28 two semesters, that student may petition the (~~higher-education~~
29 ~~coordinating~~) student financial assistance board which shall have the
30 authority to establish a probationary period until such time as the
31 student's grade point average meets required standards.

32 (2) Students named by the (~~higher-education-coordinating~~) student
33 financial assistance board after June 30, 1994, as recipients of the
34 Washington scholars award under RCW 28A.600.100 through 28A.600.150
35 shall be eligible to receive a grant for undergraduate course work as
36 authorized under RCW 28B.76.660.

1 **Sec. 147.** RCW 28B.15.732 and 1985 c 370 s 70 are each amended to
2 read as follows:

3 Prior to January 1st of each odd-numbered year the ((~~higher~~
4 ~~education—coordinating~~)) student financial assistance board, in
5 cooperation with the state board for community and technical colleges
6 ((~~education~~)), and in consultation with appropriate agencies and
7 officials in the state of Oregon, shall determine for the purposes of
8 RCW 28B.15.730 the number of students for whom nonresident tuition and
9 fees have been waived for the first academic year of the biennium and
10 the fall term of the second academic year, and make an estimate of the
11 number of such students for the remainder of the second academic year,
12 and the difference between the aggregate amount of tuition and fees
13 that would have been paid to the respective states by residents of the
14 other state had such waivers not been made, and the aggregate amount of
15 tuition and fees paid by residents of the other state. Should the
16 board determine that the state of Oregon has experienced a greater net
17 tuition and fee revenue loss than institutions in Washington, it shall
18 pay from funds appropriated for this purpose to the appropriate agency
19 or institutions in Oregon an amount determined by subtracting the net
20 tuition and fee revenue loss of Washington from the net tuition and fee
21 revenue loss of Oregon, minus twenty-five thousand dollars for each
22 year of the biennium: PROVIDED, That appropriate officials in the
23 state of Oregon agree to make similar restitution to the state of
24 Washington should the net tuition and fee revenue loss in Washington be
25 greater than that in Oregon.

26 **Sec. 148.** RCW 28B.15.736 and 1985 c 370 s 72 are each amended to
27 read as follows:

28 By January 10th of each odd-numbered year, the ((~~higher—education~~
29 ~~coordinating~~)) student financial assistance board shall review the
30 costs and benefits of this program and shall transmit copies of their
31 review to the governor and the appropriate policy and fiscal committees
32 of the legislature.

33 **Sec. 149.** RCW 28B.15.752 and 1985 c 370 s 74 are each amended to
34 read as follows:

35 Prior to January 1st of each odd-numbered year, the ((~~higher~~
36 ~~education—coordinating~~)) student financial assistance board, in

1 cooperation with the state board for community and technical colleges
2 (~~education~~) and in consultation with appropriate agencies and
3 officials in the state of Idaho, shall determine for the purposes of
4 RCW 28B.15.750 the number of students for whom nonresident tuition and
5 fees have been waived for the first academic year of the biennium and
6 the fall term of the second academic year, and make an estimate of the
7 number of such students for the remainder of the second academic year,
8 and the difference between the aggregate amount of tuition and fees
9 that would have been paid to the respective states by residents of the
10 other state had such waivers not been made, and the aggregate amount of
11 tuition and fees paid by residents of the other state. Should the
12 board determine that the state of Idaho has experienced a greater net
13 tuition and fee revenue loss than institutions in Washington, it shall
14 pay from funds appropriated for this purpose to the appropriate agency
15 or institution in Idaho an amount determined by subtracting the net
16 tuition and fee revenue loss of Washington from the net tuition and fee
17 revenue loss of Idaho, minus twenty-five thousand dollars for each year
18 of the biennium if the appropriate officials in the state of Idaho
19 agree to make similar restitution to the state of Washington should the
20 net tuition and fee revenue loss in Washington be greater than that in
21 Idaho.

22 **Sec. 150.** RCW 28B.15.760 and 2004 c 275 s 65 are each amended to
23 read as follows:

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

26 (1) "Institution of higher education" or "institution" means a
27 college or university in the state of Washington which is a member
28 institution of an accrediting association recognized as such by rule of
29 the (~~higher education coordinating~~) student financial assistance
30 board.

31 (2) "Board" means the (~~higher education coordinating~~) student
32 financial assistance board.

33 (3) "Eligible student" means a student registered for at least ten
34 credit hours or the equivalent and demonstrates achievement of a 3.00
35 grade point average for each academic year, who is a resident student
36 as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy
37 student" as defined in RCW 28B.92.030, and who has a declared major in

1 a program leading to a degree in teacher education in a field of
2 science or mathematics, or a certificated teacher who meets the same
3 credit hour and "needy student" requirements and is seeking an
4 additional degree in science or mathematics.

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

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

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

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

14 **Sec. 151.** RCW 28B.15.762 and 1996 c 107 s 2 are each amended to
15 read as follows:

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

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

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

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

25 (5) The board shall adopt necessary rules to implement this
26 section.

27 **Sec. 152.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and
28 2009 c 64 s 3 are each reenacted and amended to read as follows:

29 The definitions in this section apply throughout this chapter
30 unless the context clearly requires otherwise.

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

1 do not hold a high school degree or diploma and who are attending a
2 public high school for the sole purpose of obtaining a high school
3 diploma or certificate, nor shall "adult education" include education
4 or instruction provided by any four-year public institution of higher
5 education.

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

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

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

15 (3) "Board" means the workforce training and education coordinating
16 board.

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

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

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

26 (7) "Common school board" means a public school district board of
27 directors.

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

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

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

1 services or goods; and (b) at the time of last separation from
2 employment, resided in or was employed in a rural natural resources
3 impact area.

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

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

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

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

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

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

1 degree, and education and training that will prepare a student for
2 transfer to bachelor's degrees in professional fields, subject to rules
3 adopted by the college board.

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

5 (a) Washington public community and technical colleges;

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

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

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

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

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

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

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

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

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

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

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

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

1 delivery area of which any part is ten miles or more from an urbanized
2 area is considered nonurbanized. A zip code totally surrounded by zip
3 codes qualifying as nonurbanized under this definition is also
4 considered nonurbanized. The office of financial management shall make
5 available a zip code listing of the areas to all agencies and
6 organizations providing services under this chapter.

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

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

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

24 **Sec. 153.** RCW 28B.50.272 and 2007 c 277 s 102 are each amended to
25 read as follows:

26 (1) To be eligible for participation in the opportunity grant
27 program established in RCW 28B.50.271, a student must:

28 (a) Be a Washington resident student as defined in RCW 28B.15.012
29 enrolled in an opportunity grant-eligible program of study;

30 (b) Have a family income that is at or below two hundred percent of
31 the federal poverty level using the most current guidelines available
32 from the United States department of health and human services, and be
33 determined to have financial need based on the free application for
34 federal student aid; and

35 (c) Meet such additional selection criteria as the college board
36 shall establish in order to operate the program within appropriated
37 funding levels.

1 (2) Upon enrolling, the student must provide evidence of commitment
2 to complete the program. The student must make satisfactory progress
3 and maintain a cumulative 2.0 grade point average for continued
4 eligibility. If a student's cumulative grade point average falls below
5 2.0, the student may petition the institution of higher education of
6 attendance. The qualified institution of higher education has the
7 authority to establish a probationary period until such time as the
8 student's grade point average reaches required standards.

9 (3) Subject to funds appropriated for this specific purpose, public
10 qualified institutions of higher education shall receive an enhancement
11 of one thousand five hundred dollars for each full-time equivalent
12 student enrolled in the opportunity grant program whose income is below
13 two hundred percent of the federal poverty level. The funds shall be
14 used for individualized support services which may include, but are not
15 limited to, college and career advising, tutoring, emergency child
16 care, and emergency transportation. The qualified institution of
17 higher education is expected to help students access all financial
18 resources and support services available to them through alternative
19 sources.

20 (4) The college board shall be accountable for student retention
21 and completion of opportunity grant-eligible programs of study. It
22 shall set annual performance measures and targets and monitor the
23 performance at all qualified institutions of higher education. The
24 college board must reduce funding at institutions of higher education
25 that do not meet targets for two consecutive years, based on criteria
26 developed by the college board.

27 (5) The college board and (~~(higher education coordinating)~~) student
28 financial assistance board shall work together to ensure that students
29 participating in the opportunity grant program are informed of all
30 other state and federal financial aid to which they may be entitled
31 while receiving an opportunity grant.

32 (6) The college board and (~~(higher education coordinating)~~) student
33 financial assistance board shall document the amount of opportunity
34 grant assistance and the types and amounts of other sources of
35 financial aid received by participating students. Annually, they shall
36 produce a summary of the data.

37 (7) The college board shall:

1 (a) Begin developing the program no later than August 1, 2007, with
2 student enrollment to begin no later than January 14, 2008; and

3 (b) Submit a progress report to the legislature by December 1,
4 2008.

5 (8) The college board may, in implementing the opportunity grant
6 program, accept, use, and expend or dispose of contributions of money,
7 services, and property. All such moneys received by the college board
8 for the program must be deposited in an account at a depository
9 approved by the state treasurer. Only the college board or a duly
10 authorized representative thereof may authorize expenditures from this
11 account. In order to maintain an effective expenditure and revenue
12 control, the account is subject in all respects to chapter 43.88 RCW,
13 but no appropriation is required to permit expenditure of moneys in the
14 account.

15 **Sec. 154.** RCW 28B.92.020 and 2003 c 19 s 11 are each amended to
16 read as follows:

17 (1) The legislature finds that the (~~higher—education~~
18 ~~coordinating~~) board, in consultation with the higher education
19 community, has completed a review of the state need grant program. It
20 is the intent of the legislature to endorse the board's proposed
21 changes to the state need grant program, including:

22 (a) Reaffirmation that the primary purpose of the state need grant
23 program is to assist low-income, needy, and disadvantaged Washington
24 residents attending institutions of higher education;

25 (b) A goal that the base state need grant amount over time be
26 increased to be equivalent to the rate of tuition charged to resident
27 undergraduate students attending Washington state public colleges and
28 universities;

29 (c) State need grant recipients be required to contribute a portion
30 of the total cost of their education through self-help;

31 (d) State need grant recipients be required to document their need
32 for dependent care assistance after taking into account other public
33 funds provided for like purposes; and

34 (e) Institutional aid administrators be allowed to determine
35 whether a student eligible for a state need grant in a given academic
36 year may remain eligible for the ensuing year if the student's family

1 income increases by no more than a marginal amount except for funds
2 provided through the educational assistance grant program for students
3 with dependents.

4 (2) The legislature further finds that the ((~~higher education~~
5 ~~coordinating~~)) board, under its authority to implement the proposed
6 changes in subsection (1) of this section, should do so in a timely
7 manner.

8 (3) The legislature also finds that:

9 (a) In most circumstances, need grant eligibility should not extend
10 beyond five years or one hundred twenty-five percent of the published
11 length of the program in which the student is enrolled or the credit or
12 clock-hour equivalent; and

13 (b) State financial aid programs should continue to adhere to the
14 principle that funding follows resident students to their choice of
15 institution of higher education.

16 **Sec. 155.** RCW 28B.92.030 and 2009 c 238 s 7 and 2009 c 215 s 5 are
17 each reenacted and amended to read as follows:

18 As used in this chapter:

19 (1) "Board" means the ((~~higher education coordinating~~)) student
20 financial assistance board.

21 (2) "Disadvantaged student" means a ((~~post-high~~)) posthigh school
22 student who by reason of adverse cultural, educational, environmental,
23 experiential, familial or other circumstances is unable to qualify for
24 enrollment as a full-time student in an institution of higher
25 education, who would otherwise qualify as a needy student, and who is
26 attending an institution of higher education under an established
27 program designed to qualify the student for enrollment as a full-time
28 student.

29 (3) "Financial aid" means loans and/or grants to needy students
30 enrolled or accepted for enrollment as a student at institutions of
31 higher education.

32 (4) "Institution" or "institutions of higher education" means:

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

36 (b) Any other university, college, school, or institute in the
37 state of Washington offering instruction beyond the high school level

1 which is a member institution of an accrediting association recognized
2 by rule of the board for the purposes of this section: PROVIDED, That
3 any institution, branch, extension or facility operating within the
4 state of Washington which is affiliated with an institution operating
5 in another state must be a separately accredited member institution of
6 any such accrediting association, or a branch of a member institution
7 of an accrediting association recognized by rule of the board for
8 purposes of this section, that is eligible for federal student
9 financial aid assistance and has operated as a nonprofit college or
10 university delivering on-site classroom instruction for a minimum of
11 twenty consecutive years within the state of Washington, and has an
12 annual enrollment of at least seven hundred full-time equivalent
13 students: PROVIDED FURTHER, That no institution of higher education
14 shall be eligible to participate in a student financial aid program
15 unless it agrees to and complies with program rules and regulations
16 adopted pursuant to RCW 28B.92.150.

17 (5) "Needy student" means a (~~post-high~~) posthigh school student
18 of an institution of higher education who demonstrates to the board the
19 financial inability, either through the student's parents, family
20 and/or personally, to meet the total cost of board, room, books, and
21 tuition and incidental fees for any semester or quarter. "Needy
22 student" also means an opportunity internship graduate as defined by
23 RCW 28C.18.162 who enrolls in a postsecondary program of study as
24 defined in RCW 28C.18.162 within one year of high school graduation.

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

30 **Sec. 156.** RCW 28B.95.020 and 2007 c 405 s 8 are each amended to
31 read as follows:

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

34 (1) "Academic year" means the regular nine-month, three-quarter, or
35 two-semester period annually occurring between August 1st and July
36 31st.

1 (2) "Account" means the Washington advanced college tuition payment
2 program account established for the deposit of all money received by
3 the board from eligible purchasers and interest earnings on investments
4 of funds in the account, as well as for all expenditures on behalf of
5 eligible beneficiaries for the redemption of tuition units and for the
6 development of any authorized college savings program pursuant to RCW
7 28B.95.150.

8 (3) "Board" means the (~~(higher education coordinating)~~) student
9 financial assistance board as defined in chapter 28B.76 RCW.

10 (4) "Committee on advanced tuition payment" or "committee" means a
11 committee of the following members: The state treasurer, the director
12 of the office of financial management, the executive director of the
13 (~~(higher education coordinating)~~) board, or their designees, and two
14 members to be appointed by the governor, one representing program
15 participants and one private business representative with marketing,
16 public relations, or financial expertise.

17 (5) "Governing body" means the committee empowered by the
18 legislature to administer the Washington advanced college tuition
19 payment program.

20 (6) "Contractual obligation" means a legally binding contract of
21 the state with the purchaser and the beneficiary establishing that
22 purchases of tuition units will be worth the same number of tuition
23 units at the time of redemption as they were worth at the time of the
24 purchase.

25 (7) "Eligible beneficiary" means the person for whom the tuition
26 unit will be redeemed for attendance at an institution of higher
27 education. The beneficiary is that person named by the purchaser at
28 the time that a tuition unit contract is accepted by the governing
29 body. Qualified organizations, as allowed under section 529 of the
30 federal internal revenue code, purchasing tuition unit contracts as
31 future scholarships need not designate a beneficiary at the time of
32 purchase.

33 (8) "Eligible purchaser" means an individual or organization that
34 has entered into a tuition unit contract with the governing body for
35 the purchase of tuition units for an eligible beneficiary. The state
36 of Washington may be an eligible purchaser for purposes of purchasing
37 tuition units to be held for granting Washington college bound
38 scholarships.

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

4 (10) "Institution of higher education" means an institution that
5 offers education beyond the secondary level and is recognized by the
6 internal revenue service under chapter 529 of the internal revenue
7 code.

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

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

12 (13) "Tuition and fees" means undergraduate tuition and services
13 and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded
14 to the nearest whole dollar. For purposes of this chapter, services
15 and activities fees do not include fees charged for the payment of
16 bonds heretofore or hereafter issued for, or other indebtedness
17 incurred to pay, all or part of the cost of acquiring, constructing, or
18 installing any lands, buildings, or facilities.

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

24 (15) "Unit purchase price" means the minimum cost to purchase one
25 tuition unit for an eligible beneficiary. Generally, the minimum
26 purchase price is one percent of the undergraduate tuition and fees for
27 the current year, rounded to the nearest whole dollar, adjusted for the
28 costs of administration and adjusted to ensure the actuarial soundness
29 of the account. The analysis for price setting shall also include, but
30 not be limited to consideration of past and projected patterns of
31 tuition increases, program liability, past and projected investment
32 returns, and the need for a prudent stabilization reserve.

33 **Sec. 157.** RCW 28B.95.025 and 2000 c 14 s 2 are each amended to
34 read as follows:

35 The board shall maintain appropriate offices and employ and fix
36 compensation of such personnel as may be necessary to perform the
37 advanced college tuition payment program duties. The board shall

1 consult with the governing body on the selection, compensation, and
2 other issues relating to the employment of the program director. The
3 positions are exempt from classified service under chapter 41.06 RCW.
4 The employees shall be employees of the (~~higher education~~
5 ~~coordinating~~) board.

6 **Sec. 158.** RCW 28B.95.040 and 1997 c 289 s 4 are each amended to
7 read as follows:

8 The governing body may, at its discretion, allow an organization to
9 purchase tuition units for future use as scholarships. Such
10 organizations electing to purchase tuition units for this purpose must
11 enter into a contract with the governing body which, at a minimum,
12 ensures that the scholarship shall be freely given by the purchaser to
13 a scholarship recipient. For such purchases, the purchaser need not
14 name a beneficiary until four months before the date when the tuition
15 units are first expected to be used.

16 The governing body shall formulate and adopt such rules as are
17 necessary to determine which organizations may qualify to purchase
18 tuition units for scholarships under this section. The governing body
19 also may consider additional rules for the use of tuition units if
20 purchased as scholarships.

21 The governing body may establish a scholarship fund with moneys
22 from the Washington advanced college tuition payment program account.
23 A scholarship fund established under this authority shall be
24 administered by the (~~higher education coordinating~~) board and shall
25 be provided to students who demonstrate financial need. Financial need
26 is not a criterion that any other organization need consider when using
27 tuition units as scholarships. The board also may establish its own
28 corporate-sponsored scholarship fund under this chapter.

29 **Sec. 159.** RCW 28B.95.060 and 2007 c 214 s 13 are each amended to
30 read as follows:

31 (1) The Washington advanced college tuition payment program account
32 is created in the custody of the state treasurer. The account shall be
33 a discrete nontreasury account retaining its interest earnings in
34 accordance with RCW 43.79A.040.

35 (2)(a) Except as provided in (b) of this subsection, the governing
36 body shall deposit in the account all money received for the program.

1 The account shall be self-sustaining and consist of payments received
2 from purchasers of tuition units and funds received from other sources,
3 public or private. With the exception of investment and operating
4 costs associated with the investment of money by the investment board
5 paid under RCW 43.33A.160 and 43.84.160, the account shall be credited
6 with all investment income earned by the account. Disbursements from
7 the account are exempt from appropriations and the allotment provisions
8 of chapter 43.88 RCW. Money used for program administration is subject
9 to the allotment of all expenditures. However, an appropriation is not
10 required for such expenditures. Program administration shall include,
11 but not be limited to: The salaries and expenses of the program
12 personnel including lease payments, travel, and goods and services
13 necessary for program operation; contracts for program promotion and
14 advertisement, audits, and account management; and other general costs
15 of conducting the business of the program.

16 (b) All money received by the program from the (~~higher education~~
17 ~~coordinating~~) board for the GET ready for math and science scholarship
18 program shall be deposited in the GET ready for math and science
19 scholarship account created in RCW 28B.105.110.

20 (3) The assets of the account may be spent without appropriation
21 for the purpose of making payments to institutions of higher education
22 on behalf of the qualified beneficiaries, making refunds, transfers, or
23 direct payments upon the termination of the Washington advanced college
24 tuition payment program. Disbursements from the account shall be made
25 only on the authorization of the governing body.

26 (4) With regard to the assets of the account, the state acts in a
27 fiduciary, not ownership, capacity. Therefore the assets of the
28 program are not considered state money, common cash, or revenue to the
29 state.

30 **Sec. 160.** RCW 28B.95.160 and 2007 c 214 s 12 are each amended to
31 read as follows:

32 Ownership of tuition units purchased by the (~~higher education~~
33 ~~coordinating~~) board for the GET ready for math and science scholarship
34 program under RCW 28B.105.070 shall be in the name of the state of
35 Washington and may be redeemed by the state of Washington on behalf of
36 recipients of GET ready for math and science scholarship program
37 scholarships for tuition and fees.

1 **Sec. 161.** RCW 28B.97.020 and 2009 c 215 s 14 are each amended to
2 read as follows:

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

5 (1) "Board" means the (~~higher education coordinating~~) student
6 financial assistance board.

7 (2) "Institution of higher education" means a college or university
8 in the state of Washington that is accredited by an accrediting
9 association recognized as such by rule of the board.

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

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

13 **Sec. 162.** RCW 28B.101.010 and 2003 c 233 s 2 are each amended to
14 read as follows:

15 The educational opportunity grant program is hereby created to
16 serve placebound financially needy students by assisting them to obtain
17 a baccalaureate degree at public and private institutions of higher
18 education approved for participation by the (~~higher education~~
19 ~~coordinating~~) student financial assistance board.

20 **Sec. 163.** RCW 28B.101.030 and 1990 c 288 s 5 are each amended to
21 read as follows:

22 The (~~higher education coordinating~~) student financial assistance
23 board shall develop and administer the educational opportunity grant
24 program. The student financial assistance board shall adopt necessary
25 rules and guidelines and develop criteria and procedures to select
26 eligible participants in the program. Payment shall be made directly
27 to the eligible participant periodically upon verification of
28 enrollment and satisfactory progress towards degree completion.

29 **Sec. 164.** RCW 28B.101.040 and 2003 c 233 s 4 are each amended to
30 read as follows:

31 Grants may be used by eligible participants to attend any public or
32 private college or university in the state of Washington that is
33 accredited by an accrediting association recognized by rule of the
34 (~~higher education coordinating~~) student financial assistance board
35 for the program and that complies with eligibility criteria established

1 by rule of the (~~higher education coordinating~~) student financial
2 assistance board. The participant shall not be eligible for a grant if
3 it will be used for any programs that include religious worship,
4 exercise, or instruction or to pursue a degree in theology. Each
5 participating student may receive up to two thousand five hundred
6 dollars per academic year, not to exceed the student's demonstrated
7 financial need for the course of study.

8 **Sec. 165.** RCW 28B.101.050 and 2009 c 215 s 2 are each amended to
9 read as follows:

10 (1) The legislature intends to consolidate the educational
11 opportunity grant program over a period of two years. As of August 1,
12 2009, no new educational opportunity grants may be made. Persons who
13 have been selected by the (~~higher education coordinating~~) student
14 financial assistance board to receive a grant before August 1, 2009,
15 shall receive the full amount of their award, not to exceed two
16 thousand five hundred dollars per academic year for a maximum of two
17 years. All persons awarded an educational opportunity grant before
18 August 1, 2009, must complete using the award before August 1, 2011.
19 For these recipients, eligibility for the grant is forfeited after this
20 period.

21 (2) This section expires August 1, 2011.

22 **Sec. 166.** RCW 28B.102.020 and 2004 c 58 s 2 are each amended to
23 read as follows:

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

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

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

33 (3) "Board" means the (~~higher education coordinating~~) student
34 financial assistance board.

35 (4) "Eligible student" means a student who is registered for at
36 least six credit hours or the equivalent, demonstrates high academic

1 achievement, is a resident student as defined by RCW 28B.15.012 and
2 28B.15.013, and has a declared intention to complete an approved
3 preparation program leading to initial teacher certification or
4 required for earning an additional endorsement, and commits to teaching
5 service in the state of Washington.

6 (5) "Public school" means an elementary school, a middle school,
7 junior high school, or high school within the public school system
8 referred to in Article IX of the state Constitution.

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

12 (7) "Satisfied" means paid-in-full.

13 (8) "Participant" means an eligible student who has received a
14 conditional scholarship or loan repayment under this chapter.

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

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

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

23 (b) Other K-12 educational sites in the state of Washington as
24 designated by the board.

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

29 (12) "Teacher shortage area" means a shortage of elementary or
30 secondary school teachers in a specific subject area, discipline,
31 classification, or geographic area as defined by the office of the
32 superintendent of public instruction.

33 **Sec. 167.** RCW 28B.102.030 and 2004 c 58 s 3 are each amended to
34 read as follows:

35 The future teachers conditional scholarship and loan repayment
36 program is established. The program shall be administered by the

1 ((~~higher education coordinating~~)) board. In administering the program,
2 the board shall have the following powers and duties:

3 (1) Select students to receive conditional scholarships or loan
4 repayments;

5 (2) Adopt necessary rules and guidelines;

6 (3) Publicize the program;

7 (4) Collect and manage repayments from students who do not meet
8 their teaching obligations under this chapter; and

9 (5) Solicit and accept grants and donations from public and private
10 sources for the program.

11 **Sec. 168.** RCW 28B.105.020 and 2007 c 214 s 2 are each amended to
12 read as follows:

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

15 (1) "Board" means the ((~~higher education coordinating~~)) student
16 financial assistance board.

17 (2) "GET units" means tuition units under the advanced college
18 tuition payment program in chapter 28B.95 RCW.

19 (3) "Institution of higher education" has the same meaning as in
20 RCW 28B.92.030.

21 (4) "Program administrator" means the private nonprofit corporation
22 that is registered under Title 24 RCW and qualified as a tax-exempt
23 entity under section 501(c)(3) of the federal internal revenue code,
24 that will serve as the private partner in the public-private
25 partnership under this chapter.

26 (5) "Qualified program" or "qualified major" means a mathematics,
27 science, or related degree program or major line of study offered by an
28 institution of higher education that is included on the list of
29 programs or majors selected by the board and the program administrator
30 under RCW 28B.105.100.

31 **Sec. 169.** RCW 28B.106.010 and 1988 c 125 s 9 are each amended to
32 read as follows:

33 The following definitions shall apply throughout this chapter,
34 unless the context clearly indicates otherwise:

35 (1) "College savings bonds" or "bonds" are Washington state general

1 obligation bonds, issued under the authority of and in accordance with
2 this chapter.

3 (2) "Board" means the (~~(higher education coordinating)~~) student
4 financial assistance board, or any successor thereto.

5 **Sec. 170.** RCW 28B.108.010 and 2004 c 275 s 69 are each amended to
6 read as follows:

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

9 (1) "Institution of higher education" or "institution" means a
10 college or university in the state of Washington which is accredited by
11 an accrediting association recognized as such by rule of the (~~(higher~~
12 ~~education coordinating)~~) student financial assistance board.

13 (2) "Board" means the (~~(higher education coordinating)~~) student
14 financial assistance board.

15 (3) "Eligible student" or "student" means an American Indian who is
16 a financially needy student, as defined in RCW 28B.92.030, who is a
17 resident student, as defined by RCW 28B.15.012(2), who is a full-time
18 student at an institution of higher education, and who promises to use
19 his or her education to benefit other American Indians.

20 **Sec. 171.** RCW 28B.108.020 and 2009 c 259 s 1 are each amended to
21 read as follows:

22 The American Indian endowed scholarship program is created. The
23 program shall be administered by the (~~(higher education coordinating)~~)
24 board. In administering the program, the board's powers and duties
25 shall include but not be limited to:

26 (1) Selecting students to receive scholarships, with the assistance
27 of a screening committee composed of persons involved in helping
28 American Indian students to obtain a higher education. The membership
29 of the committee may include, but is not limited to representatives of:
30 Indian tribes, urban Indians, the governor's office of Indian affairs,
31 the Washington state Indian education association, and institutions of
32 higher education;

33 (2) Adopting necessary rules and guidelines;

34 (3) Publicizing the program;

35 (4) Accepting and depositing donations into the endowment fund
36 created in RCW 28B.108.060;

1 (5) Requesting from the state investment board and accepting from
2 the state treasurer moneys earned from the endowment fund created in
3 RCW 28B.108.060;

4 (6) Soliciting and accepting grants and donations from public and
5 private sources for the program; and

6 (7) Naming scholarships in honor of those American Indians from
7 Washington who have acted as role models.

8 **Sec. 172.** RCW 28B.108.030 and 1991 c 228 s 11 are each amended to
9 read as follows:

10 The (~~higher education coordinating~~) board shall establish an
11 advisory committee to assist in program design and to develop criteria
12 for the screening and selection of scholarship recipients. The
13 committee shall be composed of representatives of the same groups as
14 the screening committee described in RCW 28B.108.020. The criteria
15 shall assess the student's social and cultural ties to an American
16 Indian community within the state. The criteria shall include a
17 priority for upper-division or graduate students. The criteria may
18 include a priority for students who are majoring in program areas in
19 which expertise is needed by the state's American Indians.

20 **Sec. 173.** RCW 28B.108.060 and 2009 c 259 s 2 are each amended to
21 read as follows:

22 The American Indian scholarship endowment fund is created in the
23 custody of the state treasurer. The investment of the endowment fund
24 shall be managed by the state investment board. Funds appropriated by
25 the legislature for the endowment fund must be deposited into the fund.

26 (1) Moneys received from the (~~higher education coordinating~~)
27 board, private donations, state moneys, and funds received from any
28 other source may be deposited into the endowment fund. Private moneys
29 received as a gift subject to conditions may be deposited into the
30 fund.

31 (2) At the request of the (~~higher education coordinating~~) board,
32 the state investment board shall release earnings from the endowment
33 fund to the state treasurer. The state treasurer shall then release
34 those funds at the request of the (~~higher education coordinating~~)
35 board for scholarships. No appropriation is required for expenditures
36 from the endowment fund.

1 (3) When notified by the (~~higher education coordinating~~) board
2 that a condition attached to a gift of private moneys in the fund has
3 failed, the state investment board shall release those moneys to the
4 (~~higher education coordinating~~) board. The (~~higher education~~
5 ~~coordinating~~) board shall then release the moneys to the donors
6 according to the terms of the conditional gift.

7 (4) The principal of the endowment fund shall not be invaded. The
8 release of moneys under subsection (3) of this section shall not
9 constitute an invasion of corpus.

10 (5) The earnings on the fund shall be used solely for the purposes
11 set forth in RCW 28B.108.040, except when the terms of a conditional
12 gift of private moneys in the fund require that a portion of earnings
13 on such moneys be reinvested in the fund.

14 **Sec. 174.** RCW 28B.109.010 and 1996 c 253 s 401 are each amended to
15 read as follows:

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

18 (1) "Board" means the (~~higher education coordinating~~) student
19 financial assistance board.

20 (2) "Eligible participant" means an international student whose
21 country of residence has a trade relationship with the state of
22 Washington.

23 (3) "Institution of higher education" or "institution" means a
24 college or university in the state of Washington that is accredited by
25 an accrediting association recognized as such by rule of the board.

26 (4) "Service obligation" means volunteering for a minimum number of
27 hours as established by the board based on the amount of scholarship
28 award, to speak to or teach groups of Washington citizens, including
29 but not limited to elementary, middle, and high schools, service clubs,
30 and universities.

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

1 **Sec. 175.** RCW 28B.115.020 and 1991 c 332 s 15 are each amended to
2 read as follows:

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

5 (1) "Board" means the (~~higher education coordinating~~) student
6 financial assistance board.

7 (2) "Department" means the state department of health.

8 (3) "Eligible education and training programs" means education and
9 training programs approved by the department that lead to eligibility
10 for a credential as a credentialed health care professional.

11 (4) "Eligible expenses" means reasonable expenses associated with
12 the costs of acquiring an education such as tuition, books, equipment,
13 fees, room and board, and other expenses determined by the board.

14 (5) "Eligible student" means a student who has been accepted into
15 an eligible education or training program and has a declared intention
16 to serve in a health professional shortage area upon completion of the
17 education or training program.

18 (6) "Forgiven" or "to forgive" or "forgiveness" means to render
19 health care services in a health professional shortage area in the
20 state of Washington in lieu of monetary repayment.

21 (7) "Health professional shortage areas" means those areas where
22 credentialed health care professionals are in short supply as a result
23 of geographic maldistribution or as the result of a short supply of
24 credentialed health care professionals in specialty health care areas
25 and where vacancies exist in serious numbers that jeopardize patient
26 care and pose a threat to the public health and safety. The department
27 shall determine health professional shortage areas as provided for in
28 RCW 28B.115.070, or until June 1, 1992, as provided for in RCW
29 28B.115.060. In making health professional shortage area designations
30 in the state the department may be guided by applicable federal
31 standards for "health manpower shortage areas," and "medically
32 underserved areas," and "medically underserved populations."

33 (8) "Credentialed health care profession" means a health care
34 profession regulated by a disciplining authority in the state of
35 Washington under RCW 18.130.040 or by the state board of pharmacy under
36 chapter 18.64 RCW and designated by the department in RCW 28B.115.070,
37 or until June 1, 1992, as established in RCW 28B.115.060 as a

1 profession having shortages of credentialed health care professionals
2 in the state.

3 (9) "Credentialed health care professional" means a person
4 regulated by a disciplining authority in the state of Washington to
5 practice a health care profession under RCW 18.130.040 or by the state
6 board of pharmacy under chapter 18.64 RCW.

7 (10) "Loan repayment" means a loan that is paid in full or in part
8 if the participant renders health care services in a health
9 professional shortage area as defined by the department.

10 (11) "Nonshortage rural area" means a nonurban area of the state of
11 Washington that has not been designated as a rural physician shortage
12 area. The department shall identify the nonshortage rural areas of the
13 state.

14 (12) "Participant" means a credentialed health care professional
15 who has received a loan repayment award and has commenced practice as
16 a credentialed health care provider in a designated health professional
17 shortage area or an eligible student who has received a scholarship
18 under this program.

19 (13) "Program" means the health professional loan repayment and
20 scholarship program.

21 (14) "Required service obligation" means an obligation by the
22 participant to provide health care services in a health professional
23 shortage area for a period to be established as provided for in this
24 chapter.

25 (15) "Rural physician shortage area" means rural geographic areas
26 where primary care physicians are in short supply as a result of
27 geographic maldistributions and where their limited numbers jeopardize
28 patient care and pose a threat to public health and safety. The
29 department shall designate rural physician shortage areas.

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

31 (17) "Scholarship" means a loan that is forgiven in whole or in
32 part if the recipient renders health care services in a health
33 professional shortage area.

34 (18) "Sponsoring community" means a rural hospital or hospitals as
35 authorized in chapter 70.41 RCW, a rural health care facility or
36 facilities as authorized in chapter 70.175 RCW, or a city or county
37 government or governments.

1 **Sec. 176.** RCW 28B.115.030 and 1991 c 332 s 16 are each amended to
2 read as follows:

3 The health professional loan repayment and scholarship program is
4 established for credentialed health professionals serving in health
5 professional shortage areas. The program shall be administered by the
6 (~~higher education coordinating~~) board. In (~~administering~~)
7 administering this program, the board shall:

8 (1) Select credentialed health care professionals to participate in
9 the loan repayment portion of the loan repayment and scholarship
10 program and select eligible students to participate in the scholarship
11 portion of the loan repayment and scholarship program;

12 (2) Adopt rules and develop guidelines to administer the program;

13 (3) Collect and manage repayments from participants who do not meet
14 their service obligations under this chapter;

15 (4) Publicize the program, particularly to maximize participation
16 among individuals in shortage areas and among populations expected to
17 experience the greatest growth in the workforce;

18 (5) Solicit and accept grants and donations from public and private
19 sources for the program; and

20 (6) Develop criteria for a contract for service in lieu of the
21 service obligation where appropriate, that may be a combination of
22 service and payment.

23 **Sec. 177.** RCW 28B.115.130 and 1991 c 332 s 28 are each amended to
24 read as follows:

25 (1) Any funds appropriated by the legislature for the health
26 professional loan repayment and scholarship program or any other public
27 or private funds intended for loan repayments or scholarships under
28 this program shall be placed in the account created by this section.

29 (2) The health professional loan repayment and scholarship program
30 fund is created in custody of the state treasurer. All receipts from
31 the program shall be deposited into the fund. Only the (~~higher
32 education coordinating~~) board, or its designee, may authorize
33 expenditures from the fund. The fund is subject to allotment
34 procedures under chapter 43.88 RCW, but no appropriation is required
35 for expenditures.

1 **Sec. 178.** RCW 28B.115.140 and 1989 1st ex.s. c 9 s 722 are each
2 amended to read as follows:

3 After consulting with the (~~higher education coordinating~~) board,
4 the governor may transfer the administration of this program to another
5 agency with an appropriate mission.

6 **Sec. 179.** RCW 28B.116.010 and 2005 c 215 s 2 are each amended to
7 read as follows:

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

10 (1) "Institution of higher education" means a college or university
11 in the state of Washington that is accredited by an accrediting
12 association recognized as such by rule of the (~~higher education~~
13 ~~coordinating board~~) office of financial management.

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

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

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

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

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

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

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

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

26 (3) "Cost of attendance" means the cost associated with the
27 attendance of the institution of higher education as determined by the
28 (~~higher education coordinating~~) student financial assistance board,
29 including but not limited to tuition, room, board, and books.

30 (4) "Board" means the student financial assistance board.

31 **Sec. 180.** RCW 28B.116.020 and 2009 c 560 s 20 are each amended to
32 read as follows:

33 (1) The foster care endowed scholarship program is created. The
34 purpose of the program is to help students who were in foster care
35 attend an institution of higher education in the state of Washington.

1 The foster care endowed scholarship program shall be administered by
2 the ((~~higher education coordinating~~)) board.

3 (2) In administering the program, the ((~~higher education~~
4 ~~coordinating~~)) board's powers and duties shall include but not be
5 limited to:

6 (a) Adopting necessary rules and guidelines; and

7 (b) Administering the foster care endowed scholarship trust fund
8 and the foster care scholarship endowment fund.

9 (3) In administering the program, the ((~~higher education~~
10 ~~coordinating~~)) board's powers and duties may include but not be limited
11 to:

12 (a) Working with the department of social and health services and
13 the superintendent of public instruction to provide information about
14 the foster care endowed scholarship program to children in foster care
15 in the state of Washington and to students over the age of sixteen who
16 could be eligible for this program;

17 (b) Publicizing the program; and

18 (c) Contracting with a private agency to perform outreach to the
19 potentially eligible students.

20 **Sec. 181.** RCW 28B.116.030 and 2005 c 215 s 4 are each amended to
21 read as follows:

22 (1) The ((~~higher education coordinating~~)) board may award
23 scholarships to eligible students from the foster care scholarship
24 endowment fund in RCW 28B.116.060, from funds appropriated to the board
25 for this purpose, from any private donations, or from any other funds
26 given to the board for the program.

27 (2) The board may award scholarships to eligible students from
28 moneys earned from the foster care scholarship endowment fund created
29 in RCW 28B.116.060, or from funds appropriated to the board for this
30 purpose, or from any private donations, or from any other funds given
31 to the board for this program. For an undergraduate student, the
32 amount of the scholarship shall not exceed the student's demonstrated
33 financial need. For a graduate student, the amount of the scholarship
34 shall not exceed the student's demonstrated need; or the stipend of a
35 teaching assistant, including tuition, at the University of Washington;
36 whichever is higher. In calculating a student's need, the board shall
37 consider the student's costs for tuition, fees, books, supplies,

1 transportation, room, board, personal expenses, and child care. The
2 student's scholarship awarded under this chapter shall not exceed the
3 amount received by a student attending a state research university. A
4 student is eligible to receive a scholarship for a maximum of five
5 years. However, the length of the scholarship shall be determined at
6 the discretion of the board.

7 (3) Grants under this chapter shall not affect eligibility for the
8 state student financial aid program.

9 **Sec. 182.** RCW 28B.116.050 and 2005 c 215 s 6 are each amended to
10 read as follows:

11 (1) The foster care endowed scholarship trust fund is created in
12 the custody of the state treasurer.

13 (2) Funds appropriated by the legislature for the foster care
14 endowed scholarship trust fund shall be deposited in the foster care
15 endowed scholarship trust fund. When conditions in RCW 28B.116.070 are
16 met, the ((higher education coordinating)) board shall deposit state
17 matching moneys from the trust fund into the foster care scholarship
18 endowment fund.

19 (3) No appropriation is required for expenditures from the trust
20 fund.

21 **Sec. 183.** RCW 28B.116.060 and 2007 c 73 s 3 are each amended to
22 read as follows:

23 The foster care scholarship endowment fund is created in the
24 custody of the state treasurer. The investment of the endowment fund
25 shall be managed by the state investment board.

26 (1) Moneys received from the ((higher education coordinating))
27 student financial assistance board, private donations, state matching
28 moneys, and funds received from any other source may be deposited into
29 the foster care scholarship endowment fund. Private moneys received as
30 a gift subject to conditions may be deposited into the endowment fund
31 if the conditions do not violate state or federal law.

32 (2) At the request of the ((higher education coordinating)) board,
33 the state investment board shall release earnings from the endowment
34 fund to the state treasurer. The state treasurer shall then release
35 those funds at the request of the ((higher education coordinating))

1 board for scholarships. No appropriation is required for expenditures
2 from the endowment fund.

3 (3) The ((~~higher education coordinating~~)) board may disburse grants
4 to eligible students from the foster care scholarship endowment fund.
5 No appropriation is required for expenditures from the endowment fund.

6 (4) When notified by court order that a condition attached to a
7 gift of private moneys from the foster care scholarship endowment fund
8 has failed, the ((~~higher education coordinating~~)) board shall release
9 those moneys to the donors according to the terms of the conditional
10 gift.

11 (5) The principal of the foster care scholarship endowment fund
12 shall not be invaded. For the purposes of this section, only the first
13 twenty-five thousand dollars deposited into the foster care scholarship
14 endowment fund shall be considered the principal. The release of
15 moneys under subsection (4) of this section shall not constitute an
16 invasion of the corpus.

17 (6) The foster care scholarship endowment fund shall be used solely
18 for the purposes in this chapter, except when the conditional gift of
19 private moneys in the endowment fund require a portion of the earnings
20 on such moneys be reinvested in the endowment fund.

21 **Sec. 184.** RCW 28B.116.070 and 2005 c 215 s 8 are each amended to
22 read as follows:

23 (1) The ((~~higher education coordinating~~)) board may deposit twenty-
24 five thousand dollars of state matching funds into the foster care
25 scholarship endowment fund when the board can match state funds with an
26 equal amount of private cash donations.

27 (2) After the initial match of twenty-five thousand dollars, state
28 matching funds from the foster care endowed scholarship trust fund
29 shall be released to the foster care scholarship endowment fund
30 semiannually so long as there are funds available in the foster care
31 endowed scholarship trust fund.

32 **Sec. 185.** RCW 28B.117.020 and 2007 c 314 s 2 are each amended to
33 read as follows:

34 The definitions in this section apply throughout this chapter
35 unless the context clearly requires otherwise.

1 (1) "Cost of attendance" means the cost associated with attending
2 a particular institution of higher education as determined by the
3 (~~higher education coordinating~~) board, including but not limited to
4 tuition, fees, room, board, books, personal expenses, and
5 transportation, plus the cost of reasonable additional expenses
6 incurred by an eligible student and approved by a financial aid
7 administrator at the student's school of attendance.

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

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

15 (4) "Independent college or university" means a private, nonprofit
16 institution of higher education, open to residents of the state,
17 providing programs of education beyond the high school level leading to
18 at least the baccalaureate degree, and accredited by the Northwest
19 association of schools and colleges, and other institutions as may be
20 developed that are approved by the (~~higher education coordinating~~)
21 board as meeting equivalent standards as those institutions accredited
22 under this section.

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

24 (a) Any public university, college, community college, or technical
25 college operated by the state of Washington or any political
26 subdivision thereof; or

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

28 (c) Any other university, college, school, or institute in the
29 state of Washington offering instruction beyond the high school level
30 that is a member institution of an accrediting association recognized
31 by rule of the (~~higher education coordinating board~~) office of
32 financial management for the purposes of this section: PROVIDED, That
33 any institution, branch, extension, or facility operating within the
34 state of Washington that is affiliated with an institution operating in
35 another state must be a separately accredited member institution of any
36 such accrediting association, or a branch of a member institution of an
37 accrediting association recognized by rule of the (~~board~~) office of
38 financial management for purposes of this section, that is eligible for

1 federal student financial aid assistance and has operated as a
2 nonprofit college or university delivering on-site classroom
3 instruction for a minimum of twenty consecutive years within the state
4 of Washington, and has an annual enrollment of at least seven hundred
5 full-time equivalent students.

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

8 (7) "Board" means student financial assistance board.

9 **Sec. 186.** RCW 28B.117.030 and 2007 c 314 s 4 are each amended to
10 read as follows:

11 (1) The (~~(higher education coordinating)~~) board shall design and,
12 to the extent funds are appropriated for this purpose, implement, a
13 program of supplemental scholarship and student assistance for students
14 who have emancipated from the state foster care system after having
15 spent at least one year in care.

16 (2) The board shall convene and consult with an advisory committee
17 to assist with program design and implementation. The committee shall
18 include but not be limited to former foster care youth and their
19 advocates; representatives from the state board for community and
20 technical colleges, and from public and private agencies that assist
21 current and former foster care recipients in their transition to
22 adulthood; and student support specialists from public and private
23 colleges and universities.

24 (3) To the extent that sufficient funds have been appropriated for
25 this purpose, a student is eligible for assistance under this section
26 if he or she:

27 (a) Emancipated from foster care on or after January 1, 2007, after
28 having spent at least one year in foster care subsequent to his or her
29 sixteenth birthday;

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

31 (c) Is enrolled with or will enroll on at least a half-time basis
32 with an institution of higher education in Washington state by the age
33 of twenty-one;

34 (d) Is making satisfactory academic progress toward the completion
35 of a degree or certificate program, if receiving supplemental
36 scholarship assistance;

37 (e) Has not earned a bachelor's or professional degree; and

1 (f) Is not pursuing a degree in theology.

2 (4) A passport to college scholarship under this section:

3 (a) Shall not exceed resident undergraduate tuition and fees at the
4 highest-priced public institution of higher education in the state; and

5 (b) Shall not exceed the student's financial need, less a
6 reasonable self-help amount defined by the board, when combined with
7 all other public and private grant, scholarship, and waiver assistance
8 the student receives.

9 (5) An eligible student may receive a passport to college
10 scholarship under this section for a maximum of five years after the
11 student first enrolls with an institution of higher education or until
12 the student turns age twenty-six, whichever occurs first. If a student
13 turns age twenty-six during an academic year, and would otherwise be
14 eligible for a scholarship under this section, the student shall
15 continue to be eligible for a scholarship for the remainder of the
16 academic year.

17 (6) The (~~higher education coordinating~~) board, in consultation
18 with and with assistance from the state board for community and
19 technical colleges, shall perform an annual analysis to verify that
20 those institutions of higher education at which students have received
21 a scholarship under this section have awarded the student all available
22 need-based and merit-based grant and scholarship aid for which the
23 student qualifies.

24 (7) In designing and implementing the passport to college student
25 support program under this section, the board, in consultation with and
26 with assistance from the state board for community and technical
27 colleges, shall ensure that a participating college or university:

28 (a) Has a viable plan for identifying students eligible for
29 assistance under this section, for tracking and enhancing their
30 academic progress, for addressing their unique needs for assistance
31 during school vacations and academic interims, and for linking them to
32 appropriate sources of assistance in their transition to adulthood;

33 (b) Receives financial and other incentives for achieving
34 measurable progress in the recruitment, retention, and graduation of
35 eligible students.

36 **Sec. 187.** RCW 28B.117.040 and 2007 c 314 s 5 are each amended to
37 read as follows:

1 Effective operation of the passport to college promise pilot
2 program requires early and accurate identification of former foster
3 care youth so that they can be linked to the financial and other
4 assistance that will help them succeed in college. To that end:

5 (1) All institutions of higher education that receive funding for
6 student support services under RCW 28B.117.030 shall include on their
7 applications for admission or on their registration materials a
8 question asking whether the applicant has been in foster care in
9 Washington state for at least one year since his or her sixteenth
10 birthday. All other institutions of higher education are strongly
11 encouraged to include such a question. No institution may consider
12 whether an applicant may be eligible for a scholarship or student
13 support services under this chapter when deciding whether the applicant
14 will be granted admission.

15 (2) The department of social and health services shall devise and
16 implement procedures for efficiently, promptly, and accurately
17 identifying students and applicants who are eligible for services under
18 RCW 28B.117.030, and for sharing that information with the (~~higher~~
19 ~~education—coordinating~~) board and with institutions of higher
20 education. The procedures shall include appropriate safeguards for
21 consent by the applicant or student before disclosure.

22 **Sec. 188.** RCW 28B.117.050 and 2007 c 314 s 6 are each amended to
23 read as follows:

24 (1) To the extent funds are appropriated for this purpose, the
25 (~~higher—education—coordinating~~) board, with input from the state
26 board for community and technical colleges, the foster care
27 partnership, and institutions of higher education, shall develop and
28 maintain an internet web site and outreach program to serve as a
29 comprehensive portal for foster care youth in Washington state to
30 obtain information regarding higher education including, but not
31 necessarily limited to:

32 (a) Academic, social, family, financial, and logistical information
33 important to successful postsecondary educational success;

34 (b) How and when to obtain and complete college applications;

35 (c) What college placement tests, if any, are generally required
36 for admission to college and when and how to register for such tests;

1 (d) How and when to obtain and complete a federal free application
2 for federal student aid (FAFSA); and

3 (e) Detailed sources of financial aid likely available to eligible
4 former foster care youth, including the financial aid provided by this
5 chapter.

6 (2) The board shall determine whether to design, build, and operate
7 such program and web site directly or to use, support, and modify
8 existing web sites created by government or nongovernmental entities
9 for a similar purpose.

10 **Sec. 189.** RCW 28B.117.060 and 2007 c 314 s 7 are each amended to
11 read as follows:

12 (1) To the extent funds are appropriated for this purpose, the
13 department of social and health services, with input from the state
14 board for community and technical colleges, the (~~higher education~~
15 ~~coordinating~~) board, and institutions of higher education, shall
16 contract with at least one nongovernmental entity through a request for
17 proposals process to develop, implement, and administer a program of
18 supplemental educational transition planning for youth in foster care
19 in Washington state.

20 (2) The nongovernmental entity or entities chosen by the department
21 shall have demonstrated success in working with foster care youth and
22 assisting foster care youth in successfully making the transition from
23 foster care to independent adulthood.

24 (3) The selected nongovernmental entity or entities shall provide
25 supplemental educational transition planning to foster care youth in
26 Washington state beginning at age fourteen and then at least every six
27 months thereafter. The supplemental transition planning shall include:

28 (a) Comprehensive information regarding postsecondary educational
29 opportunities including, but not limited to, sources of financial aid,
30 institutional characteristics and record of support for former foster
31 care youth, transportation, housing, and other logistical
32 considerations;

33 (b) How and when to apply to postsecondary educational programs;

34 (c) What precollege tests, if any, the particular foster care youth
35 should take based on his or her postsecondary plans and when to take
36 the tests;

1 (d) What courses to take to prepare the particular foster care
2 youth to succeed at his or her postsecondary plans;

3 (e) Social, community, educational, logistical, and other issues
4 that frequently impact college students and their success rates; and

5 (f) Which web sites, nongovernmental entities, public agencies, and
6 other foster care youth support providers specialize in which services.

7 (4) The selected nongovernmental entity or entities shall work
8 directly with the school counselors at the foster care youths' high
9 schools to ensure that a consistent and complete transition plan has
10 been prepared for each foster care youth who emancipates out of the
11 foster care system in Washington state.

12 **Sec. 190.** RCW 28B.117.070 and 2007 c 314 s 8 are each amended to
13 read as follows:

14 (1) The (~~higher education coordinating~~) student financial
15 assistance board shall report to appropriate committees of the
16 legislature by January 15, 2008, on the status of program design and
17 implementation. The report shall include a discussion of proposed
18 scholarship and student support service approaches; an estimate of the
19 number of students who will receive such services; baseline information
20 on the extent to which former foster care youth who meet the
21 eligibility criteria in RCW 28B.117.030 have enrolled and persisted in
22 postsecondary education; and recommendations for any statutory changes
23 needed to promote achievement of program objectives.

24 (2) The state board for community and technical colleges and the
25 (~~higher education coordinating~~) student financial assistance board
26 shall monitor and analyze the extent to which eligible young people are
27 increasing their participation, persistence, and progress in
28 postsecondary education, and shall jointly submit a report on their
29 findings to appropriate committees of the legislature by December 1,
30 2009, and by December 1, 2011.

31 (3) The Washington state institute for public policy shall complete
32 an evaluation of the passport to college promise pilot program and
33 shall submit a report to appropriate committees of the legislature by
34 December 1, 2012. The report shall estimate the impact of the program
35 on eligible students' participation and success in postsecondary
36 education, and shall include recommendations for program revision and
37 improvement.

1 **Sec. 191.** RCW 28B.118.010 and 2008 c 321 s 9 are each amended to
2 read as follows:

3 The ((~~higher education coordinating~~)) student financial assistance
4 board shall design the Washington college bound scholarship program in
5 accordance with this section.

6 (1) "Eligible students" are those students who qualify for free or
7 reduced-price lunches. If a student qualifies in the seventh grade,
8 the student remains eligible even if the student does not receive free
9 or reduced-price lunches thereafter.

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

14 (3) To be eligible for a Washington college bound scholarship, a
15 student must sign a pledge during seventh or eighth grade that includes
16 a commitment to graduate from high school with at least a C average and
17 with no felony convictions. Students who were in the eighth grade
18 during the 2007-08 school year may sign the pledge during the 2008-09
19 school year. The pledge must be witnessed by a parent or guardian and
20 forwarded to the ((~~higher education coordinating~~)) student financial
21 assistance board by mail or electronically, as indicated on the pledge
22 form.

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

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

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

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

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

7 (b) For students attending private four-year institutions of higher
8 education in Washington, the award amount shall be the representative
9 average of awards granted to students in public research universities
10 in Washington.

11 (c) For students attending private vocational schools in
12 Washington, the award amount shall be the representative average of
13 awards granted to students in public community and technical colleges
14 in Washington.

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

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

22 (9) The first scholarships shall be awarded to students graduating
23 in 2012.

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

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

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

36 **Sec. 192.** RCW 28B.118.020 and 2007 c 405 s 3 are each amended to
37 read as follows:

1 The office of the superintendent of public instruction shall:

2 (1) Notify elementary, middle, and junior high schools about the
3 Washington college bound scholarship program using methods in place for
4 communicating with schools and school districts; and

5 (2) Work with the (~~higher education coordinating~~) student
6 financial assistance board to develop application collection and
7 student tracking procedures.

8 **Sec. 193.** RCW 28B.118.040 and 2007 c 405 s 5 are each amended to
9 read as follows:

10 The (~~higher education coordinating~~) student financial assistance
11 board shall:

12 (1) With the assistance of the office of the superintendent of
13 public instruction, implement and administer the Washington college
14 bound scholarship program;

15 (2) Develop and distribute, to all schools with students enrolled
16 in grade seven or eight, a pledge form that can be completed and
17 returned electronically or by mail by the student or the school to the
18 (~~higher education coordinating~~) student financial assistance board;

19 (3) Develop and implement a student application, selection, and
20 notification process for scholarships;

21 (4) Track scholarship recipients to ensure continued eligibility
22 and determine student compliance for awarding of scholarships;

23 (5) Subject to appropriation, deposit funds into the state
24 educational trust fund;

25 (6) Purchase tuition units under the advanced college tuition
26 payment program in chapter 28B.95 RCW to be owned and held in trust by
27 the board, for the purpose of scholarship awards as provided for in
28 this section; and

29 (7) Distribute scholarship funds, in the form of tuition units
30 purchased under the advanced college tuition payment program in chapter
31 28B.95 RCW or through direct payments from the state educational trust
32 fund, to institutions of higher education on behalf of scholarship
33 recipients identified by the board, as long as recipients maintain
34 satisfactory academic progress.

35 **Sec. 194.** RCW 28B.118.050 and 2007 c 405 s 6 are each amended to
36 read as follows:

1 The (~~higher education coordinating~~) student financial assistance
2 board may accept grants, gifts, bequests, and devises of real and
3 personal property from any source for the purpose of granting financial
4 aid in addition to that funded by the state.

5 **Sec. 195.** RCW 28B.118.060 and 2007 c 405 s 7 are each amended to
6 read as follows:

7 The (~~higher education coordinating~~) student financial assistance
8 board may adopt rules to implement this chapter.

9 **Sec. 196.** RCW 28B.119.010 and 2004 c 275 s 60 are each amended to
10 read as follows:

11 The (~~higher education coordinating~~) student financial assistance
12 board shall design the Washington promise scholarship program based on
13 the following parameters:

14 (1) Scholarships shall be awarded to students graduating from
15 public and approved private high schools under chapter 28A.195 RCW,
16 students participating in home-based instruction as provided in chapter
17 28A.200 RCW, and persons twenty-one years of age or younger receiving
18 a GED certificate, who meet both an academic and a financial
19 eligibility criteria.

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

21 (i) Beginning with the graduating class of 2002, students
22 graduating from public and approved private high schools under chapter
23 28A.195 RCW must be in the top fifteen percent of their graduating
24 class, as identified by each respective high school at the completion
25 of the first term of the student's senior year; or

26 (ii) Students graduating from public high schools, approved private
27 high schools under chapter 28A.195 RCW, students participating in home-
28 based instruction as provided in chapter 28A.200 RCW, and persons
29 twenty-one years of age or younger receiving a GED certificate, must
30 equal or exceed a cumulative scholastic assessment test I score of
31 twelve hundred on their first attempt or must equal or exceed a
32 composite American college test score of twenty-seven on their first
33 attempt.

34 (b) To meet the financial eligibility criteria, a student's family
35 income shall not exceed one hundred thirty-five percent of the state
36 median family income adjusted for family size, as determined by the

1 ((~~higher education coordinating~~)) student financial assistance board
2 for each graduating class. Students not meeting the eligibility
3 requirements for the first year of scholarship benefits may reapply for
4 the second year of benefits, but must still meet the income standard
5 set by the board for the student's graduating class.

6 (2) Promise scholarships are not intended to supplant any grant,
7 scholarship, or tax program related to postsecondary education. If the
8 student financial assistance board finds that promise scholarships
9 supplant or reduce any grant, scholarship, or tax program for
10 categories of students, then the student financial assistance board
11 shall adjust the financial eligibility criteria or the amount of
12 scholarship to the level necessary to avoid supplanting.

13 (3) Within available funds, each qualifying student shall receive
14 two consecutive annual awards, the value of each not to exceed the
15 full-time annual resident tuition rates charged by Washington's
16 community colleges. The ((~~higher education coordinating~~)) student
17 financial assistance board shall award scholarships to as many students
18 as possible from among those qualifying under this section.

19 (4) By October 15th of each year, the student financial assistance
20 board shall determine the award amount of the scholarships, after
21 taking into consideration the availability of funds.

22 (5) The scholarships may only be used for undergraduate coursework
23 at accredited institutions of higher education in the state of
24 Washington.

25 (6) The scholarships may be used for undergraduate coursework at
26 Oregon institutions of higher education that are part of the border
27 county higher education opportunity project in RCW 28B.76.685 when
28 those institutions offer programs not available at accredited
29 institutions of higher education in Washington state.

30 (7) The scholarships may be used for college-related expenses,
31 including but not limited to, tuition, room and board, books, and
32 materials.

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

35 (9) The ((~~higher education coordinating~~)) student financial
36 assistance board may establish satisfactory progress standards for the
37 continued receipt of the promise scholarship.

1 (10) The ((higher education coordinating)) student financial
2 assistance board shall establish the time frame within which the
3 student must use the scholarship.

4 **Sec. 197.** RCW 28B.119.020 and 2002 c 204 s 3 are each amended to
5 read as follows:

6 The ((higher education coordinating)) student financial assistance
7 board, with the assistance of the office of the superintendent of
8 public instruction, shall implement and administer the Washington
9 promise scholarship program described in RCW 28B.119.010 as follows:

10 (1) The first scholarships shall be awarded to eligible students
11 enrolling in postsecondary education in the 2002-03 academic year.

12 (2) The office of the superintendent of public instruction shall
13 provide information to the ((higher education coordinating)) student
14 financial assistance board that is necessary for implementation of the
15 program. The ((higher education coordinating)) student financial
16 assistance board and the office of the superintendent of public
17 instruction shall jointly establish a timeline and procedures necessary
18 for accurate and timely data reporting.

19 (a) For students meeting the academic eligibility criteria as
20 provided in RCW 28B.119.010(1)(a), the office of the superintendent of
21 public instruction shall provide the ((higher education coordinating))
22 student financial assistance board with student names, addresses, birth
23 dates, and unique numeric identifiers.

24 (b) Public and approved private high schools under chapter 28A.195
25 RCW shall provide requested information necessary for implementation of
26 the program to the office of the superintendent of public instruction
27 within the established timeline.

28 (c) All student data is confidential and may be used solely for the
29 purposes of providing scholarships to eligible students.

30 (3) The ((higher education coordinating)) student financial
31 assistance board may adopt rules to implement this chapter.

32 **Sec. 198.** RCW 28B.119.030 and 2004 c 275 s 71 are each amended to
33 read as follows:

34 The Washington promise scholarship program shall not be funded at
35 the expense of the state need grant program as defined in chapter
36 28B.92 RCW. In administering the state need grant and promise

1 scholarship programs, the (~~higher education coordinating~~) student
2 financial assistance board shall first ensure that eligibility for
3 state need grant recipients is at least fifty-five percent of state
4 median family income.

5 **Sec. 199.** RCW 28B.119.050 and 2002 c 204 s 6 are each amended to
6 read as follows:

7 (1) The Washington promise scholarship account is created in the
8 custody of the state treasurer. The account shall be a nontreasury
9 account retaining its interest earnings in accordance with RCW
10 43.79A.040.

11 (2) The (~~higher education coordinating~~) student financial
12 assistance board shall deposit in the account all money received for
13 the program. The account shall be self-sustaining and consist of funds
14 appropriated by the legislature for the Washington promise scholarship
15 program, private contributions to the program, and refunds of
16 Washington promise scholarships.

17 (3) Expenditures from the account shall be used for scholarships to
18 eligible students.

19 (4) With the exception of the operating costs associated with the
20 management of the account by the treasurer's office as authorized in
21 chapter 43.79A RCW, the account shall be credited with all investment
22 income earned by the account.

23 (5) Disbursements from the account are exempt from appropriations
24 and the allotment provisions of chapter 43.88 RCW.

25 (6) Disbursements from the account shall be made only on the
26 authorization of the (~~higher education coordinating~~) student
27 financial assistance board.

28 **Sec. 200.** RCW 28B.120.010 and 1999 c 169 s 5 are each amended to
29 read as follows:

30 The Washington fund for innovation and quality in higher education
31 program is established. The (~~higher education coordinating~~) student
32 financial assistance board shall administer the program for the purpose
33 of awarding grants in which a four-year institution of higher education
34 is named as the lead institution. The state board for community and
35 technical colleges shall administer the program for the purpose of
36 awarding grants in which a community or technical college is named as

1 the lead institution. Through this program the boards may award on a
2 competitive basis incentive grants to state public institutions of
3 higher education or consortia of institutions to encourage cooperative
4 programs designed to address specific system problems. Grants shall
5 not exceed a two-year period. Each institution or consortia of
6 institutions receiving the award shall contribute some financial
7 support, either by covering part of the costs for the program during
8 its implementation, or by assuming continuing support at the end of the
9 grant period. Strong priority will be given to proposals that involve
10 more than one sector of education, and to proposals that show
11 substantive institutional commitment. Institutions are encouraged to
12 solicit nonstate funds to support these cooperative programs.

13 **Sec. 201.** RCW 28B.120.020 and 1999 c 169 s 3 are each amended to
14 read as follows:

15 The (~~higher education coordinating~~) student financial assistance
16 board shall have the following powers and duties in administering the
17 program for those proposals in which a four-year institution of higher
18 education is named as the lead institution and fiscal agent:

- 19 (1) To adopt rules necessary to carry out the program;
- 20 (2) To establish one or more review committees to assist in the
21 evaluation of proposals for funding. The review committee shall
22 include individuals with significant experience in higher education in
23 areas relevant to one or more of the funding period priorities and
24 shall include representatives from both the four-year and two-year
25 sectors of higher education;
- 26 (3) To award grants no later than September 1st in those years when
27 funding is available by June 30th;
- 28 (4) To establish each biennium specific guidelines for submitting
29 grant proposals consistent with the overall goals of the program and
30 consistent with the guidelines established by the state board for
31 community and technical colleges under RCW 28B.120.025. During the
32 1999-01 biennium the guidelines shall be consistent with the following
33 desired outcomes of:
- 34 (a) Minority and diversity initiatives that encourage the
35 participation of minorities in higher education, including students
36 with disabilities;

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

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

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

10 (e) Articulation and transfer activities to smooth the transfer of
11 students from K-12 to higher education, or from the community colleges
12 and technical colleges to four-year institutions;

13 (f) Projects that further the development of learner-centered,
14 technology-assisted course delivery; and

15 (g) Projects that further the development of competency-based
16 measurements of student achievement to be used as the basis for
17 awarding degrees and certificates.

18 After June 30, 2001, and each biennium thereafter, the board shall
19 determine funding priorities for collaborative proposals for the
20 biennium in consultation with the governor, the legislature, the office
21 of the superintendent of public instruction, the state board for
22 community and technical colleges, the workforce training and education
23 coordinating board, higher education institutions, educational
24 associations, and business and community groups consistent with
25 statewide needs;

26 (5) To solicit grant proposals and provide information to the
27 institutions of higher education about the program; and

28 (6) To establish reporting, evaluation, accountability, monitoring,
29 and dissemination requirements for the recipients of the grants awarded
30 by the (~~higher education coordinating~~) student financial assistance
31 board.

32 **Sec. 202.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to
33 read as follows:

34 The state board for community and technical colleges has the
35 following powers and duties in administering the program for those
36 proposals in which a community or technical college is named as the
37 lead institution and fiscal agent:

- 1 (1) To adopt rules necessary to carry out the program;
- 2 (2) 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 both the four-year and two-year
7 sectors of higher education;
- 8 (3) To award grants no later than September 1st in those years when
9 funding is available by June 30th;
- 10 (4) To establish each biennium specific guidelines for submitting
11 grant proposals consistent with the overall goals of the program and
12 consistent with the guidelines established by the (~~higher education~~
13 ~~coordinating~~) student financial assistance board under RCW
14 28B.120.020. During the 1999-01 biennium the guidelines shall be
15 consistent with the following desired outcomes of:
- 16 (a) Minority and diversity initiatives that encourage the
17 participation of minorities in higher education, including students
18 with disabilities;
- 19 (b) K-12 teacher preparation models that encourage collaboration
20 between higher education and K-12 to improve the preparedness of
21 teachers, including provisions for higher education faculty involved
22 with teacher preparation to spend time teaching in K-12 schools;
- 23 (c) Collaborative instructional programs involving K-12, community
24 and technical colleges, and four-year institutions of higher education
25 to develop a three-year degree program, or reduce the time to degree;
- 26 (d) Contracts with public or private institutions or businesses to
27 provide services or the development of collaborative programs;
- 28 (e) Articulation and transfer activities to smooth the transfer of
29 students from K-12 to higher education, or from the community colleges
30 and technical colleges to four-year institutions;
- 31 (f) Projects that further the development of learner-centered,
32 technology-assisted course delivery; and
- 33 (g) Projects that further the development of competency-based
34 measurements of student achievement to be used as the basis for
35 awarding degrees and certificates;
- 36 (5) To solicit grant proposals and provide information to the
37 community and technical colleges and private career schools; and

1 (6) To establish reporting, evaluation, accountability, monitoring,
2 and dissemination requirements for the recipients of the grants awarded
3 by the state board for community and technical colleges.

4 **Sec. 203.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to
5 read as follows:

6 The ((~~higher education coordinating~~)) student financial assistance
7 board and the state board for community and technical colleges may
8 solicit and receive such gifts, grants, and endowments from public or
9 private sources as may be made from time to time, in trust or
10 otherwise, for the use and benefit of the purposes of the program and
11 may expend the same or any income therefrom according to the terms of
12 the gifts, grants, or endowments.

13 **Sec. 204.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to
14 read as follows:

15 The higher education coordinating board fund for innovation and
16 quality is hereby established in the custody of the state treasurer.
17 The ((~~higher education coordinating~~)) student financial assistance
18 board shall deposit in the fund all moneys received under RCW
19 28B.120.030. Moneys in the fund may be spent only for the purposes of
20 RCW 28B.120.010 and 28B.120.020. Disbursements from the fund shall be
21 on the authorization of the ((~~higher education coordinating~~)) student
22 financial assistance board. The fund is subject to the allotment
23 procedure provided under chapter 43.88 RCW, but no appropriation is
24 required for disbursements.

25 **Sec. 205.** RCW 28B.133.030 and 2003 c 19 s 4 are each amended to
26 read as follows:

27 (1) The students with dependents grant account is created in the
28 custody of the state treasurer. All receipts from the program shall be
29 deposited into the account. Only the ((~~higher education coordinating~~))
30 student financial assistance board, or its designee, may authorize
31 expenditures from the account. Disbursements from the account are
32 exempt from appropriations and the allotment procedures under chapter
33 43.88 RCW.

34 (2) The board may solicit and receive gifts, grants, or endowments
35 from private sources that are made from time to time, in trust or

1 otherwise, for the use and benefit of the purposes of the educational
2 assistance grant program. The executive director, or the executive
3 director's designee, may spend gifts, grants, or endowments or income
4 from the private sources according to their terms unless the receipt of
5 the gifts, grants, or endowments violates RCW 42.17.710.

6 (3) The earnings on the account shall be used solely for the
7 purposes in RCW 28B.133.010, except when the terms of a conditional
8 gift of private moneys in the account require that a portion of
9 earnings on such moneys be reinvested in the account.

10 **Sec. 206.** RCW 28B.133.040 and 2003 c 19 s 5 are each amended to
11 read as follows:

12 The (~~higher education coordinating~~) student financial assistance
13 board shall develop and administer the educational assistance grant
14 program for students with dependents. In administering the program,
15 once the balance in the students with dependents grant account is five
16 hundred thousand dollars, the board's powers and duties shall include
17 but not be limited to:

18 (1) Adopting necessary rules and guidelines;

19 (2) Publicizing the program;

20 (3) Accepting and depositing donations into the grant account
21 established in RCW 28B.133.030; and

22 (4) Soliciting and accepting grants and donations from private
23 sources for the program.

24 **Sec. 207.** RCW 28B.133.050 and 2004 c 275 s 74 are each amended to
25 read as follows:

26 The educational assistance grant program for students with
27 dependents grants may be used by eligible participants to attend any
28 public or private college or university in the state of Washington as
29 defined in RCW 28B.92.030. Each participating student may receive an
30 amount to be determined by the (~~higher education coordinating~~)
31 student financial assistance board, with a minimum amount of one
32 thousand dollars per academic year, not to exceed the student's
33 documented financial need for the course of study as determined by the
34 institution.

35 Educational assistance grants for students with dependents are not
36 intended to supplant any grant scholarship or tax program related to

1 postsecondary education. If the ((higher education coordinating))
2 student financial assistance board finds that the educational
3 assistance grants for students with dependents supplant or reduce any
4 grant, scholarship, or tax program for categories of students, then the
5 ((higher education coordinating)) student financial assistance board
6 shall adjust the financial eligibility criteria or the amount of the
7 grant to the level necessary to avoid supplanting.

8 **Sec. 208.** RCW 28B.135.010 and 2008 c 162 s 2 are each amended to
9 read as follows:

10 Two Washington accounts for student child care in higher education
11 are established. The ((higher education coordinating)) student
12 financial assistance board shall administer the program for the
13 four-year institutions of higher education and the state board for
14 community and technical colleges shall administer the program for the
15 two-year institutions of higher education. Through these programs the
16 boards shall award either competitive or matching child care grants to
17 state institutions of higher education to encourage programs to address
18 the need for high quality, accessible, and affordable child care for
19 students at higher education institutions. The grants shall be used
20 exclusively for the provision of quality child care services for
21 students at institutions of higher education. The university or
22 college administration and student government association, or its
23 equivalent, of each institution receiving the award may contribute
24 financial support in an amount equal to or greater than the child care
25 grant received by the institution.

26 **Sec. 209.** RCW 28B.135.030 and 2008 c 162 s 3 are each amended to
27 read as follows:

28 The ((higher education coordinating)) student financial assistance
29 board shall have the following powers and duties in administering the
30 program for the four-year institutions of higher education:

- 31 (1) To adopt rules necessary to carry out the program;
- 32 (2) To establish one or more review committees to assist in the
33 evaluation of proposals for funding. The review committees may receive
34 input from parents, educators, and other experts in the field of early
35 childhood education for this purpose;

1 (3) To establish each biennium specific guidelines for submitting
2 grant proposals consistent with the overall goals of the program. The
3 guidelines shall be consistent with the following desired outcomes of
4 increasing access to quality child care for students, providing
5 affordable child care alternatives for students, creating a partnership
6 between university or college administrations, university or college
7 foundations, and student government associations, or their equivalents;

8 (4) To proportionally distribute the amount of money available in
9 the trust fund based on the financial support for child care received
10 by the student government associations or their equivalents. Student
11 government associations may solicit funds from private organizations
12 and targeted fund-raising campaigns as part of their financial support
13 for child care;

14 (5) To solicit grant proposals and provide information to the
15 institutions of higher education about the program;

16 (6) To establish reporting, evaluation, accountability, monitoring,
17 and dissemination requirements for the recipients of the grants; and

18 (7) To report to the appropriate committees of the legislature by
19 December 15, 2008, and every two years thereafter, on the status of
20 program design and implementation at the four-year institutions of
21 higher education. The report shall include but not be limited to
22 summary information on the institutions receiving child care grant
23 allocations, the amount contributed by each university or college
24 administration and student government association for the purposes of
25 child care including expenditures and reports for the previous
26 biennium, services provided by each institutional child care center,
27 the number of students using such services, and identifiable unmet
28 need.

29 **Sec. 210.** RCW 28B.135.040 and 1999 c 375 s 4 are each amended to
30 read as follows:

31 Two accounts for student child care in higher education are
32 established in the custody of the state treasurer. Moneys in the
33 accounts may be spent only for the purposes of RCW 28B.135.010.
34 Disbursements from one of the accounts shall be on the authorization of
35 the (~~higher education coordinating~~) student financial assistance
36 board and disbursements from the other account shall be on the

1 authorization of the state board for community and technical colleges.
2 The accounts are subject to the allotment procedures under chapter
3 43.88 RCW, but no appropriation is required for disbursements.

4 **Sec. 211.** RCW 28C.18.166 and 2009 c 238 s 5 are each amended to
5 read as follows:

6 On an annual basis, each opportunity internship consortium shall
7 provide the board with a list of the opportunity internship graduates
8 from the consortium. The board shall compile the lists from all
9 consortia and shall notify the (~~higher education coordinating~~)
10 student financial assistance board of the eligibility of each graduate
11 on the lists to receive a state need grant under chapter 28B.92 RCW if
12 the graduate enrolls in a postsecondary program of study within one
13 year of high school graduation.

14 **Sec. 212.** RCW 39.86.130 and 1987 c 297 s 4 are each amended to
15 read as follows:

16 (1) In granting an allocation, reallocation, or carryforward of the
17 state ceiling as provided in this chapter, the agency shall consider
18 existing state priorities and other such criteria, including but not
19 limited to, the following criteria:

20 (a) Need of issuers to issue private activity bonds within a bond
21 use category;

22 (b) Amount of the state ceiling available;

23 (c) Public benefit and purpose to be satisfied, including economic
24 development, educational opportunity, and public health, safety, or
25 welfare;

26 (d) Cost or availability of alternative methods of financing for
27 the project or program; and

28 (e) Certainty of using the allocation which is being requested.

29 (2) In determining whether to allocate an amount of the state
30 ceiling to an issuer within any bond use category, the agency shall
31 consider, but is not limited to, the following criteria for each of the
32 bond use categories:

33 (a) Housing: Criteria which comply with RCW 43.180.200.

34 (b) Student loans: Criteria which comply with the applicable
35 provisions of Title 28B RCW and rules adopted by the (~~higher education~~

1 ~~coordinating~~) student financial assistance board or applicable state
2 agency dealing with student financial aid.

3 (c) Small issue: Recommendation by the board regarding how the
4 amount of the state ceiling set aside for the small issue bond use
5 category shall be allocated among issuers. Factors may include:

6 (i) The number of employment opportunities the project is likely to
7 create or retain in relation to the amount of the bond issuance;

8 (ii) The level of unemployment existing in the geographic area
9 likely to be affected by the project;

10 (iii) A commitment to providing employment opportunities to low-
11 income persons in cooperation with the employment security department;

12 (iv) Geographic distribution of projects;

13 (v) The number of persons who will benefit from the project;

14 (vi) Consistency with criteria identified in subsection (1) of this
15 section;

16 (vii) Order in which requests were received; and

17 (viii) Requirements of the board's umbrella bond program.

18 (d) Exempt facility or redevelopment: Factors which may include:

19 (i) State issuance needs;

20 (ii) Consistency with criteria identified in subsection (1) of this
21 section;

22 (iii) Order in which requests were received;

23 (iv) The proportionate number of persons in relationship to the
24 size of the community who will benefit from the project; and

25 (v) The unique timing and issuance needs of large scale projects
26 that may require allocations in more than one year.

27 (e) Public utility: Factors which may include:

28 (i) Consistency with criteria identified in subsection (1) of this
29 section; and

30 (ii) Timing needs for issuance of bonds over a multi-year period.

31 **Sec. 213.** RCW 42.17.2401 and 2009 c 565 s 24 are each amended to
32 read as follows:

33 For the purposes of RCW 42.17.240, the term "executive state
34 officer" includes:

35 (1) The chief administrative law judge, the director of
36 agriculture, the administrator of the Washington basic health plan, the
37 director of the department of services for the blind, the director of

1 the state system of community and technical colleges, the director of
2 commerce, the secretary of corrections, the director of early learning,
3 the director of ecology, the commissioner of employment security, the
4 chair of the energy facility site evaluation council, the secretary of
5 the state finance committee, the director of financial management, the
6 director of fish and wildlife, the executive secretary of the forest
7 practices appeals board, the director of the gambling commission, the
8 director of general administration, the secretary of health, the
9 administrator of the Washington state health care authority, the
10 executive secretary of the health care facilities authority, the
11 executive secretary of the higher education facilities authority, the
12 executive secretary of the horse racing commission, the executive
13 secretary of the human rights commission, the executive secretary of
14 the indeterminate sentence review board, the director of the department
15 of information services, the executive director of the state investment
16 board, the director of labor and industries, the director of licensing,
17 the director of the lottery commission, the director of the office of
18 minority and women's business enterprises, the director of parks and
19 recreation, the director of personnel, the executive director of the
20 public disclosure commission, the executive director of the Puget Sound
21 partnership, the director of the recreation and conservation office,
22 the director of retirement systems, the director of revenue, the
23 secretary of social and health services, the chief of the Washington
24 state patrol, the executive secretary of the board of tax appeals, the
25 secretary of transportation, the secretary of the utilities and
26 transportation commission, the director of veterans affairs, the
27 president of each of the regional and state universities and the
28 president of The Evergreen State College, and each district and each
29 campus president of each state community college;

30 (2) Each professional staff member of the office of the governor;

31 (3) Each professional staff member of the legislature; and

32 (4) Central Washington University board of trustees, the boards of
33 trustees of each community college and each technical college, each
34 member of the state board for community and technical colleges, state
35 convention and trade center board of directors, committee for deferred
36 compensation, Eastern Washington University board of trustees,
37 Washington economic development finance authority, The Evergreen State
38 College board of trustees, executive ethics board, forest practices

1 appeals board, forest practices board, gambling commission, life
2 sciences discovery fund authority board of trustees, Washington health
3 care facilities authority, each member of the Washington health
4 services commission, (~~higher education coordinating board,~~) higher
5 education facilities authority, horse racing commission, state housing
6 finance commission, human rights commission, indeterminate sentence
7 review board, board of industrial insurance appeals, information
8 services board, recreation and conservation funding board, state
9 investment board, commission on judicial conduct, legislative ethics
10 board, liquor control board, lottery commission, marine oversight
11 board, Pacific Northwest electric power and conservation planning
12 council, parks and recreation commission, board of pilotage
13 commissioners, pollution control hearings board, public disclosure
14 commission, public pension commission, shorelines hearings board,
15 public employees' benefits board, salmon recovery funding board,
16 student financial assistance board, board of tax appeals,
17 transportation commission, University of Washington board of regents,
18 utilities and transportation commission, Washington state maritime
19 commission, Washington personnel resources board, Washington public
20 power supply system executive board, Washington State University board
21 of regents, Western Washington University board of trustees, and fish
22 and wildlife commission.

23 **Sec. 214.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to
24 read as follows:

25 (1) An education data center shall be established in the office of
26 financial management. The education data center shall jointly, with
27 the legislative evaluation and accountability program committee,
28 conduct collaborative analyses of early learning, K-12, and higher
29 education programs and education issues across the P-20 system, which
30 includes the department of early learning, the superintendent of public
31 instruction, the professional educator standards board, the state board
32 of education, the state board for community and technical colleges, the
33 workforce training and education coordinating board, the (~~higher
34 education coordinating~~) student financial assistance board, public and
35 private nonprofit four-year institutions of higher education, and the
36 employment security department. The education data center shall
37 conduct collaborative analyses under this section with the legislative

1 evaluation and accountability program committee and provide data
2 electronically to the legislative evaluation and accountability program
3 committee, to the extent permitted by state and federal confidentiality
4 requirements. The education data center shall be considered an
5 authorized representative of the state educational agencies in this
6 section under applicable federal and state statutes for purposes of
7 accessing and compiling student record data for research purposes.

8 (2) The education data center shall:

9 (a) In consultation with the legislative evaluation and
10 accountability program committee and the agencies and organizations
11 participating in the education data center, identify the critical
12 research and policy questions that are intended to be addressed by the
13 education data center and the data needed to address the questions;

14 (b) Coordinate with other state education agencies to compile and
15 analyze education data, including data on student demographics that is
16 disaggregated by distinct ethnic categories within racial subgroups,
17 and complete P-20 research projects;

18 (c) Collaborate with the legislative evaluation and accountability
19 program committee and the education and fiscal committees of the
20 legislature in identifying the data to be compiled and analyzed to
21 ensure that legislative interests are served;

22 (d) Annually provide to the K-12 data governance group a list of
23 data elements and data quality improvements that are necessary to
24 answer the research and policy questions identified by the education
25 data center and have been identified by the legislative committees in
26 (c) of this subsection. Within three months of receiving the list, the
27 K-12 data governance group shall develop and transmit to the education
28 data center a feasibility analysis of obtaining or improving the data,
29 including the steps required, estimated time frame, and the financial
30 and other resources that would be required. Based on the analysis, the
31 education data center shall submit, if necessary, a recommendation to
32 the legislature regarding any statutory changes or resources that would
33 be needed to collect or improve the data;

34 (e) Monitor and evaluate the education data collection systems of
35 the organizations and agencies represented in the education data center
36 ensuring that data systems are flexible, able to adapt to evolving
37 needs for information, and to the extent feasible and necessary,

1 include data that are needed to conduct the analyses and provide
2 answers to the research and policy questions identified in (a) of this
3 subsection;

4 (f) Track enrollment and outcomes through the public centralized
5 higher education enrollment system;

6 (g) Assist other state educational agencies' collaborative efforts
7 to develop a long-range enrollment plan for higher education including
8 estimates to meet demographic and workforce needs;

9 (h) Provide research that focuses on student transitions within and
10 among the early learning, K-12, and higher education sectors in the P-
11 20 system; and

12 (i) Make recommendations to the legislature as necessary to help
13 ensure the goals and objectives of this section and RCW 28A.655.210 and
14 28A.300.507 are met.

15 (3) The department of early learning, superintendent of public
16 instruction, professional educator standards board, state board of
17 education, state board for community and technical colleges, workforce
18 training and education coordinating board, (~~higher education~~
19 ~~coordinating~~) student financial assistance board, public four-year
20 institutions of higher education, and employment security department
21 shall work with the education data center to develop data-sharing and
22 research agreements, consistent with applicable security and
23 confidentiality requirements, to facilitate the work of the center.
24 Private, nonprofit institutions of higher education that provide
25 programs of education beyond the high school level leading at least to
26 the baccalaureate degree and are accredited by the Northwest
27 association of schools and colleges or their peer accreditation bodies
28 may also develop data-sharing and research agreements with the
29 education data center, consistent with applicable security and
30 confidentiality requirements. The education data center shall make
31 data from collaborative analyses available to the education agencies
32 and institutions that contribute data to the education data center to
33 the extent allowed by federal and state security and confidentiality
34 requirements applicable to the data of each contributing agency or
35 institution.

36 **Sec. 215.** RCW 43.105.800 and 1999 c 285 s 2 are each amended to
37 read as follows:

1 The K-20 educational network board is created. The purpose of the
2 K-20 board is to ensure that the K-20 educational telecommunications
3 network is operated in a way that serves the broad public interest
4 above the interest of any network user.

5 (1) The K-20 board shall comprise eleven voting and seven nonvoting
6 members as follows:

7 (a) Voting members shall include: A person designated by the
8 governor; one member of each caucus of the senate, appointed by the
9 president of the senate; one member of each caucus of the house of
10 representatives, appointed by the speaker of the house of
11 representatives; the superintendent of public instruction or his or her
12 designee; the executive director of the (~~higher education~~
13 ~~coordinating~~) student financial assistance board or his or her
14 designee; the executive director of the state board for community and
15 technical colleges or his or her designee; the chair of the information
16 services board, or his or her designee; the director of the department
17 of information services or his or her designee; and one citizen member.

18 The citizen member shall be appointed to a four-year term by the
19 governor with the consent of the senate. The governor shall appoint
20 the citizen member of the K-20 board by July 30, 1999.

21 (b) Nonvoting members shall include one community or technical
22 college president, appointed by the state board for technical and
23 community colleges; one president of a public baccalaureate
24 institution, appointed by the council of presidents; the state
25 librarian; one educational service district superintendent, one school
26 district superintendent, and one representative of an approved private
27 school, appointed by the superintendent of public instruction; and one
28 representative of independent baccalaureate institutions, appointed by
29 the Washington association of independent colleges and universities.

30 (2) The director of the department of information services or his
31 or her designee shall serve as chair of the K-20 board. The department
32 of information services shall provide staffing to the K-20 board. A
33 majority of the voting members of the K-20 board shall constitute a
34 quorum for the transaction of business.

35 (3) The citizen member of the K-20 board shall be compensated in
36 accordance with RCW 43.03.250.

1 **Sec. 216.** RCW 43.105.810 and 1999 c 285 s 6 are each amended to
2 read as follows:

3 The K-20 network technical steering committee is established, and
4 shall report to the information services board.

5 (1) The committee consists of the following seven voting members:
6 A representative of the (~~higher education coordinating~~) student
7 financial assistance board, appointed by its executive director; a
8 representative of the superintendent of public instruction, appointed
9 by the superintendent of public instruction; a representative of the
10 state board for community and technical colleges, appointed by its
11 executive director; a representative of the educational services
12 districts, appointed by that organization; a representative of the
13 baccalaureate institutions, appointed by the council of presidents; a
14 representative of the computer or telecommunications industry,
15 appointed by the governor; and a representative of the department,
16 appointed by the director. The committee includes as ex officio,
17 nonvoting members, a representative of the organization that operates
18 the K-20 network under RCW 43.105.815, appointed by that organization;
19 the state librarian; a representative of the independent nonprofit
20 institutions of higher education, appointed by the Washington
21 association of independent colleges and universities; and such
22 additional ex officio, nonvoting members as may be appointed by the
23 information services board. The committee shall select a chair from
24 among its members.

25 (2) The committee shall have general operational and technical
26 oversight over the K-20 network, as delegated by the information
27 services board.

28 (3) The department shall supply necessary staff support to the
29 committee.

30 **Sec. 217.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to
31 read as follows:

32 (1) In overseeing the technical aspects of the K-20 network, the
33 information services board is not intended to duplicate the statutory
34 responsibilities of the (~~higher education coordinating~~) student
35 financial assistance board, the superintendent of public instruction,
36 the information services board, the state librarian, or the governing
37 boards of the institutions of higher education.

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

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

6 (4) The coordination of telecommunications planning for the common
7 schools remains the responsibility of the superintendent of public
8 instruction. Except as set forth in RCW 43.105.041(1)(d), the board
9 may recommend, but not require, revisions to the superintendent's
10 telecommunications plans.

11 **Sec. 218.** RCW 74.13.570 and 2005 c 93 s 2 are each amended to read
12 as follows:

13 (1) The department shall establish an oversight committee composed
14 of staff from the children's administration of the department, the
15 office of the superintendent of public instruction, the ((higher
16 education—coordinating)) student financial assistance board, foster
17 youth, former foster youth, foster parents, and advocacy agencies to
18 develop strategies for maintaining foster children in the schools they
19 were attending at the time they entered foster care and to promote
20 opportunities for foster youth to participate in postsecondary
21 education or training.

22 (2) The duties of the oversight committee shall include, but are
23 not limited to:

24 (a) Developing strategies for school-based recruitment of foster
25 homes;

26 (b) Monitoring the progress of current pilot projects that assist
27 foster children to continue attending the schools they were attending
28 at the time they entered foster care;

29 (c) Overseeing the expansion of the number of pilot projects;

30 (d) Promoting the use of best practices, throughout the state,
31 demonstrated by the pilot projects and other programs relating to
32 maintaining foster children in the schools they were attending at the
33 time they entered foster care;

34 (e) Informing the legislature of the status of efforts to maintain
35 foster children in the schools they were attending at the time they
36 entered foster care;

1 (f) Assessing the scope and nature of statewide need among current
2 and former foster youth for assistance to pursue and participate in
3 postsecondary education or training opportunities;

4 (g) Identifying available sources of funding available in the state
5 for services to former foster youth to pursue and participate in
6 postsecondary education or training opportunities;

7 (h) Reviewing the effectiveness of activities in the state to
8 support former foster youth to pursue and participate in postsecondary
9 education or training opportunities;

10 (i) Identifying new activities, or existing activities that should
11 be modified or expanded, to best meet statewide needs; and

12 (j) Reviewing on an ongoing basis the progress toward improving
13 educational and vocational outcomes for foster youth.

14 NEW SECTION. **Sec. 219.** The following acts or parts of acts are
15 each repealed:

16 (1) RCW 28B.76.040 (Members--Appointment) and 2002 c 348 s 1, 2002
17 c 129 s 1, & 1985 c 370 s 10;

18 (2) RCW 28B.76.050 (Members--Terms) and 2007 c 458 s 101, 2004 c
19 275 s 3, 2002 c 129 s 2, & 1985 c 370 s 11;

20 (3) RCW 28B.76.060 (Members--Vacancies) and 1985 c 370 s 12;

21 (4) RCW 28B.76.100 (Advisory council) and 2007 c 458 s 103, 2004 c
22 275 s 2, & 1985 c 370 s 9;

23 (5) RCW 28B.76.210 (Budget priorities and levels of funding--
24 Guidelines for institutions--Review and evaluation of budget requests--
25 Recommendations) and 2008 c 205 s 4, 2007 c 458 s 202, 2004 c 275 s 7,
26 2003 c 130 s 3, 1997 c 369 s 10, 1996 c 174 s 1, 1993 c 363 s 6, & 1985
27 c 370 s 4;

28 (6) RCW 28B.76.240 (Statewide transfer and articulation policies)
29 and 2004 c 275 s 10, 1998 c 245 s 23, 1985 c 370 s 27, & 1983 c 304 s
30 1;

31 (7) RCW 28B.76.2401 (Statewide transfer of credit policy and
32 agreement--Requirements) and 2004 c 55 s 5;

33 (8) RCW 28B.76.250 (Transfer associate degrees--Work groups--
34 Implementation--Progress reports) and 2004 c 55 s 2;

35 (9) RCW 28B.76.260 (Statewide system of course equivalency--Work
36 group) and 2004 c 55 s 3;

1 (10) RCW 28B.76.270 (Accountability monitoring and reporting
2 system--Institution biennial plans and performance targets--Biennial
3 reports to the legislature) and 2004 c 275 s 11;

4 (11) RCW 28B.76.280 (Data collection and research--Research
5 advisory group--Privacy protection) and 2004 c 275 s 12; and

6 (12) RCW 28B.76.300 (State support received by students--
7 Information) and 2004 c 275 s 14, 1997 c 48 s 1, & 1993 c 250 s 1.

8 NEW SECTION. **Sec. 220.** (1) The higher education coordinating
9 board is abolished. All powers, duties, and functions of the higher
10 education coordinating board pertaining to student financial assistance
11 are transferred to the student financial assistance board. All
12 references to the director or the higher education coordinating board
13 in the Revised Code of Washington shall be construed to mean the
14 director or the student financial assistance board when referring to
15 the functions transferred in this section.

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

27 (b) Any appropriations made to the higher education coordinating
28 board for carrying out the powers, functions, and duties transferred
29 shall, on the effective date of this section, be transferred and
30 credited to the student financial assistance board.

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

1 (3) All employees of the higher education coordinating board
2 engaged in performing the powers, functions, and duties transferred are
3 transferred to the jurisdiction of the student financial assistance
4 board. All employees classified under chapter 41.06 RCW, the state
5 civil service law, are assigned to the student financial assistance
6 board to perform their usual duties upon the same terms as formerly,
7 without any loss of rights, subject to any action that may be
8 appropriate thereafter in accordance with the laws and rules governing
9 state civil service.

10 (4) All rules and all pending business before the higher education
11 coordinating board pertaining to the powers, functions, and duties
12 transferred shall be continued and acted upon by the student financial
13 assistance board. All existing contracts and obligations shall remain
14 in full force and shall be performed by the student financial
15 assistance board.

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

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

25 (7) Nothing contained in this section may be construed to alter any
26 existing collective bargaining unit or the provisions of any existing
27 collective bargaining agreement until the agreement has expired or
28 until the bargaining unit has been modified by action of the public
29 employment relations commission as provided by law.

30 **PART II**

31 **OFFICE OF FINANCIAL MANAGEMENT**

32 **Sec. 301.** RCW 28B.76.230 and 2005 c 258 s 11 are each amended to
33 read as follows:

34 (1) ~~((The board shall develop a comprehensive and ongoing~~
35 ~~assessment process to analyze the need for additional degrees and~~

1 ~~programs, additional off-campus centers and locations for degree~~
2 ~~programs, and consolidation or elimination of programs by the four-year~~
3 ~~institutions.~~

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

6 ~~(a) Projections of student, employer, and community demand for~~
7 ~~education and degrees, including liberal arts degrees, on a regional~~
8 ~~and statewide basis;~~

9 ~~(b) Current and projected degree programs and enrollment at public~~
10 ~~and private institutions of higher education, by location and mode of~~
11 ~~service delivery; and~~

12 ~~(c) Data from the workforce training and education coordinating~~
13 ~~board and the state board for community and technical colleges on the~~
14 ~~supply and demand for workforce education and certificates and~~
15 ~~associate degrees.~~

16 ~~(3) Every two years the board shall produce, jointly with the state~~
17 ~~board for community and technical colleges and the workforce training~~
18 ~~and education coordinating board, an assessment of the number and type~~
19 ~~of higher education and training credentials required to match employer~~
20 ~~demand for a skilled and educated workforce. The assessment shall~~
21 ~~include the number of forecasted net job openings at each level of~~
22 ~~higher education and training and the number of credentials needed to~~
23 ~~match the forecast of net job openings.~~

24 ~~(4))~~ The ~~((board))~~ office shall determine whether certain major
25 lines of study or types of degrees, including applied degrees or
26 research-oriented degrees, shall be assigned uniquely to some
27 institutions or institutional sectors in order to create centers of
28 excellence that focus resources and expertise.

29 ~~((+5))~~ (2) The following activities are subject to approval by the
30 ~~((board))~~ office:

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

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

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

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

36 (e) New degree programs and creation of off-campus programs by an
37 independent college or university in collaboration with a community or
38 technical college; and

1 (f) Applied baccalaureate degree programs developed by colleges
2 under RCW 28B.50.810.

3 ~~((6) Institutions seeking board approval under this section must~~
4 ~~demonstrate that the proposal is justified by the needs assessment~~
5 ~~developed under this section.)) (3) Institutions must also demonstrate~~
6 how the proposals align with or implement the statewide strategic
7 master plan for higher education under RCW 28B.76.200.

8 ~~((7)) (4) The ((board)) office shall develop clear guidelines and~~
9 objective decision-making criteria regarding approval of proposals
10 under this section, which must include review and consultation with the
11 institution and other interested agencies and individuals.

12 ~~((8)) (5) The ((board)) office shall periodically recommend~~
13 consolidation or elimination of programs at the four-year institutions,
14 based on the needs assessment analysis.

15 **Sec. 302.** RCW 28B.76.290 and 1993 c 77 s 2 are each amended to
16 read as follows:

17 The ((board)) office shall ~~((coordinate educational activities~~
18 ~~among all segments of higher education taking into account the~~
19 ~~educational programs, facilities, and other resources of both public~~
20 ~~and independent two and four year colleges and universities. The four-~~
21 ~~year institutions and the state board for community and technical~~
22 ~~colleges shall coordinate information and activities with the board.~~
23 ~~The board shall have the following additional responsibilities:~~

24 ~~(1) Promote interinstitutional cooperation;~~

25 ~~(2)) establish minimum admission standards for four-year~~
26 institutions, including a requirement that coursework in American sign
27 language or an American Indian language shall satisfy any requirement
28 for instruction in a language other than English that the ((board))
29 office or the institutions may establish as a general undergraduate
30 admissions requirement((

31 ~~(3) Establish transfer policies;~~

32 ~~(4) Adopt rules implementing statutory residency requirements;~~

33 ~~(5) Develop and administer reciprocity agreements with bordering~~
34 ~~states and the province of British Columbia;~~

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

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

3 ~~(8) Arbitrate disputes between and among four-year institutions or~~
4 ~~between and among four-year institutions and community colleges at the~~
5 ~~request of one or more of the institutions involved, or at the request~~
6 ~~of the governor, or from a resolution adopted by the legislature. The~~
7 ~~decision of the board shall be binding on the participants in the~~
8 ~~dispute;~~

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

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

14 ~~(11) Make recommendations to increase minority participation, and~~
15 ~~monitor and report on the progress of minority participation in higher~~
16 ~~education)).~~

17 **Sec. 303.** RCW 28B.76.310 and 2004 c 275 s 15 are each amended to
18 read as follows:

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

30 (2) ~~((By December 1, 2004, the board must propose a schedule of~~
31 ~~regular cost study reports intended to meet the information needs of~~
32 ~~the governor's office and the legislature and the requirements of RCW~~
33 ~~28B.76.300 and submit the proposed schedule to the higher education and~~
34 ~~fiscal committees of the house of representatives and the senate for~~
35 ~~their review.~~

36 ~~(3))~~ The institutions of higher education, as defined in RCW

1 28B.10.016, shall participate in the development of cost study methods
2 and shall provide all necessary data in a timely fashion consistent
3 with the protocols developed.

4 **Sec. 304.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to
5 read as follows:

6 The boards of regents of the University of Washington and
7 Washington State University, respectively, and the boards of trustees
8 of Central Washington University, Eastern Washington University,
9 Western Washington University, and The Evergreen State College,
10 respectively, shall have the power and authority to acquire by
11 exchange, gift, purchase, lease, or condemnation in the manner provided
12 by chapter 8.04 RCW for condemnation of property for public use, such
13 lands, real estate and other property, and interests therein as they
14 may deem necessary for the use of said institutions respectively.
15 However, the purchase or lease of major off-campus facilities is
16 subject to the approval of the (~~higher education coordinating board~~)
17 office of financial management under RCW 28B.76.230 (as recodified by
18 this act).

19 **Sec. 305.** RCW 28B.10.922 and 2008 c 160 s 4 are each amended to
20 read as follows:

21 (1) A state performance agreement committee is created to represent
22 the state in developing performance agreements under this section and
23 RCW 28B.10.920 and 28B.10.921. The committee is composed of
24 representatives from the governor's office, the office of financial
25 management, (~~the higher education coordinating board,~~) the office of
26 the superintendent of public instruction, two members of the senate
27 appointed by the secretary of the senate, and two members of the house
28 of representatives appointed by the speaker of the house of
29 representatives. The state performance agreement committee shall be
30 staffed by personnel from the (~~higher education coordinating board~~)
31 office of financial management.

32 (2) Each of the participating institutions shall develop a
33 preliminary draft of a performance agreement with input from students
34 and faculty. The governing boards of the public four-year institutions
35 of higher education shall designate performance agreement
36 representatives for each institution respectively that shall include

1 two faculty members at those institutions bargaining under chapter
2 41.76 RCW, at least one of whom shall be appointed by the exclusive
3 collective bargaining agent and the other appointed by the faculty
4 governance organization of that institution. If the participating
5 pilot institution does not bargain under chapter 41.76 RCW, then two
6 faculty members shall be appointed by the faculty governance
7 organization of that institution. The associated student governments
8 or their equivalents shall designate two performance agreement
9 representatives at those institutions. Starting with the preliminary
10 drafts, the state performance agreement committee and representatives
11 of each institution shall develop revised draft performance agreements
12 for each institution and submit the revised drafts to the governor and
13 the fiscal and higher education committees of the legislature no later
14 than September 1, 2008.

15 (3) After receiving informal input on the revised draft performance
16 agreements, particularly regarding the levels of resources assumed in
17 the agreements, the state committee and institution representatives
18 shall develop final proposed performance agreements and submit the
19 agreements to the governor and the office of financial management by
20 November 1, 2008, for consideration in development of the governor's
21 2009-2011 operating and capital budget recommendations.

22 (4) The state committee shall submit any legislation necessary to
23 implement a performance agreement to the higher education committees of
24 the senate and house of representatives.

25 (5) All cost items contained within a performance agreement are
26 subject to legislative appropriation.

27 (6) If the legislature affirms, through a proviso in the 2009-2011
28 omnibus appropriations act, that the omnibus appropriations act and the
29 2009 capital budget act enacted by the legislature align with the
30 proposed performance agreements, the performance agreements shall take
31 effect beginning July 1, 2009, through June 30, 2015. If the
32 legislature affirms, through a proviso in the 2009-2011 omnibus
33 appropriations act or through inaction, that the omnibus appropriations
34 act and/or the 2009 capital budget act are not aligned with the
35 proposed performance agreements, the state committee and institution
36 representatives shall redraft the agreements to align with the enacted
37 budgets, and the redrafted agreements shall take effect beginning
38 September 1, 2009, through June 30, 2015.

1 (7) The legislature, the state committee, and the institution
2 representatives shall repeat the process described in subsection (6) of
3 this section for each subsequent omnibus appropriations and capital
4 budget act enacted between the 2010 and 2014 legislative sessions to
5 ensure that the performance agreements are updated as necessary to
6 align with enacted omnibus appropriations and capital budget acts.

7 **Sec. 306.** RCW 28B.15.460 and 1997 c 5 s 2 are each amended to read
8 as follows:

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

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

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

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

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

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

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

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

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

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

25 **Sec. 307.** RCW 28B.15.465 and 1997 c 5 s 3 are each amended to read
26 as follows:

27 (1) The (~~higher education coordinating board~~) office of financial
28 management shall report every four years, beginning December 1998, to
29 the governor and the house of representatives and senate committees on
30 higher education, on institutional efforts to comply with the
31 requirements of RCW 28B.15.740, 28B.15.455, and 28B.15.460. Each
32 report shall include recommendations on measures to assist institutions
33 with compliance.

34 (2) Before the board makes its report in December 2006, the board
35 shall assess the extent of institutional compliance with the
36 requirements of RCW 28B.15.740, 28B.15.455, and 28B.15.460.

1 (3) The report in this section may be combined with the report
2 required in RCW 28B.110.040(3).

3 **Sec. 308.** RCW 28B.20.130 and 2004 c 275 s 52 are each amended to
4 read as follows:

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

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

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

12 (3) Establish entrance requirements for students seeking admission
13 to the university which meet or exceed the standards (~~specified under~~
14 ~~RCW 28B.76.290(2))~~ adopted by the office of financial management.
15 Completion of examinations satisfactory to the university may be a
16 prerequisite for entrance by any applicant at the university's
17 discretion. Evidence of completion of public high schools and other
18 educational institutions whose courses of study meet the approval of
19 the university may be acceptable for entrance.

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

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

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

33 (7) Accept such gifts, grants, conveyances, bequests, and devises,
34 whether real or personal property, or both, in trust or otherwise, for
35 the use or benefit of the university, its colleges, schools,
36 departments, or agencies; and sell, lease or exchange, invest or expend
37 the same or the proceeds, rents, profits, and income thereof except as

1 limited by the terms of said gifts, grants, conveyances, bequests, and
2 devises. The board shall adopt proper rules to govern and protect the
3 receipt and expenditure of the proceeds of all fees, and the proceeds,
4 rents, profits, and income of all gifts, grants, conveyances, bequests,
5 and devises above-mentioned.

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

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

10 (10) Subject to the approval of the (~~higher education coordinating~~
11 ~~board~~) office of financial management pursuant to RCW 28B.76.230 (as
12 recodified by this act), offer new degree programs, offer off-campus
13 programs, participate in consortia or centers, contract for off-campus
14 educational programs, and purchase or lease major off-campus
15 facilities.

16 **Sec. 309.** RCW 28B.20.280 and 1985 c 370 s 82 are each amended to
17 read as follows:

18 The board of regents of the University of Washington may offer
19 masters level and doctorate level degrees in technology subject to
20 review and approval by the (~~higher education coordinating board~~)
21 office of financial management.

22 **Sec. 310.** RCW 28B.30.150 and 2004 c 275 s 53 are each amended to
23 read as follows:

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

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

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

32 (3) Establish entrance requirements for students seeking admission
33 to the university which meet or exceed the standards (~~specified under~~
34 ~~RCW 28B.76.290(2)~~) adopted by the office of financial management.

35 Completion of examinations satisfactory to the university may be a
36 prerequisite for entrance by any applicant, at the university's

1 discretion. Evidence of completion of public high schools and other
2 educational institutions whose courses of study meet the approval of
3 the university may be acceptable for entrance.

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

7 (5) Subject to the approval of the (~~higher education coordinating~~
8 ~~board~~) office of financial management pursuant to RCW 28B.76.230 (as
9 recodified by this act), offer new degree programs, offer off-campus
10 programs, participate in consortia or centers, contract for off-campus
11 educational programs, and purchase or lease major off-campus
12 facilities.

13 (6) With the assistance of the faculty of the university, prescribe
14 the courses of instruction in the various colleges, schools, and
15 departments of the institution and publish the necessary catalogues
16 thereof.

17 (7) Collect such information as the (~~board~~) office of financial
18 management deems desirable as to the schemes of technical instruction
19 adopted in other parts of the United States and foreign countries.

20 (8) Provide for holding agricultural institutes including farm
21 marketing forums.

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

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

28 (11) Establish a department of elementary science and in connection
29 therewith provide instruction in elementary mathematics, including
30 elementary trigonometry, elementary mechanics, elementary and
31 mechanical drawing, and land surveying.

32 (12) Establish a department of agriculture and in connection
33 therewith provide instruction in physics with special application of
34 its principles to agriculture, chemistry with special application of
35 its principles to agriculture, morphology and physiology of plants with
36 special reference to common grown crops and fungus enemies, morphology
37 and physiology of the lower forms of animal life, with special
38 reference to insect pests, morphology and physiology of the higher

1 forms of animal life and in particular of the horse, cow, sheep, and
2 swine, agriculture with special reference to the breeding and feeding
3 of livestock and the best mode of cultivation of farm produce, and
4 mining and metallurgy, appointing demonstrators in each of these
5 subjects to superintend the equipment of a laboratory and to give
6 practical instruction therein.

7 (13) Establish agricultural experiment stations in connection with
8 the department of agriculture, including at least one in the western
9 portion of the state, and appoint the officers and prescribe
10 regulations for their management.

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

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

18 (16) Adopt plans and specifications for university buildings and
19 facilities or improvements thereto and employ skilled architects and
20 engineers to prepare such plans and specifications and supervise the
21 construction of buildings or facilities which the board is authorized
22 to erect, and fix the compensation for such services. The board shall
23 enter into contracts with one or more contractors for such suitable
24 buildings, facilities, or improvements as the available funds will
25 warrant, upon the most advantageous terms offered at a public
26 competitive letting, pursuant to public notice under rules established
27 by the board. The board shall require of all persons with whom they
28 contract for construction and improvements a good and sufficient bond
29 for the faithful performance of the work and full protection against
30 all liens.

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

33 (18) Receive and expend the money appropriated under the act of
34 congress approved May 8, 1914, entitled "An Act to provide for
35 cooperative agricultural extension work between the agricultural
36 colleges in the several States receiving the benefits of the Act of
37 Congress approved July 2, 1862, and Acts supplemental thereto and the
38 United States Department of Agriculture" and organize and conduct

1 agricultural extension work in connection with the state university in
2 accordance with the terms and conditions expressed in the acts of
3 congress.

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

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

9 (21) Establish and maintain at least one agricultural experiment
10 station in an irrigation district to conduct investigational work upon
11 the principles and practices of irrigational agriculture including the
12 utilization of water and its relation to soil types, crops, climatic
13 conditions, ditch and drain construction, fertility investigations,
14 plant disease, insect pests, marketing, farm management, utilization of
15 fruit by-products, and general development of agriculture under
16 irrigation conditions.

17 (22) Supervise and control the agricultural experiment station at
18 Puyallup.

19 (23) Establish and maintain at Wenatchee an agricultural experiment
20 substation for the purpose of conducting investigational work upon the
21 principles and practices of orchard culture, spraying, fertilization,
22 pollenization, new fruit varieties, fruit diseases and pests, by-
23 products, marketing, management, and general horticultural problems.

24 (24) Accept such gifts, grants, conveyances, devises, and bequests,
25 whether real or personal property, in trust or otherwise, for the use
26 or benefit of the university, its colleges, schools, or departments;
27 and sell, lease or exchange, invest or expend the same or the proceeds,
28 rents, profits, and income thereof except as limited by the terms of
29 said gifts, grants, conveyances, bequests, and devises; and adopt
30 proper rules to govern and protect the receipt and expenditure of the
31 proceeds of all fees, and the proceeds, rents, profits, and income of
32 all gifts, grants, conveyances, bequests, and devises.

33 (25) Construct when the board so determines a new foundry and a
34 mining, physical, technological building, and fabrication shop at the
35 university, or add to the present foundry and other buildings, in order
36 that both instruction and research be expanded to include permanent
37 molding and die casting with a section for new fabricating techniques,
38 especially for light metals, including magnesium and aluminum; purchase

1 equipment for the shops and laboratories in mechanical, electrical, and
2 civil engineering; establish a pilot plant for the extraction of
3 alumina from native clays and other possible light metal research;
4 purchase equipment for a research laboratory for technological research
5 generally; and purchase equipment for research in electronics,
6 instrumentation, energy sources, plastics, food technology, mechanics
7 of materials, hydraulics, and similar fields.

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

11 **Sec. 311.** RCW 28B.30.500 and 1985 c 370 s 83 are each amended to
12 read as follows:

13 The board of regents of Washington State University may offer
14 masters level and doctorate level degrees in technology subject to
15 review and approval by the (~~higher education coordinating board~~)
16 office of financial management.

17 **Sec. 312.** RCW 28B.35.120 and 2006 c 263 s 824 are each amended to
18 read as follows:

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

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

23 (2) Shall employ the president of the regional university, (~~his~~)
24 the president's assistants, members of the faculty, and other employees
25 of the institution, who, except as otherwise provided by law, shall
26 hold their positions, until discharged therefrom by the board for good
27 and lawful reason.

28 (3) With the assistance of the faculty of the regional university,
29 shall prescribe the course of study in the various schools and
30 departments thereof and publish such catalogues thereof as the board
31 deems necessary: PROVIDED, That the Washington professional educator
32 standards board shall determine the requisites for and give program
33 approval of all courses leading to teacher certification by such board.

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

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

4 (6) May acquire real and other property as provided in RCW
5 28B.10.020, as now or hereafter amended.

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

9 (8) May establish, lease, operate, equip and maintain self-
10 supporting facilities in the manner provided in RCW 28B.10.300 through
11 28B.10.330, as now or hereafter amended.

12 (9) Except as otherwise provided by law, to enter into such
13 contracts as the trustees deem essential to regional university
14 purposes.

15 (10) May receive such gifts, grants, conveyances, devises and
16 bequests of real or personal property from whatsoever source, 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 regional university
19 programs; sell, lease or exchange, invest or expend the same or the
20 proceeds, rents, profits and income thereof except as limited by the
21 terms and conditions thereof; and adopt regulations to govern the
22 receipt and expenditure of the proceeds, rents, profits and income
23 thereof.

24 (11) Subject to the approval of the (~~higher education coordinating~~
25 ~~board~~) office of financial management pursuant to RCW 28B.76.230 (as
26 recodified by this act), offer new degree programs, offer off-campus
27 programs, participate in consortia or centers, contract for off-campus
28 educational programs, and purchase or lease major off-campus
29 facilities.

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

34 **Sec. 313.** RCW 28B.35.205 and 2009 c 295 s 1 are each amended to
35 read as follows:

36 In addition to all other powers and duties given to them by law,
37 Central Washington University, Eastern Washington University, and

1 Western Washington University are hereby authorized to grant any degree
2 through the master's degree to any student who has completed a program
3 of study and/or research in those areas which are determined by the
4 faculty and board of trustees of the college to be appropriate for the
5 granting of such degree: PROVIDED, That before any degree is
6 authorized under this section it shall be subject to the review and
7 approval of the ((higher education coordinating board)) office of
8 financial management.

9 The board of trustees, upon recommendation of the faculty, may also
10 confer honorary bachelor's, master's, or doctorate level degrees upon
11 persons in recognition of their learning or devotion to education,
12 literature, art, or science. No degree may be conferred in
13 consideration of the payment of money or the donation of any kind of
14 property.

15 **Sec. 314.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to
16 read as follows:

17 The board of trustees of Eastern Washington University may offer
18 applied, but not research, doctorate level degrees in physical therapy
19 subject to review and approval by the ((higher education coordinating
20 board)) office of financial management.

21 **Sec. 315.** RCW 28B.38.010 and 2004 c 275 s 55 are each amended to
22 read as follows:

23 (1) The Spokane intercollegiate research and technology institute
24 is created.

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

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

33 (4) The establishment of any education program at the institute and
34 the lease, purchase, or construction of any site or facility for the
35 institute is subject to the approval of the ((higher education

1 ~~coordinating board))~~ office of financial management under RCW
2 28B.76.230 (as recodified by this act).

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

4 (6) The mission of the institute is to perform and commercialize
5 research that benefits the intermediate and long-term economic vitality
6 of eastern Washington and to develop and strengthen university-industry
7 relationships through the conduct of research that is primarily of
8 interest to eastern Washington-based companies or state economic
9 development programs. The institute shall:

10 (a) Perform and facilitate research supportive of state science and
11 technology objectives, particularly as they relate to eastern
12 Washington industries;

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

15 (c) Provide substantial opportunities for training undergraduate
16 and graduate students through direct involvement in research and
17 industry interactions;

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

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

24 **Sec. 316.** RCW 28B.40.120 and 2006 c 263 s 825 are each amended to
25 read as follows:

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

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

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

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

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

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

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 college.

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 college purposes.

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

29 (11) Subject to the approval of the (~~higher education coordinating~~
30 ~~board~~) office of financial management pursuant to RCW 28B.76.230 (as
31 recodified by this act), offer new degree programs, offer off-campus
32 programs, participate in consortia or centers, contract for off-campus
33 educational programs, and purchase or lease major off-campus
34 facilities.

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

1 **Sec. 317.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to
2 read as follows:

3 In addition to all other powers and duties given to them by law,
4 the board of trustees of The Evergreen State College is hereby
5 authorized to grant any degree through the master's degree to any
6 student who has completed a program of study and/or research in those
7 areas which are determined by the faculty and board of trustees of the
8 college to be appropriate for the granting of such degree: PROVIDED,
9 That any degree authorized under this section shall be subject to the
10 review and approval of the ((higher education coordinating board))
11 office of financial management.

12 The board of trustees, upon recommendation of the faculty, may also
13 confer honorary bachelor's or master's degrees upon persons other than
14 graduates of the institution, in recognition of their learning or
15 devotion to education, literature, art, or science. No degree may be
16 conferred in consideration of the payment of money or the donation of
17 any kind of property.

18 **Sec. 318.** RCW 28B.45.014 and 2005 c 258 s 2 are each amended to
19 read as follows:

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

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

36 (3) In communities where a private postsecondary institution is

1 located, representatives of the private institution may be invited to
2 participate in the conversation about meeting the baccalaureate and
3 master's level graduate needs in underserved urban areas of the state.

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

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

20 (6) In consultation with the (~~higher education coordinating~~
21 ~~board~~) office of financial management, a branch campus may propose
22 legislation to authorize practice-oriented or professional doctoral
23 programs if: (a) Unique research facilities and equipment are located
24 near the campus; or (b) the campus can clearly demonstrate student and
25 employer demand in the region that is linked to regional economic
26 development.

27 (7) It is not the legislature's intent to have each campus chart
28 its own future path without legislative guidance. Instead, the
29 legislature intends to consider carefully the mission and model of
30 education that best suits each campus and best meets the needs of
31 students, the community, and the region. The (~~higher education~~
32 ~~coordinating board~~) office of financial management shall monitor and
33 evaluate the addition of lower division students to the branch campuses
34 and periodically report and make recommendations to the higher
35 education committees of the legislature to ensure the campuses continue
36 to follow the priorities established under this chapter.

1 **Sec. 319.** RCW 28B.45.020 and 2005 c 258 s 3 are each amended to
2 read as follows:

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

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

26 (3) At the University of Washington Bothell, a top priority is
27 expansion of upper division capacity for transfer students and graduate
28 capacity and programs. The campus shall also seek additional
29 opportunities to collaborate with and maximize its (~~collocation~~
30 ~~relocation~~) colocation with Cascadia Community College. Beginning
31 in the fall of 2006, the campus may offer lower division courses linked
32 to specific majors in fields not addressed at local community colleges.
33 The campus may admit lower division students through coadmission or
34 coenrollment agreements with a community college, or through direct
35 transfer for students who have accumulated approximately one year of
36 transferable college credits. In addition to offering lower division
37 courses linked to specific majors as addressed above, the campus may

1 also directly admit freshmen and sophomores gradually and deliberately
2 in accordance with the campus plan submitted to the higher education
3 coordinating board in 2004.

4 **Sec. 320.** RCW 28B.45.030 and 2006 c 166 s 1 are each amended to
5 read as follows:

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

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

34 (3) Washington State University Tri-Cities shall continue providing
35 innovative coadmission and coenrollment options with Columbia Basin
36 College, and expand its upper division capacity for transfer students
37 and graduate capacity and programs. The campus shall also seek

1 additional opportunities to collaborate with the Pacific Northwest
2 national laboratory. Beginning in the fall of 2006, the campus may
3 offer lower division courses linked to specific majors in fields not
4 addressed at local community colleges. The campus may admit lower
5 division students through coadmission or coenrollment agreements with
6 a community college, or through direct transfer for students who have
7 accumulated approximately one year of transferable college credits. In
8 addition to offering lower division courses linked to specific majors
9 as addressed above, the campus may also directly admit freshmen and
10 sophomores for a bachelor's degree program in biotechnology subject to
11 approval by the (~~higher education coordinating board~~) office of
12 financial management.

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

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

36 **Sec. 321.** RCW 28B.45.040 and 2005 c 258 s 5 are each amended to
37 read as follows:

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

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

19 **Sec. 322.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each
20 amended to read as follows:

21 Central Washington University is responsible for providing upper-
22 division and graduate level higher education programs to the citizens
23 of the Yakima area, under rules or guidelines adopted by the (~~higher~~
24 ~~education coordinating board~~) office of financial management.

25 **Sec. 323.** RCW 28B.50.140 and 2009 c 64 s 5 are each amended to
26 read as follows:

27 Each board of trustees:

28 (1) Shall operate all existing community and technical colleges in
29 its district;

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

33 (3) Shall employ for a period to be fixed by the board a college
34 president for each community and technical college and, may appoint a
35 president for the district, and fix their duties and compensation,
36 which may include elements other than salary. Compensation under this

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

13 (4) May establish, under the approval and direction of the college
14 board, new facilities as community needs and interests demand.
15 However, the authority of boards of trustees to purchase or lease major
16 off-campus facilities shall be subject to the approval of the (~~higher~~
17 ~~education coordinating board~~) office of financial management pursuant
18 to RCW 28B.76.230 (as recodified by this act);

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

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

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

1 management, operation, and government of such facilities, and any board
2 entering into such an agreement may:

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

5 (b) Employ necessary employees to govern, manage and operate the
6 same;

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

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

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

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

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

1 issues related to tuition and fee rates; tuition waivers; enrollment
2 counting, including the use of credits instead of clock hours; degree
3 granting authority; or any other rules necessary to offer the associate
4 degrees that prepare students for transfer to bachelor's degrees in
5 professional areas. Only pilot colleges under RCW 28B.50.810 may award
6 baccalaureate degrees. The board, upon recommendation of the faculty,
7 may also confer honorary associate of arts degrees upon persons other
8 than graduates of the community college, in recognition of their
9 learning or devotion to education, literature, art, or science. No
10 degree may be conferred in consideration of the payment of money or the
11 donation of any kind of property;

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

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

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

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

1 That enrollments generated hereunder shall not be counted toward the
2 official enrollment level of the college district for state funding
3 purposes;

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

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

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

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

33 **Sec. 324.** RCW 28B.50.810 and 2008 c 166 s 2 are each amended to
34 read as follows:

35 (1) By April 2006, the college board shall select four community or
36 technical colleges to develop and offer programs of study leading to an
37 applied baccalaureate degree. At least one of the four pilot programs

1 chosen must lead to a baccalaureate of applied science degree which
2 builds on an associate of applied science degree. The college board
3 shall convene a task force that includes representatives of both the
4 community and technical colleges to develop objective selection
5 criteria.

6 (2) By February 2008, the college board shall select up to three
7 colleges to develop and offer programs of study leading to an applied
8 baccalaureate degree. At least one of the colleges selected must be a
9 technical college. The college board shall use the objective selection
10 criteria developed under subsections (1) and (3) of this section to
11 make the selection.

12 (3) Colleges may submit an application to become a pilot college
13 under this section. The college board shall review the applications
14 and select the pilot colleges using objective criteria, including:

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

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

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

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

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

29 (4) A college selected as a pilot college under this section may
30 develop the curriculum for and design and deliver courses leading to an
31 applied baccalaureate degree. However, degree programs developed under
32 this section are subject to approval by the college board under RCW
33 28B.50.090 and by the (~~higher education coordinating board~~) office of
34 financial management under RCW 28B.76.230 (as recodified by this act)
35 before a pilot college may enroll students in upper division courses.
36 A pilot college approved under subsection (1) of this section may not
37 enroll students in upper division courses before the fall academic

1 quarter of 2006. A pilot college approved under subsection (2) of this
2 section may not enroll students in upper division courses before the
3 fall academic quarter of 2009.

4 **Sec. 325.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to
5 read as follows:

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

8 (2) The board shall:

9 (a) Determine the specific high-technology occupational fields in
10 which technical training is needed and advise the institutions of
11 higher education (~~and the higher education coordinating board~~) on
12 their findings;

13 (b) Identify economic areas and high-technology industries in need
14 of technical training and research and development critical to economic
15 development and advise the institutions of higher education (~~and the
16 higher education coordinating board~~) on their findings;

17 (c) Oversee and coordinate the Washington high-technology education
18 and training program to ensure high standards, efficiency, and
19 effectiveness;

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

23 (e) Work cooperatively with and provide any information or advice
24 which may be requested by the (~~higher education coordinating board~~)
25 office of financial management during the board's review of new
26 baccalaureate degree program proposals which are submitted under this
27 chapter. Nothing in this chapter shall be construed as altering or
28 superseding the powers or prerogatives of the (~~higher education
29 coordinating board~~) office of financial management over the review of
30 new degree programs as established in section 6(2) of this 1985 act;

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

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

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

3 (i) Establish and maintain a plan, including priorities, to guide
4 high-technology program development in public institutions of higher
5 education, which plan shall include an assessment of current high-
6 technology programs, steps to increase existing programs, new
7 initiatives and programs necessary to promote high technology, and
8 methods to coordinate and target high-technology programs to changing
9 market opportunities in business and industry.

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

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

14 **Sec. 326.** RCW 28B.110.030 and 1989 c 341 s 3 are each amended to
15 read as follows:

16 (~~In consultation with~~) The institutions of higher education(~~(~~
17 ~~the higher education coordinating board~~)) shall develop rules and
18 guidelines to eliminate possible gender discrimination to students,
19 including sexual harassment, at institutions of higher education as
20 defined in RCW 28B.10.016. The rules and guidelines shall include but
21 not be limited to access to academic programs, student employment,
22 counseling and guidance services, financial aid, recreational
23 activities including club sports, and intercollegiate athletics.

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

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

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

30 (c) Provide the same opportunities for advancement to males and
31 females; and

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

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

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

5 (4) All academic programs shall be available to students without
6 regard to gender.

7 (5) With respect to recreational activities, recreational
8 activities shall be offered to meet the interests of students.
9 Institutions which provide the following shall do so with no
10 disparities based on gender: Equipment and supplies; medical care;
11 services and insurance; transportation and per diem allowances;
12 opportunities to receive coaching and instruction; laundry services;
13 assignment of game officials; opportunities for competition, publicity,
14 and awards; and scheduling of games and practice times, including use
15 of courts, gyms, and pools. Each institution which provides showers,
16 toilets, lockers, or training room facilities for recreational purposes
17 shall provide comparable facilities for both males and females.

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

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

22 (a) Benefits and services including, but not limited to, equipment
23 and supplies; medical services; services and insurance; transportation
24 and per diem allowances; opportunities to receive coaching and
25 instruction; scholarships and other forms of financial aid;
26 conditioning programs; laundry services; assignment of game officials;
27 opportunities for competition, publicity, and awards; and scheduling of
28 games and practice times, including use of courts, gyms, and pools.
29 Each institution which provides showers, toilets, lockers, or training
30 room facilities for athletic purposes shall provide comparable
31 facilities for both males and females.

32 (b) Opportunities to participate in intercollegiate athletics.
33 Institutions shall provide equitable opportunities to male and female
34 students.

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

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

3 **Sec. 327.** RCW 28B.110.040 and 1997 c 5 s 5 are each amended to
4 read as follows:

5 The ((~~executive~~)) director of the ((~~higher education coordinating~~
6 ~~board~~)) office of financial management, in consultation with the
7 council of presidents and the state board for community and technical
8 colleges, shall monitor the compliance by institutions of higher
9 education with this chapter.

10 (1) The ((~~board~~)) office of financial management shall establish a
11 timetable and guidelines for compliance with this chapter.

12 (2) By November 30, 1990, each institution shall submit to the
13 ((~~board~~)) office of financial management for approval a plan to comply
14 with the requirements of RCW 28B.110.030. The plan shall contain
15 measures to ensure institutional compliance with the provisions of this
16 chapter by September 30, 1994. If participation in activities, such as
17 intercollegiate athletics and matriculation in academic programs is not
18 proportionate to the percentages of male and female enrollment, the
19 plan should outline efforts to identify barriers to equal participation
20 and to encourage gender equity in all aspects of college and university
21 life.

22 (3) The ((~~board~~)) office of financial management shall report
23 every four years, beginning December 31, ((~~1998~~)) 2010, to the governor
24 and the higher education committees of the house of representatives and
25 the senate on institutional efforts to comply with this chapter. The
26 report shall include recommendations on measures to assist institutions
27 with compliance. This report may be combined with the report required
28 in RCW 28B.15.465.

29 (4) The ((~~board~~)) office of financial management may delegate to
30 the state board for community and technical colleges any or all
31 responsibility for community college compliance with the provisions of
32 this chapter.

33 NEW SECTION. **Sec. 328.** The following sections are each recodified
34 as sections in chapter 43.41 RCW.

35 RCW 28B.76.290

36 RCW 28B.76.310

1 NEW SECTION. **Sec. 329.** RCW 28B.76.335 (Teacher preparation degree
2 programs in mathematics, science, and technology--Needs assessment) and
3 2007 c 396 s 17 are each repealed.

4 NEW SECTION. **Sec. 330.** (1) All powers, duties, and functions of
5 the higher education coordinating board pertaining to the adoption of
6 statewide gender equity rules, adoption of minimum college admission
7 standards, program approval, branch campus expansion, the education
8 cost study, and the purchase or lease of major off-campus facilities
9 are transferred to the office of financial management.

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

21 (b) Any appropriations made to the higher education coordinating
22 board for carrying out the powers, functions, and duties transferred
23 shall, on the effective date of this section, be transferred and
24 credited to the office of financial management.

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

31 (3) All employees of the higher education coordinating board
32 engaged in performing the powers, functions, and duties transferred are
33 transferred to the jurisdiction of the office of financial management.
34 All employees classified under chapter 41.06 RCW, the state civil
35 service law, are assigned to the office of financial management to
36 perform their usual duties upon the same terms as formerly, without any

1 loss of rights, subject to any action that may be appropriate
2 thereafter in accordance with the laws and rules governing state civil
3 service.

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

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

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

19 (7) Nothing contained in this section may be construed to alter any
20 existing collective bargaining unit or the provisions of any existing
21 collective bargaining agreement until the agreement has expired or
22 until the bargaining unit has been modified by action of the public
23 employment relations commission as provided by law.

24 **PART III**

25 **WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

26 **Sec. 401.** RCW 28B.85.010 and 1986 c 136 s 1 are each amended to
27 read as follows:

28 Unless the context clearly requires otherwise, the definitions in
29 this section apply throughout this chapter:

30 (1) "Board" means the (~~higher~~) workforce training and education
31 coordinating board.

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

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

5 **Sec. 402.** RCW 28B.85.100 and 1986 c 136 s 10 are each amended to
6 read as follows:

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

14 **Sec. 403.** RCW 28B.90.010 and 1993 c 181 s 2 are each amended to
15 read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

16 (5) "Board" means the (~~(higher education)~~) workforce training and
17 education coordinating board.

18 **Sec. 404.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to
19 read as follows:

20 The definitions in this section apply throughout this chapter
21 unless the context clearly requires otherwise.

22 (1) "Authority" means a health sciences and services authority
23 created pursuant to this chapter.

24 (2) "Board" means the governing board of trustees of an authority.

25 (3) "Director" means (~~(the director of)~~) the director of the
26 (~~(higher)~~) workforce training and education coordinating board.

27 (4) "Health sciences and services" means biosciences that advance
28 new therapies and procedures to combat disease and promote public
29 health.

30 (5) "Local government" means a city, town, or county.

31 (6) "Sponsoring local government" means a city, town, or county
32 that creates a health sciences and services authority.

33 **Sec. 405.** RCW 35.104.040 and 2007 c 251 s 4 are each amended to
34 read as follows:

35 (1) The (~~(higher)~~) workforce training and education coordinating
36 board may approve applications submitted by local governments for an

1 area's designation as a health sciences and services authority under
2 this chapter. The director shall determine the division to review
3 applications submitted by local governments under this chapter. The
4 application for designation shall be in the form and manner and contain
5 such information as the ((higher)) workforce training and education
6 coordinating board may prescribe, provided the application shall:

7 (a) Contain sufficient information to enable the director to
8 determine the viability of the proposal;

9 (b) Demonstrate that an ordinance or resolution has been passed by
10 the legislative authority of a local government that delineates the
11 boundaries of an area that may be designated an authority;

12 (c) Be submitted on behalf of the local government, or, if that
13 office does not exist, by the legislative body of the local government;

14 (d) Demonstrate that the public funds directed to programs or
15 facilities in the authority will leverage private sector resources and
16 contributions to activities to be performed;

17 (e) Provide a plan or plans for the development of the authority as
18 an entity to advance as a cluster for health sciences education, health
19 sciences research, biotechnology development, biotechnology product
20 commercialization, and/or health care services; and

21 (f) Demonstrate that the state has previously provided funds to
22 health sciences and services programs or facilities in the applicant
23 city, town, or county.

24 (2) The director shall determine the division to develop criteria
25 to evaluate the application. The criteria shall include:

26 (a) The presence of infrastructure capable of spurring development
27 of the area as a center of health sciences and services;

28 (b) The presence of higher education facilities where undergraduate
29 or graduate coursework or research is conducted; and

30 (c) The presence of facilities in which health services are
31 provided.

32 (3) There shall be no more than one authority statewide.

33 (4) An authority may only be created in a county with a population
34 of less than one million persons.

35 (5) The director may reject or approve an application. When
36 denying an application, the director must specify the application's
37 deficiencies. The decision regarding such designation as it relates to

1 a specific local government is final; however, a rejected application
2 may be resubmitted.

3 (6) Applications are due by December 31, 2007, and must be
4 processed within sixty days of submission.

5 (7) The director may, at his or her discretion, amend the
6 boundaries of an authority upon the request of the local government.

7 (8) The ((higher)) workforce training and education coordinating
8 board may adopt any rules necessary to implement chapter 251, Laws of
9 2007 within one hundred twenty days of July 22, ((2007)) 2010.

10 (9) The ((higher)) workforce training and education coordinating
11 board must develop evaluation and performance measures in order to
12 evaluate the effectiveness of the programs in the authorities that are
13 funded with public resources. A report to the legislature shall be due
14 on a biennial basis beginning December 1, 2009. In addition, the
15 ((higher)) workforce training and education coordinating board shall
16 develop evaluation criteria that enables the local governments to
17 measure the effectiveness of the program.

18 **Sec. 406.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to
19 read as follows:

20 (1) The governor may, by executive order, after consultation with
21 or notification of the executive-legislative committee on economic
22 development created by chapter . . . (Senate Bill No. 5300), Laws of
23 1993, declare a community to be a "military impacted area." A
24 "military impacted area" means a community or communities, as
25 identified in the executive order, that experience serious social and
26 economic hardships because of a change in defense spending by the
27 federal government in that community or communities.

28 (2) If the governor executes an order under subsection (1) of this
29 section, the governor shall establish a response team to coordinate
30 state efforts to assist the military impacted community. The response
31 team may include, but not be limited to, one member from each of the
32 following agencies: (a) The department of ((community, trade, and
33 economic development)) commerce; (b) the department of social and
34 health services; (c) the employment security department; (d) the state
35 board for community and technical colleges; (e) the ((higher))
36 workforce training and education coordinating board; and (f) the
37 department of transportation. The governor may appoint a response team

1 coordinator. The governor shall seek to actively involve the impacted
2 community or communities in planning and implementing a response to the
3 crisis. The governor may seek input or assistance from the community
4 diversification advisory committee, and the governor may establish task
5 forces in the community or communities to assist in the coordination
6 and delivery of services to the local community. The state and
7 community response shall consider economic development, human service,
8 and training needs of the community or communities impacted.

9 NEW SECTION. **Sec. 407.** (1) All powers, duties, and functions of
10 the higher education coordinating board pertaining to degree-granting
11 institutions, approval of health sciences and services authorities, and
12 the approval of veterans' programs are transferred to the workforce
13 training and education coordinating board, unless and until the
14 governor designates an alternate state approving agency for purposes of
15 approving veterans' programs pursuant to 38 U.S.C. Sec. 3671(a).

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

28 (b) Any appropriations made to the higher education coordinating
29 board for carrying out the powers, functions, and duties transferred
30 shall, on the effective date of this section, be transferred and
31 credited to the workforce training and education coordinating board.

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

1 (3) All employees of the higher education coordinating board
2 engaged in performing the powers, functions, and duties transferred are
3 transferred to the jurisdiction of the workforce training and education
4 coordinating board. All employees classified under chapter 41.06 RCW,
5 the state civil service law, are assigned to the workforce training and
6 education coordinating board to perform their usual duties upon the
7 same terms as formerly, without any loss of rights, subject to any
8 action that may be appropriate thereafter in accordance with the laws
9 and rules governing state civil service.

10 (4) All rules and all pending business before the higher education
11 coordinating board pertaining to the powers, functions, and duties
12 transferred shall be continued and acted upon by the workforce training
13 and education coordinating board. All existing contracts and
14 obligations shall remain in full force and shall be performed by the
15 workforce training and education coordinating board.

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

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

25 (7) Nothing contained in this section may be construed to alter any
26 existing collective bargaining unit or the provisions of any existing
27 collective bargaining agreement until the agreement has expired or
28 until the bargaining unit has been modified by action of the public
29 employment relations commission as provided by law.

30 **PART IV**

31 **MISCELLANEOUS REFERENCES**

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

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

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

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

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

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

10 (2) A person is guilty of knowingly using a false academic
11 credential if the person knowingly uses a false academic credential or
12 falsely claims to have a credential issued by an institution of higher
13 education that is accredited by an accrediting association recognized
14 as such by rule of the (~~higher education coordinating~~) student
15 financial assistance board:

16 (a) In a written or oral advertisement or other promotion of a
17 business; or

18 (b) With the intent to:

19 (i) Obtain employment;

20 (ii) Obtain a license or certificate to practice a trade,
21 profession, or occupation;

22 (iii) Obtain a promotion, compensation or other benefit, or an
23 increase in compensation or other benefit, in employment or in the
24 practice of a trade, profession, or occupation;

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

26 (v) Gain a position in government with authority over another
27 person, regardless of whether the person receives compensation for the
28 position.

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

31 (a) "False academic credential" means a document that provides
32 evidence or demonstrates completion of an academic or professional
33 course of instruction beyond the secondary level that results in the
34 attainment of an academic certificate, degree, or rank, and that is not
35 issued by a person or entity that: (i) Is an entity accredited by an
36 agency recognized as such by rule of the (~~higher education~~
37 ~~coordinating~~) student financial assistance board or has the
38 international equivalents of such accreditation; or (ii) is an entity

1 authorized as a degree-granting institution by the ((higher)) workforce
2 training and education coordinating board; or (iii) is an entity exempt
3 from the requirements of authorization as a degree-granting institution
4 by the ((higher)) workforce training and education coordinating board;
5 or (iv) is an entity that has been granted a waiver by the ((higher))
6 workforce training and education coordinating board from the
7 requirements of authorization by the workforce training and education
8 coordinating board. Such documents include, but are not limited to,
9 academic certificates, degrees, coursework, degree credits,
10 transcripts, or certification of completion of a degree.

- 11 (b) "Grant" means award, bestow, confer, convey, sell, or give.
- 12 (c) "Offer," in addition to its usual meanings, means advertise,
13 publicize, or solicit.
- 14 (d) "Operate" includes but is not limited to the following:
 - 15 (i) Offering courses in person, by correspondence, or by electronic
16 media at or to any Washington location for degree credit;
 - 17 (ii) Granting or offering to grant degrees in Washington;
 - 18 (iii) Maintaining or advertising a Washington location, mailing
19 address, computer server, or telephone number, for any purpose, other
20 than for contact with the institution's former students for any
21 legitimate purpose related to the students having attended the
22 institution.
- 23 (4) Issuing a false academic credential is a class C felony.
- 24 (5) Knowingly using a false academic credential is a gross
25 misdemeanor.

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

- 28 Nothing in this chapter may be construed to prohibit or restrict:
- 29 (1) The practice of a dental assistant in the discharge of official
30 duties by dental assistants in the United States federal services on
31 federal reservations, including but not limited to the armed services,
32 coast guard, public health service, veterans' bureau, or bureau of
33 Indian affairs;
 - 34 (2) Expanded function dental auxiliary education and training
35 programs approved by the commission and the practice as an expanded
36 function dental auxiliary by students in expanded function dental

1 auxiliary education and training programs approved by the commission,
2 when acting under the direction and supervision of persons licensed
3 under chapter 18.29 or 18.32 RCW;

4 (3) Dental assistant education and training programs, and the
5 practice of dental assisting by students in dental assistant education
6 and training programs approved by the commission or offered at a school
7 approved or licensed by the workforce training and education
8 coordinating board, (~~higher education coordinating board,~~) state
9 board for community and technical colleges, or Washington state skill
10 centers certified by the office of the superintendent of public
11 instruction, when acting under the direction and supervision of persons
12 registered or licensed under this chapter or chapter 18.29 or 18.32
13 RCW; or

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

17 **Sec. 503.** RCW 28A.230.100 and 2006 c 263 s 402 and 2006 c 114 s 4
18 are each reenacted and amended to read as follows:

19 The superintendent of public instruction, in consultation with
20 (~~the higher education coordinating board,~~) the state board for
21 community and technical colleges(~~(7)~~) and the workforce training and
22 education coordinating board, shall adopt rules pursuant to chapter
23 34.05 RCW, to implement the course requirements set forth in RCW
24 28A.230.090. The rules shall include, as the superintendent deems
25 necessary, granting equivalencies for and temporary exemptions from the
26 course requirements in RCW 28A.230.090 and special alterations of the
27 course requirements in RCW 28A.230.090. In developing such rules the
28 superintendent shall recognize the relevance of vocational and applied
29 courses and allow such courses to fulfill in whole or in part the
30 courses required for graduation in RCW 28A.230.090, as determined by
31 the high school or school district in accordance with RCW 28A.230.097.
32 The rules may include provisions for competency testing in lieu of such
33 courses required for graduation in RCW 28A.230.090 or demonstration of
34 specific skill proficiency or understanding of concepts through work or
35 experience.

1 **Sec. 504.** RCW 28A.230.125 and 2009 c 556 s 9 are each amended to
2 read as follows:

3 (1) The superintendent of public instruction, in consultation with
4 (~~the higher education coordinating board,~~) the state board for
5 community and technical colleges(~~(,)~~) and the workforce training and
6 education coordinating board, shall develop for use by all public
7 school districts a standardized high school transcript. The
8 superintendent shall establish clear definitions for the terms
9 "credits" and "hours" so that school programs operating on the quarter,
10 semester, or trimester system can be compared.

11 (2) The standardized high school transcript shall include a
12 notation of whether the student has earned a certificate of individual
13 achievement or a certificate of academic achievement.

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

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

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

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

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

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

1 **Sec. 506.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to
2 read as follows:

3 (1) The superintendent of public instruction, the state board for
4 community and technical colleges, (~~the higher education coordinating~~
5 ~~board,~~) and the public baccalaureate institutions shall jointly
6 develop and each adopt rules governing the college in the high school
7 program. The association of Washington school principals shall be
8 consulted during the rules development. The rules shall be written to
9 encourage the maximum use of the program and may not narrow or limit
10 the enrollment options.

11 (2) College in the high school programs shall each be governed by
12 a local contract between the district and the institution of higher
13 education, in compliance with the guidelines adopted by the
14 superintendent of public instruction, the state board for community and
15 technical colleges, and the public baccalaureate institutions.

16 (3) The college in the high school program must include the
17 provisions in this subsection.

18 (a) The high school and institution of higher education together
19 shall define the criteria for student eligibility. The institution of
20 higher education may charge tuition fees to participating students.

21 (b) School districts shall report no student for more than one
22 full-time equivalent including college in the high school courses.

23 (c) The funds received by the institution of higher education may
24 not be deemed tuition or operating fees and may be retained by the
25 institution of higher education.

26 (d) Enrollment information on persons registered under this section
27 must be maintained by the institution of higher education separately
28 from other enrollment information and may not be included in official
29 enrollment reports, nor may such persons be considered in any
30 enrollment statistics that would affect higher education budgetary
31 determinations.

32 (e) A school district must grant high school credit to a student
33 enrolled in a program course if the student successfully completes the
34 course. If no comparable course is offered by the school district, the
35 school district superintendent shall determine how many credits to
36 award for the course. The determination shall be made in writing
37 before the student enrolls in the course. The credits shall be applied

1 toward graduation requirements and subject area requirements. Evidence
2 of successful completion of each program course shall be included in
3 the student's secondary school records and transcript.

4 (f) An institution of higher education must grant college credit to
5 a student enrolled in a program course if the student successfully
6 completes the course. The college credit shall be applied toward
7 general education requirements or major requirements. If no comparable
8 course is offered by the college, the institution of higher education
9 at which the teacher of the program course is employed shall determine
10 how many credits to award for the course and whether the course
11 fulfills general education or major requirements. Evidence of
12 successful completion of each program course must be included in the
13 student's college transcript.

14 (g) Eleventh and twelfth grade students or students who have not
15 yet received a high school diploma or its equivalent and are eligible
16 to be in the eleventh or twelfth grades may participate in the college
17 in the high school program.

18 (h) Participating school districts must provide general information
19 about the college in the high school program to all students in grades
20 ten, eleven, and twelve and to the parents and guardians of those
21 students.

22 (i) Full-time and part-time faculty at institutions of higher
23 education, including adjunct faculty, are eligible to teach program
24 courses.

25 (4) The definitions in this subsection apply throughout this
26 section.

27 (a) "Institution of higher education" has the meaning in RCW
28 28B.10.016 and also includes a public tribal college located in
29 Washington and accredited by the Northwest commission on colleges and
30 universities or another accrediting association recognized by the
31 United States department of education.

32 (b) "Program course" means a college course offered in a high
33 school under the college in the high school program.

34 **Sec. 507.** RCW 28A.600.310 and 2009 c 450 s 8 are each amended to
35 read as follows:

36 (1) Eleventh and twelfth grade students or students who have not
37 yet received the credits required for the award of a high school

1 diploma and are eligible to be in the eleventh or twelfth grades may
2 apply to a participating institution of higher education to enroll in
3 courses or programs offered by the institution of higher education. A
4 student receiving home-based instruction enrolling in a public high
5 school for the sole purpose of participating in courses or programs
6 offered by institutions of higher education shall not be counted by the
7 school district in any required state or federal accountability
8 reporting if the student's parents or guardians filed a declaration of
9 intent to provide home-based instruction and the student received home-
10 based instruction during the school year before the school year in
11 which the student intends to participate in courses or programs offered
12 by the institution of higher education. Students receiving home-based
13 instruction under chapter 28A.200 RCW and students attending private
14 schools approved under chapter 28A.195 RCW shall not be required to
15 meet the student learning goals, obtain a certificate of academic
16 achievement or a certificate of individual achievement to graduate from
17 high school, or to master the essential academic learning requirements.
18 However, students are eligible to enroll in courses or programs in
19 participating universities only if the board of directors of the
20 student's school district has decided to participate in the program.
21 Participating institutions of higher education, in consultation with
22 school districts, may establish admission standards for these students.
23 If the institution of higher education accepts a secondary school pupil
24 for enrollment under this section, the institution of higher education
25 shall send written notice to the pupil and the pupil's school district
26 within ten days of acceptance. The notice shall indicate the course
27 and hours of enrollment for that pupil.

28 (2) In lieu of tuition and fees, as defined in RCW 28B.15.020 and
29 28B.15.041, running start students shall pay to the community or
30 technical college all other mandatory fees as established by each
31 community or technical college; and all other institutions of higher
32 education operating a running start program may charge technology fees.
33 The fees charged shall be prorated based on credit load.

34 (3) The institutions of higher education must make available fee
35 waivers for low-income running start students. Each institution must
36 establish a written policy for the determination of low-income students
37 before offering the fee waiver. A student shall be considered low
38 income and eligible for a fee waiver upon proof that the student is

1 currently qualified to receive free or reduced-price lunch. Acceptable
2 documentation of low-income status may also include, but is not limited
3 to, documentation that a student has been deemed eligible for free or
4 reduced-price lunches in the last five years, or other criteria
5 established in the institution's policy.

6 (4) The pupil's school district shall transmit to the institution
7 of higher education an amount per each full-time equivalent college
8 student at statewide uniform rates for vocational and nonvocational
9 students. The superintendent of public instruction shall separately
10 calculate and allocate moneys appropriated for basic education under
11 RCW 28A.150.260 to school districts for purposes of making such
12 payments and for granting school districts seven percent thereof to
13 offset program related costs. The calculations and allocations shall
14 be based upon the estimated statewide annual average per full-time
15 equivalent high school student allocations under RCW 28A.150.260,
16 excluding small high school enhancements, and applicable rules adopted
17 under chapter 34.05 RCW. The superintendent of public instruction(~~(~~
18 ~~the higher education coordinating board,~~~~)~~) and the state board for
19 community and technical colleges shall consult on the calculation and
20 distribution of the funds. The funds received by the institution of
21 higher education from the school district shall not be deemed tuition
22 or operating fees and may be retained by the institution of higher
23 education. A student enrolled under this subsection shall be counted
24 for the purpose of meeting enrollment targets in accordance with terms
25 and conditions specified in the omnibus appropriations act.

26 (5) The state board for community and technical colleges, in
27 collaboration with the other institutions of higher education that
28 participate in the running start program and the office of the
29 superintendent of public instruction, shall identify, assess, and
30 report on alternatives for providing ongoing and adequate financial
31 support for the program. Such alternatives shall include but are not
32 limited to student tuition, increased support from local school
33 districts, and reallocation of existing state financial support among
34 the community and technical college system to account for differential
35 running start enrollment levels and impacts. The state board for
36 community and technical colleges shall report the assessment of
37 alternatives to the governor and to the appropriate fiscal and policy
38 committees of the legislature by September 1, 2010.

1 **Sec. 508.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to
2 read as follows:

3 The superintendent of public instruction(~~(,)~~) and the state board
4 for community and technical colleges(~~(, and the higher education~~
5 ~~coordinating board)~~) shall jointly develop and adopt rules governing
6 RCW 28A.600.300 through 28A.600.380, if rules are necessary. The rules
7 shall be written to encourage the maximum use of the program and shall
8 not narrow or limit the enrollment options under RCW 28A.600.300
9 through 28A.600.380.

10 **Sec. 509.** RCW 28A.630.400 and 2006 c 263 s 815 are each amended to
11 read as follows:

12 (1) The professional educator standards board and the state board
13 for community and technical colleges, in consultation with the
14 superintendent of public instruction, (~~(the higher education~~
15 ~~coordinating board,~~) the state apprenticeship training council, and
16 community colleges, shall adopt rules as necessary under chapter 34.05
17 RCW to implement the paraeducator associate of arts degree.

18 (2) As used in this section, a "paraeducator" is an individual who
19 has completed an associate of arts degree for a paraeducator. The
20 paraeducator may be hired by a school district to assist certificated
21 instructional staff in the direct instruction of children in small and
22 large groups, individualized instruction, testing of children,
23 recordkeeping, and preparation of materials. The paraeducator shall
24 work under the direction of instructional certificated staff.

25 (3) The training program for a paraeducator associate of arts
26 degree shall include, but is not limited to, the general requirements
27 for receipt of an associate of arts degree and training in the areas of
28 introduction to childhood education, orientation to children with
29 disabilities, fundamentals of childhood education, creative activities
30 for children, instructional materials for children, fine art
31 experiences for children, the psychology of learning, introduction to
32 education, child health and safety, child development and guidance,
33 first aid, and a practicum in a school setting.

34 (4) Consideration shall be given to transferability of credit
35 earned in this program to teacher preparation programs at colleges and
36 universities.

1 **Sec. 510.** RCW 28A.650.015 and 2009 c 556 s 17 are each amended to
2 read as follows:

3 (1) The superintendent of public instruction, to the extent funds
4 are appropriated, shall develop and implement a Washington state K-12
5 education technology plan. The technology plan shall be updated on at
6 least a biennial basis, shall be developed to coordinate and expand the
7 use of education technology in the common schools of the state. The
8 plan shall be consistent with applicable provisions of chapter 43.105
9 RCW. The plan, at a minimum, shall address:

10 (a) The provision of technical assistance to schools and school
11 districts for the planning, implementation, and training of staff in
12 the use of technology in curricular and administrative functions;

13 (b) The continued development of a network to connect school
14 districts, institutions of higher learning, and other sources of online
15 information; and

16 (c) Methods to equitably increase the use of education technology
17 by students and school personnel throughout the state.

18 (2) The superintendent of public instruction shall appoint an
19 educational technology advisory committee to assist in the development
20 and implementation of the technology plan in subsection (1) of this
21 section. The committee shall include, but is not limited to, persons
22 representing: The department of information services, educational
23 service districts, school directors, school administrators, school
24 principals, teachers, classified staff, higher education faculty,
25 parents, students, business, labor, scientists and mathematicians,
26 (~~the higher education coordinating board,~~) the workforce training and
27 education coordinating board, and the state library.

28 (3) The plan adopted and implemented under this section may not
29 impose on school districts any requirements that are not specifically
30 required by federal law or regulation, including requirements to
31 maintain eligibility for the federal schools and libraries program of
32 the universal service fund.

33 **Sec. 511.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to
34 read as follows:

35 (1) The office of the superintendent of public instruction, in
36 consultation with the workforce training and education coordinating
37 board, the Washington state apprenticeship and training council, and

1 the state board for community and technical colleges, shall develop a
2 list of statewide high-demand programs for secondary career and
3 technical education. The list shall be developed using the high-demand
4 list maintained by workforce development councils in consultation with
5 the employment security department(~~(7)~~) and the high employer demand
6 programs of study identified by the workforce training and education
7 coordinating board(~~(, and the high employer demand programs of study~~
8 ~~identified by the higher education coordinating board)~~). Local school
9 districts may recommend additional high-demand programs in consultation
10 with local career and technical education advisory committees by
11 submitting evidence of local high demand.

12 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,
13 and 28A.700.060(~~(, and section 307 of this act)~~):

14 (a) "High-demand program" means a career and technical education
15 program that prepares students for either a high employer demand
16 program of study or a high-demand occupation, or both.

17 (b) "High employer demand program of study" means an apprenticeship
18 or an undergraduate or graduate certificate or degree program in which
19 the number of students per year prepared for employment from in-state
20 programs is substantially fewer than the number of projected job
21 openings per year in that field, either statewide or in a substate
22 region.

23 (c) "High-demand occupation" means an occupation with a substantial
24 number of current or projected employment opportunities.

25 **Sec. 512.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to
26 read as follows:

27 (1) The office of the superintendent of public instruction, the
28 workforce training and education coordinating board, the state board
29 for community and technical colleges, (~~(the higher education~~
30 ~~coordinating board,~~) and the council of presidents shall work with
31 local school districts, workforce education programs in colleges, tech
32 prep consortia, and four-year institutions of higher education to
33 develop model career and technical education programs of study as
34 described by this section.

35 (2) Career and technical education programs of study:

36 (a) Incorporate secondary and postsecondary education elements;

1 (b) Include coherent and rigorous academic content aligned with
2 state learning standards and relevant career and technical content in
3 a coordinated, nonduplicative progression of courses that are aligned
4 with postsecondary education in a related field;

5 (c) Include opportunities for students to earn dual high school and
6 college credit; and

7 (d) Lead to an industry-recognized credential or certificate at the
8 postsecondary level, or an associate or baccalaureate degree.

9 (3) During the 2008-09 school year, model career and technical
10 education programs of study shall be developed for the following
11 high-demand programs: Construction, health care, and information
12 technology. Each school year thereafter, the office of the
13 superintendent of public instruction, the state board for community and
14 technical colleges, (~~the higher education coordinating board,~~) and
15 the workforce training and education coordinating board shall select
16 additional programs of study to develop, with a priority on high-demand
17 programs as identified under RCW 28A.700.020.

18 **Sec. 513.** RCW 28B.07.040 and 1985 c 370 s 49 are each amended to
19 read as follows:

20 The authority is authorized and empowered to do the following, on
21 such terms, with such security and undertakings, subject to such
22 conditions, and in return for such consideration, as the authority
23 shall determine in its discretion to be necessary, useful, or
24 convenient in accomplishing the purposes of this chapter:

25 (1) To (~~promulgate~~) adopt rules in accordance with chapter 34.05
26 RCW;

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

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

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

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

35 (6) To provide long-term or short-term financing or refinancing to
36 participants for project costs, by way of loan, lease, conditional

1 sales contract, mortgage, option to purchase, or other financing or
2 security device or any such combination;

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

10 (8) To fix, revise from time to time, and charge and collect from
11 participants and others rates, rents, fees, charges, and repayments as
12 necessary to fully and timely reimburse the authority for all expenses
13 incurred by it in providing the financing and refinancing and other
14 services under this section and for the repayment, when due, of all the
15 principal of, redemption premium, if any, and interest on all bonds
16 issued under this chapter to provide the financing, refinancing, and
17 services;

18 (9) To accept and receive funds, grants, gifts, pledges,
19 guarantees, mortgages, trust deeds, and other security instruments, and
20 property from the federal government or the state or other public body,
21 entity, or agency and from any public or private institution,
22 association, corporation, or organization, including participants. It
23 shall not accept or receive from the state or any taxing agency any
24 money derived from taxes, except money to be devoted to the purposes of
25 a project of the state or of a taxing agency;

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

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

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

37 (13) To charge to and equitably apportion among participants the

1 administrative costs and expenses incurred in the exercise of the
2 powers and duties conferred by this chapter;

3 ~~(14) ((To consult with the higher education coordinating board to~~
4 ~~determine project priorities under the purposes of this chapter; and~~
5 ~~(15))~~) To do all other things necessary, useful, or convenient to
6 carry out the purposes of this chapter.

7 In the exercise of any of these powers, the authority shall incur
8 no expense or liability which shall be an obligation, either general or
9 special, of the state, or a general obligation of the authority, and
10 shall pay no expense or liability from funds other than funds of the
11 authority. Funds of the state shall not be used for such purpose.

12 **Sec. 514.** RCW 28B.10.056 and 2006 c 180 s 2 are each amended to
13 read as follows:

14 (1) A state priority is established for institutions of higher
15 education, including community colleges, to encourage growing numbers
16 of enrollments and degrees in the fields of engineering, technology,
17 biotechnology, sciences, computer sciences, and mathematics.

18 (2) In meeting this state priority, the legislature understands and
19 recognizes that the demands of the economic marketplace and the desires
20 of students are not always on parallel tracks. Therefore, institutions
21 of higher education shall determine local student demand for programs
22 in the fields of engineering, technology, biotechnology, sciences,
23 computer sciences, and mathematics and submit findings and proposed
24 alternatives to meet demand to the higher education coordinating board
25 and the legislature by November 1, 2008.

26 (3) While it is understood that these areas of emphasis should not
27 be the sole focus of institutions of higher education. It is the
28 intent of the legislature that steady progress in these areas occur.
29 The ~~((higher education coordinating board))~~ institutions of higher
30 education and the state board for community and technical colleges
31 shall track and report progress in the fields of engineering,
32 technology, biotechnology, sciences, computer sciences, and mathematics
33 including, but not limited to, the following information:

34 (a) The number of students enrolled in these fields on a biennial
35 basis;

36 (b) The number of associate, bachelor's, and master's degrees
37 conferred in these fields on a biennial basis;

1 (c) The amount of expenditures in enrollment and degree programs in
2 these fields; and

3 (d) The number and type of public-private partnerships established
4 relating to these fields among institutions of higher education,
5 including community colleges, and leading corporations in Washington
6 state.

7 (4) Institutions of higher education, including community colleges,
8 shall be provided discretion and flexibility in achieving the
9 objectives under this section. Examples of the types of institutional
10 programs that may help achieve these objectives include, but are not
11 limited to, establishment of institutes of technology, new polytechnic-
12 based institutions, new divisions of existing institutions, and a
13 flexible array of delivery models, including face-to-face learning,
14 interactive courses, internet-based offerings, and instruction on main
15 campuses, branch campuses, and other educational centers.

16 (5) The legislature recognizes the global needs of the economic
17 marketplace for technologically prepared graduates, and the
18 relationship between technology industries and higher education.
19 Institutions of higher education, including community colleges, are
20 strongly urged to consider science, engineering, and technology program
21 growth in areas of the state that exhibit a high concentration of
22 aerospace, biotechnology, and technology industrial presence. Expanded
23 science and technology programs can gain from the proximity of
24 experienced and knowledgeable industry leaders, while industry can
25 benefit from access to new sources of highly trained and educated
26 graduates.

27 **Sec. 515.** RCW 28B.10.125 and 2000 c 166 s 2 are each amended to
28 read as follows:

29 (1) Beginning in April 2000, representatives of the public
30 baccalaureate institutions designated by the council of presidents, in
31 consultation with representatives of the community and technical
32 colleges (~~and representatives of the higher education coordinating~~
33 ~~board~~)), shall convene an interinstitutional group to begin to: (a)
34 Develop a definition of information and technology literacy; (b)
35 develop strategies or standards by which to measure the achievement of
36 information and technology literacy; and (c) develop a financial
37 assessment of the cost of implementation.

1 (2) The baccalaureate institutions shall provide the house of
2 representatives and senate committees on higher education with a
3 progress report in January 2001.

4 (3) By the end of January 2002, the baccalaureate institutions
5 shall deliver to the house of representatives and senate committees on
6 higher education a report detailing: (a) The definition of information
7 and technology literacy; (b) strategies or standards for measurement;
8 (c) institutionally specific plans for implementation; and (d) an
9 evaluation of the feasibility of implementation taking into
10 consideration cost.

11 (4) If the legislature determines that implementation is feasible,
12 the public baccalaureate institutions shall pilot test strategies to
13 assess and report on information and technology literacy during the
14 2002-03 academic year.

15 (5) By the end of January 2004, the institutions shall report to
16 the house of representatives and senate committees on higher education
17 the results of the 2002-03 pilot study.

18 (6) Implementation of assessment strategies shall begin in the
19 academic year 2003-04.

20 ~~((7) The higher education coordinating board shall report results
21 to the house of representatives and senate committees on higher
22 education in the 2005 legislative session.))~~

23 **Sec. 516.** RCW 28B.10.5691 and 2008 c 168 s 2 are each amended to
24 read as follows:

25 (1) Each institution of higher education shall take the following
26 actions:

27 (a) By October 30, 2008, submit a self-study assessing its ability
28 to facilitate the safety of students, faculty, staff, administration,
29 and visitors on each campus, including an evaluation of the
30 effectiveness of these measures, an assessment of the institution's
31 ability to disseminate information in a timely and efficient manner to
32 students, faculty, and staff, an evaluation of the institution's
33 ability to provide an appropriate level of mental health services, and
34 an action plan and timelines describing plans to maximize program
35 effectiveness for the next two biennia. ~~((Four-year institutions shall
36 submit their studies to the higher education coordinating board.))~~

1 Community and technical colleges shall submit their studies to the
2 state board for community and technical colleges.

3 (b) By October 30th of each even-numbered year, beginning in 2010,
4 each institution shall submit an update to its (~~(campus safety)~~)
5 campus safety plan, including an assessment of the results of
6 activities undertaken under any previous plan to address unmet safety
7 issues, and additional activities, or modifications of current
8 activities, to be undertaken to address remaining safety issues at the
9 institution.

10 (2) The (~~(higher education coordinating board)~~) institutions of
11 higher education and the state board for community and technical
12 colleges shall report biennially, beginning December 31, 2010, to the
13 governor and the higher education committees of the house of
14 representatives and the senate on:

15 (a) The efforts of each institution and the extent to which it has
16 complied with RCW 28B.10.569 and subsection (1)(b) of this section; and

17 (b) Recommendations on measures to assist institutions to ensure
18 and enhance campus safety.

19 **Sec. 517.** RCW 28B.10.682 and 1995 c 310 s 2 are each amended to
20 read as follows:

21 By June 30, 1996, in consultation with the commission on student
22 learning, the superintendent of public instruction, the state board of
23 education, faculty, teachers from institutions of higher education and
24 high schools, and others as appropriate, (~~(the higher education~~
25 ~~coordinating board)~~) shall adopt common definitions of remedial and
26 precollege material and course work. The definitions adopted by the
27 board shall be rigorous, challenging students to come to college well
28 prepared to engage in college and university work, and shall be adopted
29 by each institution of higher education as defined in RCW 28B.10.016.

30 **Sec. 518.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended
31 to read as follows:

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

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

23 **Sec. 519.** RCW 28B.15.068 and 2009 c 540 s 1 are each amended to
24 read as follows:

25 (1) Beginning with the 2007-08 academic year and ending with the
26 2016-17 academic year, tuition fees charged to full-time resident
27 undergraduate students, except in academic years 2009-10 and 2010-11,
28 may increase no greater than seven percent over the previous academic
29 year in any institution of higher education. Annual reductions or
30 increases in full-time tuition fees for resident undergraduate students
31 shall be as provided in the omnibus appropriations act, within the
32 seven percent increase limit established in this section. For academic
33 years 2009-10 and 2010-11 the omnibus appropriations act may provide
34 tuition increases greater than seven percent. To the extent that state
35 appropriations combined with tuition and fee revenues are insufficient
36 to achieve the total per-student funding goals established in

1 subsection (2) of this section, the legislature may revisit state
2 appropriations, authorized enrollment levels, and changes in tuition
3 fees for any given fiscal year.

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

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

35 (4) As used in this section, "global challenge states" are the top
36 performing states on the new economy index published by the progressive
37 policy institute as of July 22, 2007. The new economy index ranks
38 states on indicators of their potential to compete in the new economy.

1 At least once every five years, the office of financial management
2 shall determine if changes to the list of global challenge states are
3 appropriate. The office of financial management shall report its
4 findings to the governor and the legislature.

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

10 **Sec. 520.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to
11 read as follows:

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

18 (2) The governing boards of each institution of higher education,
19 except for the technical colleges, shall charge to and collect from
20 each student a services and activities fee. A governing board may
21 increase the existing fee annually, consistent with budgeting
22 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
23 the annual percentage increase in student tuition fees for resident
24 undergraduate students: PROVIDED, That such percentage increase shall
25 not apply to that portion of the services and activities fee previously
26 committed to the repayment of bonded debt. These rate adjustments may
27 exceed the fiscal growth factor. For the 2003-04 academic year, the
28 services and activities fee shall be based upon the resident
29 undergraduate services and activities fee in 2002-03. The services and
30 activities fee committee provided for in RCW 28B.15.045 may initiate a
31 request to the governing board for a fee increase.

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

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

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

12 **Sec. 521.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended
13 to read as follows:

14 Subject to the limitations of RCW 28B.15.910, the state board for
15 community and technical colleges and the governing boards of the state
16 universities, the regional universities, the community colleges, and
17 The Evergreen State College may waive all or a portion of the
18 nonresident tuition fees differential for residents of Oregon, upon
19 completion of and to the extent permitted by an agreement between the
20 (~~higher education coordinating~~) boards and appropriate officials and
21 agencies in Oregon granting similar waivers for residents of the state
22 of Washington.

23 **Sec. 522.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to
24 read as follows:

25 The (~~higher education coordinating board~~) state board for
26 community and technical colleges and the governing boards of the state
27 universities, the regional universities, and The Evergreen State
28 College may enter into an agreement with appropriate officials or
29 agencies in Oregon to implement the provisions of RCW 28B.15.730
30 through 28B.15.734.

31 **Sec. 523.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended
32 to read as follows:

33 Subject to the limitations of RCW 28B.15.910, the governing boards
34 of the state universities, the regional universities, and The Evergreen
35 State College and the state board for community and technical colleges

1 may waive all or a portion of the nonresident tuition fees differential
2 for residents of Idaho, upon completion of and to the extent permitted
3 by an agreement between the (~~higher education coordinating~~) boards
4 and appropriate officials and agencies in Idaho granting similar
5 waivers for residents of the state of Washington.

6 **Sec. 524.** RCW 28B.15.754 and 1987 c 446 s 1 are each amended to
7 read as follows:

8 The (~~higher education coordinating board~~) state board for
9 community and technical colleges and the governing boards of the state
10 universities, the regional universities, and The Evergreen State
11 College may enter into an agreement with appropriate officials or
12 agencies in the state of Idaho to implement RCW 28B.15.750 and
13 28B.15.752. By January (~~10~~) 1st of each odd-numbered year, the
14 student financial assistance board shall review the costs and benefits
15 of any agreement entered into under RCW 28B.15.750 and shall transmit
16 copies of their review to the governor and the appropriate policy and
17 fiscal committees of the legislature.

18 **Sec. 525.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended
19 to read as follows:

20 Subject to the limitations of RCW 28B.15.910, the governing boards
21 of the state universities, the regional universities, and The Evergreen
22 State College and the state board for community and technical colleges
23 may waive all or a portion of the nonresident tuition fees differential
24 for residents of the Canadian province of British Columbia, upon
25 completion of and to the extent permitted by an agreement between the
26 (~~higher education coordinating~~) boards and appropriate officials and
27 agencies in the Canadian province of British Columbia providing for
28 enrollment opportunities for residents of the state of Washington
29 without payment of tuition or fees in excess of those charged to
30 residents of British Columbia.

31 **Sec. 526.** RCW 28B.15.758 and 1987 c 446 s 3 are each amended to
32 read as follows:

33 The (~~higher education coordinating board~~) state board for
34 community and technical colleges and the governing boards of the state
35 universities, the regional universities, and The Evergreen State

1 College may enter into an agreement with appropriate officials or
2 agencies in the Canadian province of British Columbia to implement RCW
3 28B.15.756. The agreement should provide for a balanced exchange of
4 enrollment opportunities, without payment of excess tuition or fees,
5 for residents of the state of Washington or the Canadian province of
6 British Columbia. By January 10th of each odd-numbered year, the
7 (~~board~~) state board for community and technical colleges and the
8 governing boards of the state universities, the regional universities,
9 and The Evergreen State College shall review the costs and benefits of
10 any agreement entered into under RCW 28B.15.756 and shall transmit
11 copies of their reviews to the governor and the appropriate policy and
12 fiscal committees of the legislature.

13 **Sec. 527.** RCW 28B.15.796 and 1991 c 228 s 4 are each amended to
14 read as follows:

15 The council of presidents(~~(, in consultation with the higher~~
16 ~~education coordinating board,)~~) shall convene a task force of
17 representatives from the four-year universities and colleges. The task
18 force shall:

19 (1) Review institutional policies and procedures designed to ensure
20 that faculty and teaching assistants are able to communicate
21 effectively with undergraduate students in classrooms and laboratories;

22 (2) Research methods and procedures designed to improve the
23 communication and teaching skills of any person funded by state money
24 who instructs undergraduate students in classrooms and laboratories;

25 (3) Share the results of that research with each participating
26 university and college; and

27 (4) Work with each participating university and college to assist
28 the institution in its efforts to improve the communication and
29 pedagogical skills of faculty and teaching assistants instructing
30 undergraduate students.

31 **Sec. 528.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to
32 read as follows:

33 (1) A global Asia institute is created within the Henry M. Jackson
34 School of International Studies. The mission of the institute is to
35 promote the understanding of Asia and its interactions with Washington
36 state and the world. The institute shall host visiting scholars and

1 policymakers, sponsor programs and learning initiatives, engage in
2 collaborative research projects, and facilitate broader understanding
3 and cooperation between the state of Washington and Asia through
4 general public programs and targeted collaborations with specific
5 communities in the state.

6 (2) Within existing resources, a global Asia institute advisory
7 board is established. The director of the Henry M. Jackson School of
8 International Studies shall appoint members of the advisory board and
9 determine the advisory board's roles and responsibilities. The board
10 shall include members representing academia, business, and government.

11 ~~((3) The higher education coordinating board may solicit, accept,
12 receive, and administer federal funds or private funds, in trust or
13 otherwise, and contract with foundations or with for-profit or
14 nonprofit organizations to support the purposes of this section.))~~

15 **Sec. 529.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to
16 read as follows:

17 ~~((1))~~ A University of Washington center for human rights is
18 created. The mission of the center is to expand opportunities for
19 Washington residents to receive a world-class education in human
20 rights, generate research data and expert knowledge to enhance public
21 and private policymaking, and become an academic center for human
22 rights teaching and research in the nation. The center shall align
23 with the founding principles and philosophies of the United States of
24 America and engage faculty, staff, and students in service to enhance
25 the promise of life and liberty as outlined in the Preamble of the
26 United States Constitution. Key substantive issues for the center
27 include: The rights of all persons to security against violence; the
28 rights of immigrants, native Americans, and ethnic or religious
29 minorities; human rights and the environment; health as a human right;
30 human rights and trade; the human rights of working people; and women's
31 rights as human rights. State funds may not be used to support the
32 center for human rights created in this section.

33 ~~((2) The higher education coordinating board and the University of
34 Washington may solicit, accept, receive, and administer federal funds
35 or private funds, in trust or otherwise, and contract with foundations
36 or with for-profit or nonprofit organizations to support the purposes
37 of this section.))~~

1 **Sec. 530.** RCW 28B.30.530 and 2009 c 486 s 1 are each amended to
2 read as follows:

3 (1) The board of regents of Washington State University shall
4 establish the Washington State University small business development
5 center.

6 (2) The center shall provide management and technical assistance
7 including but not limited to training, counseling, and research
8 services to small businesses throughout the state. The center shall
9 work with the department of (~~community, trade, and economic~~
10 ~~development~~) commerce, the state board for community and technical
11 colleges, (~~the higher education coordinating board,~~) the workforce
12 training and education coordinating board, the employment security
13 department, the Washington state economic development commission,
14 associate development organizations, and workforce development councils
15 to:

16 (a) Integrate small business development centers with other state
17 and local economic development and workforce development programs;

18 (b) Target the centers' services to small businesses;

19 (c) Tailor outreach and services at each center to the needs and
20 demographics of entrepreneurs and small businesses located within the
21 service area;

22 (d) Establish and expand small business development center
23 satellite offices when financially feasible; and

24 (e) Coordinate delivery of services to avoid duplication.

25 (3) The administrator of the center may contract with other public
26 or private entities for the provision of specialized services.

27 (4) The small business development center may accept and disburse
28 federal grants or federal matching funds or other funds or donations
29 from any source when made, granted, or donated to carry out the
30 center's purposes. When drawing on funds from the business assistance
31 account created in RCW (~~30.60.010~~) 28B.30.531, the center must first
32 use the funds to make increased management and technical assistance
33 available to small and start-up businesses at satellite offices. The
34 funds may also be used to develop and expand assistance programs such
35 as small business planning workshops and small business counseling.

36 (5) The legislature directs the small business development center
37 to request United States small business administration approval of a
38 special emphasis initiative, as permitted under 13 C.F.R. 130.340(c) as

1 of April 1, 2009, to target assistance to Washington state's smaller
2 businesses. This initiative would be negotiated and included in the
3 first cooperative agreement application process that occurs after July
4 26, 2009.

5 (6) By December 1, 2009, and December 1, 2010, respectively, the
6 center shall provide a written progress report and a final report to
7 the appropriate committees of the legislature with respect to the
8 requirements in subsections (2) and (5) of this section and the amount
9 and use of funding received through the business assistance account.
10 The reports must also include data on the number, location, staffing,
11 and budget levels of satellite offices; affiliations with community
12 colleges, associate development organizations or other local
13 organizations; the number, size, and type of small businesses assisted;
14 and the types of services provided. The reports must also include
15 information on the outcomes achieved, such as jobs created or retained,
16 private capital invested, and return on the investment of state and
17 federal dollars.

18 **Sec. 531.** RCW 28B.45.080 and 2004 c 57 s 5 are each amended to
19 read as follows:

20 The (~~higher education coordinating board~~) state board for
21 community and technical colleges and the governing boards of the state
22 universities, the regional universities, and The Evergreen State
23 College shall adopt performance measures to ensure a collaborative
24 partnership between the community and technical colleges and the branch
25 campuses. The partnership shall be one in which the community and
26 technical colleges prepare students for transfer to the upper-division
27 programs of the branch campuses and the branch campuses work with
28 community and technical colleges to enable students to transfer and
29 obtain degrees efficiently.

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

32 (1) The Washington high-technology coordinating board is hereby
33 created.

34 (2) The board shall be composed of (~~eighteen~~) seventeen members
35 as follows:

1 (a) Eleven shall be citizen members appointed by the governor, with
2 the consent of the senate, for four-year terms. In making the
3 appointments the governor shall ensure that a balanced geographic
4 representation of the state is achieved and shall attempt to choose
5 persons experienced in high-technology fields, including at least one
6 representative of labor. Any person appointed to fill a vacancy
7 occurring before a term expires shall be appointed only for the
8 remainder of that term; and

9 (b) (~~Seven~~) Six of the members shall be as follows: One
10 representative from each of the state's two research universities, one
11 representative of the state college and regional universities, the
12 director for the state system of community and technical colleges or
13 the director's designee, the superintendent of public instruction or
14 the superintendent's designee, (~~a representative of the higher
15 education coordinating board,~~) and the director of the department of
16 (~~community, trade, and economic development~~) commerce or the
17 director's designee.

18 (3) Members of the board shall not receive any salary for their
19 services, but shall be reimbursed for travel expenses under RCW
20 43.03.050 and 43.03.060 for each day actually spent in attending to
21 duties as a member of the board.

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

25 **Sec. 533.** RCW 28B.67.010 and 2006 c 112 s 2 are each amended to
26 read as follows:

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

29 (1) "Board" means the state board for community and technical
30 colleges.

31 (2) "Costs of training" and "training costs" means the direct costs
32 experienced under a contract with a qualified training institution for
33 formal technical or skill training, including basic skills. "Costs of
34 training" includes amounts in the contract for costs of instruction,
35 materials, equipment, rental of class space, marketing, and overhead.
36 "Costs of training" does not include employee tuition reimbursements

1 unless the tuition reimbursement is specifically included in a
2 contract.

3 (3) "Participant" means a private employer that, under this
4 chapter, undertakes a training program with a qualified training
5 institution.

6 (4) "Qualified training institution" means a public community or
7 technical college or a private vocational school licensed by ((either))
8 the workforce training and education coordinating board ((~~or the higher~~
9 ~~education coordinating board~~)).

10 (5) "Training allowance" and "allowance" means a voucher, credit,
11 or payment from the board to a participant to cover training costs.

12 (6) "Training program" means a program funded under this chapter at
13 a qualified training institution.

14 **Sec. 534.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to
15 read as follows:

16 (1) Participants in the conditional scholarship program incur an
17 obligation to repay the conditional scholarship, with interest, unless
18 they serve in the Washington national guard for one additional year for
19 each year of conditional scholarship received, under rules adopted by
20 the office.

21 (2) The entire principal and interest of each yearly repayment
22 shall be forgiven for each additional year in which a participant
23 serves in the Washington national guard, under rules adopted by the
24 office.

25 (3) If a participant elects to repay the conditional scholarship,
26 the period of repayment shall be four years, with payments accruing
27 quarterly commencing nine months from the date that the participant
28 leaves the Washington national guard or withdraws from the institution
29 of higher education, whichever comes first. The interest rate on the
30 repayments shall be eight percent per year. Provisions for deferral
31 and forgiveness shall be determined by the office.

32 (4) The office is responsible for collection of repayments made
33 under this section. The office shall exercise due diligence in such
34 collection, maintaining all necessary records to ensure that maximum
35 repayments are made. Collection and servicing of repayments under this
36 section shall be pursued using the full extent of law, including wage
37 garnishment if necessary. The office is responsible to forgive all or

1 parts of such repayments under the criteria established in this
2 section, and shall maintain all necessary records of forgiven payments.
3 The office may contract with the (~~higher education coordinating~~)
4 student financial assistance board for collection of repayments under
5 this section.

6 (5) Receipts from the payment of principal or interest paid by or
7 on behalf of participants shall be deposited with the office and shall
8 be used to cover the costs of granting the conditional scholarships,
9 maintaining necessary records, and making collections under subsection
10 (4) of this section. The office shall maintain accurate records of
11 these costs, and all receipts beyond those necessary to pay such costs
12 shall be used to grant conditional scholarships to eligible students.

13 **Sec. 535.** RCW 28B.76.200 and 2007 c 458 s 201 are each amended to
14 read as follows:

15 (1) Within existing resources the workforce training and education
16 coordinating board shall develop a statewide strategic master plan for
17 higher education that proposes a vision and identifies measurable goals
18 and priorities for the system of higher education in Washington state
19 for a ten-year time period. The four-year institutions of higher
20 education, the state board for community and technical colleges, and
21 the workforce training and education coordinating board shall update
22 the statewide strategic master plan every four years. The plan shall
23 address the goals of: (a) Expanding access; (b) using methods of
24 educational delivery that are efficient, cost-effective, and productive
25 to deliver modern educational programs; and (c) using performance
26 measures to gauge the effectiveness of the state's progress towards
27 meeting its higher education goals. The plan shall encompass all
28 sectors of higher education, including the two-year system, workforce
29 training, the four-year institutions, and financial aid. The four-year
30 institutions of higher education, the state board for community and
31 technical colleges, and the workforce training and education
32 coordinating board shall also specify strategies for expanding access,
33 affordability, quality, efficiency, and accountability among the
34 various institutions of higher education.

35 (2) In developing the statewide strategic master plan for higher
36 education, the (~~board shall collaborate with the~~) four-year
37 institutions of higher education including the council of presidents,

1 the community and technical college system, and(~~(, when appropriate,)~~)
2 the workforce training and education coordinating board, shall
3 collaborate with the superintendent of public instruction, the
4 independent higher education institutions, the business sector, and
5 labor. The four-year institutions of higher education, the state board
6 for community and technical colleges, and the workforce training and
7 education coordinating board shall identify and utilize models of
8 regional planning and decision making before initiating a statewide
9 planning process(~~(. — The board)~~) and shall (~~(also)~~) seek input from
10 students, faculty organizations, community and business leaders in the
11 state, members of the legislature, and the governor.

12 (3) As a foundation for the statewide strategic master plan for
13 higher education, the four-year institutions of higher education, the
14 state board for community and technical colleges, and the workforce
15 training and education coordinating board shall review role and mission
16 statements for each of the four-year institutions of higher education
17 and the community and technical college system. The purpose of the
18 review is to ensure institutional roles and missions are aligned with
19 the overall state vision and priorities for higher education.

20 (4) In assessing needs of the state's higher education system, the
21 four-year institutions of higher education, the state board for
22 community and technical colleges, and the workforce training and
23 education coordinating board should encourage partnerships, embrace
24 innovation, and consider, analyze, and make recommendations concerning
25 the following information:

26 (a) Demographic, social, economic, and technological trends and
27 their impact on service delivery for a twenty-year horizon;

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

30 (c) Business and industrial needs for a skilled workforce;

31 (d) College attendance, retention, transfer, graduation, and
32 dropout rates;

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

35 (f) Needs and demands for nontraditional populations including, but
36 not limited to, adult learners; and

37 (g) Needs and demands for access to higher education by placebound

1 students and individuals in heavily populated areas underserved by
2 public institutions.

3 (5) The statewide strategic master plan for higher education shall
4 include, but not be limited to, the following access and educational
5 delivery items:

6 (a) Recommendations based on enrollment forecasts and analysis of
7 data about demand for higher education, and policies and actions to
8 meet the goal of expanding access;

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

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

14 (d) State and regional priorities for addressing needs in high-
15 demand fields where enrollment access is limited and employers are
16 experiencing difficulty finding enough qualified graduates to fill job
17 openings;

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

19 (f) Priorities and recommendations including increased transparency
20 on financial aid.

21 (6) The four-year institutions of higher education, the state board
22 for community and technical colleges, and the workforce training and
23 education coordinating board shall present the vision, goals,
24 priorities, and strategies in the statewide strategic master plan for
25 higher education in a way that provides guidance for institutions, the
26 governor, and the legislature to make further decisions regarding
27 institution-level plans, policies, legislation, and operating and
28 capital funding for higher education. In the statewide strategic
29 master plan for higher education, the four-year institutions of higher
30 education, the state board for community and technical colleges, and
31 the workforce training and education coordinating board shall recommend
32 specific actions to be taken and identify measurable performance
33 indicators and benchmarks for gauging progress toward achieving the
34 goals and priorities.

35 (7) Every four years by December 15th, beginning December 15, 2007,
36 the four-year institutions of higher education, the state board for
37 community and technical colleges, and the workforce training and
38 education coordinating board shall jointly submit an update of the ten-

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

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

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

1 **Sec. 536.** RCW 28C.10.030 and 1994 sp.s. c 9 s 723 are each amended
2 to read as follows:

3 This chapter does not apply to:

4 (1) Bona fide trade, business, professional, or fraternal
5 organizations sponsoring educational programs primarily for that
6 organization's membership or offered by that organization on a no-fee
7 basis;

8 (2) Entities offering education that is exclusively avocational or
9 recreational;

10 (3) Education not requiring payment of money or other consideration
11 if this education is not advertised or promoted as leading toward
12 educational credentials;

13 (4) Entities that are established, operated, and governed by this
14 state or its political subdivisions under Title 28A, 28B, or 28C RCW;

15 (5) Degree-granting programs in compliance with the rules of the
16 (~~higher education~~) workforce training and education coordinating
17 board;

18 (6) Any other entity to the extent that it has been exempted from
19 some or all of the provisions of this chapter under RCW 28C.10.100;

20 (7) Entities not otherwise exempt that are of a religious
21 character, but only as to those educational programs exclusively
22 devoted to religious or theological objectives and represented
23 accurately in institutional catalogs or other official publications;

24 (8) Entities offering only courses certified by the federal
25 aviation administration;

26 (9) Barber and cosmetology schools licensed under chapter 18.16
27 RCW;

28 (10) Entities which only offer courses approved to meet the
29 continuing education requirements for licensure under chapter 18.04,
30 18.79, or 48.17 RCW; and

31 (11) Entities not otherwise exempt offering only workshops or
32 seminars lasting no longer than three calendar days.

33 **Sec. 537.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to
34 read as follows:

35 The agency:

36 (1) Shall maintain a list of private vocational schools licensed
37 under this chapter;

1 (2) Shall adopt rules in accordance with chapter 34.05 RCW to carry
2 out this chapter;

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

12 ~~((4) Shall develop an interagency agreement with the higher
13 education coordinating board to regulate degree-granting private
14 vocational schools with respect to degree and nondegree programs.))~~

15 **Sec. 538.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to
16 read as follows:

17 The purpose of the board is to provide planning, coordination,
18 evaluation, monitoring, and policy analysis for the state training
19 system as a whole, and advice to the governor and legislature
20 concerning the state training system, in cooperation with the state
21 training system ~~((and the higher education coordinating board)).~~

22 **Sec. 539.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to
23 read as follows:

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

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

29 (2) Advocate for the state training system and for meeting the
30 needs of employers and the workforce for workforce education and
31 training;

32 (3) Establish and maintain an inventory of the programs of the
33 state training system, and related state programs, and perform a
34 biennial assessment of the vocational education, training, and adult
35 basic education and literacy needs of the state; identify ongoing and
36 strategic education needs; and assess the extent to which employment,

1 training, vocational and basic education, rehabilitation services, and
2 public assistance services represent a consistent, integrated approach
3 to meet such needs;

4 (4) Develop and maintain a state comprehensive plan for workforce
5 training and education, including but not limited to, goals,
6 objectives, and priorities for the state training system, and review
7 the state training system for consistency with the state comprehensive
8 plan. In developing the state comprehensive plan for workforce
9 training and education, the board shall use, but shall not be limited
10 to: Economic, labor market, and populations trends reports in office
11 of financial management forecasts; joint office of financial management
12 and employment security department labor force, industry employment,
13 and occupational forecasts; the results of scientifically based
14 outcome, net-impact and cost-benefit evaluations; the needs of
15 employers as evidenced in formal employer surveys and other employer
16 input; and the needs of program participants and workers as evidenced
17 in formal surveys and other input from program participants and the
18 labor community;

19 (5) (~~In consultation with the higher education coordinating~~
20 ~~board,~~) Review and make recommendations to the office of financial
21 management and the legislature on operating and capital facilities
22 budget requests for operating agencies of the state training system for
23 purposes of consistency with the state comprehensive plan for workforce
24 training and education;

25 (6) Provide for coordination among the different operating agencies
26 and components of the state training system at the state level and at
27 the regional level;

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

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

36 (b) Develop requirements for minimum common core data in
37 consultation with the office of financial management and the operating
38 agencies of the training system;

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

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

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

20 (12) Provide for the development of common course description
21 formats, common reporting requirements, and common definitions for
22 operating agencies of the training system;

23 (13) Provide for effectiveness and efficiency reviews of the state
24 training system;

25 (14) In cooperation with the (~~higher education coordinating~~
26 ~~board~~) state board for community and technical colleges and the four-
27 year institutions of higher education, facilitate transfer of credit
28 policies and agreements between institutions of the state training
29 system, and encourage articulation agreements for programs encompassing
30 two years of secondary workforce education and two years of
31 postsecondary workforce education;

32 (15) In cooperation with the (~~higher education coordinating~~
33 ~~board~~) state board for community and technical colleges and the four-
34 year institutions of higher education, facilitate transfer of credit
35 policies and agreements between private training institutions and
36 institutions of the state training system;

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

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

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

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

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

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

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

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

34 (23) Encourage and assess progress for the equitable representation
35 of racial and ethnic minorities, women, and people with disabilities
36 among the students, teachers, and administrators of the state training
37 system. Equitable, for this purpose, shall mean substantially
38 proportional to their percentage of the state population in the

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

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

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

9 (26) Allocate funding from the state job training trust fund;

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

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

31 (29) Adopt rules as necessary to implement this chapter.

32 The board may delegate to the director any of the functions of this
33 section.

34 **Sec. 540.** RCW 28C.18.132 and 2008 c 258 s 2 are each amended to
35 read as follows:

36 (1) To the extent funds are appropriated specifically for this
37 purpose and in partnership with the state board for community and

1 technical colleges, the board shall convene a work group that includes
2 representatives from the prosperity partnership, the technology
3 alliance, (~~the higher education coordinating board,~~) a private career
4 or vocational school, a four-year public institution of higher
5 education, the council of faculty representatives, the united faculty
6 of Washington state, community and technical college faculty, and a
7 community and technical college student, to take the following actions
8 related to electronically distributed learning:

9 (a) Identify and evaluate current national private employer
10 workplace-based educational programs with electronically distributed
11 learning components provided by public colleges and universities. The
12 evaluation shall include:

13 (i) A review of the literature and interviews of practitioners
14 about promising practices and results;

15 (ii) An initial determination of feasibility based on targeted
16 populations served, subject matter, and level of education;

17 (iii) An overview of technological considerations and adult
18 learning strategies for distribution of learning to employer sites; and

19 (iv) An overview of cost factors, including shared costs or
20 coinvestments by public and private partners;

21 (b) Review and, to the extent necessary, establish standards and
22 best practices regarding electronically distributed learning and
23 related support services including online help desk support, advising,
24 mentoring, counseling, and tutoring;

25 (c) Recommend methods to increase student access to electronically
26 distributed learning programs of study and identify barriers to
27 programs of study participation and completion;

28 (d) Determine methods to increase the institutional supply and
29 quality of open course materials, with a focus on the OpenCourseWare
30 initiative at the Massachusetts Institute of Technology;

31 (e) Recommend methods to increase the availability and use of
32 digital open textbooks; and

33 (f) Review and report demographic information on electronically
34 distributed learning programs of study enrollments, retention, and
35 completions.

36 (2) The board shall work in cooperation with the state board for
37 community and technical colleges to report the preliminary results of

1 the studies to the appropriate committees of the legislature by
2 December 1, 2008, and a final report by December 1, 2009.

3 **Sec. 541.** RCW 28C.18.134 and 2008 c 258 s 3 are each amended to
4 read as follows:

5 (1) To the extent funds are appropriated specifically for this
6 purpose, the board shall use a matching fund strategy to select and
7 evaluate up to eight pilot projects operated by Washington institutions
8 of higher education. By September 2008, the board shall select up to
9 eight institutions of higher education as defined in RCW 28B.92.030
10 including at least four community or technical colleges to develop and
11 offer a pilot project providing employer workplace-based educational
12 programs with distance learning components. The board shall convene a
13 task force that includes representatives from the state board for
14 community and technical colleges (~~and the higher education~~
15 ~~coordinating board~~) to select the participant institutions. At a
16 minimum, the criteria for selecting the educational institutions shall
17 address:

18 (a) The ability to demonstrate a capacity to make a commitment of
19 resources to build and sustain a high quality program;

20 (b) The ability to readily engage faculty appropriately qualified
21 to develop and deliver a high quality curriculum;

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

25 (d) The identification of employers that demonstrate a commitment
26 to host an on-site program. Employers shall demonstrate their
27 commitment to provide:

28 (i) Access to educational coursework and educational advice and
29 support for entry-level and semiskilled workers, including paid and
30 unpaid release time, and adequate classroom space that is equipped
31 appropriately for the selected technological distance learning
32 methodologies to be used;

33 (ii) On-site promotion and encouragement of worker participation,
34 including employee orientations, peer support and mentoring,
35 educational tutoring, and career planning;

36 (iii) Allowance of a reasonable level of worker choice in the type
37 and level of coursework available;

1 (iv) Commitment to work with college partner to ensure the
2 relevance of coursework to the skill demands and potential career
3 pathways of the employer host site and other participating employers;

4 (v) Willingness to participate in an evaluation of the pilot to
5 analyze the net benefit to the employer host site, other employer
6 partners, the worker-students, and the colleges; and

7 (vi) In firms with union representation, the mandatory
8 establishment of a labor-management committee to oversee design and
9 participation.

10 (2) Institutions of higher education may submit an application to
11 become a pilot college under this section. An institution of higher
12 education selected as a pilot college shall develop the curriculum for
13 and design and deliver courses. However, the programs developed under
14 this section are subject to approval by the state board for technical
15 and community colleges under RCW 28B.50.090 and by the (~~higher~~
16 ~~education coordinating board~~) office of financial management under RCW
17 28B.76.230 (as recodified by this act).

18 (3) The board shall evaluate the pilot project and report the
19 outcomes to students and employers by December 1, 2012.

20 **Sec. 542.** RCW 43.09.440 and 2005 c 385 s 5 are each amended to
21 read as follows:

22 (1) The board and the state auditor shall collaborate with the
23 joint legislative audit and review committee regarding performance
24 audits of state government.

25 (a) The board shall establish criteria for performance audits
26 consistent with the criteria and standards followed by the joint
27 legislative audit and review committee. This criteria shall include,
28 at a minimum, the auditing standards of the United States government
29 accountability office, as well as legislative mandates and performance
30 objectives established by state agencies and the legislature. Mandates
31 include, but are not limited to, agency strategies, timelines, program
32 objectives, and mission and goals as required in RCW 43.88.090.

33 (b) Using the criteria developed in (a) of this subsection, the
34 state auditor shall contract for a statewide performance review to be
35 completed as expeditiously as possible as a preliminary to a draft work
36 plan for conducting performance audits. The board and the state
37 auditor shall develop a schedule and common methodology for conducting

1 these reviews. The purpose of these performance reviews is to identify
2 those agencies, programs, functions, or activities most likely to
3 benefit from performance audits and to identify likely areas warranting
4 early review, taking into account prior performance audits, if any, and
5 prior fiscal audits.

6 (c) The board and the state auditor shall develop the draft work
7 plan for performance audits based on input from citizens, state
8 employees, including front-line employees, state managers, chairs and
9 ranking members of appropriate legislative committees, the joint
10 legislative audit and review committee, public officials, and others.
11 The draft work plan may include a list of agencies, programs, or
12 systems to be audited on a timeline decided by the board and the state
13 auditor based on a number of factors including risk, importance, and
14 citizen concerns. When putting together the draft work plan, there
15 should be consideration of all audits and reports already required. On
16 average, audits shall be designed to be completed as expeditiously as
17 possible.

18 (d) Before adopting the final work plan, the board shall consult
19 with the legislative auditor and other appropriate oversight and audit
20 entities to coordinate work plans and avoid duplication of effort in
21 their planned performance audits of state government agencies. The
22 board shall defer to the joint legislative audit and review committee
23 work plan if a similar audit is included on both work plans for
24 auditing.

25 (e) The state auditor shall contract out for performance audits.
26 In conducting the audits, agency front-line employees and internal
27 auditors should be involved.

28 (f) All audits must include consideration of reports prepared by
29 other government oversight entities.

30 (g) The audits may include:

31 (i) Identification of programs and services that can be eliminated,
32 reduced, consolidated, or enhanced;

33 (ii) Identification of funding sources to the state agency, to
34 programs, and to services that can be eliminated, reduced,
35 consolidated, or enhanced;

36 (iii) Analysis of gaps and overlaps in programs and services and
37 recommendations for improving, dropping, blending, or separating
38 functions to correct gaps or overlaps;

1 (iv) Analysis and recommendations for pooling information
2 technology systems used within the state agency, and evaluation of
3 information processing and telecommunications policy, organization, and
4 management;

5 (v) Analysis of the roles and functions of the state agency, its
6 programs, and its services and their compliance with statutory
7 authority and recommendations for eliminating or changing those roles
8 and functions and ensuring compliance with statutory authority;

9 (vi) Recommendations for eliminating or changing statutes, rules,
10 and policy directives as may be necessary to ensure that the agency
11 carry out reasonably and properly those functions vested in the agency
12 by statute;

13 (vii) Verification of the reliability and validity of agency
14 performance data, self-assessments, and performance measurement systems
15 as required under RCW 43.88.090;

16 (viii) Identification of potential cost savings in the state
17 agency, its programs, and its services;

18 (ix) Identification and recognition of best practices;

19 (x) Evaluation of planning, budgeting, and program evaluation
20 policies and practices;

21 (xi) Evaluation of personnel systems operation and management;

22 (xii) Evaluation of state purchasing operations and management
23 policies and practices; and

24 (xiii) Evaluation of organizational structure and staffing levels,
25 particularly in terms of the ratio of managers and supervisors to
26 nonmanagement personnel.

27 (h) The state auditor must solicit comments on preliminary
28 performance audit reports from the audited state agency, the office of
29 the governor, the office of financial management, the board, the chairs
30 and ranking members of appropriate legislative committees, and the
31 joint legislative audit and review committee for comment. Comments
32 must be received within thirty days after receipt of the preliminary
33 performance audit report unless a different time period is approved by
34 the state auditor. All comments shall be incorporated into the final
35 performance audit report. The final performance audit report shall
36 include the objectives, scope, and methodology; the audit results,
37 including findings and recommendations; conclusions; and identification
38 of best practices.

1 (i) The board and the state auditor shall jointly release final
2 performance audit reports to the governor, the citizens of Washington,
3 the joint legislative audit and review committee, and the appropriate
4 standing legislative committees. Final performance audit reports shall
5 be posted on the internet.

6 (j) For institutions of higher education, performance audits shall
7 not duplicate, and where applicable, shall make maximum use of existing
8 audit records, accreditation reviews, and performance measures required
9 by the office of financial management, the ((higher)) student financial
10 assistance board, the workforce training and education coordinating
11 board, and nationally or regionally recognized accreditation
12 organizations including accreditation of hospitals licensed under
13 chapter 70.41 RCW and ambulatory care facilities.

14 (2) The citizen board created under RCW 44.75.030 shall be
15 responsible for performance audits for transportation related agencies
16 as defined under RCW 44.75.020.

17 **Sec. 543.** RCW 43.43.934 and 2003 c 316 s 1 are each amended to
18 read as follows:

19 Except for matters relating to the statutory duties of the chief of
20 the Washington state patrol that are to be carried out through the
21 director of fire protection, the board shall have the responsibility of
22 developing a comprehensive state policy regarding fire protection
23 services. In carrying out its duties, the board shall:

24 (1)(a) Adopt a state fire training and education master plan that
25 allows to the maximum feasible extent for negotiated agreements: (i)
26 With the state board for community and technical colleges to provide
27 academic, vocational, and field training programs for the fire service
28 and (ii) with ((~~the higher education coordinating board and~~)) the state
29 colleges and universities to provide instructional programs requiring
30 advanced training, especially in command and management skills;

31 (b) Adopt minimum standards for each level of responsibility among
32 personnel with fire suppression, prevention, inspection, and
33 investigation responsibilities that assure continuing assessment of
34 skills and are flexible enough to meet emerging technologies. With
35 particular respect to training for fire investigations, the master plan
36 shall encourage cross training in appropriate law enforcement skills.

1 To meet special local needs, fire agencies may adopt more stringent
2 requirements than those adopted by the state;

3 (c) Cooperate with the common schools, technical and community
4 colleges, institutions of higher education, and any department or
5 division of the state, or of any county or municipal corporation in
6 establishing and maintaining instruction in fire service training and
7 education in accordance with any act of congress and legislation
8 enacted by the legislature in pursuance thereof and in establishing,
9 building, and operating training and education facilities.

10 Industrial fire departments and private fire investigators may
11 participate in training and education programs under this chapter for
12 a reasonable fee established by rule;

13 (d) Develop and adopt a master plan for constructing, equipping,
14 maintaining, and operating necessary fire service training and
15 education facilities subject to the provisions of chapter 43.19 RCW;

16 (e) Develop and adopt a master plan for the purchase, lease, or
17 other acquisition of real estate necessary for fire service training
18 and education facilities in a manner provided by law; and

19 (f) Develop and adopt a plan with a goal of providing firefighter
20 one and wildland training, as defined by the board, to all firefighters
21 in the state. Wildland training reimbursement will be provided if a
22 fire protection district or a city fire department has and is
23 fulfilling their interior attack policy or if they do not have an
24 interior attack policy. The plan will include a reimbursement for fire
25 protection districts and city fire departments of not less than three
26 dollars for every hour of firefighter one or wildland training. The
27 Washington state patrol shall not provide reimbursement for more than
28 two hundred hours of firefighter one or wildland training for each
29 firefighter trained.

30 (2) In addition to its responsibilities for fire service training,
31 the board shall:

32 (a) Adopt a state fire protection master plan;

33 (b) Monitor fire protection in the state and develop objectives and
34 priorities to improve fire protection for the state's citizens
35 including: (i) The comprehensiveness of state and local inspections
36 required by law for fire and life safety; (ii) the level of skills and
37 training of inspectors, as well as needs for additional training; and

1 (iii) the efforts of local, regional, and state inspection agencies to
2 improve coordination and reduce duplication among inspection efforts;

3 (c) Establish and promote state arson control programs and ensure
4 development of local arson control programs;

5 (d) Provide representation for local fire protection services to
6 the governor in state-level fire protection planning matters such as,
7 but not limited to, hazardous materials control;

8 (e) Recommend to the adjutant general rules on minimum information
9 requirements of automatic location identification for the purposes of
10 enhanced 911 emergency service;

11 (f) Seek and solicit grants, gifts, bequests, devises, and matching
12 funds for use in furthering the objectives and duties of the board, and
13 establish procedures for administering them;

14 (g) Promote mutual aid and disaster planning for fire services in
15 this state;

16 (h) Assure the dissemination of information concerning the amount
17 of fire damage including that damage caused by arson, and its causes
18 and prevention; and

19 (i) Implement any legislation enacted by the legislature to meet
20 the requirements of any acts of congress that apply to this section.

21 (3) In carrying out its statutory duties, the board shall give
22 particular consideration to the appropriate roles to be played by the
23 state and by local jurisdictions with fire protection responsibilities.
24 Any determinations on the division of responsibility shall be made in
25 consultation with local fire officials and their representatives.

26 To the extent possible, the board shall encourage development of
27 regional units along compatible geographic, population, economic, and
28 fire risk dimensions. Such regional units may serve to: (a) Reinforce
29 coordination among state and local activities in fire service training,
30 reporting, inspections, and investigations; (b) identify areas of
31 special need, particularly in smaller jurisdictions with inadequate
32 resources; (c) assist the state in its oversight responsibilities; (d)
33 identify funding needs and options at both the state and local levels;
34 and (e) provide models for building local capacity in fire protection
35 programs.

36 **Sec. 544.** RCW 43.43.938 and 1995 c 369 s 18 are each amended to
37 read as follows:

1 (1) Wherever the term state fire marshal appears in the Revised
2 Code of Washington or the Washington Administrative Code it shall mean
3 the director of fire protection.

4 (2) The chief of the Washington state patrol shall appoint an
5 officer who shall be known as the director of fire protection. The
6 board, after consulting with the chief of the Washington state patrol,
7 shall prescribe qualifications for the position of director of fire
8 protection. The board shall submit to the chief of the Washington
9 state patrol a list containing the names of three persons whom the
10 board believes meet its qualifications. If requested by the chief of
11 the Washington state patrol, the board shall submit one additional list
12 of three persons whom the board believes meet its qualifications. The
13 appointment shall be from one of the lists of persons submitted by the
14 board.

15 (3) The director of fire protection may designate one or more
16 deputies and may delegate to those deputies his or her duties and
17 authorities as deemed appropriate.

18 (4) The director of fire protection, in accordance with the
19 policies, objectives, and priorities of the fire protection policy
20 board, shall prepare a biennial budget pertaining to fire protection
21 services. Such biennial budget shall be submitted as part of the
22 Washington state patrol's budget request.

23 (5) The director of fire protection, shall implement and
24 administer, within constraints established by budgeted resources, the
25 policies, objectives, and priorities of the board and all duties of the
26 chief of the Washington state patrol that are to be carried out through
27 the director of fire protection. Such administration shall include
28 negotiation of agreements with the state board for community and
29 technical colleges(~~(, the higher education coordinating board,)~~) and
30 the state colleges and universities as provided in RCW (~~(43.63A.320)~~)
31 43.43.934. Programs covered by such agreements shall include, but not
32 be limited to, planning curricula, developing and delivering
33 instructional programs and materials, and using existing instructional
34 personnel and facilities. Where appropriate, such contracts shall also
35 include planning and conducting instructional programs at the state
36 fire service training center.

37 (6) The chief of the Washington state patrol, through the director

1 of fire protection, shall seek the advice of the board in carrying out
2 his or her duties under law.

3 **Sec. 545.** RCW 43.60A.151 and 2007 c 451 s 3 are each amended to
4 read as follows:

5 (1) The department shall assist veterans enrolled in the veterans
6 conservation corps with obtaining employment in conservation programs
7 and projects that restore Washington's natural habitat, maintain and
8 steward local, state, and federal forest lands and other outdoor lands,
9 maintain and improve urban and suburban storm water management
10 facilities and other water management facilities, and other
11 environmental maintenance, stewardship, and restoration projects. The
12 department shall consult with the workforce training and education
13 coordinating board, the state board for community and technical
14 colleges, (~~the higher education coordinating board,~~) the employment
15 security department, and other state agencies administering
16 conservation corps programs, to incorporate training, education, and
17 certification in environmental restoration and management fields into
18 the program. The department may enter into agreements with community
19 colleges, private schools, state or local agencies, or other entities
20 to provide training and educational courses as part of the enrollee
21 benefits from the program.

22 (2) The department may receive gifts, grants, federal funds, or
23 other moneys from public or private sources, for the use and benefit of
24 the veterans conservation corps program. The funds shall be deposited
25 to the veterans conservation corps account created in RCW 43.60A.153.

26 (3) The department shall submit a report to the appropriate
27 committees of the legislature by December 1, 2008, on the status of the
28 veterans conservation corps program, including the number of enrollees
29 employed in projects, training provided, certifications earned,
30 employment placements achieved, program funding provided from all
31 sources, and the results of the pilot project authorized in section 4,
32 chapter 451, Laws of 2007.

33 **Sec. 546.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to
34 read as follows:

35 (1) For purposes of developing budget proposals to the legislature,
36 the governor shall have the power, and it shall be the governor's duty,

1 to require from proper agency officials such detailed estimates and
2 other information in such form and at such times as the governor shall
3 direct. The governor shall communicate statewide priorities to
4 agencies for use in developing biennial budget recommendations for
5 their agency and shall seek public involvement and input on these
6 priorities. The estimates for the legislature and the judiciary shall
7 be transmitted to the governor and shall be included in the budget
8 without revision. The estimates for state pension contributions shall
9 be based on the rates provided in chapter 41.45 RCW. Copies of all
10 such estimates shall be transmitted to the standing committees on ways
11 and means of the house and senate at the same time as they are filed
12 with the governor and the office of financial management.

13 The estimates shall include statements or tables which indicate, by
14 agency, the state funds which are required for the receipt of federal
15 matching revenues. The estimates shall be revised as necessary to
16 reflect legislative enactments and adopted appropriations and shall be
17 included with the initial biennial allotment submitted under RCW
18 43.88.110. The estimates must reflect that the agency considered any
19 alternatives to reduce costs or improve service delivery identified in
20 the findings of a performance audit of the agency by the joint
21 legislative audit and review committee. Nothing in this subsection
22 requires performance audit findings to be published as part of the
23 budget.

24 (2) Each state agency shall define its mission and establish
25 measurable goals for achieving desirable results for those who receive
26 its services and the taxpayers who pay for those services. Each agency
27 shall also develop clear strategies and timelines to achieve its goals.
28 This section does not require an agency to develop a new mission or
29 goals in place of identifiable missions or goals that meet the intent
30 of this section. The mission and goals of each agency must conform to
31 statutory direction and limitations.

32 (3) For the purpose of assessing activity performance, each state
33 agency shall establish quality and productivity objectives for each
34 major activity in its budget. The objectives must be consistent with
35 the missions and goals developed under this section. The objectives
36 must be expressed to the extent practicable in outcome-based,
37 objective, and measurable form unless an exception to adopt a different
38 standard is granted by the office of financial management and approved

1 by the legislative committee on performance review. Objectives must
2 specifically address the statutory purpose or intent of the program or
3 activity and focus on data that measure whether the agency is achieving
4 or making progress toward the purpose of the activity and toward
5 statewide priorities. The office of financial management shall provide
6 necessary professional and technical assistance to assist state
7 agencies in the development of strategic plans that include the mission
8 of the agency and its programs, measurable goals, strategies, and
9 performance measurement systems.

10 (4) Each state agency shall adopt procedures for and perform
11 continuous self-assessment of each activity, using the mission, goals,
12 objectives, and measurements required under subsections (2) and (3) of
13 this section. The assessment of the activity must also include an
14 evaluation of major information technology systems or projects that may
15 assist the agency in achieving or making progress toward the activity
16 purpose and statewide priorities. The evaluation of proposed major
17 information technology systems or projects shall be in accordance with
18 the standards and policies established by the information services
19 board. Agencies' progress toward the mission, goals, objectives, and
20 measurements required by subsections (2) and (3) of this section is
21 subject to review as set forth in this subsection.

22 (a) The office of financial management shall regularly conduct
23 reviews of selected activities to analyze whether the objectives and
24 measurements submitted by agencies demonstrate progress toward
25 statewide results.

26 (b) The office of financial management shall consult with the
27 (~~higher education coordinating board and the~~) state board for
28 community and technical colleges in those reviews that involve
29 (~~institutions of higher education~~) community and technical colleges.

30 (c) The goal is for all major activities to receive at least one
31 review each year.

32 (d) The office of financial management shall consult with the
33 information services board when conducting reviews of major information
34 technology systems in use by state agencies. The goal is that reviews
35 of these information technology systems occur periodically.

36 (5) It is the policy of the legislature that each agency's budget
37 recommendations must be directly linked to the agency's stated mission
38 and program, quality, and productivity goals and objectives.

1 Consistent with this policy, agency budget proposals must include
2 integration of performance measures that allow objective determination
3 of an activity's success in achieving its goals. When a review under
4 subsection (4) of this section or other analysis determines that the
5 agency's objectives demonstrate that the agency is making insufficient
6 progress toward the goals of any particular program or is otherwise
7 underachieving or inefficient, the agency's budget request shall
8 contain proposals to remedy or improve the selected programs. The
9 office of financial management shall develop a plan to merge the budget
10 development process with agency performance assessment procedures. The
11 plan must include a schedule to integrate agency strategic plans and
12 performance measures into agency budget requests and the governor's
13 budget proposal over three fiscal biennia. The plan must identify
14 those agencies that will implement the revised budget process in the
15 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.
16 In consultation with the legislative fiscal committees, the office of
17 financial management shall recommend statutory and procedural
18 modifications to the state's budget, accounting, and reporting systems
19 to facilitate the performance assessment procedures and the merger of
20 those procedures with the state budget process. The plan and
21 recommended statutory and procedural modifications must be submitted to
22 the legislative fiscal committees by September 30, 1996.

23 (6) In reviewing agency budget requests in order to prepare the
24 governor's biennial budget request, the office of financial management
25 shall consider the extent to which the agency's activities demonstrate
26 progress toward the statewide budgeting priorities, along with any
27 specific review conducted under subsection (4) of this section.

28 (7) In the year of the gubernatorial election, the governor shall
29 invite the governor-elect or the governor-elect's designee to attend
30 all hearings provided in RCW 43.88.100; and the governor shall furnish
31 the governor-elect or the governor-elect's designee with such
32 information as will enable the governor-elect or the governor-elect's
33 designee to gain an understanding of the state's budget requirements.
34 The governor-elect or the governor-elect's designee may ask such
35 questions during the hearings and require such information as the
36 governor-elect or the governor-elect's designee deems necessary and may
37 make recommendations in connection with any item of the budget which,
38 with the governor-elect's reasons therefor, shall be presented to the

1 legislature in writing with the budget document. Copies of all such
2 estimates and other required information shall also be submitted to the
3 standing committees on ways and means of the house and senate.

4 **Sec. 547.** RCW 43.88D.010 and 2008 c 205 s 2 are each amended to
5 read as follows:

6 (1) By October 15th of each even-numbered year, the office of
7 financial management shall complete an objective analysis and scoring
8 of all capital budget projects proposed by the public four-year
9 institutions of higher education and submit the results of the scoring
10 process to the legislative fiscal committees(~~(, the higher education~~
11 ~~coordinating board,)) and the four-year institutions, except that, for~~
12 2008, the office of financial management shall complete the objective
13 analysis and scoring by November 1st. Each project must be reviewed
14 and scored within one of the following categories, according to the
15 project's principal purpose. Each project may be scored in only one
16 category. The categories are:

17 (a) Access-related projects to accommodate enrollment growth at
18 main and branch campuses, at existing or new university centers, or
19 through distance learning. Growth projects should provide significant
20 additional student capacity. Proposed projects must demonstrate that
21 they are based on solid enrollment demand projections, more
22 cost-effectively provide enrollment access than alternatives such as
23 university centers and distance learning, and make cost-effective use
24 of existing and proposed new space;

25 (b) Projects that replace failing permanent buildings or renovate
26 facilities to restore building life and upgrade space to meet current
27 program requirements. Facilities that cannot be economically renovated
28 are considered replacement projects. Renovation projects should
29 represent a complete renovation of a total facility or an isolated wing
30 of a facility. A reasonable renovation project should cost between
31 sixty to eighty percent of current replacement value and restore the
32 renovated area to at least twenty-five years of useful life. New space
33 may be programmed for the same or a different use than the space being
34 replaced or renovated and may include additions to improve access and
35 enhance the relationship of program or support space;

36 (c) Major stand-alone campus infrastructure projects;

1 (d) Projects that promote economic growth and innovation through
2 expanded research activity. The acquisition and installation of
3 specialized equipment is authorized under this category; and

4 (e) Other project categories as determined by the office of
5 financial management in consultation with the legislative fiscal
6 committees.

7 (2) The office of financial management, in consultation with the
8 legislative fiscal committees and the joint legislative audit and
9 review committee, shall establish a scoring system and process for each
10 four-year project category that is based on the framework used in the
11 community and technical college system of prioritization. Staff from
12 the state board for community and technical colleges(~~(, the higher~~
13 ~~education coordinating board,~~) and the four-year institutions shall
14 provide technical assistance on the development of a scoring system and
15 process.

16 (3) The office of financial management shall consult with the
17 legislative fiscal committees in the scoring of four-year institution
18 project proposals, and may also solicit participation by the joint
19 legislative audit and review committee and independent experts.

20 (a) For each four-year project category, the scoring system must,
21 at a minimum, include an evaluation of enrollment trends,
22 reasonableness of cost, the ability of the project to enhance specific
23 strategic master plan goals, age and condition of the facility if
24 applicable, and impact on space utilization.

25 (b) Each four-year project category may include projects at the
26 predesign, design, or construction funding phase.

27 (c) To the extent possible, the objective analysis and scoring
28 system of all capital budget projects shall occur within the context of
29 any and all performance agreements between the office of financial
30 management and the governing board of a public, four-year institution
31 of higher education that aligns goals, priorities, desired outcomes,
32 flexibility, institutional mission, accountability, and levels of
33 resources.

34 (4) In evaluating and scoring four-year institution projects, the
35 office of financial management shall take into consideration project
36 schedules that result in realistic, balanced, and predictable
37 expenditure patterns over the ensuing three biennia.

1 (5) The office of financial management shall distribute common
2 definitions, the scoring system, and other information required for the
3 project proposal and scoring process as part of its biennial budget
4 instructions, except that, for the 2009-2011 budget development cycle,
5 this information must be distributed by July 1, 2008. The office of
6 financial management, in consultation with the legislative fiscal
7 committees and the joint legislative audit and review committee, shall
8 develop common definitions that four-year institutions must use in
9 developing their project proposals and lists under this section.

10 (6) In developing any scoring system for capital projects proposed
11 by the four-year institutions, the office of financial management:

12 (a) Shall be provided with all required information by the four-
13 year institutions as deemed necessary by the office of financial
14 management;

15 (b) May utilize independent services to verify, sample, or evaluate
16 information provided to the office of financial management by the four-
17 year institutions; and

18 (c) Shall have full access to all data maintained by the higher
19 education coordinating board and the joint legislative audit and review
20 committee concerning the condition of higher education facilities.

21 (7) By August 15th of each even-numbered year, beginning in 2008,
22 each public four-year higher education institution shall prepare and
23 submit prioritized lists of the individual projects proposed by the
24 institution for the ensuing six-year period in each category. On a
25 pilot basis, the office of financial management shall require one
26 research university to prepare two separate prioritized lists for each
27 category, one for the main campus, and one covering all of the
28 institution's branch campuses. The office of financial management
29 shall report to the legislative fiscal committees by December 1, 2009,
30 on the effect of this pilot project on capital project financing for
31 all branch campuses. The lists must be submitted to the office of
32 financial management and the legislative fiscal committees. The four-
33 year institutions may aggregate minor works project proposals by
34 primary purpose for ranking purposes. Proposed minor works projects
35 must be prioritized within the aggregated proposal, and supporting
36 documentation, including project descriptions and cost estimates, must
37 be provided to the office of financial management and the legislative
38 fiscal committees.

1 **Sec. 548.** RCW 43.105.400 and 2009 c 509 s 10 are each amended to
2 read as follows:

3 (1) Subject to the availability of federal or state funding, the
4 department may reconvene the high-speed internet work group previously
5 established by chapter 262, Laws of 2008. The work group is renamed
6 the advisory council on digital inclusion, and is an advisory group to
7 the department. The council must include, but is not limited to,
8 volunteer representatives from community technology organizations,
9 telecommunications providers, higher education institutions, K-12
10 education institutions, public health institutions, public housing
11 entities, and local government and other governmental entities that are
12 engaged in community technology activities.

13 (2) The council shall prepare a report by January 15th of each year
14 and submit it to the department, the governor, and the appropriate
15 committees of the legislature. The report must contain:

16 (a) An analysis of how support from public and private sector
17 partnerships, the philanthropic community, and other not-for-profit
18 organizations in the community, along with strong relationships with
19 the state board for community and technical colleges(~~(, the higher~~
20 ~~education coordinating board,~~)) and higher education institutions,
21 could establish a variety of high-speed internet access alternatives
22 for citizens;

23 (b) Proposed strategies for continued broadband deployment and
24 adoption efforts, as well as further development of advanced
25 telecommunications applications;

26 (c) Recommendations on methods for maximizing the state's research
27 and development capacity at universities and in the private sector for
28 developing advanced telecommunications applications and services, and
29 recommendations on incentives to stimulate the demand for and
30 development of these applications and services;

31 (d) An identification of barriers that hinder the advancement of
32 technology entrepreneurship in the state; and

33 (e) An evaluation of programs designed to advance digital literacy
34 and computer access that are made available by the federal government,
35 local agencies, telecommunications providers, and business and
36 charitable entities.

1 **Sec. 549.** RCW 43.215.090 and 2007 c 394 s 3 are each amended to
2 read as follows:

3 (1) The early learning advisory council is established to advise
4 the department on statewide early learning community needs and
5 progress.

6 (2) The council shall work in conjunction with the department to
7 develop a statewide early learning plan that crosses systems and
8 sectors to promote alignment of private and public sector actions,
9 objectives, and resources, and to ensure school readiness.

10 (3) The council shall include diverse, statewide representation
11 from public, nonprofit, and for-profit entities. Its membership shall
12 reflect regional, racial, and cultural diversity to adequately
13 represent the needs of all children and families in the state.

14 (4) Council members shall serve two-year terms. However, to
15 stagger the terms of the council, the initial appointments for twelve
16 of the members shall be for one year. Once the initial one-year to
17 two-year terms expire, all subsequent terms shall be for two years,
18 with the terms expiring on June 30th of the applicable year. The terms
19 shall be staggered in such a way that, where possible, the terms of
20 members representing a specific group do not expire simultaneously.

21 (5) The council shall consist of not more than twenty-five members,
22 as follows:

23 (a) The governor shall appoint at least one representative from
24 each of the following: The department, the office of financial
25 management, the department of social and health services, the
26 department of health, (~~the higher education coordinating board,~~) and
27 the state board for community and technical colleges;

28 (b) One representative from the office of the superintendent of
29 public instruction, to be appointed by the superintendent of public
30 instruction;

31 (c) The governor shall appoint at least seven leaders in early
32 childhood education, with at least one representative with experience
33 or expertise in each of the following areas: Children with
34 disabilities, the K-12 system, family day care providers, and child
35 care centers;

36 (d) Two members of the house of representatives, one from each
37 caucus, and two members of the senate, one from each caucus, to be

1 appointed by the speaker of the house of representatives and the
2 president of the senate, respectively;

3 (e) Two parents, one of whom serves on the department's parent
4 advisory council, to be appointed by the governor;

5 (f) Two representatives of the private-public partnership created
6 in RCW 43.215.070, to be appointed by the partnership board;

7 (g) One representative designated by sovereign tribal governments;
8 and

9 (h) One representative from the Washington federation of
10 independent schools.

11 (6) The council shall be cochaired by one representative of a state
12 agency and one nongovernmental member, to be elected by the council for
13 two-year terms.

14 (7) Each member of the board shall be compensated in accordance
15 with RCW 43.03.240 and reimbursed for travel expenses incurred in
16 carrying out the duties of the board in accordance with RCW 43.03.050
17 and 43.03.060.

18 (8) The department shall provide staff support to the council.

19 **Sec. 550.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are
20 each reenacted and amended to read as follows:

21 (1) The Washington state economic development commission shall,
22 with the advice of an innovation partnership advisory group selected by
23 the commission:

24 (a) Provide information and advice to the department of commerce to
25 assist in the implementation of the innovation partnership zone
26 program, including criteria to be used in the selection of grant
27 applicants for funding;

28 (b) Document clusters of companies throughout the state that have
29 comparative competitive advantage or the potential for comparative
30 competitive advantage, using the process and criteria for identifying
31 strategic clusters developed by the working group specified in
32 subsection (2) of this section;

33 (c) Conduct an innovation opportunity analysis to identify (i) the
34 strongest current intellectual assets and research teams in the state
35 focused on emerging technologies and their commercialization, and (ii)
36 faculty and researchers that could increase their focus on

1 commercialization of technology if provided the appropriate technical
2 assistance and resources;

3 (d) Based on its findings and analysis, and in conjunction with the
4 (~~higher education coordinating board and~~) research institutions:

5 (i) Develop a plan to build on existing, and develop new,
6 intellectual assets and innovation research teams in the state in
7 research areas where there is a high potential to commercialize
8 technologies. The commission shall present the plan to the governor
9 and legislature by December 31, 2009. (~~The higher education
10 coordinating board shall be responsible for implementing the plan in
11 conjunction with~~) The publicly funded research institutions in the
12 state shall be responsible for implementing the plan. The plan shall
13 address the following elements and such other elements as the
14 commission deems important:

15 (A) Specific mechanisms to support, enhance, or develop innovation
16 research teams and strengthen their research and commercialization
17 capacity in areas identified as useful to strategic clusters and
18 innovative firms in the state;

19 (B) Identification of the funding necessary for laboratory
20 infrastructure needed to house innovation research teams;

21 (C) Specification of the most promising research areas meriting
22 enhanced resources and recruitment of significant entrepreneurial
23 researchers to join or lead innovation research teams;

24 (D) The most productive approaches to take in the recruitment, in
25 the identified promising research areas, of a minimum of ten
26 significant entrepreneurial researchers over the next ten years to join
27 or lead innovation research teams;

28 (E) Steps to take in solicitation of private sector support for the
29 recruitment of entrepreneurial researchers and the commercialization
30 activity of innovation research teams; and

31 (F) Mechanisms for ensuring the location of innovation research
32 teams in innovation partnership zones;

33 (ii) Provide direction for the development of comprehensive
34 entrepreneurial assistance programs at research institutions. The
35 programs may involve multidisciplinary students, faculty,
36 entrepreneurial researchers, entrepreneurs, and investors in building
37 business models and evolving business plans around innovative ideas.
38 The programs may provide technical assistance and the support of an

1 entrepreneur-in-residence to innovation research teams and offer
2 entrepreneurial training to faculty, researchers, undergraduates, and
3 graduate students. Curriculum leading to a certificate in
4 entrepreneurship may also be offered;

5 (e) Develop performance measures to be used in evaluating the
6 performance of innovation research teams, the implementation of the
7 plan and programs under (d)(i) and (ii) of this subsection, and the
8 performance of innovation partnership zone grant recipients, including
9 but not limited to private investment measures, business initiation
10 measures, job creation measures, and measures of innovation such as
11 licensing of ideas in research institutions, patents, or other
12 recognized measures of innovation. The performance measures developed
13 shall be consistent with the economic development commission's
14 comprehensive plan for economic development and its standards and
15 metrics for program evaluation. The commission shall report to the
16 legislature and the governor by June 30, 2009, on the measures
17 developed; and

18 (f) Using the performance measures developed, perform a biennial
19 assessment and report, the first of which shall be due December 31,
20 2012, on:

21 (i) Commercialization of technologies developed at state
22 universities, found at other research institutions in the state, and
23 facilitated with public assistance at existing companies;

24 (ii) Outcomes of the funding of innovation research teams and
25 recruitment of significant entrepreneurial researchers;

26 (iii) Comparison with other states of Washington's outcomes from
27 the innovation research teams and efforts to recruit significant
28 entrepreneurial researchers; and

29 (iv) Outcomes of the grants for innovation partnership zones.
30 The report shall include recommendations for modifications of chapter
31 227, Laws of 2007 and of state commercialization efforts that would
32 enhance the state's economic competitiveness.

33 (2) The economic development commission and the workforce training
34 and education coordinating board shall jointly convene a working group
35 to:

36 (a) Specify the process and criteria for identification of substate
37 geographic concentrations of firms or employment in an industry and the
38 industry's customers, suppliers, supporting businesses, and

1 institutions, which process will include the use of labor market
2 information from the employment security department and local labor
3 markets; and

4 (b) Establish criteria for identifying strategic clusters which are
5 important to economic prosperity in the state, considering cluster
6 size, growth rate, and wage levels among other factors.

7 **Sec. 551.** RCW 43.330.310 and 2008 c 14 s 9 are each amended to
8 read as follows:

9 (1) The legislature establishes a comprehensive green economy jobs
10 growth initiative based on the goal of, by 2020, increasing the number
11 of green economy jobs to twenty-five thousand from the eight thousand
12 four hundred green economy jobs the state had in 2004.

13 (2) The department, in consultation with the employment security
14 department, the state workforce training and education coordinating
15 board, the state board (~~(of [for])~~) for community and technical
16 colleges, and the (~~(higher education coordinating board)~~) four-year
17 institutions of higher education as defined in RCW 28B.10.016, shall
18 develop a defined list of terms, consistent with current workforce and
19 economic development terms, associated with green economy industries
20 and jobs.

21 (3)(a) The employment security department, in consultation with the
22 department, the state workforce training and education coordinating
23 board, the state board for community and technical colleges, the
24 (~~(higher education coordinating board)~~) four-year institutions of
25 higher education as defined in RCW 28B.10.016, Washington State
26 University small business development center, and the Washington State
27 University extension energy program, shall conduct labor market
28 research to analyze the current labor market and projected job growth
29 in the green economy, the current and projected recruitment and skill
30 requirement of green economy industry employers, the wage and benefits
31 ranges of jobs within green economy industries, and the education and
32 training requirements of entry-level and incumbent workers in those
33 industries.

34 (b) The University of Washington business and economic development
35 center shall: Analyze the current opportunities for and participation
36 in the green economy by minority and women-owned business enterprises
37 in Washington; identify existing barriers to their successful

1 participation in the green economy; and develop strategies with
2 specific policy recommendations to improve their successful
3 participation in the green economy. The research may be informed by
4 the research of the Puget Sound regional council prosperity
5 partnership, as well as other entities. The University of Washington
6 business and economic development center shall report to the
7 appropriate committees of the house of representatives and the senate
8 on their research, analysis, and recommendations by December 1, 2008.

9 (4) Based on the findings from subsection (3) of this section, the
10 employment security department, in consultation with the department and
11 taking into account the requirements and goals of chapter 14, Laws of
12 2008 and other state clean energy and energy efficiency policies, shall
13 propose which industries will be considered high-demand green
14 industries, based on current and projected job creation and their
15 strategic importance to the development of the state's green economy.
16 The employment security department and the department shall take into
17 account which jobs within green economy industries will be considered
18 high-wage occupations and occupations that are part of career pathways
19 to the same, based on family-sustaining wage and benefits ranges.
20 These designations, and the results of the employment security
21 department's broader labor market research, shall inform the planning
22 and strategic direction of the department, the state workforce training
23 and education coordinating board, the state board for community and
24 technical colleges, and the ~~((higher education coordinating board))~~
25 four-year institutions of higher education as defined in RCW
26 28B.10.016.

27 (5) The department shall identify emerging technologies and
28 innovations that are likely to contribute to advancements in the green
29 economy, including the activities in designated innovation partnership
30 zones established in RCW 43.330.270.

31 (6) The department, consistent with the priorities established by
32 the state economic development commission, shall:

33 (a) Develop targeting criteria for existing investments, and make
34 recommendations for new or expanded financial incentives and
35 comprehensive strategies, to recruit, retain, and expand green economy
36 industries and small businesses; and

37 (b) Make recommendations for new or expanded financial incentives

1 and comprehensive strategies to stimulate research and development of
2 green technology and innovation, including designating innovation
3 partnership zones linked to the green economy.

4 (7) For the purposes of this section, "target populations" means
5 (a) entry-level or incumbent workers in high-demand green industries
6 who are in, or are preparing for, high-wage occupations; (b) dislocated
7 workers in declining industries who may be retrained for high-wage
8 occupations in high-demand green industries; (c) dislocated
9 agriculture, timber, or energy sector workers who may be retrained for
10 high-wage occupations in high-demand green industries; (d) eligible
11 veterans or national guard members; (e) disadvantaged populations; or
12 (f) anyone eligible to participate in the state opportunity grant
13 program under RCW 28B.50.271.

14 (8) The legislature directs the state workforce training and
15 education coordinating board to create and pilot green industry skill
16 panels. These panels shall consist of business representatives from
17 industry sectors related to clean energy, labor unions representing
18 workers in those industries or labor affiliates administering state-
19 approved, joint apprenticeship programs or labor-management partnership
20 programs that train workers for these industries, state and local
21 veterans agencies, employer associations, educational institutions, and
22 local workforce development councils within the region that the panels
23 propose to operate, and other key stakeholders as determined by the
24 applicant. Any of these stakeholder organizations are eligible to
25 receive grants under this section and serve as the intermediary that
26 convenes and leads the panel. Panel applicants must provide labor
27 market and industry analysis that demonstrates high demand, or demand
28 of strategic importance to the development of the state's clean energy
29 economy as identified in this section, for high-wage occupations, or
30 occupations that are part of career pathways to the same, within the
31 relevant industry sector. The panel shall:

32 (a) Conduct labor market and industry analyses, in consultation
33 with the employment security department, and drawing on the findings of
34 its research when available;

35 (b) Plan strategies to meet the recruitment and training needs of
36 the industry and small businesses; and

37 (c) Leverage and align other public and private funding sources.

1 (9) The green industries jobs training account is created in the
2 state treasury. Moneys from the account must be utilized to supplement
3 the state opportunity grant program established under RCW 28B.50.271.
4 All receipts from appropriations directed to the account must be
5 deposited into the account. Expenditures from the account may be used
6 only for the activities identified in this subsection. The state board
7 for community and technical colleges, in consultation with the state
8 workforce training and education coordinating board, informed by the
9 research of the employment security department and the strategies
10 developed in this section, may authorize expenditures from the account.
11 The state board for community and technical colleges must distribute
12 grants from the account on a competitive basis.

13 (a)(i) Allowable uses of these grant funds, which should be used
14 when other public or private funds are insufficient or unavailable, may
15 include:

- 16 (A) Curriculum development;
- 17 (B) Transitional jobs strategies for dislocated workers in
18 declining industries who may be retrained for high-wage occupations in
19 green industries;
- 20 (C) Workforce education to target populations; and
- 21 (D) Adult basic and remedial education as necessary linked to
22 occupation skills training.

23 (ii) Allowable uses of these grant funds do not include student
24 assistance and support services available through the state opportunity
25 grant program under RCW 28B.50.271.

26 (b) Applicants eligible to receive these grants may be any
27 organization or a partnership of organizations that has demonstrated
28 expertise in:

- 29 (i) Implementing effective education and training programs that
30 meet industry demand; and
- 31 (ii) Recruiting and supporting, to successful completion of those
32 training programs carried out under these grants, the target
33 populations of workers.

34 (c) In awarding grants from the green industries jobs training
35 account, the state board for community and technical colleges shall
36 give priority to applicants that demonstrate the ability to:

37 (i) Use labor market and industry analysis developed by the
38 employment security department and green industry skill panels in the

1 design and delivery of the relevant education and training program, and
2 otherwise utilize strategies developed by green industry (~~skills~~
3 ~~{skill}~~) skill panels;

4 (ii) Leverage and align existing public programs and resources and
5 private resources toward the goal of recruiting, supporting, educating,
6 and training target populations of workers;

7 (iii) Work collaboratively with other relevant stakeholders in the
8 regional economy;

9 (iv) Link adult basic and remedial education, where necessary, with
10 occupation skills training;

11 (v) Involve employers and, where applicable, labor unions in the
12 determination of relevant skills and competencies and, where relevant,
13 the validation of career pathways; and

14 (vi) Ensure that supportive services, where necessary, are
15 integrated with education and training and are delivered by
16 organizations with direct access to and experience with the targeted
17 population of workers.

18 **Sec. 552.** RCW 43.330.375 and 2009 c 536 s 4 are each amended to
19 read as follows:

20 (1) The department and the workforce board, in consultation with
21 the leadership team, must:

22 (a) Coordinate efforts across the state to ensure that federal
23 training and education funds are captured and deployed in a focused and
24 effective manner in order to support green economy projects and
25 accomplish the goals of the evergreen jobs initiative;

26 (b) Accelerate and coordinate efforts by state and local
27 organizations to identify, apply for, and secure all sources of funds,
28 particularly those created by the 2009 American recovery and
29 reinvestment act, and to ensure that distributions of funding to local
30 organizations are allocated in a manner that is time-efficient and
31 user-friendly for the local organizations. Local organizations
32 eligible to receive support include but are not limited to:

33 (i) Associate development organizations;

34 (ii) Workforce development councils;

35 (iii) Public utility districts; and

36 (iv) Community action agencies;

1 (c) Support green economy projects at both the state and local
2 level by developing a process and a framework to provide, at a minimum:

3 (i) Administrative and technical assistance;
4 (ii) Assistance with and expediting of permit processes; and
5 (iii) Priority consideration of opportunities leading to exportable
6 green economy goods and services, including renewable energy
7 technology;

8 (d) Coordinate local and state implementation of projects using
9 federal funds to ensure implementation is time-efficient and user-
10 friendly for local organizations;

11 (e) Emphasize through both support and outreach efforts, projects
12 that:

13 (i) Have a strong and lasting economic or environmental impact;
14 (ii) Lead to a domestically or internationally exportable good or
15 service, including renewable energy technology;
16 (iii) Create training programs leading to a credential,
17 certificate, or degree in a green economy field;

18 (iv) Strengthen the state's competitiveness in a particular sector
19 or cluster of the green economy;

20 (v) Create employment opportunities for veterans, members of the
21 national guard, and low-income and disadvantaged populations;

22 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;
23 (vii) Ensure at least fifteen percent of labor hours are performed
24 by apprentices;

25 (f) Identify emerging technologies and innovations that are likely
26 to contribute to advancements in the green economy, including the
27 activities in designated innovation partnership zones established in
28 RCW 43.330.270;

29 (g) Identify statewide performance metrics for projects receiving
30 agency assistance. Such metrics may include:

31 (i) The number of new green jobs created each year, their wage
32 levels, and, to the extent determinable, the percentage of new green
33 jobs filled by veterans, members of the national guard, and low-income
34 and disadvantaged populations;

35 (ii) The total amount of new federal funding secured, the
36 respective amounts allocated to the state and local levels, and the
37 timeliness of deployment of new funding by state agencies to the local
38 level;

1 (iii) The timeliness of state deployment of funds and support to
2 local organizations; and

3 (iv) If available, the completion rates, time to completion, and
4 training-related placement rates for green economy postsecondary
5 training programs;

6 (h) Identify strategies to allocate existing and new funding
7 streams for green economy workforce training programs and education to
8 emphasize those leading to a credential, certificate, or degree in a
9 green economy field;

10 (i) Identify and implement strategies to allocate existing and new
11 funding streams for workforce development councils and associate
12 development organizations to increase their effectiveness and
13 efficiency and increase local capacity to respond rapidly and
14 comprehensively to opportunities to attract green jobs to local
15 communities;

16 (j) Develop targeting criteria for existing investments that are
17 consistent with the economic development commission's economic
18 development strategy and the goals of this section and RCW 28C.18.170,
19 28B.50.281, and 49.04.200; and

20 (k) Make and support outreach efforts so that residents of
21 Washington, particularly members of target populations, become aware of
22 educational and employment opportunities identified and funded through
23 the evergreen jobs act.

24 (2) The department and the workforce board, in consultation with
25 the leadership team, must provide semiannual performance reports to the
26 governor and appropriate committees of the legislature on:

27 (a) Actual statewide performance based on the performance measures
28 identified in subsection (1)(g) of this section;

29 (b) How the state is emphasizing and supporting projects that lead
30 to a domestically or internationally exportable good or service,
31 including renewable energy technology;

32 (c) A list of projects supported, created, or funded in furtherance
33 of the goals of the evergreen jobs initiative and the actions taken by
34 state and local organizations, including the effectiveness of state
35 agency support provided to local organizations as directed in
36 subsection (1)(b) and (c) of this section;

37 (d) Recommendations for new or expanded financial incentives and
38 comprehensive strategies to:

1 (i) Recruit, retain, and expand green economy industries and small
2 businesses; and

3 (ii) Stimulate research and development of green technology and
4 innovation, which may include designating innovation partnership zones
5 linked to the green economy;

6 (e) Any information that associate development organizations and
7 workforce development councils choose to provide to appropriate
8 legislative committees regarding the effectiveness, timeliness, and
9 coordination of support provided by state agencies under this section
10 and RCW 28C.18.170, 28B.50.281, and 49.04.200; and

11 (f) Any recommended statutory changes necessary to increase the
12 effectiveness of the evergreen jobs initiative and state responsiveness
13 to local agencies and organizations.

14 (3) The definitions, designations, and results of the employment
15 security department's broader labor market research under RCW
16 43.330.010 shall inform the planning and strategic direction of the
17 department, the state workforce training and education coordinating
18 board, and the state board for community and technical colleges(~~(, and~~
19 ~~the higher education coordinating board)~~)).

20 **Sec. 553.** RCW 47.80.090 and 2009 c 459 s 2 are each amended to
21 read as follows:

22 (1) A regional transportation planning organization containing any
23 county with a population in excess of one million in collaboration with
24 representatives from the department of ecology, the department of
25 (~~community, trade, and economic development~~) commerce, local
26 governments, and the office of regulatory assistance must seek federal
27 or private funding for the planning for, deployment of, or regulations
28 concerning electric vehicle infrastructure. These efforts should
29 include:

30 (a) Development of short-term and long-term plans outlining how
31 state, regional, and local government construction may include electric
32 vehicle infrastructure in publicly available off-street parking and
33 government fleet vehicle parking, including what ratios of charge spots
34 to parking may be appropriate based on location or type of facility or
35 building;

36 (b) Consultations with the state building code council and the
37 department of labor and industries to coordinate the plans with state

1 standards for new residential, commercial, and industrial buildings to
2 ensure that the appropriate electric circuitry is installed to support
3 electric vehicle infrastructure;

4 (c) Consultation with the workforce development council (~~and~~),
5 the (~~higher~~) workforce training and education coordinating board, and
6 the state board for community and technical colleges to ensure the
7 development of appropriate educational and training opportunities for
8 citizens of the state in support of the transition of some portion of
9 vehicular transportation from combustion to electric vehicles;

10 (d) Development of an implementation plan for counties with a
11 population greater than five hundred thousand with the goal of having
12 public and private parking spaces, in the aggregate, be ten percent
13 electric vehicle ready by December 31, 2018; and

14 (e) Development of model ordinances and guidance for local
15 governments for siting and installing electric vehicle infrastructure,
16 in particular battery charging stations, and appropriate handling,
17 recycling, and storage of electric vehicle batteries and equipment.

18 (2) These plans and any recommendations developed as a result of
19 the consultations required by this section must be submitted to the
20 legislature by December 31, 2010, or as soon as reasonably practicable
21 after the securing of any federal or private funding. Priority will be
22 given to the activities in subsection (1)(e) of this section and any
23 ordinances or guidance that is developed will be submitted to the
24 legislature, the department of (~~community, trade, and economic~~
25 ~~development~~) commerce, and affected local governments prior to
26 December 31, 2010, if completed.

27 (3) The definitions in this subsection apply (~~through~~
28 ~~[throughout]~~) throughout this section unless the context clearly
29 requires otherwise.

30 (a) "Battery charging station" means an electrical component
31 assembly or cluster of component assemblies designed specifically to
32 charge batteries within electric vehicles, which meet or exceed any
33 standards, codes, and regulations set forth by chapter 19.28 RCW and
34 consistent with rules adopted under RCW 19.27.540.

35 (b) "Battery exchange station" means a fully automated facility
36 that will enable an electric vehicle with a swappable battery to enter
37 a drive lane and exchange the depleted battery with a fully charged

1 battery through a fully automated process, which meets or exceeds any
2 standards, codes, and regulations set forth by chapter 19.28 RCW and
3 consistent with rules adopted under RCW 19.27.540.

4 (c) "Electric vehicle infrastructure" means structures, machinery,
5 and equipment necessary and integral to support an electric vehicle,
6 including battery charging stations, rapid charging stations, and
7 battery exchange stations.

8 (d) "Rapid charging station" means an industrial grade electrical
9 outlet that allows for faster recharging of electric vehicle batteries
10 through higher power levels, which meets or exceeds any standards,
11 codes, and regulations set forth by chapter 19.28 RCW and consistent
12 with rules adopted under RCW 19.27.540.

13 **Sec. 554.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to
14 read as follows:

15 (1) The department, in consultation with at least the (~~higher~~
16 ~~education—coordinating—board~~) four-year institutions of higher
17 education as defined in RCW 28B.10.016, the state board for community
18 and technical colleges, the superintendent of public instruction, and
19 state-supported education programs in medicine, pharmacy, and nursing,
20 shall develop a plan for increasing rural training opportunities for
21 students in medicine, pharmacy, and nursing. The plan shall provide
22 for direct exposure to rural health professional practice conditions
23 for students planning careers in medicine, pharmacy, and nursing.

24 (2) The department and the medical, pharmacy, and nurse education
25 programs shall:

26 (a) Inventory existing rural-based clinical experience programs,
27 including internships, clerkships, residencies, and other training
28 opportunities available to students pursuing degrees in nursing,
29 pharmacy, and medicine;

30 (b) Identify where training opportunities do not currently exist
31 and are needed;

32 (c) Develop recommendations for improving the availability of rural
33 training opportunities;

34 (d) Develop recommendations on establishing agreements between
35 education programs to assure that all students in medical, pharmacist,
36 and nurse education programs in the state have access to rural training
37 opportunities; and

1 (e) Review private and public funding sources to finance rural-
2 based training opportunities.

3 NEW SECTION. **Sec. 555.** A new section is added to chapter 28B.10
4 RCW to read as follows:

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

13 NEW SECTION. **Sec. 556.** The following sections are each recodified
14 as sections in chapter 28B.10 RCW:

- 15 RCW 28B.76.200
- 16 RCW 28B.76.230

17 **PART V**

18 **MISCELLANEOUS PROVISIONS**

19 NEW SECTION. **Sec. 601.** Sections 162 through 165 of this act
20 expire August 1, 2011.

21 NEW SECTION. **Sec. 602.** Sections 185 through 190 of this act
22 expire June 30, 2013.

23 NEW SECTION. **Sec. 603.** Section 533 of this act expires July 1,
24 2012.

25 NEW SECTION. **Sec. 604.** Sections 540 and 541 of this act expire
26 December 31, 2012.

27 NEW SECTION. **Sec. 605.** This act takes effect July 1, 2010.

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