
ENGROSSED SECOND SUBSTITUTE SENATE BILL 6232

State of Washington

62nd Legislature

2012 Regular Session

By Senate Ways & Means (originally sponsored by Senators Kilmer, Shin, McAuliffe, and Eide; by request of Governor Gregoire)

READ FIRST TIME 02/07/12.

1 AN ACT Relating to higher education coordination; amending RCW
2 28B.77.005, 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.235, 28B.76.240,
3 28B.76.270, 28B.76.325, 28B.76.510, 28B.76.695, 44.04.260, 43.88.230,
4 28B.76.280, 28B.76.310, 28B.76.090, 9A.60.070, 18.260.110, 28A.600.280,
5 28A.600.390, 28B.07.040, 28B.10.020, 28B.10.053, 28B.10.118,
6 28B.10.400, 28B.10.405, 28B.10.410, 28B.10.415, 28B.10.423, 28B.10.784,
7 28B.10.790, 28B.12.030, 28B.15.068, 28B.15.068, 28B.15.102, 28B.15.460,
8 28B.30.515, 28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040, 28B.45.080,
9 28B.50.140, 28B.50.810, 28B.50.820, 28B.65.040, 28B.65.050, 28B.76.250,
10 28B.85.010, 28B.85.020, 28B.85.030, 28B.85.040, 28B.85.050, 28B.85.060,
11 28B.85.070, 28B.85.080, 28B.85.090, 28B.85.100, 28B.85.130, 28B.85.170,
12 28B.90.010, 28B.90.020, 28B.90.030, 28B.92.030, 28B.92.070, 28B.92.082,
13 28B.97.020, 28B.109.010, 28B.110.030, 28B.110.040, 28B.117.020,
14 28B.120.010, 28B.120.020, 28B.120.025, 28B.120.030, 28B.120.040,
15 28C.10.030, 28C.10.040, 28C.18.030, 28C.18.060, 35.104.020, 35.104.040,
16 42.17A.705, 43.06.115, 43.19.797, 43.41.400, 43.41A.100, 43.88.090,
17 43.105.825, 43.215.090, 43.330.310, 43.330.375, 47.80.090, 70.180.110,
18 74.13.570, 28A.175.135, 28A.660.050, 28B.12.040, 28B.12.070,
19 28B.15.012, 28B.15.762, 28B.15.764, 28B.76.505, 28B.92.080, 28B.95.020,
20 28B.102.030, 28B.103.030, 28B.108.020, 28B.108.040, 28B.116.030,
21 28B.117.030, 28B.15.069, 28A.600.310, 28B.15.380, 28B.15.730,

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

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

19 NEW SECTION. **Sec. 1.** The legislature recognizes that increasing
20 educational attainment is critical to the social and economic well-
21 being of Washington. The legislature intends to create the student
22 achievement council to provide the focus and set the goals for
23 increasing educational attainment including improving student
24 transitions from secondary to postsecondary education and training and
25 between and among postsecondary institutions.

26 The legislature finds that increasing educational attainment is
27 essential for maintaining the health of a democratic society and the
28 competitiveness of the state in the global economy. It is necessary to
29 have educational opportunities that meet both the educational and
30 economic requirements of the state. Increasing educational attainment
31 means Washington needs more students with high school diplomas,
32 postsecondary certificates, associate degrees, bachelor's degrees, and
33 graduate degrees. According to a fall 2010 study by the Georgetown
34 University center on education and the workforce, Washington will rank
35 sixth in the nation in jobs that will require postsecondary education
36 or special training.

1 The legislature finds that educational attainment is a powerful
2 predictor of well-being. Students who have completed higher levels of
3 education or training are more likely to achieve success in work or
4 life than those who have not. Education is perhaps the most important
5 engine of economic growth and individual and financial health. Success
6 in growing a stronger economy and democracy and lifting incomes and
7 well-being depends upon increasing educational attainment. It is the
8 intent of the legislature to focus on the increased educational
9 attainment as a key priority and closely track progress towards meeting
10 this goal.

11 **PART I**

12 **STUDENT ACHIEVEMENT COUNCIL**

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

15 On July 1, 2012, the higher education coordinating board is
16 abolished and the student achievement council (~~(for higher education)~~)
17 is created (~~((subject to the recommendations of the higher education~~
18 ~~steering committee established in section 302, chapter 11, Laws of 2011~~
19 ~~1st sp. sess. and implementing legislation enacted by the 2012~~
20 ~~legislature))~~).

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

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

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

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

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

32 (5) "Major expansion" means expansion of the higher education
33 system that requires significant new capital investment, including
34 building new institutions, campuses, branches, or centers or conversion

1 of existing campuses, branches, or centers that would result in a
2 mission change.

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

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

7 NEW SECTION. **Sec. 103.** The purpose and mission of the council is
8 to set goals for increasing the educational attainment in Washington
9 and to monitor progress toward meeting those goals. Setting these
10 goals links the work of educational programs, schools, and institutions
11 from secondary through postsecondary education and training and through
12 careers. The council must connect the work of the superintendent of
13 public instruction, the state board of education, the state board for
14 community and technical colleges, the workforce training and education
15 coordinating board, and the four-year institutions of higher education,
16 as well as the independent schools and colleges.

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

18 (1)(a) Set educational attainment goals both short and long term.

19 (b) Educational attainment goals include not only reaching higher
20 levels of educational attainment but earning certificates or degrees
21 that meet workforce needs.

22 (c) In setting these goals, the council must collaborate with the
23 superintendent of public instruction, the state board of education, the
24 state board for community and technical colleges, the four-year
25 institutions of higher education, organizations of independent colleges
26 and degree-granting and certificate-granting institutions, and the
27 workforce training and education coordinating board to develop goals to
28 increase educational attainment.

29 (d) The council must identify the resources necessary to meet
30 statewide goals and also recognize current state economic conditions
31 and state resources.

32 (e) The council must review and revise these goals every two years
33 with the first review due to the governor and legislature by December
34 1, 2013;

35 (2) Provide strategic planning and develop a ten-year statewide

1 plan for higher education and continually monitor state and institution
2 progress in meeting the vision, goals, priorities, and strategies
3 articulated in the plan;

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

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

13 (5) Improve student transitions and success, which includes but is
14 not limited to:

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

21 (b) Developing programs to encourage students to prepare for,
22 understand how to access, and pursue postsecondary college and career
23 programs;

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

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

35 (6) Facilitate the development and expansion of innovative
36 practices within, between, and among the sectors to increase
37 educational attainment and review effectiveness of the innovations;

1 (7) Use the data and analysis produced by the education data center
2 created in RCW 43.41.400 in developing policy recommendations and
3 setting goals and at a minimum track progress toward meeting the
4 state's ten-year statewide plan;

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

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

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

22 (11) Protect consumers, which includes approving (a) private,
23 degree-granting postsecondary institutions consistent with existing
24 statutory criteria and (b) programs that are eligible programs for
25 students to use federal benefits such as veterans' benefits; and

26 (12) Represent the broad public interest above the interests of the
27 individual institutions of higher education.

28 NEW SECTION. **Sec. 105.** (1) Membership of the student achievement
29 council is as provided in this section.

30 (2) The council is composed of nine members.

31 (a) Four citizen members, appointed by the governor with the
32 consent of the senate;

33 (b) A representative of the four-year institutions of higher
34 education as defined in RCW 28B.10.016, selected by the presidents of
35 those institutions;

36 (c) A representative from the state board for community and
37 technical colleges;

1 (d) A representative of a higher education institution as defined
2 in RCW 28B.07.020, appointed by an association of independent nonprofit
3 colleges and universities;

4 (e) The superintendent of public instruction, or the
5 superintendent's designee; and

6 (f) A student, appointed by the governor, with the consent of the
7 senate.

8 (3) The citizen members shall reflect diverse, statewide
9 representation, and be selected on the basis of their knowledge of or
10 experience in higher education. The citizen members shall serve for
11 four-year terms; however, the terms of the initial members shall be
12 staggered.

13 (4) The representative appointed under subsection (2)(d) of this
14 section must excuse himself or herself from voting on matters relating
15 primarily to public institutions of higher education.

16 (5) The superintendent of public instruction, or superintendent's
17 designee, appointed under subsection (2)(e) of this section must excuse
18 himself or herself from voting on matters relating primarily to public
19 institutions of higher education.

20 (6) The chair shall be selected by the council from among the
21 citizen members appointed to the council. The chair shall serve a one-
22 year term but may serve more than one term if selected to do so by the
23 membership.

24 (7) The council may create advisory committees on an ad hoc basis
25 for the purpose of obtaining input from students, faculty, and higher
26 education experts and practitioners, citizens, business and industry,
27 and labor, and for the purpose of informing their research, policy, and
28 programmatic functions.

29 (8) Any vacancies on the council shall be filled in the same manner
30 as the original appointments. Appointments to fill vacancies shall be
31 only for such terms as remain unexpired. Any vacancies among council
32 members appointed by the governor shall be filled by the governor
33 subject to confirmation by the senate and shall have full authority to
34 act before the time the senate acts on their confirmation.

35 NEW SECTION. **Sec. 106.** (1) The council shall adopt bylaws and
36 shall meet at least four times each year and at such other times as

1 determined by the chair who shall give reasonable prior notice to the
2 members.

3 (2) Councilmembers are expected to consistently attend meetings.
4 The chair of the council may remove any member who misses more than two
5 meetings in any calendar year without cause. Any member so removed
6 must be replaced as provided under section 105(8) of this act.

7 NEW SECTION. **Sec. 107.** Councilmembers shall be compensated in
8 accordance with RCW 43.03.240 and reimbursed for travel expenses
9 incurred in carrying out the duties of the council in accordance with
10 RCW 43.03.050 and 43.03.060.

11 NEW SECTION. **Sec. 108.** (1) The council shall employ an executive
12 director. The executive director shall be appointed by the governor
13 from a list of three names submitted by a committee comprising the
14 citizen members of the council. However, the governor may request, and
15 the committee shall provide, an additional list or lists from which the
16 governor shall select the executive director. The governor may dismiss
17 the executive director only with the approval of a majority vote of the
18 council. The council, by a majority vote, may dismiss the executive
19 director.

20 (2) The executive director, with the approval of the council, may
21 employ necessary deputy and assistant directors and other exempt staff
22 under chapter 41.06 RCW, who shall serve at the executive director's
23 pleasure on such terms and conditions as he or she determines. Subject
24 to the provisions of chapter 41.06 RCW, the executive director may
25 appoint and employ such other employees as may be required for the
26 proper discharge of the functions of the council.

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

29 NEW SECTION. **Sec. 110.** (1) The council shall identify measurable
30 and feasible goals and priorities for the system of higher education in
31 Washington for a ten-year period of time and a plan to achieve them.
32 The plan must encompass all sectors of higher education, including the
33 two-year system, workforce training, and the four-year institutions of

1 higher education. The council shall also identify strategies for
2 expanding access, affordability, quality, efficiency, and
3 accountability among the various institutions of higher education.

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

11 (3) The ten-year statewide plan must include but not be limited to:

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

15 (b) Financing planning and strategic investment recommendations for
16 education, including system-wide budget recommendations, necessary to
17 meet statewide goals;

18 (c) System design and coordination;

19 (d) Student transition improvement;

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

23 (f) Policy research; and

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

26 **Sec. 111.** RCW 28B.76.110 and 2004 c 275 s 5 are each amended to
27 read as follows:

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

33 **Sec. 112.** RCW 28B.76.210 and 2011 1st sp.s. c 11 s 104 are each
34 amended to read as follows:

35 (1) The (~~board~~) council shall (~~collaborate with the four-year~~
36 ~~institutions including the council of presidents, the community and~~

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

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

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

36 ~~(b) Capital budget outlines for the two year institutions shall be~~
37 ~~submitted by August 15th of each even numbered year, and shall include~~

1 ~~the prioritized ranking of the capital projects being requested, a~~
2 ~~description of each capital project, and the amount and fund source~~
3 ~~being requested.~~

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

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

13 ~~(3) The board shall review and evaluate the operating and capital~~
14 ~~budget requests from four-year institutions and the community and~~
15 ~~technical college system based on how the requests align with the~~
16 ~~board's budget priorities, the missions of the institutions, and the~~
17 ~~statewide strategic master plan for higher education under RCW~~
18 ~~28B.76.200.~~

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

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

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

1 ~~(i) Office of financial management scores pursuant to chapter~~
2 ~~43.88D RCW;~~

3 ~~(ii) Preserving assets;~~

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

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

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

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

15 ~~(i) Include subpriorities;~~

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

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

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

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

27 **Sec. 113.** RCW 28B.76.230 and 2010 c 245 s 5 are each amended to
28 read as follows:

29 (1) The ((board)) council shall develop a comprehensive and ongoing
30 assessment process to analyze the need for additional degrees and
31 programs, additional off-campus centers and locations for degree
32 programs, and consolidation or elimination of programs by the four-year
33 institutions of higher education. ((Board)) Council recommendations
34 regarding proposed major expansion shall be limited to determinations
35 of whether the major expansion is within the scope indicated in the
36 most recent ((strategic master)) ten-year statewide plan for higher
37 education or most recent system design plan. Recommendations regarding

1 existing capital prioritization processes are not within the scope of
2 the evaluation of major expansion. Major expansion and proposed
3 mission changes may be proposed by the ((~~board~~)) council, any public
4 institution of higher education, or by a state or local government.

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

7 (a) Projections of student, employer, and community demand for
8 education and degrees, including liberal arts degrees, on a regional
9 and statewide basis;

10 (b) Current and projected degree programs and enrollment at public
11 and private institutions of higher education, by location and mode of
12 service delivery;

13 (c) Data from the workforce training and education coordinating
14 board and the state board for community and technical colleges on the
15 supply and demand for workforce education and certificates and
16 associate degrees; and

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

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

36 (4) The ((~~board~~)) council shall determine whether certain major
37 lines of study or types of degrees, including applied degrees or

1 research-oriented degrees, shall be assigned uniquely to some
2 institutions or institutional sectors in order to create centers of
3 excellence that focus resources and expertise.

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

6 (a) ~~((New degree programs by a four-year institution;~~
7 ~~(b))~~ Creation of any off-campus program by a four-year
8 institution;

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

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

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

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

17 (6) Institutions seeking ~~((board))~~ council approval under this
18 section must demonstrate that the proposal is justified by the needs
19 assessment developed under this section. Institutions must also
20 demonstrate how the proposals align with or implement the ten-year
21 statewide ~~((strategic master))~~ plan for higher education under ~~((RCW~~
22 ~~28B.76.200))~~ section 110 of this act.

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

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

30 (9) In the case of a proposed major expansion or mission change,
31 the needs assessment process under subsection (2) of this section
32 constitutes a threshold inquiry. If the ~~((board))~~ council determines
33 that the need for the proposed major expansion or mission change has
34 not been justified, the inquiry is concluded. If the ~~((board))~~ council
35 determines that the need for the proposed major expansion or mission
36 change has been sufficiently established, the ~~((board))~~ council, in
37 consultation with any directly involved institutions and other

1 interested agencies and individuals, shall proceed to examine the
2 viability of the proposal using criteria including, but not limited to:

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

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

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

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

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

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

15 (g) The feasibility of any proposed innovations to accelerate
16 degree production.

17 (10) After the ((~~board~~)) council completes its evaluation of the
18 proposed major expansion or mission change using the needs assessment
19 under subsection (2) of this section and viability determination under
20 subsection (9) of this section, the ((~~board~~)) council shall make a
21 recommendation to either proceed, modify, or not proceed with the
22 proposed major expansion or mission change. The ((~~board's~~)) council's
23 recommendation shall be presented to the governor and the legislature.

24 **Sec. 114.** RCW 28B.76.235 and 2011 c 77 s 4 are each amended to
25 read as follows:

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

33 **Sec. 115.** RCW 28B.76.240 and 2004 c 275 s 10 are each amended to
34 read as follows:

35 The ((~~board~~)) council shall adopt statewide transfer and
36 articulation policies that ensure efficient transfer of credits and

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

16 **Sec. 116.** RCW 28B.76.2401 and 2004 c 55 s 5 are each reenacted and
17 amended to read as follows:

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

31 **Sec. 117.** RCW 28B.76.270 and 2011 1st sp.s. c 10 s 8 are each
32 amended to read as follows:

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

1 (2) To provide consistent, easily understood data among the public
2 four-year institutions of higher education within Washington and in
3 other states, the following data must be reported to the education data
4 center annually by December 1st, and at a minimum include data
5 recommended by a national organization representing state chief
6 executives. The (~~board~~) council may change the data requirements to
7 be consistent with best practices across the country. This data must,
8 to the maximum extent possible, be disaggregated by race and ethnicity,
9 gender, state and county of origin, age, and socioeconomic status, and
10 include the following for the four-year institutions of higher
11 education:

12 (a) Bachelor's degrees awarded;

13 (b) Graduate and professional degrees awarded;

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

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

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

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

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

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

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

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

1 (k) Program participation and degree completion rates in bachelor
2 and advanced degree programs in the sciences, which includes
3 agriculture and natural resources, biology and biomedical sciences,
4 computer and information sciences, engineering and engineering
5 technologies, health professions and clinical sciences, mathematics and
6 statistics, and physical sciences and science technologies, including
7 participation and degree completion rates for students from
8 traditionally underrepresented populations;

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

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

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

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

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

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

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

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

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

33 (r) Yearly percentage increases in the average cost of
34 undergraduate instruction.

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

37 (4) ~~((Based on guidelines prepared by the board, each four-year
38 institution and the state board for community and technical colleges~~

1 shall submit a biennial plan to achieve measurable and specific
2 improvements each academic year on statewide and institution specific
3 performance measures. Plans shall be submitted to the board along with
4 the biennial budget requests from the institutions and the state board
5 for community and technical colleges. Performance measures established
6 for the community and technical colleges shall reflect the role and
7 mission of the colleges.

8 (5) The board shall approve biennial performance targets for each
9 four-year institution and for the community and technical college
10 system and shall review actual achievements annually. The state board
11 for community and technical colleges shall set biennial performance
12 targets for each college or district, where appropriate.

13 (6) The board shall submit a report on progress towards the
14 statewide goals, with recommendations for the ensuing biennium, to the
15 fiscal and higher education committees of the legislature along with
16 the board's biennial budget recommendations.

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

21 (8) The board shall develop measurable indicators and benchmarks
22 for its own performance regarding cost, quantity, quality, and
23 timeliness and including the performance of committees and advisory
24 groups convened under this chapter to accomplish such tasks as
25 improving transfer and articulation, improving articulation with the K-
26 12 education system, measuring educational costs, or developing data
27 protocols. The board shall submit its accountability plan to the
28 legislature concurrently with the biennial report on institution
29 progress.

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

1 needs of various target audiences such as students, researchers, and
2 the general public.

3 **Sec. 118.** RCW 28B.76.325 and 2011 1st sp.s. c 10 s 28 are each
4 amended to read as follows:

5 (1) The (~~board~~) council, the state board for community and
6 technical colleges, the council of presidents, the four-year
7 institutions of higher education, the private independent higher
8 education institutions, and the private career schools shall
9 collaborate to carry out the following goals:

10 (a) Increase the number of students who receive academic credit for
11 prior learning and the number of students who receive credit for prior
12 learning that counts towards their major or towards earning their
13 degree, certificate, or credential, while ensuring that credit is
14 awarded only for high quality, course-level competencies;

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

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

20 (d) Improve prior learning assessment practices across the
21 institutions of higher education;

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

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

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

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

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

32 (i) One representative from the (~~higher-education-coordinating~~
33 ~~board~~) council;

34 (ii) One representative from the state board for community and
35 technical colleges;

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

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

3 (v) Two representatives from private career schools;

4 (vi) Two representatives from business; and

5 (vii) Two representatives from labor.

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

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

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

15 **Sec. 119.** RCW 28B.76.510 and 2011 1st sp.s. c 11 s 108 are each
16 amended to read as follows:

17 The (~~office—shall~~) council may administer any federal act
18 pertaining to higher education which is not administered by another
19 state agency.

20 **Sec. 120.** RCW 28B.76.695 and 2011 c 146 s 2 are each amended to
21 read as follows:

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

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

25 (b) Work to eliminate unnecessary barriers to the delivery of
26 online competency-based education by Western Governors University -
27 Washington; and

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

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

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

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

6 (b) Changes or modifications in the nonprofit status of the
7 institution of higher education.

8 NEW SECTION. Sec. 121. RCW 28B.76.290 (Coordination of activities
9 with segments of higher education) and 1993 c 77 s 2, 1992 c 60 s 3,
10 1988 c 172 s 4, & 1985 c 370 s 6 are each repealed.

11 NEW SECTION. Sec. 122. A new section is added to chapter 28B.77
12 RCW to read as follows:

13 (1) All powers, duties, and functions of the higher education
14 coordinating board except for matters pertaining to student financial
15 aid are transferred to the student achievement council. All references
16 to the executive director or the higher education coordinating board in
17 the Revised Code of Washington shall be construed to mean the executive
18 director or the student achievement council when referring to the
19 functions transferred in this section.

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

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

35 (c) Whenever any question arises as to the transfer of any
36 personnel, funds, books, documents, records, papers, files, equipment,

1 or other tangible property used or held in the exercise of the powers
2 and the performance of the duties and functions transferred, the
3 director of financial management shall make a determination as to the
4 proper allocation and certify the same to the state agencies concerned.

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

13 (4) All rules and all pending business before the higher education
14 coordinating board pertaining to the powers, functions, and duties
15 transferred shall be continued and acted upon by the student
16 achievement council. All existing contracts and obligations shall
17 remain in full force and shall be performed by the student achievement
18 council.

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

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

28 (7) All classified employees of the higher education coordinating
29 board assigned to the student achievement council under this section
30 whose positions are within an existing bargaining unit description at
31 the student achievement council shall become a part of the existing
32 bargaining unit at the student achievement council and shall be
33 considered an appropriate inclusion or modification of the existing
34 bargaining unit under the provisions of chapter 41.80 RCW.

35 NEW SECTION. **Sec. 123.** A new section is added to chapter 28B.76
36 RCW to read as follows:

37 (1) All powers, duties, and functions of the higher education

1 coordinating board pertaining to student financial aid are transferred
2 to the office of student financial assistance. All references to the
3 executive director or the higher education coordinating board in the
4 Revised Code of Washington shall be construed to mean the director or
5 the office of student financial assistance when referring to the
6 functions transferred in this section.

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

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

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

28 (3) All employees of the higher education coordinating board
29 engaged in performing the powers, functions, and duties transferred are
30 transferred to the jurisdiction of the office of student financial
31 assistance. All employees classified under chapter 41.06 RCW, the
32 state civil service law, are assigned to the office of student
33 financial assistance to perform their usual duties upon the same terms
34 as formerly, without any loss of rights, subject to any action that may
35 be appropriate thereafter in accordance with the laws and rules
36 governing state civil service.

37 (4) All rules and all pending business before the higher education
38 coordinating board pertaining to the powers, functions, and duties

1 transferred shall be continued and acted upon by the office of student
2 financial assistance. All existing contracts and obligations shall
3 remain in full force and shall be performed by the office of student
4 financial assistance.

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

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

14 (7) All classified employees of the higher education coordinating
15 board assigned to the office of student financial assistance under this
16 section whose positions are within an existing bargaining unit
17 description at the office of student financial assistance shall become
18 a part of the existing bargaining unit at the office of student
19 financial assistance and shall be considered an appropriate inclusion
20 or modification of the existing bargaining unit under the provisions of
21 chapter 41.80 RCW.

22 **PART II**

23 **JOINT HIGHER EDUCATION COMMITTEE**

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

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

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

28 (a) By December 1, 2012, and annually thereafter, review the work
29 of the student achievement council and provide legislative feedback;

30 (b) Engage with the student achievement council and the higher
31 education community to create greater communication, coordination, and
32 alignment between the higher education system and the expectations of
33 the legislature; and

34 (c) Provide recommendations for higher education policy, including
35 proposed legislation, to the higher education and fiscal committees of
36 the legislature.

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

3 (1) The joint higher education committee shall consist of the
4 following members:

5 (a) Four members of the house of representatives, two each
6 appointed by the leadership of the two largest caucuses, with at least
7 one member from each caucus who is a member of the house of
8 representatives ways and means committee and at least one member from
9 each caucus who is a member of the house of representatives higher
10 education committee; and

11 (b) Four members of the senate, two each appointed by the
12 leadership of the two largest caucuses, with at least one member from
13 each caucus who is a member of the senate ways and means committee and
14 at least one member from each caucus who is a member of the senate
15 higher education and workforce development committee.

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

18 (3) Vacancies on the joint higher education committee shall be
19 filled by appointment by either the president of the senate or the
20 speaker of the house of representatives. All such vacancies shall be
21 filled from the same political party and from the same house as the
22 member whose seat was vacated.

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

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

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

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

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

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

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

6 Members of the joint higher education committee must recommend to
7 their respective caucuses nominees for possible appointment and
8 reappointment to the student achievement council as provided in section
9 105 of this act.

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

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

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

31 For the purposes of this chapter, the statute law committee, the
32 joint legislative audit and review committee, the joint transportation
33 committee, the legislative evaluation and accountability program
34 committee, the joint higher education committee, the office of state

1 actuary, and all legislative standing committees of both houses shall
2 be deemed a part of the legislative branch of state government.

3 **PART III**
4 **EDUCATION DATA CENTER**

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

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

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

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

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

5 (2) One of the goals of the education data center's data collection
6 and research for higher education is to support higher education
7 accountability. For the education data center, assistance to state
8 policymakers and institutions of higher education in making policy
9 decisions includes but is not limited to regular completion of:

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

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

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

20 ((+3)) (4) Specific protocols shall be developed by the ((board))
21 council to protect the privacy of individual student records while
22 ensuring the availability of student data for legitimate research
23 purposes.

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

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

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

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

8 NEW SECTION. Sec. 304. A new section is added to chapter 43.41
9 RCW to read as follows:

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

14 **PART IV**

15 **OFFICE OF STUDENT FINANCIAL ASSISTANCE**

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

18 (1) The office of student financial assistance is created within
19 the student achievement council.

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

24 (3) The office shall employ a deputy director who shall serve at
25 the pleasure of the ~~((governor))~~ executive director of the council
26 created in RCW 28B.77.005 and shall administer the provisions of this
27 chapter. ~~((The director shall: (a) Employ necessary deputy and~~
28 ~~assistant directors and other exempt staff under chapter 41.06 RCW who~~
29 ~~shall serve at his or her pleasure on such terms and conditions as he~~
30 ~~or she determines and (b) subject to the provisions of chapter 41.06~~
31 ~~RCW, appoint and employ such other employees as may be required for the~~
32 ~~proper discharge of the functions of the office.))~~

33 **PART V**

1 **REFERENCES TO THE STUDENT ACHIEVEMENT COUNCIL**

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

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

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

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

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

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

15 (2) A person is guilty of knowingly using a false academic
16 credential if the person knowingly uses a false academic credential or
17 falsely claims to have a credential issued by an institution of higher
18 education that is accredited by an accrediting association recognized
19 as such by rule of the (~~higher education coordinating board~~) student
20 achievement council:

21 (a) In a written or oral advertisement or other promotion of a
22 business; or

23 (b) With the intent to:

24 (i) Obtain employment;

25 (ii) Obtain a license or certificate to practice a trade,
26 profession, or occupation;

27 (iii) Obtain a promotion, compensation or other benefit, or an
28 increase in compensation or other benefit, in employment or in the
29 practice of a trade, profession, or occupation;

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

31 (v) Gain a position in government with authority over another
32 person, regardless of whether the person receives compensation for the
33 position.

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

36 (a) "False academic credential" means a document that provides
37 evidence or demonstrates completion of an academic or professional
38 course of instruction beyond the secondary level that results in the

1 attainment of an academic certificate, degree, or rank, and that is not
2 issued by a person or entity that: (i) Is an entity accredited by an
3 agency recognized as such by rule of the (~~higher—education~~
4 ~~coordinating—board~~) student achievement council or has the
5 international equivalents of such accreditation; or (ii) is an entity
6 authorized as a degree-granting institution by the (~~higher—education~~
7 ~~coordinating—board~~) student achievement council; or (iii) is an entity
8 exempt from the requirements of authorization as a degree-granting
9 institution by the (~~higher—education—coordinating—board~~) student
10 achievement council; or (iv) is an entity that has been granted a
11 waiver by the (~~higher—education—coordinating—board~~) student
12 achievement council from the requirements of authorization by the
13 (~~board~~) council. Such documents include, but are not limited to,
14 academic certificates, degrees, coursework, degree credits,
15 transcripts, or certification of completion of a degree.

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

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

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

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

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

23 (iii) Maintaining or advertising a Washington location, mailing
24 address, computer server, or telephone number, for any purpose, other
25 than for contact with the institution's former students for any
26 legitimate purpose related to the students having attended the
27 institution.

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

29 (5) Knowingly using a false academic credential is a gross
30 misdemeanor.

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

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

34 (1) The practice of a dental assistant in the discharge of official
35 duties by dental assistants in the United States federal services on
36 federal reservations, including but not limited to the armed services,

1 coast guard, public health service, veterans' bureau, or bureau of
2 Indian affairs;

3 (2) Expanded function dental auxiliary education and training
4 programs approved by the commission and the practice as an expanded
5 function dental auxiliary by students in expanded function dental
6 auxiliary education and training programs approved by the commission,
7 when acting under the direction and supervision of persons licensed
8 under chapter 18.29 or 18.32 RCW;

9 (3) Dental assistant education and training programs, and the
10 practice of dental assisting by students in dental assistant education
11 and training programs approved by the commission or offered at a school
12 approved or licensed by the workforce training and education
13 coordinating board, (~~higher-education-coordinating-board~~) student
14 achievement council, state board for community and technical colleges,
15 or Washington state skill centers certified by the office of the
16 superintendent of public instruction, when acting under the direction
17 and supervision of persons registered or licensed under this chapter or
18 chapter 18.29 or 18.32 RCW; or

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

22 **Sec. 503.** RCW 28A.230.100 and 2006 c 263 s 402 and 2006 c 114 s 4
23 are each reenacted and amended to read as follows:

24 The superintendent of public instruction, in consultation with the
25 (~~higher-education-coordinating-board~~) student achievement council,
26 the state board for community and technical colleges, and the workforce
27 training and education coordinating board, shall adopt rules pursuant
28 to chapter 34.05 RCW, to implement the course requirements set forth in
29 RCW 28A.230.090. The rules shall include, as the superintendent deems
30 necessary, granting equivalencies for and temporary exemptions from the
31 course requirements in RCW 28A.230.090 and special alterations of the
32 course requirements in RCW 28A.230.090. In developing such rules the
33 superintendent shall recognize the relevance of vocational and applied
34 courses and allow such courses to fulfill in whole or in part the
35 courses required for graduation in RCW 28A.230.090, as determined by
36 the high school or school district in accordance with RCW 28A.230.097.
37 The rules may include provisions for competency testing in lieu of such

1 courses required for graduation in RCW 28A.230.090 or demonstration of
2 specific skill proficiency or understanding of concepts through work or
3 experience.

4 **Sec. 504.** RCW 28A.600.280 and 2009 c 450 s 2 are each amended to
5 read as follows:

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

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

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

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

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

26 **Sec. 505.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to
27 read as follows:

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

1 **Sec. 506.** RCW 28B.07.040 and 1985 c 370 s 49 are each amended to
2 read as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 **Sec. 507.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to
31 read as follows:

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

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

8 **Sec. 508.** RCW 28B.10.053 and 2011 2nd sp.s. c 3 s 1 are each
9 amended to read as follows:

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

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

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

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

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

26 **Sec. 509.** RCW 28B.10.118 and 2011 c 108 s 2 are each amended to
27 read as follows:

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

36 (2) The state universities, regional universities, and The

1 Evergreen State College shall report on their plans for the accelerated
2 baccalaureate degree programs to the (~~higher education coordinating~~
3 ~~board~~) student achievement council for approval.

4 **Sec. 510.** RCW 28B.10.400 and 2011 1st sp.s. c 47 s 2 are each
5 amended to read as follows:

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

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

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

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

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

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

36 (3) During the 2011 legislative interim, the select committee on
37 pension policy shall evaluate the suitability and necessity of the
38 annuity and retirement plans authorized under this chapter for

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

6 **Sec. 511.** RCW 28B.10.405 and 2011 1st sp.s. c 47 s 3 are each
7 amended to read as follows:

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

23 **Sec. 512.** RCW 28B.10.410 and 2011 1st sp.s. c 47 s 4 are each
24 amended to read as follows:

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

1 **Sec. 513.** RCW 28B.10.415 and 2011 1st sp.s. c 47 s 5 are each
2 amended to read as follows:

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

23 **Sec. 514.** RCW 28B.10.423 and 2011 1st sp.s. c 47 s 7 are each
24 amended to read as follows:

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

1 the senate and of the house of representatives, the select committee on
2 pension policy, and the pension funding council, and joint contribution
3 rates will be adjusted if necessary to accomplish this intent.

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

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

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

37 (b) From January 1, 2012, through June 30, 2013, an employer

1 contribution rate of one-quarter of one percent of salary is
2 established to begin prefunding the unfunded future obligations of the
3 supplemental benefit established in RCW 28B.10.400.

4 (c) Beginning July 1, 2013, an employer contribution rate of one-
5 half of one percent of salary is established to prefund the unfunded
6 future obligations of the supplemental benefit established in RCW
7 28B.10.400.

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

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

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

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

32 **Sec. 515.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended
33 to read as follows:

34 The participation rate used to calculate enrollment levels under
35 RCW 28B.10.776 and 28B.10.782 shall be based on fall enrollment
36 reported in the higher education enrollment report as maintained by the
37 office of financial management, fall enrollment as reported in the

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

25 **Sec. 516.** RCW 28B.10.790 and 2011 1st sp.s. c 11 s 139 are each
26 amended to read as follows:

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

1 pertaining to such students and institutions adopted pursuant to RCW
2 28B.92.150.

3 **Sec. 517.** RCW 28B.12.030 and 2011 1st sp.s. c 11 s 142 are each
4 amended to read as follows:

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

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

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

23 **Sec. 518.** RCW 28B.15.068 and 2011 1st sp.s. c 10 s 7 are each
24 amended to read as follows:

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

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

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

35 (2) As used in this section, "global challenge states" are the top
36 performing states on the new economy index published by the progressive

1 policy institute as of July 22, 2007. The new economy index ranks
2 states on indicators of their potential to compete in the new economy.
3 At least once every five years, the office of financial management
4 shall determine if changes to the list of global challenge states are
5 appropriate. The office of financial management shall report its
6 findings to the governor and the legislature.

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

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

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

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

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

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

36 (b) Report to the governor and the relevant committees of the
37 legislature on their plans to adjust their tuition mitigation plans no

1 later than ninety days after any such change to the American
2 opportunity tax credit.

3 **Sec. 519.** RCW 28B.15.068 and 2011 1st sp.s. c 50 s 928 are each
4 amended to read as follows:

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

26 (2) The state shall adopt as its goal total per-student funding
27 levels, from state appropriations plus tuition and fees, of at least
28 the sixtieth percentile of total per-student funding at similar public
29 institutions of higher education in the global challenge states. In
30 defining comparable per-student funding levels, the office of financial
31 management shall adjust for regional cost-of-living differences; for
32 differences in program offerings and in the relative mix of lower
33 division, upper division, and graduate students; and for accounting and
34 reporting differences among the comparison institutions. The office of
35 financial management shall develop a funding trajectory for each four-
36 year institution of higher education and for the community and
37 technical college system as a whole that when combined with tuition and

1 fees revenue allows the state to achieve its funding goal for each
2 four-year institution and the community and technical college system as
3 a whole no later than fiscal year 2017. The state shall not reduce
4 enrollment levels below fiscal year 2007 budgeted levels in order to
5 improve or alter the per-student funding amount at any four-year
6 institution of higher education or the community and technical college
7 system as a whole. The state recognizes that each four-year
8 institution of higher education and the community and technical college
9 system as a whole have different funding requirements to achieve
10 desired performance levels, and that increases to the total per-student
11 funding amount may need to exceed the minimum funding goal.

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

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

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

33 **Sec. 520.** RCW 28B.15.102 and 2011 1st sp.s. c 10 s 6 are each
34 amended to read as follows:

35 (1) Beginning with the 2011-12 academic year, any four-year
36 institution of higher education that increases tuition beyond levels

1 assumed in the omnibus appropriations act is subject to the financial
2 aid requirements included in this section and shall remain subject to
3 these requirements through the 2018-19 academic year.

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

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

16 (b) Offset the remainder as follows:

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

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

32 (iii) Students with demonstrated need whose family incomes exceed
33 seventy percent and are less than one hundred percent of the state's
34 median family income shall receive financial aid equal to fifty percent
35 of the remainder if an institution's full-time tuition fees for
36 resident undergraduate students is fifteen percent or greater of the
37 state's median family income for a family of four as provided by the

1 ((higher education coordinating board)) student achievement council;
2 and

3 (iv) Students with demonstrated need whose family incomes are at or
4 exceed one hundred percent and are no more than one hundred twenty-five
5 percent of the state's median family income shall receive financial aid
6 equal to twenty-five percent of the remainder if an institution's
7 full-time tuition fees for resident undergraduate students is twenty
8 percent or greater of the state's median family income for a family of
9 four as provided by the ((higher education coordinating board)) student
10 achievement council.

11 (3) The financial aid required in subsection (2) of this section
12 shall:

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

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

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

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

18 (a) Tuition revenue or locally held funds;

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

22 (c) Local financial aid programs.

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

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

37 (a) The amount of additional financial aid provided to middle-

1 income and low-income students with demonstrated need in the aggregate
2 and per student;

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

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

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

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

- 22 (i) Up to seventy percent of the median family income;
- 23 (ii) Between seventy-one percent and one hundred twenty-five
24 percent of the median family income; and
- 25 (iii) Above one hundred twenty-five percent of the median family
26 income.

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

33 **Sec. 521.** RCW 28B.15.460 and 1997 c 5 s 2 are each amended to read
34 as follows:

35 (1) An institution of higher education shall not grant any waivers
36 for the purpose of achieving gender equity until the 1991-92 academic
37 year, and may grant waivers for the purpose of achieving gender equity

1 in intercollegiate athletic programs as authorized in RCW 28B.15.740,
2 for the 1991-92 academic year only if the institution's governing board
3 has adopted a plan for complying with the provisions of RCW 28B.15.455
4 and submitted the plan to the (~~higher education coordinating board~~)
5 student achievement council.

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

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

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

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

26 (a) For any institution with an historically underrepresented
27 gender class described in subsection (2)(b) of this section, provisions
28 that ensure that by July 1, 2000, the institution shall provide
29 athletic opportunities for the underrepresented gender class at a rate
30 that meets or exceeds the current rate at which that class participates
31 in high school interscholastic athletics in Washington state not to
32 exceed the point at which the underrepresented gender class is no
33 longer underrepresented;

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

1 (c) Activities to be undertaken by the institution to increase
2 participation rates of any underrepresented gender class in
3 interscholastic and intercollegiate athletics. These activities may
4 include, but are not limited to: Sponsoring equity conferences,
5 coaches clinics and sports clinics; and taking a leadership role in
6 working with athletic conferences to reduce barriers to participation
7 by those gender classes in interscholastic and intercollegiate
8 athletics;

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

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

13 **Sec. 522.** RCW 28B.15.760 and 2011 1st sp.s. c 11 s 155 are each
14 reenacted and amended to read as follows:

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

17 (1) (~~"Board" means the higher education coordinating board.~~
18 ~~+2+)~~) "Borrower" means an eligible student who has received a loan
19 under RCW 28B.15.762.

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

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

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

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

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

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

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

5 **Sec. 523.** RCW 28B.30.515 and 2011 c 321 s 1 are each amended to
6 read as follows:

7 (1) The legislature finds that access to baccalaureate and graduate
8 degree programs continues to be limited for residents of north
9 Snohomish, Island, and Skagit counties. Studies conducted by the state
10 board for community and technical colleges, the higher education
11 coordinating board, and the council of presidents confirm that
12 enrollment in higher education compared to demand in this geographic
13 region lags behind enrollment in other parts of the state, particularly
14 for upper-division courses leading to advanced degrees.

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

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

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

1 (5)(a) Washington State University and Everett Community College
2 must collaborate with community leaders, and other four-year
3 institutions of higher education that offer programs at the University
4 Center of North Puget Sound to serve the varied interests of students
5 in the region. To this end, a coordinating and planning council must
6 be established to be responsible for long-range and strategic planning,
7 interinstitutional collaboration, collaboration with the community
8 served, and dispute resolution for the center. The following
9 individuals shall comprise the coordinating and planning council:

10 (i) The president of Washington State University, or his or her
11 designee;

12 (ii) The provost of Washington State University, or his or her
13 designee;

14 (iii) The president of Everett Community College;

15 (iv) Two representatives of two other institutions of higher
16 education that offer baccalaureate or graduate degree programs at the
17 center;

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

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

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

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

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

27 (6)(a) Washington State University shall assume leadership of the
28 center upon completion and approval by the legislature as provided
29 under (d) of this subsection of a strategic plan for meeting the
30 academic needs of the region and successful establishment of an
31 engineering degree program. The strategic plan must build on the
32 strengths of the institutions, reflecting each institution's mission,
33 in order to provide the region with the highest standard of educational
34 programs, research, and service to the community. The strategic plan
35 must include a multibiennium budget that addresses both operating and
36 capital expenses required to effectively implement the plan. The
37 strategic plan shall be developed with the collaboration of the

1 University Center at Everett Community College and all the institutions
2 of higher education that provide baccalaureate degrees at the
3 University Center, and community leaders.

4 (b) Center partners must implement the strategic plan with careful
5 attention to the academic and professional standards established and
6 maintained by each institution and by the appropriate accrediting
7 bodies, and to the historic role of each institution's governing board
8 in setting policy.

9 (c) The strategic plan must address expansion of the range and
10 depth of educational opportunities in the region and include strategies
11 that:

12 (i) Build upon baccalaureate and graduate degree offerings at the
13 center;

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

16 (iii) Meet employers' needs for skilled workers by expanding high
17 employer demand programs of study as defined in RCW 28B.50.030, with an
18 initial and ongoing emphasis by Washington State University on
19 undergraduate and graduate science, technology, mathematics, and
20 engineering degree programs, including a variety of engineering
21 disciplines such as civil, mechanical, aeronautical, and aerospace
22 manufacturing;

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

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

27 (d) The strategic plan must be completed by December 1, 2012, and
28 submitted to the legislature for review. The strategic plan shall be
29 considered approved if the legislature does not take further action on
30 the strategic plan during the 2013 legislative session. The transfer
31 of the responsibility for the management and operation of the
32 University Center of North Puget Sound to Washington State University
33 must occur by July 1, 2014.

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

1 (b) Each institution shall abide by the guidelines for university
2 centers adopted by the (~~higher education coordinating board~~) student
3 achievement council.

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

6 (d) The coordinating council described in subsection (5) of this
7 section shall establish a process for prioritizing new programs and
8 revising existing programs that facilitates timeliness of new
9 offerings, recognizes the internal processes of the proposing
10 institutions, and addresses each proposal's fit with the needs of the
11 region.

12 (8)(a) Washington State University shall review center expansion
13 needs and consider capital facilities funding at least annually.
14 Washington State University and Everett Community College must
15 cooperate in preparing funding requests and bond financing for
16 submission to the legislature on behalf of development at the center,
17 in accordance with each institution's process and priorities for
18 advancing legislative requests.

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

29 (9) Washington State University has responsibility for
30 infrastructure development and maintenance for the center. All
31 infrastructure operating and maintenance costs are to be shared in what
32 is deemed to be an equitable and fair manner based on space allocation,
33 special cost, and other relevant considerations. Washington State
34 University may make infrastructure development and maintenance
35 decisions in consultation with the council described in subsection (5)
36 of this section.

37 (10) In the event that conflict cannot be resolved through the

1 coordinating council described in subsection (5) of this section the
2 (~~higher education coordinating board~~) student achievement council
3 dispute resolution must be employed.

4 **Sec. 524.** RCW 28B.45.014 and 2011 c 208 s 1 are each amended to
5 read as follows:

6 (1) The primary mission of the higher education branch campuses
7 created under this chapter remains to expand access to baccalaureate
8 and graduate education in underserved urban areas of the state in
9 collaboration with community and technical colleges. The top priority
10 for each of the campuses is to expand courses and degree programs for
11 transfer and graduate students. New degree programs should be driven
12 by the educational needs and demands of students and the community, as
13 well as the economic development needs of local businesses and
14 employers.

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

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

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

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

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

10 (7) The (~~higher education coordinating board~~) student achievement
11 council shall monitor and evaluate growth of the branch campuses and
12 periodically report and make recommendations to the higher education
13 committees of the legislature to ensure the campuses continue to follow
14 the priorities established under this chapter.

15 **Sec. 525.** RCW 28B.45.020 and 2005 c 258 s 3 are each amended to
16 read as follows:

17 (1) The University of Washington is responsible for ensuring the
18 expansion of baccalaureate and graduate educational programs in the
19 central Puget Sound area under rules or guidelines adopted by the
20 (~~higher education coordinating board~~) student achievement council and
21 in accordance with proportionality agreements emphasizing access for
22 transfer students developed with the state board for community and
23 technical colleges. The University of Washington shall meet that
24 responsibility through the operation of at least two branch campuses.
25 One branch campus shall be located in the Tacoma area. Another branch
26 campus shall be collocated with Cascadia Community College in the
27 Bothell-Woodinville area.

28 (2) At the University of Washington Tacoma, a top priority is
29 expansion of upper division capacity for transfer students and graduate
30 capacity and programs. Beginning in the fall of 2006, the campus may
31 offer lower division courses linked to specific majors in fields not
32 addressed at local community colleges. The campus shall admit lower
33 division students through coadmission or coenrollment agreements with
34 a community college, or through direct transfer for students who have
35 accumulated approximately one year of transferable college credits. In
36 addition to offering lower division courses linked to specific majors

1 as addressed above, the campus may also directly admit freshmen and
2 sophomores (~~((gradually and deliberately in accordance with the campus
3 plan submitted to the higher education coordinating board in 2004))~~).

4 (3) At the University of Washington Bothell, a top priority is
5 expansion of upper division capacity for transfer students and graduate
6 capacity and programs. The campus shall also seek additional
7 opportunities to collaborate with and maximize its (~~collocation~~
8 ~~{collocation}~~) colocation with Cascadia Community College. Beginning
9 in the fall of 2006, the campus may offer lower division courses linked
10 to specific majors in fields not addressed at local community colleges.
11 The campus may admit lower division students through coadmission or
12 coenrollment agreements with a community college, or through direct
13 transfer for students who have accumulated approximately one year of
14 transferable college credits. In addition to offering lower division
15 courses linked to specific majors as addressed above, the campus may
16 also directly admit freshmen and sophomores (~~((gradually — and
17 deliberately in accordance with the campus plan submitted to the higher
18 education coordinating board in 2004))~~).

19 **Sec. 526.** RCW 28B.45.030 and 2006 c 166 s 1 are each amended to
20 read as follows:

21 (1) Washington State University is responsible for providing
22 baccalaureate and graduate level higher education programs to the
23 citizens of the Tri-Cities area, under rules or guidelines adopted by
24 the (~~(higher education coordinating board)~~) student achievement council
25 and in accordance with proportionality agreements emphasizing access
26 for transfer students developed with the state board for community and
27 technical colleges. Washington State University shall meet that
28 responsibility through the operation of a branch campus in the Tri-
29 Cities area. The branch campus shall replace and supersede the Tri-
30 Cities university center. All land, facilities, equipment, and
31 personnel of the Tri-Cities university center shall be transferred from
32 the University of Washington to Washington State University.

33 (2) (~~((In 2005, the legislature authorized the expansion on a
34 limited basis of Washington State University's branch campus in the
35 Tri-Cities area. The legislature authorized the Tri-Cities branch
36 campus to continue providing innovative coadmission and coenrollment
37 options with Columbia Basin College, and to expand its upper division~~

1 capacity for transfer students and graduate capacity and programs.—The
2 branch campus was given authority beginning in fall 2006 to offer
3 lower division courses linked to specific majors in fields not
4 addressed at the local community colleges.—The campus was also
5 authorized to directly admit freshmen and sophomores for a bachelor's
6 degree program in biotechnology subject to approval by the higher
7 education coordinating board.—The legislature finds that the Tri-
8 Cities community is very engaged in and committed to exploring the
9 further expansion of Washington State University Tri-Cities branch
10 campus into a four-year institution and considers this issue to be a
11 top priority for the larger Tri-Cities region.

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

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

1 ~~(5))~~ Beginning in the fall of 2007, the Washington State
2 University Tri-Cities branch campus may ~~((begin, subject to approval by~~
3 ~~the higher education coordinating board, admitting lower division~~
4 ~~students directly into programs beyond the biotechnology field that are~~
5 ~~identified in its plan as being in high need in southeastern~~
6 ~~Washington. Such fields may include but need not be limited to~~
7 ~~science, engineering and technology, biomedical sciences, alternative~~
8 ~~energy, and computational and information sciences. By gradually and~~
9 ~~deliberately admitting freshmen and sophomores in accordance with its~~
10 ~~plan, increasing transfer enrollment, and coadmitting transfer~~
11 ~~students, the campus shall develop into a four-year institution serving~~
12 ~~the southeastern Washington region)) directly admit freshman and~~
13 ~~sophomore students.~~

14 **Sec. 527.** RCW 28B.45.040 and 2005 c 258 s 5 are each amended to
15 read as follows:

16 (1) Washington State University is responsible for providing
17 baccalaureate and graduate level higher education programs to the
18 citizens of the southwest Washington area, under rules or guidelines
19 adopted by the ~~((higher education coordinating board))~~ student
20 achievement council and in accordance with proportionality agreements
21 emphasizing access for transfer students developed with the state board
22 for community and technical colleges. Washington State University
23 shall meet that responsibility through the operation of a branch campus
24 in the southwest Washington area.

25 (2) Washington State University Vancouver shall expand upper
26 division capacity for transfer students and graduate capacity and
27 programs and continue to collaborate with local community colleges on
28 coadmission and coenrollment programs. In addition, beginning in the
29 fall of 2006, the campus may admit lower division students directly.
30 By simultaneously admitting freshmen and sophomores, increasing
31 transfer enrollment, coadmitting transfer students, and expanding
32 graduate and professional programs, the campus shall develop into a
33 four-year institution serving the southwest Washington region.

34 **Sec. 528.** RCW 28B.45.080 and 2004 c 57 s 5 are each amended to
35 read as follows:

36 The ~~((higher education coordinating board))~~ state board for

1 community and technical colleges and the student achievement council
2 shall adopt performance measures to ensure a collaborative partnership
3 between the community and technical colleges and the branch campuses.
4 The partnership shall be one in which the community and technical
5 colleges prepare students for transfer to the upper-division programs
6 of the branch campuses and the branch campuses work with community and
7 technical colleges to enable students to transfer and obtain degrees
8 efficiently.

9 **Sec. 529.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and
10 2009 c 64 s 3 are each reenacted and amended to read as follows:

11 The definitions in this section apply throughout this chapter
12 unless the context clearly requires otherwise.

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

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

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

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

34 (3) "Board" means the workforce training and education coordinating
35 board.

36 (4) "Board of trustees" means the local community and technical

1 college board of trustees established for each college district within
2 the state.

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

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

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

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

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

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

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

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

37 (13) "Forest products worker" means a worker in the forest products
38 industries affected by the reduction of forest fiber enhancement,

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

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

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

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

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

25 (a) Washington public community and technical colleges;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 (22) "Technical college" includes those higher education
37 institutions with the mission of conducting occupational education,
38 basic skills, literacy programs, and offering on short notice, when

1 appropriate, programs that meet specific industry needs. For purposes
2 of this chapter, technical colleges shall include Lake Washington
3 Vocational-Technical Institute, Renton Vocational-Technical Institute,
4 Bates Vocational-Technical Institute, Clover Park Vocational Institute,
5 and Bellingham Vocational-Technical Institute.

6 **Sec. 530.** RCW 28B.50.140 and 2010 c 51 s 4 are each amended to
7 read as follows:

8 Each board of trustees:

9 (1) Shall operate all existing community and technical colleges in
10 its district;

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

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

30 (4) May establish, under the approval and direction of the college
31 board, new facilities as community needs and interests demand.
32 However, the authority of boards of trustees to purchase or lease major
33 off-campus facilities shall be subject to the approval of the (~~higher~~
34 ~~education coordinating board~~) student achievement council pursuant to
35 RCW 28B.76.230 (as recodified by this act);

36 (5) May establish or lease, operate, equip and maintain

1 dormitories, food service facilities, bookstores and other self-
2 supporting facilities connected with the operation of the community and
3 technical college;

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

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

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

23 (b) Employ necessary employees to govern, manage and operate the
24 same;

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

34 (9) May establish and maintain night schools whenever in the
35 discretion of the board of trustees it is deemed advisable, and
36 authorize classrooms and other facilities to be used for summer or
37 night schools, or for public meetings and for any other uses consistent

1 with the use of such classrooms or facilities for community and
2 technical college purposes;

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

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

9 (12) May grant to every student, upon graduation or completion of
10 a course of study, a suitable diploma, degree, or certificate under the
11 rules of the state board for community and technical colleges that are
12 appropriate to their mission. The purposes of these diplomas,
13 certificates, and degrees are to lead individuals directly to
14 employment in a specific occupation or prepare individuals for a
15 bachelor's degree or beyond. Technical colleges may only offer
16 transfer degrees that prepare students for bachelor's degrees in
17 professional fields, subject to rules adopted by the college board. In
18 adopting rules, the college board, where possible, shall create
19 consistency between community and technical colleges and may address
20 issues related to tuition and fee rates; tuition waivers; enrollment
21 counting, including the use of credits instead of clock hours; degree
22 granting authority; or any other rules necessary to offer the associate
23 degrees that prepare students for transfer to bachelor's degrees in
24 professional areas. Only (~~private~~) colleges under RCW 28B.50.810 may
25 award baccalaureate degrees. The board, upon recommendation of the
26 faculty, may also confer honorary associate of arts degrees upon
27 persons other than graduates of the community college, in recognition
28 of their learning or devotion to education, literature, art, or
29 science. No degree may be conferred in consideration of the payment of
30 money or the donation of any kind of property;

31 (13) Shall enforce the rules prescribed by the state board for
32 community and technical colleges for the government of community and
33 technical colleges, students and teachers, and adopt such rules and
34 perform all other acts not inconsistent with law or rules of the state
35 board for community and technical colleges as the board of trustees may
36 in its discretion deem necessary or appropriate to the administration
37 of college districts: PROVIDED, That such rules shall include, but not
38 be limited to, rules relating to housing, scholarships, conduct at the

1 various community and technical college facilities, and discipline:
2 PROVIDED, FURTHER, That the board of trustees may suspend or expel from
3 community and technical colleges students who refuse to obey any of the
4 duly adopted rules;

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

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

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

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

37 (18) Shall be authorized to pay dues to any association of trustees
38 that may be formed by the various boards of trustees; such association

1 may expend any or all of such funds to submit biennially, or more often
2 if necessary, to the governor and to the legislature, the
3 recommendations of the association regarding changes which would affect
4 the efficiency of such association;

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

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

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

21 **Sec. 531.** RCW 28B.50.810 and 2010 c 245 s 3 are each amended to
22 read as follows:

23 (1) The college board may select community or technical colleges to
24 develop and offer programs of study leading to applied baccalaureate
25 degrees. Colleges may submit applications to the college board. The
26 college board and the (~~higher education coordinating board~~) student
27 achievement council shall review the applications and select the
28 colleges using objective criteria, including, but not limited to:

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

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

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

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

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

7 (2) A college selected under this section may develop the
8 curriculum for and design and deliver courses leading to an applied
9 baccalaureate degree. However, degree programs developed under this
10 section are subject to approval by the college board under RCW
11 28B.50.090 (~~and by the higher education coordinating board under RCW~~
12 ~~28B.76.230 before a college may enroll students in upper division~~
13 ~~courses~~)).

14 **Sec. 532.** RCW 28B.50.820 and 2005 c 258 s 12 are each amended to
15 read as follows:

16 (1) One strategy to accomplish expansion of baccalaureate capacity
17 in underserved regions of the state is to allocate state funds for
18 student enrollment to a community and technical college and authorize
19 the college to enter into agreements with a state university, regional
20 university, or state college as defined in RCW 28B.10.016 (~~or a branch~~
21 ~~campus under chapter 28B.45 RCW~~), to offer baccalaureate degree
22 programs.

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

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

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

1 **Sec. 533.** RCW 28B.65.040 and 1995 c 399 s 29 are each amended to
2 read as follows:

3 (1) The Washington high-technology coordinating board is hereby
4 created.

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

6 (a) Eleven shall be citizen members appointed by the governor, with
7 the consent of the senate, for four-year terms. In making the
8 appointments the governor shall ensure that a balanced geographic
9 representation of the state is achieved and shall attempt to choose
10 persons experienced in high-technology fields, including at least one
11 representative of labor. Any person appointed to fill a vacancy
12 occurring before a term expires shall be appointed only for the
13 remainder of that term; and

14 (b) Seven of the members shall be as follows: One representative
15 from each of the state's two research universities, one representative
16 of the state college and regional universities, the director for the
17 state system of community and technical colleges or the director's
18 designee, the superintendent of public instruction or the
19 superintendent's designee, (~~a representative of the higher education~~
20 ~~coordinating board~~) the executive director of the student achievement
21 council, or the executive director's designee, and the director of the
22 department of (~~community, trade, and economic development~~) commerce
23 or the director's designee.

24 (3) Members of the board shall not receive any salary for their
25 services, but shall be reimbursed for travel expenses under RCW
26 43.03.050 and 43.03.060 for each day actually spent in attending to
27 duties as a member of the board.

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

31 **Sec. 534.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to
32 read as follows:

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

35 (2) The board shall:

36 (a) Determine the specific high-technology occupational fields in

1 which technical training is needed and advise the institutions of
2 higher education and the (~~higher-education-coordinating-board~~)
3 student achievement council on their findings;

4 (b) Identify economic areas and high-technology industries in need
5 of technical training and research and development critical to economic
6 development and advise the institutions of higher education and the
7 (~~higher-education-coordinating-board~~) student achievement council on
8 their findings;

9 (c) Oversee and coordinate the Washington high-technology education
10 and training program to ensure high standards, efficiency, and
11 effectiveness;

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

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

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

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

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

30 (~~(i)~~) (h) Establish and maintain a plan, including priorities, to
31 guide high-technology program development in public institutions of
32 higher education, which plan shall include an assessment of current
33 high-technology programs, steps to increase existing programs, new
34 initiatives and programs necessary to promote high technology, and
35 methods to coordinate and target high-technology programs to changing
36 market opportunities in business and industry.

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

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

3 **Sec. 535.** RCW 28B.76.250 and 2004 c 55 s 2 are each amended to
4 read as follows:

5 (1) The (~~higher-education-coordinating-board~~) council must
6 convene work groups to develop transfer associate degrees that will
7 satisfy lower division requirements at public four-year institutions of
8 higher education for specific academic majors. Work groups must
9 include representatives from the state board for community and
10 technical colleges and the council of presidents, as well as faculty
11 from two and four-year institutions. Work groups may include
12 representatives from independent four-year institutions.

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

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

23 (4) During the 2004-05 academic year, the work groups must develop
24 transfer degrees for elementary education, engineering, and nursing.
25 (~~Each year thereafter, the higher-education-coordinating board~~) As
26 necessary based on demand or identified need, the council must convene
27 additional groups to identify and develop additional transfer degrees.
28 The (~~board~~) council must give priority to majors in high demand by
29 transfer students and majors that the general direct transfer agreement
30 associate degree does not adequately prepare students to enter
31 automatically upon transfer.

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

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

5 (7) Beginning January 10, 2005, the (~~higher education coordinating~~
6 ~~board~~) council must submit a progress report on the development of
7 transfer associate degrees to the higher education committees of the
8 house of representatives and the senate. The first progress report
9 must include measurable benchmark indicators to monitor the
10 effectiveness of the initiatives in improving transfer and baseline
11 data for those indicators before the implementation of the initiatives.
12 Subsequent reports must be submitted by January 10 of each odd-numbered
13 year and must monitor progress on the indicators, describe development
14 of additional transfer associate degrees, and provide other data on
15 improvements in transfer efficiency.

16 **Sec. 536.** RCW 28B.85.010 and 1986 c 136 s 1 are each amended to
17 read as follows:

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

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

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

27 (3) "Degree-granting institution" means an entity that offers
28 educational credentials, instruction, or services prerequisite to or
29 indicative of an academic or professional degree beyond the secondary
30 level.

31 **Sec. 537.** RCW 28B.85.020 and 2006 c 234 s 3 are each amended to
32 read as follows:

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

34 (a) Shall adopt by rule, in accordance with chapter 34.05 RCW,
35 minimum standards for degree-granting institutions concerning granting
36 of degrees, quality of education, unfair business practices, financial

1 stability, and other necessary measures to protect citizens of this
2 state against substandard, fraudulent, or deceptive practices. The
3 rules shall require that an institution operating in Washington:

4 (i) Be accredited;

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

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

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

11 (b) May investigate any entity the ((~~board~~)) council reasonably
12 believes to be subject to the jurisdiction of this chapter. In
13 connection with the investigation, the ((~~board~~)) council may administer
14 oaths and affirmations, issue subpoenas and compel attendance, take
15 evidence, and require the production of any books, papers,
16 correspondence, memorandums, or other records which the ((~~board~~))
17 council deems relevant or material to the investigation. The ((~~board~~))
18 council, including its staff and any other authorized persons, may
19 conduct site inspections, the cost of which shall be borne by the
20 institution, and examine records of all institutions subject to this
21 chapter;

22 (c) Shall develop an interagency agreement with the workforce
23 training and education coordinating board to regulate degree-granting
24 private vocational schools with respect to degree and nondegree
25 programs; and

26 (d) Shall develop and disseminate information to the public about
27 entities that sell or award degrees without requiring appropriate
28 academic achievement at the postsecondary level, including but not
29 limited to, a description of the substandard and potentially fraudulent
30 practices of these entities, and advice about how the public can
31 recognize and avoid the entities. To the extent feasible, the
32 information shall include links to additional resources that may assist
33 the public in identifying specific institutions offering substandard or
34 fraudulent degree programs.

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

1 **Sec. 538.** RCW 28B.85.030 and 2003 c 53 s 175 are each amended to
2 read as follows:

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

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

14 **Sec. 539.** RCW 28B.85.040 and 2006 c 234 s 4 are each amended to
15 read as follows:

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

24 (2) No exemption or waiver granted under this chapter is permanent.
25 The ((~~board~~)) council shall periodically review exempted degree-
26 granting institutions and degree-granting institutions granted a
27 waiver, and continue exemptions or waivers only if an institution meets
28 the statutory or ((~~board~~)) council requirements for exemption or waiver
29 in effect on the date of the review.

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

32 (a) Any public college, university, community college, technical
33 college, or institute operating as part of the public higher
34 educational system of this state;

35 (b) Institutions that have been accredited by an accrediting
36 association recognized by the ((~~agency~~)) council for the purposes of
37 this chapter: PROVIDED, That those institutions meet minimum exemption

1 standards adopted by the ((agency)) council; and PROVIDED FURTHER, That
2 an institution, branch, extension, or facility operating within the
3 state of Washington which is affiliated with an institution operating
4 in another state must be a separately accredited member institution of
5 any such accrediting association to qualify for this exemption;

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

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

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

16 **Sec. 540.** RCW 28B.85.050 and 1986 c 136 s 5 are each amended to
17 read as follows:

18 All degree-granting institutions subject to this chapter shall file
19 information with the ((board)) council as the ((board)) council may
20 require.

21 **Sec. 541.** RCW 28B.85.060 and 1986 c 136 s 6 are each amended to
22 read as follows:

23 The ((board)) council shall impose fees on any degree-granting
24 institution authorized to operate under this chapter. Fees shall be
25 set and revised by the ((board)) council by rule at the level necessary
26 to approximately recover the staffing costs incurred in administering
27 this chapter. Fees shall be deposited in the general fund.

28 **Sec. 542.** RCW 28B.85.070 and 1986 c 136 s 7 are each amended to
29 read as follows:

30 (1) The ((board)) council may require any degree-granting
31 institution to have on file with the ((board)) council an approved
32 surety bond or other security in lieu of a bond in an amount determined
33 by the ((board)) council.

34 (2) In lieu of a surety bond, an institution may deposit with the
35 ((board)) council a cash deposit or other negotiable security

1 acceptable to the ((~~board~~)) council. The security deposited with the
2 ((~~board~~)) council in lieu of the surety bond shall be returned to the
3 institution one year after the institution's authorization has expired
4 or been revoked if legal action has not been instituted against the
5 institution or the security deposit at the expiration of the year. The
6 obligations and remedies relating to surety bonds authorized by this
7 section, including but not limited to the settlement of claims
8 procedure in subsection (5) of this section, shall apply to deposits
9 filed with the ((~~board~~)) council, as applicable.

10 (3) Each bond shall:

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

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

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

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

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

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

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

34 (a) The ((~~board~~)) council shall attempt to notify all potential
35 claimants. If the absence of records or other circumstances makes it
36 impossible or unreasonable for the ((~~board~~)) council to ascertain the
37 names and addresses of all the claimants, the ((~~board~~)) council after
38 exerting due diligence and making reasonable inquiry to secure that

1 information from all reasonable and available sources, may make a
2 demand on a bond on the basis of information in the ((~~board's~~))
3 council's possession. The ((~~board~~)) council is not liable or
4 responsible for claims or the handling of claims that may subsequently
5 appear or be discovered.

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

10 (c) After reviewing the claims, the ((~~board~~)) council may make
11 demands upon the bond on behalf of those claimants whose claims have
12 been filed. The ((~~board~~)) council may settle or compromise the claims
13 with the surety and may execute and deliver a release and discharge of
14 the bond.

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

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

22 (6) The liability of the surety shall not exceed the amount of the
23 bond.

24 **Sec. 543.** RCW 28B.85.080 and 1986 c 136 s 8 are each amended to
25 read as follows:

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

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

31 (2) The education to be offered addresses a substantial,
32 demonstrated need among residents of the state or that literal
33 application of this chapter would cause a manifestly unreasonable
34 hardship.

35 **Sec. 544.** RCW 28B.85.090 and 1989 c 175 s 82 are each amended to
36 read as follows:

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

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

13 (3) If, after the hearing, the ~~((board))~~ council finds that the
14 institution or its agent engaged in or is engaging in any unfair
15 business practice, the ~~((board))~~ council shall issue and cause to be
16 served upon the violator an order requiring the violator to cease and
17 desist from the act or practice and may impose the penalties under RCW
18 28B.85.100. If the ~~((board))~~ council finds that the complainant has
19 suffered loss as a result of the act or practice, the ~~((board))~~ council
20 may order full or partial restitution for the loss. The complainant is
21 not bound by the ~~((board's))~~ council's determination of restitution and
22 may pursue any other legal remedy.

23 **Sec. 545.** RCW 28B.85.100 and 1986 c 136 s 10 are each amended to
24 read as follows:

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

32 **Sec. 546.** RCW 28B.85.130 and 1986 c 136 s 13 are each amended to
33 read as follows:

34 If any degree-granting institution discontinues its operation, the
35 chief administrative officer of the institution shall file with the
36 ~~((board))~~ council the original or legible true copies of all

1 educational records required by the ((~~board~~)) council. If the
2 ((~~board~~)) council determines that any educational records are in danger
3 of being made unavailable to the ((~~board~~)) council, the ((~~board~~))
4 council may seek a court order to protect and if necessary take
5 possession of the records. The ((~~board~~)) council shall cause to be
6 maintained a permanent file of educational records coming into its
7 possession.

8 **Sec. 547.** RCW 28B.85.170 and 1986 c 136 s 17 are each amended to
9 read as follows:

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

21 **Sec. 548.** RCW 28B.90.010 and 1993 c 181 s 2 are each amended to
22 read as follows:

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

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

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

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

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

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

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

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

9 (a) Is either owned and operated directly by a foreign degree-
10 granting institution or indirectly through a Washington profit or
11 nonprofit corporation in which the foreign degree-granting institution
12 is the sole or controlling shareholder or member; and

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

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

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

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

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

26 **Sec. 549.** RCW 28B.90.020 and 1999 c 85 s 1 are each amended to
27 read as follows:

28 A foreign degree-granting institution that submits evidence
29 satisfactory to the (~~board~~) council of its authorized status in its
30 country of domicile and its intent to establish an educational facility
31 in the state is entitled to operate a branch campus as defined in RCW
32 28B.90.010. Upon receipt of the satisfactory evidence, the (~~board~~)
33 council may certify that the branch campus of the foreign degree-
34 granting institution is approved to operate in the state under this
35 chapter, for as long as the foreign degree-granting institution retains
36 its authorized status in its country of domicile.

1 **Sec. 550.** RCW 28B.90.030 and 1993 c 181 s 4 are each amended to
2 read as follows:

3 A branch campus of a foreign degree-granting institution previously
4 found by the (~~board~~) council to be exempt from chapter 28B.85 RCW may
5 continue to operate in the state. However, within one year of July 25,
6 1993, the institution shall provide evidence of authorization as
7 required under RCW 28B.90.020. Upon receipt of the satisfactory
8 evidence, the (~~board~~) council shall certify that the branch campus of
9 the foreign degree-granting institution is approved to operate in the
10 state under this chapter.

11 **Sec. 551.** RCW 28B.92.030 and 2011 1st sp.s. c 11 s 159 are each
12 amended to read as follows:

13 As used in this chapter:

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

15 (2) "Disadvantaged student" means a posthigh school student who by
16 reason of adverse cultural, educational, environmental, experiential,
17 familial or other circumstances is unable to qualify for enrollment as
18 a full-time student in an institution of higher education, who would
19 otherwise qualify as a needy student, and who is attending an
20 institution of higher education under an established program designed
21 to qualify the student for enrollment as a full-time student.

22 (~~(2)~~) (3) "Financial aid" means loans and/or grants to needy
23 students enrolled or accepted for enrollment as a student at
24 institutions of higher education.

25 (~~(3)~~) (4) "Institution" or "institutions of higher education"
26 means:

27 (a) Any public university, college, community college, or technical
28 college operated by the state of Washington or any political
29 subdivision thereof; or

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

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

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

19 (~~(5)~~) (6) "Office" means the office of student financial
20 assistance.

21 (~~(6)~~) (7) "Placebound student" means a student who (a) is unable
22 to complete a college program because of family or employment
23 commitments, health concerns, monetary inability, or other similar
24 factors; and (b) may be influenced by the receipt of an enhanced
25 student financial aid award to complete a baccalaureate degree at an
26 eligible institution.

27 **Sec. 552.** RCW 28B.92.060 and 2011 1st sp.s. c 11 s 162 and 2011
28 1st sp.s. c 10 s 9 are each reenacted and amended to read as follows:

29 In awarding need grants, the office shall proceed substantially as
30 follows: PROVIDED, That nothing contained herein shall be construed to
31 prevent the office, in the exercise of its sound discretion, from
32 following another procedure when the best interest of the program so
33 dictates:

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

1 (a) Financial need as determined by the amount of the family
2 contribution; and

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

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

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

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

37 (5)(a) A student who is enrolled in three to six credit-bearing

1 quarter credits, or the equivalent semester credits, may receive a
2 grant for up to one academic year before beginning a program that leads
3 to a degree or certificate.

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

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

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

13 (ii) The student completes the required free application for
14 federal student aid;

15 (iii) The institution has reviewed the student's financial
16 condition, and the financial condition of the student's family if the
17 student is a dependent student, and has determined that the student is
18 likely eligible for a state need grant; and

19 (iv) The student has signed a document attesting to the fact that
20 the financial information provided on the free application for federal
21 student aid and any additional financial information provided directly
22 to the institution is accurate and complete, and that the student
23 agrees to repay the institution for the grant amount if the student
24 submitted false or incomplete information.

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

29 **Sec. 553.** RCW 28B.92.070 and 2004 c 275 s 38 are each amended to
30 read as follows:

31 Under rules adopted by the (~~board~~) council, the provisions of RCW
32 28B.92.060(3) shall not apply to eligible students, as defined in RCW
33 28B.10.017, and eligible students shall not be required to repay the
34 unused portions of grants received under the state student financial
35 aid program.

1 **Sec. 554.** RCW 28B.92.082 and 2009 c 215 s 3 are each amended to
2 read as follows:

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

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

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

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

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

13 **Sec. 555.** RCW 28B.97.020 and 2011 1st sp.s. c 11 s 175 are each
14 amended to read as follows:

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

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

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

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

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

25 **Sec. 556.** RCW 28B.102.020 and 2011 1st sp.s. c 11 s 176 are each
26 reenacted and amended to read as follows:

27 Unless the context clearly requires otherwise, the definitions in
28 this section apply throughout this chapter.

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

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

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

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

4 (3) "Eligible student" means a student who is registered for at
5 least six credit hours or the equivalent, demonstrates high academic
6 achievement, is a resident student as defined by RCW 28B.15.012 and
7 28B.15.013, and has a declared intention to complete an approved
8 preparation program leading to initial teacher certification or
9 required for earning an additional endorsement, and commits to teaching
10 service in the state of Washington.

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

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

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

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

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

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

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

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

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

36 **Sec. 557.** RCW 28B.109.010 and 2011 1st sp.s. c 11 s 195 are each
37 amended to read as follows:

1 Unless the context clearly requires otherwise, the definitions in
2 this section apply throughout this chapter.

3 (1) "Eligible participant" means an international student whose
4 country of residence has a trade relationship with the state of
5 Washington.

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

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

11 (4) "Service obligation" means volunteering for a minimum number of
12 hours as established by the ((~~board~~)) student achievement council based
13 on the amount of scholarship award, to speak to or teach groups of
14 Washington citizens, including but not limited to elementary, middle,
15 and high schools, service clubs, and universities.

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

21 **Sec. 558.** RCW 28B.110.030 and 1989 c 341 s 3 are each amended to
22 read as follows:

23 In consultation with institutions of higher education, the ((~~higher~~
24 ~~education—coordinating—board~~)) student achievement council shall
25 develop rules and guidelines to eliminate possible gender
26 discrimination to students, including sexual harassment, at
27 institutions of higher education as defined in RCW 28B.10.016. The
28 rules and guidelines shall include but not be limited to access to
29 academic programs, student employment, counseling and guidance
30 services, financial aid, recreational activities including club sports,
31 and intercollegiate athletics.

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

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

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

1 (c) Provide the same opportunities for advancement to males and
2 females; and

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

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

8 (3) Counseling and guidance services for students shall be made
9 available to all students without regard to gender. All academic and
10 counseling personnel shall be required to stress access to all career
11 and vocational opportunities to students without regard to gender.

12 (4) All academic programs shall be available to students without
13 regard to gender.

14 (5) With respect to recreational activities, recreational
15 activities shall be offered to meet the interests of students.
16 Institutions which provide the following shall do so with no
17 disparities based on gender: Equipment and supplies; medical care;
18 services and insurance; transportation and per diem allowances;
19 opportunities to receive coaching and instruction; laundry services;
20 assignment of game officials; opportunities for competition, publicity,
21 and awards; and scheduling of games and practice times, including use
22 of courts, gyms, and pools. Each institution which provides showers,
23 toilets, lockers, or training room facilities for recreational purposes
24 shall provide comparable facilities for both males and females.

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

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

29 (a) Benefits and services including, but not limited to, equipment
30 and supplies; medical services; services and insurance; transportation
31 and per diem allowances; opportunities to receive coaching and
32 instruction; scholarships and other forms of financial aid;
33 conditioning programs; laundry services; assignment of game officials;
34 opportunities for competition, publicity, and awards; and scheduling of
35 games and practice times, including use of courts, gyms, and pools.
36 Each institution which provides showers, toilets, lockers, or training
37 room facilities for athletic purposes shall provide comparable
38 facilities for both males and females.

1 (b) Opportunities to participate in intercollegiate athletics.
2 Institutions shall provide equitable opportunities to male and female
3 students.

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

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

9 **Sec. 559.** RCW 28B.110.040 and 2011 1st sp.s. c 11 s 203 are each
10 amended to read as follows:

11 The executive director of the (~~higher-education-coordinating~~
12 ~~board~~) student achievement council, in consultation with the council
13 of presidents and the state board for community and technical colleges,
14 shall monitor the compliance by institutions of higher education with
15 this chapter.

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

18 (2) By November 30, 1990, each institution shall submit to the
19 (~~board~~) council for approval a plan to comply with the requirements
20 of RCW 28B.110.030. The plan shall contain measures to ensure
21 institutional compliance with the provisions of this chapter by
22 September 30, 1994. If participation in activities, such as
23 intercollegiate athletics and matriculation in academic programs is not
24 proportionate to the percentages of male and female enrollment, the
25 plan should outline efforts to identify barriers to equal participation
26 and to encourage gender equity in all aspects of college and university
27 life.

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

31 **Sec. 560.** RCW 28B.116.010 and 2011 1st sp.s. c 11 s 214 are each
32 reenacted and amended to read as follows:

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

35 (1) "Cost of attendance" means the cost associated with the

1 attendance of the institution of higher education as determined by the
2 office of student financial assistance, including but not limited to
3 tuition, room, board, and books.

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

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

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

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

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

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

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

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

16 (3) "Institution of higher education" means a college or university
17 in the state of Washington that is accredited by an accrediting
18 association recognized as such by rule of the (~~higher-education~~
19 ~~coordinating board~~) student achievement council.

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

21 **Sec. 561.** RCW 28B.117.020 and 2011 1st sp.s. c 11 s 220 are each
22 amended to read as follows:

23 The definitions in this section apply throughout this chapter
24 unless the context clearly requires otherwise.

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

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

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

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

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

10 (a) Any public university, college, community college, or technical
11 college operated by the state of Washington or any political
12 subdivision thereof; or

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

14 (c) Any other university, college, school, or institute in the
15 state of Washington offering instruction beyond the high school level
16 that is a member institution of an accrediting association recognized
17 by rule of the (~~higher-education-coordinating-board~~) student
18 achievement council for the purposes of this section: PROVIDED, That
19 any institution, branch, extension, or facility operating within the
20 state of Washington that is affiliated with an institution operating in
21 another state must be a separately accredited member institution of any
22 such accrediting association, or a branch of a member institution of an
23 accrediting association recognized by rule of the (~~board~~) council for
24 purposes of this section, that is eligible for federal student
25 financial aid assistance and has operated as a nonprofit college or
26 university delivering on-site classroom instruction for a minimum of
27 twenty consecutive years within the state of Washington, and has an
28 annual enrollment of at least seven hundred full-time equivalent
29 students.

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

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

33 **Sec. 562.** RCW 28B.120.010 and 2010 c 245 s 7 are each amended to
34 read as follows:

35 The Washington fund for innovation and quality in higher education
36 program is established. The (~~higher-education-coordinating-board~~)
37 student achievement council shall administer the program and shall work

1 in close collaboration with the state board for community and technical
2 colleges and other local and regional entities. Through this program
3 the (~~higher education coordinating board~~) student achievement council
4 may award on a competitive basis incentive grants to state public or
5 private nonprofit institutions of higher education or consortia of
6 institutions to encourage programs designed to address specific system
7 problems. Each institution or consortia of institutions receiving the
8 award shall contribute some financial support, either by covering part
9 of the costs for the program during its implementation, or by assuming
10 continuing support at the end of the grant period. Strong priority
11 will be given to proposals that involve more than one sector of
12 education. Institutions are encouraged to solicit nonstate funds to
13 support these cooperative programs.

14 **Sec. 563.** RCW 28B.120.020 and 2011 1st sp.s. c 11 s 235 are each
15 amended to read as follows:

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

- 20 (1) To adopt rules necessary to carry out the program;
- 21 (2) To award grants no later than September 1st in those years when
22 funding is available by June 30th;
- 23 (3) To establish each biennium specific guidelines for submitting
24 grant proposals consistent with RCW 28B.120.005 and consistent with the
25 (~~strategic master~~) ten-year statewide plan for higher education, the
26 system design plan, the overall goals of the program and the guidelines
27 established by the state board for community and technical colleges
28 under RCW 28B.120.025.

29 After June 30, 2001, and each biennium thereafter, the (~~board~~)
30 council shall determine funding priorities for proposals for the
31 biennium in consultation with the legislature, the office of the
32 superintendent of public instruction, the state board for community and
33 technical colleges, the workforce training and education coordinating
34 board, higher education institutions, educational associations, and
35 business and community groups consistent with statewide needs;

- 36 (4) To solicit grant proposals and provide information to the
37 institutions of higher education about the program; and

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

4 **Sec. 564.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to
5 read as follows:

6 The state board for community and technical colleges has the
7 following powers and duties in administering the program for those
8 proposals in which a community or technical college is named as the
9 lead institution and fiscal agent:

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

11 (2) To establish one or more review committees to assist in the
12 evaluation of proposals for funding. The review committee shall
13 include individuals with significant experience in higher education in
14 areas relevant to one or more of the funding period priorities and
15 shall include representatives from both the four-year and two-year
16 sectors of higher education;

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

19 (4) To establish each biennium specific guidelines for submitting
20 grant proposals consistent with the overall goals of the program and
21 consistent with the guidelines established by the (~~higher education~~
22 ~~coordinating board~~) student achievement council under RCW 28B.120.020.
23 During the 1999-01 biennium the guidelines shall be consistent with the
24 following desired outcomes of:

25 (a) Minority and diversity initiatives that encourage the
26 participation of minorities in higher education, including students
27 with disabilities;

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

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

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

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

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

6 (g) Projects that further the development of competency-based
7 measurements of student achievement to be used as the basis for
8 awarding degrees and certificates;

9 (5) To solicit grant proposals and provide information to the
10 community and technical colleges and private career schools; and

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

14 **Sec. 565.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to
15 read as follows:

16 The (~~higher-education-coordinating-board~~) student achievement
17 council and the state board for community and technical colleges may
18 solicit and receive such gifts, grants, and endowments from public or
19 private sources as may be made from time to time, in trust or
20 otherwise, for the use and benefit of the purposes of the program and
21 may expend the same or any income therefrom according to the terms of
22 the gifts, grants, or endowments.

23 **Sec. 566.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to
24 read as follows:

25 The (~~higher-education-coordinating-board~~) student achievement
26 council fund for innovation and quality is hereby established in the
27 custody of the state treasurer. The (~~higher-education-coordinating~~
28 ~~board~~) student achievement council shall deposit in the fund all
29 moneys received under RCW 28B.120.030. Moneys in the fund may be spent
30 only for the purposes of RCW 28B.120.010 and 28B.120.020.
31 Disbursements from the fund shall be on the authorization of the
32 (~~higher-education-coordinating-board~~) student achievement council.
33 The fund is subject to the allotment procedure provided under chapter
34 43.88 RCW, but no appropriation is required for disbursements.

1 **Sec. 567.** 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 coordinating board~~) student achievement council;

17 (6) Any other entity to the extent that it has been exempted from
18 some or all of the provisions of this chapter under RCW 28C.10.100;

19 (7) Entities not otherwise exempt that are of a religious
20 character, but only as to those educational programs exclusively
21 devoted to religious or theological objectives and represented
22 accurately in institutional catalogs or other official publications;

23 (8) Entities offering only courses certified by the federal
24 aviation administration;

25 (9) Barber and cosmetology schools licensed under chapter 18.16
26 RCW;

27 (10) Entities which only offer courses approved to meet the
28 continuing education requirements for licensure under chapter 18.04,
29 18.79, or 48.17 RCW; and

30 (11) Entities not otherwise exempt offering only workshops or
31 seminars lasting no longer than three calendar days.

32 **Sec. 568.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to
33 read as follows:

34 The agency:

35 (1) Shall maintain a list of private vocational schools licensed
36 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~~) student achievement council to regulate
14 degree-granting private vocational schools with respect to degree and
15 nondegree programs.

16 **Sec. 569.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to
17 read as follows:

18 The purpose of the board is to provide planning, coordination,
19 evaluation, monitoring, and policy analysis for the state training
20 system as a whole, and advice to the governor and legislature
21 concerning the state training system, in cooperation with the state
22 training system and the (~~higher education coordinating board~~) student
23 achievement council.

24 **Sec. 570.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to
25 read as follows:

26 The board, in cooperation with the operating agencies of the state
27 training system and private career schools and colleges, shall:

28 (1) Concentrate its major efforts on planning, coordination
29 evaluation, policy analysis, and recommending improvements to the
30 state's training system;

31 (2) Advocate for the state training system and for meeting the
32 needs of employers and the workforce for workforce education and
33 training;

34 (3) Establish and maintain an inventory of the programs of the
35 state training system, and related state programs, and perform a
36 biennial assessment of the vocational education, training, and adult

1 basic education and literacy needs of the state; identify ongoing and
2 strategic education needs; and assess the extent to which employment,
3 training, vocational and basic education, rehabilitation services, and
4 public assistance services represent a consistent, integrated approach
5 to meet such needs;

6 (4) Develop and maintain a state comprehensive plan for workforce
7 training and education, including but not limited to, goals,
8 objectives, and priorities for the state training system, and review
9 the state training system for consistency with the state comprehensive
10 plan. In developing the state comprehensive plan for workforce
11 training and education, the board shall use, but shall not be limited
12 to: Economic, labor market, and populations trends reports in office
13 of financial management forecasts; joint office of financial management
14 and employment security department labor force, industry employment,
15 and occupational forecasts; the results of scientifically based
16 outcome, net-impact and cost-benefit evaluations; the needs of
17 employers as evidenced in formal employer surveys and other employer
18 input; and the needs of program participants and workers as evidenced
19 in formal surveys and other input from program participants and the
20 labor community;

21 (5) In consultation with the (~~higher-education-coordinating~~
22 ~~board~~) student achievement council, review and make recommendations to
23 the office of financial management and the legislature on operating and
24 capital facilities budget requests for operating agencies of the state
25 training system for purposes of consistency with the state
26 comprehensive plan for workforce training and education;

27 (6) Provide for coordination among the different operating agencies
28 and components of the state training system at the state level and at
29 the regional level;

30 (7) Develop a consistent and reliable database on vocational
31 education enrollments, costs, program activities, and job placements
32 from publicly funded vocational education programs in this state;

33 (8)(a) Establish standards for data collection and maintenance for
34 the operating agencies of the state training system in a format that is
35 accessible to use by the board. The board shall require a minimum of
36 common core data to be collected by each operating agency of the state
37 training system;

1 (b) Develop requirements for minimum common core data in
2 consultation with the office of financial management and the operating
3 agencies of the training system;

4 (9) Establish minimum standards for program evaluation for the
5 operating agencies of the state training system, including, but not
6 limited to, the use of common survey instruments and procedures for
7 measuring perceptions of program participants and employers of program
8 participants, and monitor such program evaluation;

9 (10) Every two years administer scientifically based outcome
10 evaluations of the state training system, including, but not limited
11 to, surveys of program participants, surveys of employers of program
12 participants, and matches with employment security department payroll
13 and wage files. Every five years administer scientifically based net-
14 impact and cost-benefit evaluations of the state training system;

15 (11) In cooperation with the employment security department,
16 provide for the improvement and maintenance of quality and utility in
17 occupational information and forecasts for use in training system
18 planning and evaluation. Improvements shall include, but not be
19 limited to, development of state-based occupational change factors
20 involving input by employers and employees, and delineation of skill
21 and training requirements by education level associated with current
22 and forecasted occupations;

23 (12) Provide for the development of common course description
24 formats, common reporting requirements, and common definitions for
25 operating agencies of the training system;

26 (13) Provide for effectiveness and efficiency reviews of the state
27 training system;

28 (14) In cooperation with the (~~higher-education-coordinating~~
29 ~~board~~) student_achievement_council, facilitate transfer of credit
30 policies and agreements between institutions of the state training
31 system, and encourage articulation agreements for programs encompassing
32 two years of secondary workforce education and two years of
33 postsecondary workforce education;

34 (15) In cooperation with the (~~higher-education-coordinating~~
35 ~~board~~) student_achievement_council, facilitate transfer of credit
36 policies and agreements between private training institutions and
37 institutions of the state training system;

1 (16) Develop policy objectives for the workforce investment act,
2 P.L. 105-220, or its successor; develop coordination criteria for
3 activities under the act with related programs and services provided by
4 state and local education and training agencies; and ensure that
5 entrepreneurial training opportunities are available through programs
6 of each local workforce investment board in the state;

7 (17) Make recommendations to the commission of student assessment,
8 the state board of education, and the superintendent of public
9 instruction, concerning basic skill competencies and essential core
10 competencies for K-12 education. Basic skills for this purpose shall
11 be reading, writing, computation, speaking, and critical thinking,
12 essential core competencies for this purpose shall be English, math,
13 science/technology, history, geography, and critical thinking. The
14 board shall monitor the development of and provide advice concerning
15 secondary curriculum which integrates vocational and academic
16 education;

17 (18) Establish and administer programs for marketing and outreach
18 to businesses and potential program participants;

19 (19) Facilitate the location of support services, including but not
20 limited to, child care, financial aid, career counseling, and job
21 placement services, for students and trainees at institutions in the
22 state training system, and advocate for support services for trainees
23 and students in the state training system;

24 (20) Facilitate private sector assistance for the state training
25 system, including but not limited to: Financial assistance, rotation
26 of private and public personnel, and vocational counseling;

27 (21) Facilitate the development of programs for school-to-work
28 transition that combine classroom education and on-the-job training,
29 including entrepreneurial education and training, in industries and
30 occupations without a significant number of apprenticeship programs;

31 (22) Include in the planning requirements for local workforce
32 investment boards a requirement that the local workforce investment
33 boards specify how entrepreneurial training is to be offered through
34 the one-stop system required under the workforce investment act, P.L.
35 105-220, or its successor;

36 (23) Encourage and assess progress for the equitable representation
37 of racial and ethnic minorities, women, and people with disabilities
38 among the students, teachers, and administrators of the state training

1 system. Equitable, for this purpose, shall mean substantially
2 proportional to their percentage of the state population in the
3 geographic area served. This function of the board shall in no way
4 lessen more stringent state or federal requirements for representation
5 of racial and ethnic minorities, women, and people with disabilities;

6 (24) Participate in the planning and policy development of governor
7 set-aside grants under P.L. 97-300, as amended;

8 (25) Administer veterans' programs, licensure of private vocational
9 schools, the job skills program, and the Washington award for
10 vocational excellence;

11 (26) Allocate funding from the state job training trust fund;

12 (27) Work with the director of (~~community, trade, and economic~~
13 ~~development~~) commerce and the economic development commission to
14 ensure coordination among workforce training priorities, the long-term
15 economic development strategy of the economic development commission,
16 and economic development and entrepreneurial development efforts,
17 including but not limited to assistance to industry clusters;

18 (28) Conduct research into workforce development programs designed
19 to reduce the high unemployment rate among young people between
20 approximately eighteen and twenty-four years of age. In consultation
21 with the operating agencies, the board shall advise the governor and
22 legislature on policies and programs to alleviate the high unemployment
23 rate among young people. The research shall include disaggregated
24 demographic information and, to the extent possible, income data for
25 adult youth. The research shall also include a comparison of the
26 effectiveness of programs examined as a part of the research conducted
27 in this subsection in relation to the public investment made in these
28 programs in reducing unemployment of young adults. The board shall
29 report to the appropriate committees of the legislature by November 15,
30 2008, and every two years thereafter. Where possible, the data
31 reported to the legislative committees should be reported in numbers
32 and in percentages;

33 (29) Adopt rules as necessary to implement this chapter.

34 The board may delegate to the director any of the functions of this
35 section.

36 **Sec. 571.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to
37 read as follows:

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

3 (1) "Authority" means a health sciences and services authority
4 created pursuant to this chapter.

5 (2) "Board" means the governing board of trustees of an authority.

6 (3) "Director" means (~~(the director of)~~) the executive director
7 of the (~~(higher education coordinating board)~~) student achievement
8 council.

9 (4) "Health sciences and services" means biosciences that advance
10 new therapies and procedures to combat disease and promote public
11 health.

12 (5) "Local government" means a city, town, or county.

13 (6) "Sponsoring local government" means a city, town, or county
14 that creates a health sciences and services authority.

15 **Sec. 572.** RCW 35.104.040 and 2011 c 155 s 1 are each amended to
16 read as follows:

17 (1) The (~~(higher education coordinating board)~~) student achievement
18 council may approve applications submitted by local governments for an
19 area's designation as a health sciences and services authority under
20 this chapter. The director must determine the division to review
21 applications submitted by local governments under this chapter. The
22 application for designation must be in the form and manner and contain
23 such information as the (~~(higher education coordinating board)~~) student
24 achievement council may prescribe, provided the application:

25 (a) Contains sufficient information to enable the director to
26 determine the viability of the proposal;

27 (b) Demonstrates that an ordinance or resolution has been passed by
28 the legislative authority of a local government that delineates the
29 boundaries of an area that may be designated an authority;

30 (c) Is submitted on behalf of the local government, or, if that
31 office does not exist, by the legislative body of the local government;

32 (d) Demonstrates that the public funds directed to programs or
33 facilities in the authority will leverage private sector resources and
34 contributions to activities to be performed;

35 (e) Provides a plan or plans for the development of the authority
36 as an entity to advance as a cluster for health sciences education,

1 health sciences research, biotechnology development, biotechnology
2 product commercialization, and/or health care services; and

3 (f) Demonstrates that the state has previously provided funds to
4 health sciences and services programs or facilities in the applicant
5 city, town, or county.

6 (2) The director must determine the division to develop criteria to
7 evaluate the application. The criteria must include:

8 (a) The presence of infrastructure capable of spurring development
9 of the area as a center of health sciences and services;

10 (b) The presence of higher education facilities where undergraduate
11 or graduate coursework or research is conducted; and

12 (c) The presence of facilities in which health services are
13 provided.

14 (3) There may be no more than two authorities statewide.

15 (4) An authority may only be created in a county with a population
16 of less than one million persons and located east of the crest of the
17 Cascade mountains.

18 (5) The director may reject or approve an application. When
19 denying an application, the director must specify the application's
20 deficiencies. The decision regarding such designation as it relates to
21 a specific local government is final; however, a rejected application
22 may be resubmitted.

23 (6) Applications are due by December 31, 2010, and must be
24 processed within sixty days of submission.

25 (7) The director may, at his or her discretion, amend the
26 boundaries of an authority upon the request of the local government.

27 (8) The (~~higher education coordinating board~~) student achievement
28 council may adopt any rules necessary to implement this chapter.

29 (9) The (~~higher education coordinating board~~) student achievement
30 council must develop evaluation criteria that enables the local
31 governments to measure the effectiveness of the program.

32 **Sec. 573.** RCW 42.17A.705 and 2011 1st sp.s. c 43 s 109 are each
33 amended to read as follows:

34 For the purposes of RCW 42.17A.700, "executive state officer"
35 includes:

36 (1) The chief administrative law judge, the director of
37 agriculture, the director of the department of services for the blind,

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

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

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

34 (4) Central Washington University board of trustees, the boards of
35 trustees of each community college and each technical college, each
36 member of the state board for community and technical colleges, state
37 convention and trade center board of directors, Eastern Washington
38 University board of trustees, Washington economic development finance

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

21 **Sec. 574.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to
22 read as follows:

23 (1) The governor may, by executive order, after consultation with
24 or notification of the executive-legislative committee on economic
25 development created by chapter . . . (Senate Bill No. 5300), Laws of
26 1993, declare a community to be a "military impacted area." A
27 "military impacted area" means a community or communities, as
28 identified in the executive order, that experience serious social and
29 economic hardships because of a change in defense spending by the
30 federal government in that community or communities.

31 (2) If the governor executes an order under subsection (1) of this
32 section, the governor shall establish a response team to coordinate
33 state efforts to assist the military impacted community. The response
34 team may include, but not be limited to, one member from each of the
35 following agencies: (a) The department of (~~community, trade, and~~
36 ~~economic development~~) commerce; (b) the department of social and
37 health services; (c) the employment security department; (d) the state

1 board for community and technical colleges; (e) the (~~higher education~~
2 ~~coordinating board~~) student achievement council; and (f) the
3 department of transportation. The governor may appoint a response team
4 coordinator. The governor shall seek to actively involve the impacted
5 community or communities in planning and implementing a response to the
6 crisis. The governor may seek input or assistance from the community
7 diversification advisory committee, and the governor may establish task
8 forces in the community or communities to assist in the coordination
9 and delivery of services to the local community. The state and
10 community response shall consider economic development, human service,
11 and training needs of the community or communities impacted.

12 **Sec. 575.** RCW 43.19.797 and 2011 1st sp.s. c 43 s 734 are each
13 amended to read as follows:

14 (1) State agencies that are purchasing wireless devices or services
15 must make such purchases through the state master contract, unless the
16 state agency provides to the office of the chief information officer
17 evidence that the state agency is securing its wireless devices or
18 services from another source for a lower cost than through
19 participation in the state master contract.

20 (2) For the purposes of this section, "state agency" means any
21 office, department, board, commission, or other unit of state
22 government, but does not include a unit of state government headed by
23 a statewide elected official, an institution of higher education as
24 defined in RCW 28B.10.016, the (~~higher education coordinating board~~)
25 student achievement council, the state board for community and
26 technical colleges, or agencies of the legislative or judicial branches
27 of state government.

28 **Sec. 576.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to
29 read as follows:

30 (1) An education data center shall be established in the office of
31 financial management. The education data center shall jointly, with
32 the legislative evaluation and accountability program committee,
33 conduct collaborative analyses of early learning, K-12, and higher
34 education programs and education issues across the P-20 system, which
35 includes the department of early learning, the superintendent of public
36 instruction, the professional educator standards board, the state board

1 of education, the state board for community and technical colleges, the
2 workforce training and education coordinating board, the (~~higher~~
3 ~~education coordinating board~~) student achievement council, public and
4 private nonprofit four-year institutions of higher education, and the
5 employment security department. The education data center shall
6 conduct collaborative analyses under this section with the legislative
7 evaluation and accountability program committee and provide data
8 electronically to the legislative evaluation and accountability program
9 committee, to the extent permitted by state and federal confidentiality
10 requirements. The education data center shall be considered an
11 authorized representative of the state educational agencies in this
12 section under applicable federal and state statutes for purposes of
13 accessing and compiling student record data for research purposes.

14 (2) The education data center shall:

15 (a) In consultation with the legislative evaluation and
16 accountability program committee and the agencies and organizations
17 participating in the education data center, identify the critical
18 research and policy questions that are intended to be addressed by the
19 education data center and the data needed to address the questions;

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

24 (c) Collaborate with the legislative evaluation and accountability
25 program committee and the education and fiscal committees of the
26 legislature in identifying the data to be compiled and analyzed to
27 ensure that legislative interests are served;

28 (d) Annually provide to the K-12 data governance group a list of
29 data elements and data quality improvements that are necessary to
30 answer the research and policy questions identified by the education
31 data center and have been identified by the legislative committees in
32 (c) of this subsection. Within three months of receiving the list, the
33 K-12 data governance group shall develop and transmit to the education
34 data center a feasibility analysis of obtaining or improving the data,
35 including the steps required, estimated time frame, and the financial
36 and other resources that would be required. Based on the analysis, the
37 education data center shall submit, if necessary, a recommendation to

1 the legislature regarding any statutory changes or resources that would
2 be needed to collect or improve the data;

3 (e) Monitor and evaluate the education data collection systems of
4 the organizations and agencies represented in the education data center
5 ensuring that data systems are flexible, able to adapt to evolving
6 needs for information, and to the extent feasible and necessary,
7 include data that are needed to conduct the analyses and provide
8 answers to the research and policy questions identified in (a) of this
9 subsection;

10 (f) Track enrollment and outcomes through the public centralized
11 higher education enrollment system;

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

15 (h) Provide research that focuses on student transitions within and
16 among the early learning, K-12, and higher education sectors in the P-
17 20 system; and

18 (i) Make recommendations to the legislature as necessary to help
19 ensure the goals and objectives of this section and RCW 28A.655.210 and
20 28A.300.507 are met.

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

1 the extent allowed by federal and state security and confidentiality
2 requirements applicable to the data of each contributing agency or
3 institution.

4 **Sec. 577.** RCW 43.41A.100 and 2011 1st sp.s. c 43 s 721 are each
5 amended to read as follows:

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

11 (2) The office may not interfere in any curriculum or legally
12 offered programming offered over the K-20 network.

13 (3) The responsibility to review and approve standards and common
14 specifications for the K-20 network remains the responsibility of the
15 office under RCW 43.41A.025.

16 (4) The coordination of telecommunications planning for the common
17 schools remains the responsibility of the superintendent of public
18 instruction. Except as set forth in RCW 43.41A.025(2)(f), the office
19 may recommend, but not require, revisions to the superintendent's
20 telecommunications plans.

21 **Sec. 578.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to
22 read as follows:

23 (1) For purposes of developing budget proposals to the legislature,
24 the governor shall have the power, and it shall be the governor's duty,
25 to require from proper agency officials such detailed estimates and
26 other information in such form and at such times as the governor shall
27 direct. The governor shall communicate statewide priorities to
28 agencies for use in developing biennial budget recommendations for
29 their agency and shall seek public involvement and input on these
30 priorities. The estimates for the legislature and the judiciary shall
31 be transmitted to the governor and shall be included in the budget
32 without revision. The estimates for state pension contributions shall
33 be based on the rates provided in chapter 41.45 RCW. Copies of all
34 such estimates shall be transmitted to the standing committees on ways
35 and means of the house and senate at the same time as they are filed
36 with the governor and the office of financial management.

1 The estimates shall include statements or tables which indicate, by
2 agency, the state funds which are required for the receipt of federal
3 matching revenues. The estimates shall be revised as necessary to
4 reflect legislative enactments and adopted appropriations and shall be
5 included with the initial biennial allotment submitted under RCW
6 43.88.110. The estimates must reflect that the agency considered any
7 alternatives to reduce costs or improve service delivery identified in
8 the findings of a performance audit of the agency by the joint
9 legislative audit and review committee. Nothing in this subsection
10 requires performance audit findings to be published as part of the
11 budget.

12 (2) Each state agency shall define its mission and establish
13 measurable goals for achieving desirable results for those who receive
14 its services and the taxpayers who pay for those services. Each agency
15 shall also develop clear strategies and timelines to achieve its goals.
16 This section does not require an agency to develop a new mission or
17 goals in place of identifiable missions or goals that meet the intent
18 of this section. The mission and goals of each agency must conform to
19 statutory direction and limitations.

20 (3) For the purpose of assessing activity performance, each state
21 agency shall establish quality and productivity objectives for each
22 major activity in its budget. The objectives must be consistent with
23 the missions and goals developed under this section. The objectives
24 must be expressed to the extent practicable in outcome-based,
25 objective, and measurable form unless an exception to adopt a different
26 standard is granted by the office of financial management and approved
27 by the legislative committee on performance review. Objectives must
28 specifically address the statutory purpose or intent of the program or
29 activity and focus on data that measure whether the agency is achieving
30 or making progress toward the purpose of the activity and toward
31 statewide priorities. The office of financial management shall provide
32 necessary professional and technical assistance to assist state
33 agencies in the development of strategic plans that include the mission
34 of the agency and its programs, measurable goals, strategies, and
35 performance measurement systems.

36 (4) Each state agency shall adopt procedures for and perform
37 continuous self-assessment of each activity, using the mission, goals,
38 objectives, and measurements required under subsections (2) and (3) of

1 this section. The assessment of the activity must also include an
2 evaluation of major information technology systems or projects that may
3 assist the agency in achieving or making progress toward the activity
4 purpose and statewide priorities. The evaluation of proposed major
5 information technology systems or projects shall be in accordance with
6 the standards and policies established by the information services
7 board. Agencies' progress toward the mission, goals, objectives, and
8 measurements required by subsections (2) and (3) of this section is
9 subject to review as set forth in this subsection.

10 (a) The office of financial management shall regularly conduct
11 reviews of selected activities to analyze whether the objectives and
12 measurements submitted by agencies demonstrate progress toward
13 statewide results.

14 (b) The office of financial management shall consult with the
15 (~~higher-education-coordinating-board~~) four-year institutions of
16 higher education, the student achievement council, and the state board
17 for community and technical colleges in those reviews that involve two-
18 year institutions of higher education.

19 (c) The goal is for all major activities to receive at least one
20 review each year.

21 (d) The office of financial management shall consult with the
22 information services board when conducting reviews of major information
23 technology systems in use by state agencies. The goal is that reviews
24 of these information technology systems occur periodically.

25 (5) It is the policy of the legislature that each agency's budget
26 recommendations must be directly linked to the agency's stated mission
27 and program, quality, and productivity goals and objectives.
28 Consistent with this policy, agency budget proposals must include
29 integration of performance measures that allow objective determination
30 of an activity's success in achieving its goals. When a review under
31 subsection (4) of this section or other analysis determines that the
32 agency's objectives demonstrate that the agency is making insufficient
33 progress toward the goals of any particular program or is otherwise
34 underachieving or inefficient, the agency's budget request shall
35 contain proposals to remedy or improve the selected programs. The
36 office of financial management shall develop a plan to merge the budget
37 development process with agency performance assessment procedures. The
38 plan must include a schedule to integrate agency strategic plans and

1 performance measures into agency budget requests and the governor's
2 budget proposal over three fiscal biennia. The plan must identify
3 those agencies that will implement the revised budget process in the
4 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.
5 In consultation with the legislative fiscal committees, the office of
6 financial management shall recommend statutory and procedural
7 modifications to the state's budget, accounting, and reporting systems
8 to facilitate the performance assessment procedures and the merger of
9 those procedures with the state budget process. The plan and
10 recommended statutory and procedural modifications must be submitted to
11 the legislative fiscal committees by September 30, 1996.

12 (6) In reviewing agency budget requests in order to prepare the
13 governor's biennial budget request, the office of financial management
14 shall consider the extent to which the agency's activities demonstrate
15 progress toward the statewide budgeting priorities, along with any
16 specific review conducted under subsection (4) of this section.

17 (7) In the year of the gubernatorial election, the governor shall
18 invite the governor-elect or the governor-elect's designee to attend
19 all hearings provided in RCW 43.88.100; and the governor shall furnish
20 the governor-elect or the governor-elect's designee with such
21 information as will enable the governor-elect or the governor-elect's
22 designee to gain an understanding of the state's budget requirements.
23 The governor-elect or the governor-elect's designee may ask such
24 questions during the hearings and require such information as the
25 governor-elect or the governor-elect's designee deems necessary and may
26 make recommendations in connection with any item of the budget which,
27 with the governor-elect's reasons therefor, shall be presented to the
28 legislature in writing with the budget document. Copies of all such
29 estimates and other required information shall also be submitted to the
30 standing committees on ways and means of the house and senate.

31 **Sec. 579.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to
32 read as follows:

33 (1) In overseeing the technical aspects of the K-20 network, the
34 information services board is not intended to duplicate the statutory
35 responsibilities of the (~~higher education coordinating board~~) student
36 achievement council, the superintendent of public instruction, the

1 information services board, the state librarian, or the governing
2 boards of the institutions of higher education.

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

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

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

13 **Sec. 580.** RCW 43.215.090 and 2011 c 177 s 2 are each amended to
14 read as follows:

15 (1) The early learning advisory council is established to advise
16 the department on statewide early learning issues that would build a
17 comprehensive system of quality early learning programs and services
18 for Washington's children and families by assessing needs and the
19 availability of services, aligning resources, developing plans for data
20 collection and professional development of early childhood educators,
21 and establishing key performance measures.

22 (2) The council shall work in conjunction with the department to
23 develop a statewide early learning plan that guides the department in
24 promoting alignment of private and public sector actions, objectives,
25 and resources, and ensuring school readiness.

26 (3) The council shall include diverse, statewide representation
27 from public, nonprofit, and for-profit entities. Its membership shall
28 reflect regional, racial, and cultural diversity to adequately
29 represent the needs of all children and families in the state.

30 (4) Councilmembers shall serve two-year terms. However, to stagger
31 the terms of the council, the initial appointments for twelve of the
32 members shall be for one year. Once the initial one-year to two-year
33 terms expire, all subsequent terms shall be for two years, with the
34 terms expiring on June 30th of the applicable year. The terms shall be
35 staggered in such a way that, where possible, the terms of members
36 representing a specific group do not expire simultaneously.

1 (5) The council shall consist of not more than twenty-three
2 members, as follows:

3 (a) The governor shall appoint at least one representative from
4 each of the following: The department, the office of financial
5 management, the department of social and health services, the
6 department of health, the (~~higher education coordinating board~~)
7 student achievement council, and the state board for community and
8 technical colleges;

9 (b) One representative from the office of the superintendent of
10 public instruction, to be appointed by the superintendent of public
11 instruction;

12 (c) The governor shall appoint seven leaders in early childhood
13 education, with at least one representative with experience or
14 expertise in one or more of the areas such as the following: The K-12
15 system, family day care providers, and child care centers with four of
16 the seven governor's appointees made as follows:

17 (i) The head start state collaboration office director or the
18 director's designee;

19 (ii) A representative of a head start, early head start,
20 migrant/seasonal head start, or tribal head start program;

21 (iii) A representative of a local education agency; and

22 (iv) A representative of the state agency responsible for programs
23 under section 619 or part C of the federal individuals with
24 disabilities education act;

25 (d) Two members of the house of representatives, one from each
26 caucus, and two members of the senate, one from each caucus, to be
27 appointed by the speaker of the house of representatives and the
28 president of the senate, respectively;

29 (e) Two parents, one of whom serves on the department's parent
30 advisory group, to be appointed by the governor;

31 (f) One representative of the private-public partnership created in
32 RCW 43.215.070, to be appointed by the partnership board;

33 (g) One representative designated by sovereign tribal governments;
34 and

35 (h) One representative from the Washington federation of
36 independent schools.

37 (6) The council shall be cochaired by one representative of a state

1 agency and one nongovernmental member, to be elected by the council for
2 two-year terms.

3 (7) The council shall appoint two members and stakeholders with
4 expertise in early learning to sit on the technical working group
5 created in section 2, chapter 234, Laws of 2010.

6 (8) Each member of the board shall be compensated in accordance
7 with RCW 43.03.240 and reimbursed for travel expenses incurred in
8 carrying out the duties of the board in accordance with RCW 43.03.050
9 and 43.03.060.

10 (9) The department shall provide staff support to the council.

11 **Sec. 581.** RCW 43.330.310 and 2010 c 187 s 2 are each amended to
12 read as follows:

13 (1) The legislature establishes a comprehensive green economy jobs
14 growth initiative based on the goal of, by 2020, increasing the number
15 of green economy jobs to twenty-five thousand from the eight thousand
16 four hundred green economy jobs the state had in 2004.

17 (2) The department, in consultation with the employment security
18 department, the state workforce training and education coordinating
19 board, the state board for community and technical colleges, and the
20 (~~higher education coordinating board~~) student achievement council,
21 shall develop a defined list of terms, consistent with current
22 workforce and economic development terms, associated with green economy
23 industries and jobs.

24 (3)(a) The employment security department, in consultation with the
25 department, the state workforce training and education coordinating
26 board, the state board for community and technical colleges, the
27 (~~higher education coordinating board~~) student achievement council,
28 Washington State University small business development center, and the
29 Washington State University extension energy program, shall conduct
30 labor market research to analyze the current labor market and projected
31 job growth in the green economy, the current and projected recruitment
32 and skill requirement of green economy industry employers, the wage and
33 benefits ranges of jobs within green economy industries, and the
34 education and training requirements of entry-level and incumbent
35 workers in those industries.

36 (i) The employment security department shall conduct an analysis of
37 occupations in the forest products industry to: (A) Determine key

1 growth factors and employment projections in the industry; and (B)
2 define the education and skill standards required for current and
3 emerging green occupations in the industry.

4 (ii) The term "forest products industry" must be given a broad
5 interpretation when implementing (a)(i) of this subsection and
6 includes, but is not limited to, businesses that grow, manage, harvest,
7 transport, and process forest, wood, and paper products.

8 (b) The University of Washington business and economic development
9 center shall: Analyze the current opportunities for and participation
10 in the green economy by minority and women-owned business enterprises
11 in Washington; identify existing barriers to their successful
12 participation in the green economy; and develop strategies with
13 specific policy recommendations to improve their successful
14 participation in the green economy. The research may be informed by
15 the research of the Puget Sound regional council prosperity
16 partnership, as well as other entities. The University of Washington
17 business and economic development center shall report to the
18 appropriate committees of the house of representatives and the senate
19 on their research, analysis, and recommendations by December 1, 2008.

20 (4) Based on the findings from subsection (3) of this section, the
21 employment security department, in consultation with the department and
22 taking into account the requirements and goals of chapter 14, Laws of
23 2008 and other state clean energy and energy efficiency policies, shall
24 propose which industries will be considered high-demand green
25 industries, based on current and projected job creation and their
26 strategic importance to the development of the state's green economy.
27 The employment security department and the department shall take into
28 account which jobs within green economy industries will be considered
29 high-wage occupations and occupations that are part of career pathways
30 to the same, based on family-sustaining wage and benefits ranges.
31 These designations, and the results of the employment security
32 department's broader labor market research, shall inform the planning
33 and strategic direction of the department, the state workforce training
34 and education coordinating board, the state board for community and
35 technical colleges, and the ~~((higher-education-coordinating-board))~~
36 student achievement council.

37 (5) The department shall identify emerging technologies and

1 innovations that are likely to contribute to advancements in the green
2 economy, including the activities in designated innovation partnership
3 zones established in RCW 43.330.270.

4 (6) The department, consistent with the priorities established by
5 the state economic development commission, shall:

6 (a) Develop targeting criteria for existing investments, and make
7 recommendations for new or expanded financial incentives and
8 comprehensive strategies, to recruit, retain, and expand green economy
9 industries and small businesses; and

10 (b) Make recommendations for new or expanded financial incentives
11 and comprehensive strategies to stimulate research and development of
12 green technology and innovation, including designating innovation
13 partnership zones linked to the green economy.

14 (7) For the purposes of this section, "target populations" means
15 (a) entry-level or incumbent workers in high-demand green industries
16 who are in, or are preparing for, high-wage occupations; (b) dislocated
17 workers in declining industries who may be retrained for high-wage
18 occupations in high-demand green industries; (c) dislocated
19 agriculture, timber, or energy sector workers who may be retrained for
20 high-wage occupations in high-demand green industries; (d) eligible
21 veterans or national guard members; (e) disadvantaged populations; or
22 (f) anyone eligible to participate in the state opportunity grant
23 program under RCW 28B.50.271.

24 (8) The legislature directs the state workforce training and
25 education coordinating board to create and pilot green industry skill
26 panels. These panels shall consist of business representatives from:
27 Green industry sectors, including but not limited to forest product
28 companies, companies engaged in energy efficiency and renewable energy
29 production, companies engaged in pollution prevention, reduction, and
30 mitigation, and companies engaged in green building work and green
31 transportation; labor unions representing workers in those industries
32 or labor affiliates administering state-approved, joint apprenticeship
33 programs or labor-management partnership programs that train workers
34 for these industries; state and local veterans agencies; employer
35 associations; educational institutions; and local workforce development
36 councils within the region that the panels propose to operate; and
37 other key stakeholders as determined by the applicant. Any of these
38 stakeholder organizations are eligible to receive grants under this

1 section and serve as the intermediary that convenes and leads the
2 panel. Panel applicants must provide labor market and industry
3 analysis that demonstrates high demand, or demand of strategic
4 importance to the development of the state's clean energy economy as
5 identified in this section, for high-wage occupations, or occupations
6 that are part of career pathways to the same, within the relevant
7 industry sector. The panel shall:

8 (a) Conduct labor market and industry analyses, in consultation
9 with the employment security department, and drawing on the findings of
10 its research when available;

11 (b) Plan strategies to meet the recruitment and training needs of
12 the industry and small businesses; and

13 (c) Leverage and align other public and private funding sources.

14 (9) The green industries jobs training account is created in the
15 state treasury. Moneys from the account must be utilized to supplement
16 the state opportunity grant program established under RCW 28B.50.271.
17 All receipts from appropriations directed to the account must be
18 deposited into the account. Expenditures from the account may be used
19 only for the activities identified in this subsection. The state board
20 for community and technical colleges, in consultation with the state
21 workforce training and education coordinating board, informed by the
22 research of the employment security department and the strategies
23 developed in this section, may authorize expenditures from the account.
24 The state board for community and technical colleges must distribute
25 grants from the account on a competitive basis.

26 (a)(i) Allowable uses of these grant funds, which should be used
27 when other public or private funds are insufficient or unavailable, may
28 include:

29 (A) Curriculum development;

30 (B) Transitional jobs strategies for dislocated workers in
31 declining industries who may be retrained for high-wage occupations in
32 green industries;

33 (C) Workforce education to target populations; and

34 (D) Adult basic and remedial education as necessary linked to
35 occupation skills training.

36 (ii) Allowable uses of these grant funds do not include student
37 assistance and support services available through the state opportunity
38 grant program under RCW 28B.50.271.

1 (b) Applicants eligible to receive these grants may be any
2 organization or a partnership of organizations that has demonstrated
3 expertise in:

4 (i) Implementing effective education and training programs that
5 meet industry demand; and

6 (ii) Recruiting and supporting, to successful completion of those
7 training programs carried out under these grants, the target
8 populations of workers.

9 (c) In awarding grants from the green industries jobs training
10 account, the state board for community and technical colleges shall
11 give priority to applicants that demonstrate the ability to:

12 (i) Use labor market and industry analysis developed by the
13 employment security department and green industry skill panels in the
14 design and delivery of the relevant education and training program, and
15 otherwise utilize strategies developed by green industry skill panels;

16 (ii) Leverage and align existing public programs and resources and
17 private resources toward the goal of recruiting, supporting, educating,
18 and training target populations of workers;

19 (iii) Work collaboratively with other relevant stakeholders in the
20 regional economy;

21 (iv) Link adult basic and remedial education, where necessary, with
22 occupation skills training;

23 (v) Involve employers and, where applicable, labor unions in the
24 determination of relevant skills and competencies and, where relevant,
25 the validation of career pathways; and

26 (vi) Ensure that supportive services, where necessary, are
27 integrated with education and training and are delivered by
28 organizations with direct access to and experience with the targeted
29 population of workers.

30 **Sec. 582.** RCW 43.330.375 and 2010 c 187 s 3 are each amended to
31 read as follows:

32 (1) The department and the workforce board must:

33 (a) Coordinate efforts across the state to ensure that federal
34 training and education funds are captured and deployed in a focused and
35 effective manner in order to support green economy projects and
36 accomplish the goals of the evergreen jobs initiative;

1 (b) Accelerate and coordinate efforts by state and local
2 organizations to identify, apply for, and secure all sources of funds,
3 particularly those created by the 2009 American recovery and
4 reinvestment act, and to ensure that distributions of funding to local
5 organizations are allocated in a manner that is time-efficient and
6 user-friendly for the local organizations. Local organizations
7 eligible to receive support include but are not limited to:

8 (i) Associate development organizations;

9 (ii) Workforce development councils;

10 (iii) Public utility districts; and

11 (iv) Community action agencies;

12 (c) Support green economy projects at both the state and local
13 level by developing a process and a framework to provide, at a minimum:

14 (i) Administrative and technical assistance;

15 (ii) Assistance with and expediting of permit processes; and

16 (iii) Priority consideration of opportunities leading to exportable
17 green economy goods and services, including renewable energy
18 technology;

19 (d) Coordinate local and state implementation of projects using
20 federal funds to ensure implementation is time-efficient and user-
21 friendly for local organizations;

22 (e) Emphasize through both support and outreach efforts, projects
23 that:

24 (i) Have a strong and lasting economic or environmental impact;

25 (ii) Lead to a domestically or internationally exportable good or
26 service, including renewable energy technology;

27 (iii) Create training programs leading to a credential,
28 certificate, or degree in a green economy field;

29 (iv) Strengthen the state's competitiveness in a particular sector
30 or cluster of the green economy;

31 (v) Create employment opportunities for veterans, members of the
32 national guard, and low-income and disadvantaged populations;

33 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;

34 (vii) Ensure at least fifteen percent of labor hours are performed
35 by apprentices;

36 (f) Identify emerging technologies and innovations that are likely
37 to contribute to advancements in the green economy, including the

1 activities in designated innovation partnership zones established in
2 RCW 43.330.270;

3 (g) Identify barriers to the growth of green jobs in traditional
4 industries such as the forest products industry;

5 (h) Identify statewide performance metrics for projects receiving
6 agency assistance. Such metrics may include:

7 (i) The number of new green jobs created each year, their wage
8 levels, and, to the extent determinable, the percentage of new green
9 jobs filled by veterans, members of the national guard, and low-income
10 and disadvantaged populations;

11 (ii) The total amount of new federal funding secured, the
12 respective amounts allocated to the state and local levels, and the
13 timeliness of deployment of new funding by state agencies to the local
14 level;

15 (iii) The timeliness of state deployment of funds and support to
16 local organizations; and

17 (iv) If available, the completion rates, time to completion, and
18 training-related placement rates for green economy postsecondary
19 training programs;

20 (i) Identify strategies to allocate existing and new funding
21 streams for green economy workforce training programs and education to
22 emphasize those leading to a credential, certificate, or degree in a
23 green economy field;

24 (j) Identify and implement strategies to allocate existing and new
25 funding streams for workforce development councils and associate
26 development organizations to increase their effectiveness and
27 efficiency and increase local capacity to respond rapidly and
28 comprehensively to opportunities to attract green jobs to local
29 communities;

30 (k) Develop targeting criteria for existing investments that are
31 consistent with the economic development commission's economic
32 development strategy and the goals of this section and RCW 28C.18.170,
33 28B.50.281, and 49.04.200; and

34 (l) Make and support outreach efforts so that residents of
35 Washington, particularly members of target populations, become aware of
36 educational and employment opportunities identified and funded through
37 the evergreen jobs act.

1 (2) The department and the workforce board must provide semiannual
2 performance reports to the governor and appropriate committees of the
3 legislature on:

4 (a) Actual statewide performance based on the performance measures
5 identified in subsection (1)(h) of this section;

6 (b) How the state is emphasizing and supporting projects that lead
7 to a domestically or internationally exportable good or service,
8 including renewable energy technology;

9 (c) A list of projects supported, created, or funded in furtherance
10 of the goals of the evergreen jobs initiative and the actions taken by
11 state and local organizations, including the effectiveness of state
12 agency support provided to local organizations as directed in
13 subsection (1)(b) and (c) of this section;

14 (d) Recommendations for new or expanded financial incentives and
15 comprehensive strategies to:

16 (i) Recruit, retain, and expand green economy industries and small
17 businesses; and

18 (ii) Stimulate research and development of green technology and
19 innovation, which may include designating innovation partnership zones
20 linked to the green economy;

21 (e) Any information that associate development organizations and
22 workforce development councils choose to provide to appropriate
23 legislative committees regarding the effectiveness, timeliness, and
24 coordination of support provided by state agencies under this section
25 and RCW 28C.18.170, 28B.50.281, and 49.04.200; and

26 (f) Any recommended statutory changes necessary to increase the
27 effectiveness of the evergreen jobs initiative and state responsiveness
28 to local agencies and organizations.

29 (3) The definitions, designations, and results of the employment
30 security department's broader labor market research under RCW
31 43.330.010 shall inform the planning and strategic direction of the
32 department, the state workforce training and education coordinating
33 board, the state board for community and technical colleges, and the
34 (~~higher education coordinating board~~) student achievement council.

35 **Sec. 583.** RCW 47.80.090 and 2009 c 459 s 2 are each amended to
36 read as follows:

37 (1) A regional transportation planning organization containing any

1 county with a population in excess of one million in collaboration with
2 representatives from the department of ecology, the department of
3 (~~community, — trade, — and — economic — development~~) commerce, local
4 governments, and the office of regulatory assistance must seek federal
5 or private funding for the planning for, deployment of, or regulations
6 concerning electric vehicle infrastructure. These efforts should
7 include:

8 (a) Development of short-term and long-term plans outlining how
9 state, regional, and local government construction may include electric
10 vehicle infrastructure in publicly available off-street parking and
11 government fleet vehicle parking, including what ratios of charge spots
12 to parking may be appropriate based on location or type of facility or
13 building;

14 (b) Consultations with the state building code council and the
15 department of labor and industries to coordinate the plans with state
16 standards for new residential, commercial, and industrial buildings to
17 ensure that the appropriate electric circuitry is installed to support
18 electric vehicle infrastructure;

19 (c) Consultation with the workforce development council and the
20 (~~higher education coordinating board~~) student achievement council to
21 ensure the development of appropriate educational and training
22 opportunities for citizens of the state in support of the transition of
23 some portion of vehicular transportation from combustion to electric
24 vehicles;

25 (d) Development of an implementation plan for counties with a
26 population greater than five hundred thousand with the goal of having
27 public and private parking spaces, in the aggregate, be ten percent
28 electric vehicle ready by December 31, 2018; and

29 (e) Development of model ordinances and guidance for local
30 governments for siting and installing electric vehicle infrastructure,
31 in particular battery charging stations, and appropriate handling,
32 recycling, and storage of electric vehicle batteries and equipment.

33 (2) These plans and any recommendations developed as a result of
34 the consultations required by this section must be submitted to the
35 legislature by December 31, 2010, or as soon as reasonably practicable
36 after the securing of any federal or private funding. Priority will be
37 given to the activities in subsection (1)(e) of this section and any
38 ordinances or guidance that is developed will be submitted to the

1 legislature, the department of (~~community, trade, and economic~~
2 ~~development~~) commerce, and affected local governments prior to
3 December 31, 2010, if completed.

4 (3) The definitions in this subsection apply (~~through~~
5 ~~{throughout}~~) throughout this section unless the context clearly
6 requires otherwise.

7 (a) "Battery charging station" means an electrical component
8 assembly or cluster of component assemblies designed specifically to
9 charge batteries within electric vehicles, which meet or exceed any
10 standards, codes, and regulations set forth by chapter 19.28 RCW and
11 consistent with rules adopted under RCW 19.27.540.

12 (b) "Battery exchange station" means a fully automated facility
13 that will enable an electric vehicle with a swappable battery to enter
14 a drive lane and exchange the depleted battery with a fully charged
15 battery through a fully automated process, which meets or exceeds any
16 standards, codes, and regulations set forth by chapter 19.28 RCW and
17 consistent with rules adopted under RCW 19.27.540.

18 (c) "Electric vehicle infrastructure" means structures, machinery,
19 and equipment necessary and integral to support an electric vehicle,
20 including battery charging stations, rapid charging stations, and
21 battery exchange stations.

22 (d) "Rapid charging station" means an industrial grade electrical
23 outlet that allows for faster recharging of electric vehicle batteries
24 through higher power levels, which meets or exceeds any standards,
25 codes, and regulations set forth by chapter 19.28 RCW and consistent
26 with rules adopted under RCW 19.27.540.

27 **Sec. 584.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to
28 read as follows:

29 (1) The department, in consultation with at least the (~~higher~~
30 ~~education coordinating board~~) student achievement council, the state
31 board for community and technical colleges, the superintendent of
32 public instruction, and state-supported education programs in medicine,
33 pharmacy, and nursing, shall develop a plan for increasing rural
34 training opportunities for students in medicine, pharmacy, and nursing.
35 The plan shall provide for direct exposure to rural health professional
36 practice conditions for students planning careers in medicine,
37 pharmacy, and nursing.

1 (2) The department and the medical, pharmacy, and nurse education
2 programs shall:

3 (a) Inventory existing rural-based clinical experience programs,
4 including internships, clerkships, residencies, and other training
5 opportunities available to students pursuing degrees in nursing,
6 pharmacy, and medicine;

7 (b) Identify where training opportunities do not currently exist
8 and are needed;

9 (c) Develop recommendations for improving the availability of rural
10 training opportunities;

11 (d) Develop recommendations on establishing agreements between
12 education programs to assure that all students in medical, pharmacist,
13 and nurse education programs in the state have access to rural training
14 opportunities; and

15 (e) Review private and public funding sources to finance rural-
16 based training opportunities.

17 **Sec. 585.** RCW 74.13.570 and 2005 c 93 s 2 are each amended to read
18 as follows:

19 (1) The department shall establish an oversight committee composed
20 of staff from the children's administration of the department, the
21 office of the superintendent of public instruction, the (~~higher~~
22 ~~education-coordinating-board~~) student_achievement_council, foster
23 youth, former foster youth, foster parents, and advocacy agencies to
24 develop strategies for maintaining foster children in the schools they
25 were attending at the time they entered foster care and to promote
26 opportunities for foster youth to participate in postsecondary
27 education or training.

28 (2) The duties of the oversight committee shall include, but are
29 not limited to:

30 (a) Developing strategies for school-based recruitment of foster
31 homes;

32 (b) Monitoring the progress of current pilot projects that assist
33 foster children to continue attending the schools they were attending
34 at the time they entered foster care;

35 (c) Overseeing the expansion of the number of pilot projects;

36 (d) Promoting the use of best practices, throughout the state,

1 demonstrated by the pilot projects and other programs relating to
2 maintaining foster children in the schools they were attending at the
3 time they entered foster care;

4 (e) Informing the legislature of the status of efforts to maintain
5 foster children in the schools they were attending at the time they
6 entered foster care;

7 (f) Assessing the scope and nature of statewide need among current
8 and former foster youth for assistance to pursue and participate in
9 postsecondary education or training opportunities;

10 (g) Identifying available sources of funding available in the state
11 for services to former foster youth to pursue and participate in
12 postsecondary education or training opportunities;

13 (h) Reviewing the effectiveness of activities in the state to
14 support former foster youth to pursue and participate in postsecondary
15 education or training opportunities;

16 (i) Identifying new activities, or existing activities that should
17 be modified or expanded, to best meet statewide needs; and

18 (j) Reviewing on an ongoing basis the progress toward improving
19 educational and vocational outcomes for foster youth.

20 PART VI

21 REFERENCES TO THE OFFICE OF STUDENT FINANCIAL ASSISTANCE

22 **Sec. 601.** RCW 28A.175.135 and 2011 c 288 s 3 are each amended to
23 read as follows:

24 Subject to funds appropriated for this purpose, funds shall be
25 allocated as specified in the omnibus appropriations act to support the
26 PASS program through the following programs:

27 (1) The opportunity internship program under RCW 28C.18.160 through
28 28C.18.168;

29 (2) The jobs for America's graduates program administered through
30 the office of the superintendent of public instruction;

31 (3) The building bridges program under RCW 28A.175.025, to be used
32 to expand programs that have been implemented by building bridges
33 partnerships and determined by the building bridges work group to be
34 successful in reducing dropout rates, or to replicate such programs in
35 new partnerships; and

1 (4) Individualized student support services provided by a college
2 scholarship organization with expertise in managing scholarships for
3 low-income, high potential students and foster care youth under
4 contract with the (~~higher education coordinating board~~) office of
5 student financial assistance, including but not limited to college and
6 career advising, counseling, tutoring, community mentor programs, and
7 leadership development.

8 **Sec. 602.** RCW 28A.660.050 and 2011 1st sp.s. c 11 s 134 are each
9 amended to read as follows:

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

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

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

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

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

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

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

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

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

36 (iii) Receive no more than the annual amount of the scholarship,
37 not to exceed eight thousand dollars, for the cost of tuition, fees,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 **Sec. 603.** RCW 28B.12.040 and 2011 1st sp.s. c 11 s 143 are each
28 amended to read as follows:

29 The office of student financial assistance shall develop and
30 administer the state work-study program. The (~~board~~) office shall be
31 authorized to enter into agreements with employers and eligible
32 institutions for the operation of the program. These agreements shall
33 include such provisions as the office may deem necessary or appropriate
34 to carry out the purposes of this chapter.

35 With the exception of off-campus community service placements, the
36 share from moneys disbursed under the state work-study program of the

1 compensation of students employed under such program in accordance with
2 such agreements shall not exceed eighty percent of the total such
3 compensation paid such students.

4 By rule, the office shall define community service placements and
5 may determine any salary matching requirements for any community
6 service employers.

7 **Sec. 604.** RCW 28B.12.070 and 2011 1st sp.s. c 11 s 147 are each
8 amended to read as follows:

9 Each eligible institution shall submit to the office of student
10 financial assistance an annual report in accordance with such
11 requirements as are adopted by the (~~board~~) office.

12 **Sec. 605.** RCW 28B.15.012 and 2011 1st sp.s. c 11 s 148 are each
13 amended to read as follows:

14 Whenever used in this chapter:

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

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

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

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

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

34 (d) Any student who has spent at least seventy-five percent of both
35 his or her junior and senior years in high schools in this state, whose
36 parents or legal guardians have been domiciled in the state for a

1 period of at least one year within the five-year period before the
2 student graduates from high school, and who enrolls in a public
3 institution of higher education within six months of leaving high
4 school, for as long as the student remains continuously enrolled for
5 three quarters or two semesters in any calendar year;

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

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

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

31 (h) A student who is the spouse or a dependent of a person who is
32 on active military duty stationed in the state. If the person on
33 active military duty is reassigned out-of-state, the student maintains
34 the status as a resident student so long as the student is continuously
35 enrolled in a degree program;

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

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

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

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

16 (m) A student who resides in Washington and is the spouse or a
17 dependent of a person who resides in Washington and is on active
18 military duty stationed in the Oregon counties of Columbia, Gilliam,
19 Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla,
20 Union, Wallowa, Wasco, or Washington. If the person on active military
21 duty moves from Washington or is reassigned out of the Oregon counties
22 of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas,
23 Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the
24 student maintains the status as a resident student so long as the
25 student resides in Washington and is continuously enrolled in a degree
26 program.

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

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

36 (b) A person who is not a citizen of the United States of America
37 who does not have permanent or temporary resident status or does not
38 hold "Refugee-Parolee" or "Conditional Entrant" status with the United

1 States citizenship immigration services or is not otherwise permanently
2 residing in the United States under color of law and who does not also
3 meet and comply with all the applicable requirements in this section
4 and RCW 28B.15.013.

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

12 (5) The term "dependent" shall mean a person who is not financially
13 independent. Factors to be considered in determining whether a person
14 is financially independent shall be set forth in rules adopted by the
15 office of student financial assistance and shall include, but not be
16 limited to, the state and federal income tax returns of the person
17 and/or the student's parents or legal guardian filed for the calendar
18 year prior to the year in which application is made and such other
19 evidence as the (~~board~~) office of financial assistance may require.

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

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

23 (b) The Washington national guard; or

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

27 **Sec. 606.** RCW 28B.15.762 and 2011 1st sp.s. c 11 s 156 are each
28 amended to read as follows:

29 (1) The office may make long-term loans to eligible students at
30 institutions of higher education from the funds appropriated to the
31 office for this purpose. The amount of any such loan shall not exceed
32 the demonstrated financial need of the student or two thousand five
33 hundred dollars for each academic year whichever is less, and the total
34 amount of such loans to an eligible student shall not exceed ten
35 thousand dollars. The interest rates and terms of deferral of such
36 loans shall be consistent with the terms of the guaranteed loan program
37 established by 20 U.S.C. Sec. 1701 et seq. The period for repaying the

1 loan principal and interest shall be ten years with payments accruing
2 quarterly commencing nine months from the date the borrower graduated.
3 The entire principal and interest of each loan payment shall be
4 forgiven for each payment period in which the borrower teaches science
5 or mathematics in a public school in this state until the entire loan
6 is satisfied or the borrower ceases to teach science or mathematics at
7 a public school in this state. Should the borrower cease to teach
8 science or mathematics at a public school in this state before the time
9 in which the principal and interest on the loan are satisfied, payments
10 on the unsatisfied portion of the principal and interest on the loan
11 shall begin the next payment period and continue until the remainder of
12 the loan is paid.

13 (2) The office is responsible for collection of loans made under
14 subsection (1) of this section and shall exercise due diligence in such
15 collection, maintaining all necessary records to insure that maximum
16 repayments are made. Collection and servicing of loans under
17 subsection (1) of this section shall be pursued using the full extent
18 of the law, including wage garnishment if necessary, and shall be
19 performed by entities approved for such servicing by the Washington
20 student loan guaranty association or its successor agency. The
21 (~~board~~) office is responsible to forgive all or parts of such loans
22 under the criteria established in subsection (1) of this section and
23 shall maintain all necessary records of forgiven payments.

24 (3) Receipts from the payment of principal or interest or any other
25 subsidies to which the (~~board~~) office as lender is entitled, which
26 are paid by or on behalf of borrowers under subsection (1) of this
27 section, shall be deposited with the office and shall be used to cover
28 the costs of making the loans under subsection (1) of this section,
29 maintaining necessary records, and making collections under subsection
30 (2) of this section. The office shall maintain accurate records of
31 these costs, and all receipts beyond those necessary to pay such costs
32 shall be used to make loans to eligible students.

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

36 (5) The office shall adopt necessary rules to implement this
37 section.

1 **Sec. 607.** RCW 28B.15.764 and 1985 c 370 s 81 are each amended to
2 read as follows:

3 The (~~board~~) office and institutions of higher education shall
4 work cooperatively to implement RCW 28B.15.762 and to publicize this
5 program to eligible students.

6 **Sec. 608.** RCW 28B.76.505 and 2011 1st sp.s. c 11 s 107 are each
7 amended to read as follows:

8 (1) The investment of funds from all scholarship endowment programs
9 administered by the office shall be managed by the state investment
10 board.

11 (2) The state investment board has the full power to invest,
12 reinvest, manage, contract, sell, or exchange investment money in
13 scholarship endowment funds. All investment and operating costs
14 associated with the investment of a scholarship endowment fund shall be
15 paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of
16 these expenses, the earnings from the investments of the fund belong to
17 the fund.

18 (3) Funds from all scholarship endowment programs administered by
19 the (~~board~~) office shall be in the custody of the state treasurer.

20 (4) All investments made by the state investment board shall be
21 made with the exercise of that degree of judgment and care pursuant to
22 RCW 43.33A.140 and the investment policies established by the state
23 investment board.

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

27 (6) The authority to establish all policies relating to scholarship
28 endowment funds, other than the investment policies in subsections (2)
29 through (5) of this section, resides with the office.

30 (7) The office may request and accept moneys from the state
31 investment board. With the exception of expenses of the state
32 investment board in subsection (2) of this section, disbursements from
33 the fund shall be made only on the authorization of the office and
34 money in the fund may be spent only for the purposes of the endowment
35 programs as specified in the authorizing chapter of each program.

36 (8) The state investment board shall routinely consult and

1 communicate with the office on the investment policy, earnings of the
2 scholarship endowment funds, and related needs of the programs.

3 **Sec. 609.** RCW 28B.92.080 and 2009 c 238 s 9 are each amended to
4 read as follows:

5 Except for opportunity internship graduates whose eligibility is
6 provided under RCW 28B.92.084, for a student to be eligible for a state
7 need grant a student must:

8 (1) Be a "needy student" or "disadvantaged student" as determined
9 by the (~~board~~) office in accordance with RCW 28B.92.030 (~~(+3)~~) (1)
10 and (4);

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

13 (3) Be enrolled or accepted for enrollment on at least a half-time
14 basis at an institution of higher education in Washington as defined in
15 RCW 28B.92.030(~~(+1)~~) (3);

16 (4) Until June 30, 2011, to the extent funds are specifically
17 appropriated for this purpose, and subject to any terms and conditions
18 specified in the omnibus appropriations act, be enrolled or accepted
19 for enrollment for at least three quarter credits or the equivalent
20 semester credits at an institution of higher education in Washington as
21 defined in RCW 28B.92.030(~~(+1)~~) (3); and

22 (5) Have complied with all the rules adopted by the (~~board~~)
23 council for the administration of this chapter.

24 **Sec. 610.** RCW 28B.95.020 and 2011 1st sp.s. c 11 s 168 are each
25 amended to read as follows:

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

28 (1) "Academic year" means the regular nine-month, three-quarter, or
29 two-semester period annually occurring between August 1st and July
30 31st.

31 (2) "Account" means the Washington advanced college tuition payment
32 program account established for the deposit of all money received by
33 the (~~board~~) office from eligible purchasers and interest earnings on
34 investments of funds in the account, as well as for all expenditures on
35 behalf of eligible beneficiaries for the redemption of tuition units

1 and for the development of any authorized college savings program
2 pursuant to RCW 28B.95.150.

3 (3) "Committee on advanced tuition payment" or "committee" means a
4 committee of the following members: The state treasurer, the director
5 of the office of financial management, the director of the office, or
6 their designees, and two members to be appointed by the governor, one
7 representing program participants and one private business
8 representative with marketing, public relations, or financial
9 expertise.

10 (4) "Contractual obligation" means a legally binding contract of
11 the state with the purchaser and the beneficiary establishing that
12 purchases of tuition units will be worth the same number of tuition
13 units at the time of redemption as they were worth at the time of the
14 purchase.

15 (5) "Eligible beneficiary" means the person for whom the tuition
16 unit will be redeemed for attendance at an institution of higher
17 education. The beneficiary is that person named by the purchaser at
18 the time that a tuition unit contract is accepted by the governing
19 body. Qualified organizations, as allowed under section 529 of the
20 federal internal revenue code, purchasing tuition unit contracts as
21 future scholarships need not designate a beneficiary at the time of
22 purchase.

23 (6) "Eligible purchaser" means an individual or organization that
24 has entered into a tuition unit contract with the governing body for
25 the purchase of tuition units for an eligible beneficiary. The state
26 of Washington may be an eligible purchaser for purposes of purchasing
27 tuition units to be held for granting Washington college bound
28 scholarships.

29 (7) "Full-time tuition charges" means resident tuition charges at
30 a state institution of higher education for enrollments between ten
31 credits and eighteen credit hours per academic term.

32 (8) "Governing body" means the committee empowered by the
33 legislature to administer the Washington advanced college tuition
34 payment program.

35 (9) "Institution of higher education" means an institution that
36 offers education beyond the secondary level and is recognized by the
37 internal revenue service under chapter 529 of the internal revenue
38 code.

1 (10) "Investment board" means the state investment board as defined
2 in chapter 43.33A RCW.

3 (11) "Office" means the office of student financial assistance as
4 defined in chapter 28B.76 RCW.

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

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

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

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

28 **Sec. 611.** RCW 28B.102.030 and 2011 1st sp.s. c 11 s 177 are each
29 amended to read as follows:

30 The future teachers conditional scholarship and loan repayment
31 program is established. The program shall be administered by the
32 office. In administering the program, the ((board)) office shall have
33 the following powers and duties:

34 (1) Select students to receive conditional scholarships or loan
35 repayments;

36 (2) Adopt necessary rules and guidelines;

37 (3) Publicize the program;

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

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

5 **Sec. 612.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to
6 read as follows:

7 (1) Participants in the conditional scholarship program incur an
8 obligation to repay the conditional scholarship, with interest, unless
9 they serve in the Washington national guard for one additional year for
10 each year of conditional scholarship received, under rules adopted by
11 the office.

12 (2) The entire principal and interest of each yearly repayment
13 shall be forgiven for each additional year in which a participant
14 serves in the Washington national guard, under rules adopted by the
15 office.

16 (3) If a participant elects to repay the conditional scholarship,
17 the period of repayment shall be four years, with payments accruing
18 quarterly commencing nine months from the date that the participant
19 leaves the Washington national guard or withdraws from the institution
20 of higher education, whichever comes first. The interest rate on the
21 repayments shall be eight percent per year. Provisions for deferral
22 and forgiveness shall be determined by the office.

23 (4) The office is responsible for collection of repayments made
24 under this section. The office shall exercise due diligence in such
25 collection, maintaining all necessary records to ensure that maximum
26 repayments are made. Collection and servicing of repayments under this
27 section shall be pursued using the full extent of law, including wage
28 garnishment if necessary. The office is responsible to forgive all or
29 parts of such repayments under the criteria established in this
30 section, and shall maintain all necessary records of forgiven payments.
31 The office may contract with the (~~higher-education-coordinating~~
32 ~~board~~) office of student financial assistance for collection of
33 repayments under this section.

34 (5) Receipts from the payment of principal or interest paid by or
35 on behalf of participants shall be deposited with the office and shall
36 be used to cover the costs of granting the conditional scholarships,
37 maintaining necessary records, and making collections under subsection

1 (4) of this section. The office shall maintain accurate records of
2 these costs, and all receipts beyond those necessary to pay such costs
3 shall be used to grant conditional scholarships to eligible students.

4 **Sec. 613.** RCW 28B.108.020 and 2011 1st sp.s. c 11 s 192 are each
5 amended to read as follows:

6 (1) The American Indian endowed scholarship program is created.
7 The program shall be administered by the office. In administering the
8 program, the ~~((board's))~~ office's powers and duties shall include but
9 not be limited to:

10 ~~((+1))~~ (a) Selecting students to receive scholarships, with the
11 assistance of a screening committee composed of persons involved in
12 helping American Indian students to obtain a higher education. The
13 membership of the committee may include, but is not limited to
14 representatives of: Indian tribes, urban Indians, the governor's
15 office of Indian affairs, the Washington state Indian education
16 association, and institutions of higher education;

17 ~~((+2) Adopting necessary rules and guidelines;~~

18 ~~+3))~~ (b) Publicizing the program;

19 ~~((+4))~~ (c) Accepting and depositing donations into the endowment
20 fund created in RCW 28B.108.060;

21 ~~((+5))~~ (d) Requesting from the state investment board and
22 accepting from the state treasurer moneys earned from the endowment
23 fund created in RCW 28B.108.060;

24 ~~((+6))~~ (e) Soliciting and accepting grants and donations from
25 public and private sources for the program; and

26 ~~((+7))~~ (f) Naming scholarships in honor of those American Indians
27 from Washington who have acted as role models.

28 (2) The student achievement council shall adopt necessary rules and
29 guidelines for the American Indian endowed scholarship program.

30 **Sec. 614.** RCW 28B.108.040 and 1990 c 287 s 5 are each amended to
31 read as follows:

32 The ~~((board))~~ office may award scholarships to eligible students
33 from moneys earned from the endowment fund created in RCW 28B.108.060,
34 or from funds appropriated to the ~~((board))~~ office for this purpose, or
35 from any private donations, or from any other funds given to the
36 ~~((board))~~ office for this program. For an undergraduate student, the

1 amount of the scholarship shall not exceed the student's demonstrated
2 financial need. For a graduate student, the amount of the scholarship
3 shall not exceed the student's demonstrated need; or the stipend of a
4 teaching assistant, including tuition, at the University of Washington;
5 whichever is higher. In calculating a student's need, the ((~~board~~))
6 office shall consider the student's costs for tuition, fees, books,
7 supplies, transportation, room, board, personal expenses, and child
8 care. The student's scholarship awarded under this chapter shall not
9 exceed the amount received by a student attending a state research
10 university. A student is eligible to receive a scholarship for a
11 maximum of five years. However, the length of the scholarship shall be
12 determined at the discretion of the ((~~board~~)) office.

13 **Sec. 615.** RCW 28B.116.030 and 2011 1st sp.s. c 11 s 216 are each
14 amended to read as follows:

15 (1) The office may award scholarships to eligible students from the
16 foster care scholarship endowment fund in RCW 28B.116.060, from funds
17 appropriated to the ((~~board~~)) office for this purpose, from any private
18 donations, or from any other funds given to the office for the program.

19 (2) The office may award scholarships to eligible students from
20 moneys earned from the foster care scholarship endowment fund created
21 in RCW 28B.116.060, or from funds appropriated to the ((~~board~~)) office
22 for this purpose, or from any private donations, or from any other
23 funds given to the office for this program. For an undergraduate
24 student, the amount of the scholarship shall not exceed the student's
25 demonstrated financial need. For a graduate student, the amount of the
26 scholarship shall not exceed the student's demonstrated need; or the
27 stipend of a teaching assistant, including tuition, at the University
28 of Washington; whichever is higher. In calculating a student's need,
29 the office shall consider the student's costs for tuition, fees, books,
30 supplies, transportation, room, board, personal expenses, and child
31 care. The student's scholarship awarded under this chapter shall not
32 exceed the amount received by a student attending a state research
33 university. A student is eligible to receive a scholarship for a
34 maximum of five years. However, the length of the scholarship shall be
35 determined at the discretion of the office.

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

1 **Sec. 616.** RCW 28B.117.030 and 2011 1st sp.s. c 11 s 221 are each
2 amended to read as follows:

3 (1) The office shall design and, to the extent funds are
4 appropriated for this purpose, implement, a program of supplemental
5 scholarship and student assistance for students who have emancipated
6 from the state foster care system after having spent at least one year
7 in care.

8 (2) The office shall convene and consult with an advisory committee
9 to assist with program design and implementation. The committee shall
10 include but not be limited to former foster care youth and their
11 advocates; representatives from the state board for community and
12 technical colleges, and from public and private agencies that assist
13 current and former foster care recipients in their transition to
14 adulthood; and student support specialists from public and private
15 colleges and universities.

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

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

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

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

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

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

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

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

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

34 (b) Shall not exceed the student's financial need, less a
35 reasonable self-help amount defined by the (~~board~~) office, when
36 combined with all other public and private grant, scholarship, and
37 waiver assistance the student receives.

1 (5) An eligible student may receive a passport to college
2 scholarship under this section for a maximum of five years after the
3 student first enrolls with an institution of higher education or until
4 the student turns age twenty-six, whichever occurs first. If a student
5 turns age twenty-six during an academic year, and would otherwise be
6 eligible for a scholarship under this section, the student shall
7 continue to be eligible for a scholarship for the remainder of the
8 academic year.

9 (6) The office, in consultation with and with assistance from the
10 state board for community and technical colleges, shall perform an
11 annual analysis to verify that those institutions of higher education
12 at which students have received a scholarship under this section have
13 awarded the student all available need-based and merit-based grant and
14 scholarship aid for which the student qualifies.

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

19 (a) Has a viable plan for identifying students eligible for
20 assistance under this section, for tracking and enhancing their
21 academic progress, for addressing their unique needs for assistance
22 during school vacations and academic interims, and for linking them to
23 appropriate sources of assistance in their transition to adulthood;

24 (b) Receives financial and other incentives for achieving
25 measurable progress in the recruitment, retention, and graduation of
26 eligible students.

27 **PART VII**

28 **MISCELLANEOUS REFERENCES**

29 **Sec. 701.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to
30 read as follows:

31 (1) The building fee for each academic year shall be a percentage
32 of total tuition fees. This percentage shall be calculated by the
33 (~~higher education coordinating board~~) office of financial management
34 and be based on the actual percentage the building fee is of total
35 tuition for each tuition category in the 1994-95 academic year, rounded
36 up to the nearest half percent.

1 (2) The governing boards of each institution of higher education,
2 except for the technical colleges, shall charge to and collect from
3 each student a services and activities fee. A governing board may
4 increase the existing fee annually, consistent with budgeting
5 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
6 the annual percentage increase in student tuition fees for resident
7 undergraduate students: PROVIDED, That such percentage increase shall
8 not apply to that portion of the services and activities fee previously
9 committed to the repayment of bonded debt. These rate adjustments may
10 exceed the fiscal growth factor. For the 2003-04 academic year, the
11 services and activities fee shall be based upon the resident
12 undergraduate services and activities fee in 2002-03. The services and
13 activities fee committee provided for in RCW 28B.15.045 may initiate a
14 request to the governing board for a fee increase.

15 (3) Tuition and services and activities fees consistent with
16 subsection (2) of this section shall be set by the state board for
17 community and technical colleges for community college summer school
18 students unless the community college charges fees in accordance with
19 RCW 28B.15.515.

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

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

31 **Sec. 702.** RCW 28A.600.310 and 2011 1st sp.s. c 10 s 10 are each
32 amended to read as follows:

33 (1) Eleventh and twelfth grade students or students who have not
34 yet received the credits required for the award of a high school
35 diploma and are eligible to be in the eleventh or twelfth grades may
36 apply to a participating institution of higher education to enroll in
37 courses or programs offered by the institution of higher education. A

1 student receiving home-based instruction enrolling in a public high
2 school for the sole purpose of participating in courses or programs
3 offered by institutions of higher education shall not be counted by the
4 school district in any required state or federal accountability
5 reporting if the student's parents or guardians filed a declaration of
6 intent to provide home-based instruction and the student received home-
7 based instruction during the school year before the school year in
8 which the student intends to participate in courses or programs offered
9 by the institution of higher education. Students receiving home-based
10 instruction under chapter 28A.200 RCW and students attending private
11 schools approved under chapter 28A.195 RCW shall not be required to
12 meet the student learning goals, obtain a certificate of academic
13 achievement or a certificate of individual achievement to graduate from
14 high school, or to master the essential academic learning requirements.
15 However, students are eligible to enroll in courses or programs in
16 participating universities only if the board of directors of the
17 student's school district has decided to participate in the program.
18 Participating institutions of higher education, in consultation with
19 school districts, may establish admission standards for these students.
20 If the institution of higher education accepts a secondary school pupil
21 for enrollment under this section, the institution of higher education
22 shall send written notice to the pupil and the pupil's school district
23 within ten days of acceptance. The notice shall indicate the course
24 and hours of enrollment for that pupil.

25 (2)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020
26 and 28B.15.041:

27 (i) Running start students shall pay to the community or technical
28 college all other mandatory fees as established by each community or
29 technical college and, in addition, the state board for community and
30 technical colleges may authorize a fee of up to ten percent of tuition
31 and fees as defined in RCW 28B.15.020 and 28B.15.041; and

32 (ii) All other institutions of higher education operating a running
33 start program may charge running start students a fee of up to ten
34 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041
35 in addition to technology fees.

36 (b) The fees charged under this subsection (2) shall be prorated
37 based on credit load.

1 (3)(a) The institutions of higher education must make available fee
2 waivers for low-income running start students. Each institution must
3 establish a written policy for the determination of low-income students
4 before offering the fee waiver. A student shall be considered low
5 income and eligible for a fee waiver upon proof that the student is
6 currently qualified to receive free or reduced-price lunch. Acceptable
7 documentation of low-income status may also include, but is not limited
8 to, documentation that a student has been deemed eligible for free or
9 reduced-price lunches in the last five years, or other criteria
10 established in the institution's policy.

11 (b) Institutions of higher education, in collaboration with
12 relevant student associations, shall aim to have students who can
13 benefit from fee waivers take advantage of these waivers. Institutions
14 shall make every effort to communicate to students and their families
15 the benefits of the waivers and provide assistance to students and
16 their families on how to apply. Information about waivers shall, to
17 the greatest extent possible, be incorporated into financial aid
18 counseling, admission information, and individual billing statements.
19 Institutions also shall, to the greatest extent possible, use all means
20 of communication, including but not limited to web sites, online
21 catalogues, admission and registration forms, mass e-mail messaging,
22 social media, and outside marketing to ensure that information about
23 waivers is visible, compelling, and reaches the maximum number of
24 students and families that can benefit.

25 (4) The pupil's school district shall transmit to the institution
26 of higher education an amount per each full-time equivalent college
27 student at statewide uniform rates for vocational and nonvocational
28 students. The superintendent of public instruction shall separately
29 calculate and allocate moneys appropriated for basic education under
30 RCW 28A.150.260 to school districts for purposes of making such
31 payments and for granting school districts seven percent thereof to
32 offset program related costs. The calculations and allocations shall
33 be based upon the estimated statewide annual average per full-time
34 equivalent high school student allocations under RCW 28A.150.260,
35 excluding small high school enhancements, and applicable rules adopted
36 under chapter 34.05 RCW. The superintendent of public instruction,
37 (~~the higher education coordinating board~~) participating institutions
38 of higher education, and the state board for community and technical

1 colleges shall consult on the calculation and distribution of the
2 funds. The funds received by the institution of higher education from
3 the school district shall not be deemed tuition or operating fees and
4 may be retained by the institution of higher education. A student
5 enrolled under this subsection shall be counted for the purpose of
6 meeting enrollment targets in accordance with terms and conditions
7 specified in the omnibus appropriations act.

8 (5) The state board for community and technical colleges, in
9 collaboration with the other institutions of higher education that
10 participate in the running start program and the office of the
11 superintendent of public instruction, shall identify, assess, and
12 report on alternatives for providing ongoing and adequate financial
13 support for the program. Such alternatives shall include but are not
14 limited to student tuition, increased support from local school
15 districts, and reallocation of existing state financial support among
16 the community and technical college system to account for differential
17 running start enrollment levels and impacts. The state board for
18 community and technical colleges shall report the assessment of
19 alternatives to the governor and to the appropriate fiscal and policy
20 committees of the legislature by September 1, 2010.

21 **Sec. 703.** RCW 28B.15.380 and 2010 c 261 s 4 are each amended to
22 read as follows:

23 Subject to the limitations of RCW 28B.15.910, the governing boards
24 of the state universities, the regional universities, and The Evergreen
25 State College shall exempt the following students from the payment of
26 all tuition fees and services and activities fees:

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

35 (2) Surviving spouses of any law enforcement officer as defined in
36 chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24
37 RCW, or Washington state patrol officer who lost his or her life or

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

4 (3) The governing boards of the state universities, the regional
5 universities, and The Evergreen State College shall report to the
6 (~~higher education coordinating board~~) education data center on the
7 annual cost of tuition fees and services and activities fees waived for
8 surviving spouses and children under this section. The (~~higher
9 education coordinating board~~) education data center shall consolidate
10 the reports of the waived fees and annually report to the appropriate
11 fiscal and policy committees of the legislature.

12 **Sec. 704.** 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 governing boards of the respective individual institutions of higher
21 education (~~coordinating board~~) and appropriate officials and agencies
22 in Oregon granting similar waivers for residents of the state of
23 Washington.

24 **Sec. 705.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to
25 read as follows:

26 The (~~higher education coordinating board~~) governing boards of the
27 state universities, the regional universities, The Evergreen State
28 College, and the community and technical colleges may enter into an
29 agreement with appropriate officials or agencies in Oregon to implement
30 the provisions of RCW 28B.15.730 through 28B.15.734.

31 **Sec. 706.** 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 governing boards of the individual
4 institutions of higher education (~~(coordinating board)~~) and appropriate
5 officials and agencies in Idaho granting similar waivers for residents
6 of the state of Washington.

7 **Sec. 707.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended
8 to read as follows:

9 Subject to the limitations of RCW 28B.15.910, the governing boards
10 of the state universities, the regional universities, and The Evergreen
11 State College and the state board for community and technical colleges
12 may waive all or a portion of the nonresident tuition fees differential
13 for residents of the Canadian province of British Columbia, upon
14 completion of and to the extent permitted by an agreement between the
15 governing boards of the individual institutions of higher education
16 (~~(coordinating board)~~) and appropriate officials and agencies in the
17 Canadian province of British Columbia providing for enrollment
18 opportunities for residents of the state of Washington without payment
19 of tuition or fees in excess of those charged to residents of British
20 Columbia.

21 **Sec. 708.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are
22 each reenacted and amended to read as follows:

23 (1) The Washington state economic development commission shall,
24 with the advice of an innovation partnership advisory group selected by
25 the commission:

26 (a) Provide information and advice to the department of commerce to
27 assist in the implementation of the innovation partnership zone
28 program, including criteria to be used in the selection of grant
29 applicants for funding;

30 (b) Document clusters of companies throughout the state that have
31 comparative competitive advantage or the potential for comparative
32 competitive advantage, using the process and criteria for identifying
33 strategic clusters developed by the working group specified in
34 subsection (2) of this section;

35 (c) Conduct an innovation opportunity analysis to identify (i) the
36 strongest current intellectual assets and research teams in the state

1 focused on emerging technologies and their commercialization, and (ii)
2 faculty and researchers that could increase their focus on
3 commercialization of technology if provided the appropriate technical
4 assistance and resources;

5 (d) Based on its findings and analysis, and in conjunction with the
6 (~~higher education coordinating board and~~) research institutions:

7 (i) Develop a plan to build on existing, and develop new,
8 intellectual assets and innovation research teams in the state in
9 research areas where there is a high potential to commercialize
10 technologies. The commission shall present the plan to the governor
11 and legislature by December 31, 2009. The (~~higher education~~
12 ~~coordinating board~~) publicly funded research institutions in the state
13 shall be responsible for implementing the plan (~~in conjunction with~~
14 ~~the publicly funded research institutions in the state~~). The plan
15 shall address the following elements and such other elements as the
16 commission deems important:

17 (A) Specific mechanisms to support, enhance, or develop innovation
18 research teams and strengthen their research and commercialization
19 capacity in areas identified as useful to strategic clusters and
20 innovative firms in the state;

21 (B) Identification of the funding necessary for laboratory
22 infrastructure needed to house innovation research teams;

23 (C) Specification of the most promising research areas meriting
24 enhanced resources and recruitment of significant entrepreneurial
25 researchers to join or lead innovation research teams;

26 (D) The most productive approaches to take in the recruitment, in
27 the identified promising research areas, of a minimum of ten
28 significant entrepreneurial researchers over the next ten years to join
29 or lead innovation research teams;

30 (E) Steps to take in solicitation of private sector support for the
31 recruitment of entrepreneurial researchers and the commercialization
32 activity of innovation research teams; and

33 (F) Mechanisms for ensuring the location of innovation research
34 teams in innovation partnership zones;

35 (ii) Provide direction for the development of comprehensive
36 entrepreneurial assistance programs at research institutions. The
37 programs may involve multidisciplinary students, faculty,
38 entrepreneurial researchers, entrepreneurs, and investors in building

1 business models and evolving business plans around innovative ideas.
2 The programs may provide technical assistance and the support of an
3 entrepreneur-in-residence to innovation research teams and offer
4 entrepreneurial training to faculty, researchers, undergraduates, and
5 graduate students. Curriculum leading to a certificate in
6 entrepreneurship may also be offered;

7 (e) Develop performance measures to be used in evaluating the
8 performance of innovation research teams, the implementation of the
9 plan and programs under (d)(i) and (ii) of this subsection, and the
10 performance of innovation partnership zone grant recipients, including
11 but not limited to private investment measures, business initiation
12 measures, job creation measures, and measures of innovation such as
13 licensing of ideas in research institutions, patents, or other
14 recognized measures of innovation. The performance measures developed
15 shall be consistent with the economic development commission's
16 comprehensive plan for economic development and its standards and
17 metrics for program evaluation. The commission shall report to the
18 legislature and the governor by June 30, 2009, on the measures
19 developed; and

20 (f) Using the performance measures developed, perform a biennial
21 assessment and report, the first of which shall be due December 31,
22 2012, on:

23 (i) Commercialization of technologies developed at state
24 universities, found at other research institutions in the state, and
25 facilitated with public assistance at existing companies;

26 (ii) Outcomes of the funding of innovation research teams and
27 recruitment of significant entrepreneurial researchers;

28 (iii) Comparison with other states of Washington's outcomes from
29 the innovation research teams and efforts to recruit significant
30 entrepreneurial researchers; and

31 (iv) Outcomes of the grants for innovation partnership zones.
32 The report shall include recommendations for modifications of chapter
33 227, Laws of 2007 and of state commercialization efforts that would
34 enhance the state's economic competitiveness.

35 (2) The economic development commission and the workforce training
36 and education coordinating board shall jointly convene a working group
37 to:

1 (a) Specify the process and criteria for identification of substate
2 geographic concentrations of firms or employment in an industry and the
3 industry's customers, suppliers, supporting businesses, and
4 institutions, which process will include the use of labor market
5 information from the employment security department and local labor
6 markets; and

7 (b) Establish criteria for identifying strategic clusters which are
8 important to economic prosperity in the state, considering cluster
9 size, growth rate, and wage levels among other factors.

10 **PART VIII**
11 **DELETED REFERENCES**

12 **Sec. 801.** RCW 28A.175.130 and 2011 c 288 s 2 are each amended to
13 read as follows:

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

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

29 **Sec. 802.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to
30 read as follows:

31 (1) The superintendent of public instruction, the state board for
32 community and technical colleges, (~~the higher education coordinating~~
33 ~~board,~~) and the public baccalaureate institutions shall jointly
34 develop and each adopt rules governing the college in the high school
35 program. The association of Washington school principals shall be

1 consulted during the rules development. The rules shall be written to
2 encourage the maximum use of the program and may not narrow or limit
3 the enrollment options.

4 (2) College in the high school programs shall each be governed by
5 a local contract between the district and the institution of higher
6 education, in compliance with the guidelines adopted by the
7 superintendent of public instruction, the state board for community and
8 technical colleges, and the public baccalaureate institutions.

9 (3) The college in the high school program must include the
10 provisions in this subsection.

11 (a) The high school and institution of higher education together
12 shall define the criteria for student eligibility. The institution of
13 higher education may charge tuition fees to participating students.

14 (b) School districts shall report no student for more than one
15 full-time equivalent including college in the high school courses.

16 (c) The funds received by the institution of higher education may
17 not be deemed tuition or operating fees and may be retained by the
18 institution of higher education.

19 (d) Enrollment information on persons registered under this section
20 must be maintained by the institution of higher education separately
21 from other enrollment information and may not be included in official
22 enrollment reports, nor may such persons be considered in any
23 enrollment statistics that would affect higher education budgetary
24 determinations.

25 (e) A school district must grant high school credit to a student
26 enrolled in a program course if the student successfully completes the
27 course. If no comparable course is offered by the school district, the
28 school district superintendent shall determine how many credits to
29 award for the course. The determination shall be made in writing
30 before the student enrolls in the course. The credits shall be applied
31 toward graduation requirements and subject area requirements. Evidence
32 of successful completion of each program course shall be included in
33 the student's secondary school records and transcript.

34 (f) An institution of higher education must grant college credit to
35 a student enrolled in a program course if the student successfully
36 completes the course. The college credit shall be applied toward
37 general education requirements or major requirements. If no comparable
38 course is offered by the college, the institution of higher education

1 at which the teacher of the program course is employed shall determine
2 how many credits to award for the course and whether the course
3 fulfills general education or major requirements. Evidence of
4 successful completion of each program course must be included in the
5 student's college transcript.

6 (g) Eleventh and twelfth grade students or students who have not
7 yet received a high school diploma or its equivalent and are eligible
8 to be in the eleventh or twelfth grades may participate in the college
9 in the high school program.

10 (h) Participating school districts must provide general information
11 about the college in the high school program to all students in grades
12 ten, eleven, and twelve and to the parents and guardians of those
13 students.

14 (i) Full-time and part-time faculty at institutions of higher
15 education, including adjunct faculty, are eligible to teach program
16 courses.

17 (4) The definitions in this subsection apply throughout this
18 section.

19 (a) "Institution of higher education" has the meaning in RCW
20 28B.10.016 and also includes a public tribal college located in
21 Washington and accredited by the Northwest commission on colleges and
22 universities or another accrediting association recognized by the
23 United States department of education.

24 (b) "Program course" means a college course offered in a high
25 school under the college in the high school program.

26 **Sec. 803.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to
27 read as follows:

28 (1) The office of the superintendent of public instruction, in
29 consultation with the workforce training and education coordinating
30 board, the Washington state apprenticeship and training council, and
31 the state board for community and technical colleges, shall develop a
32 list of statewide high-demand programs for secondary career and
33 technical education. The list shall be developed using the high-demand
34 list maintained by workforce development councils in consultation with
35 the employment security department, and the high employer demand
36 programs of study identified by the workforce training and education
37 coordinating board(~~(, and the high employer demand programs of study~~

1 ~~identified by the higher education coordinating board~~). Local school
2 districts may recommend additional high-demand programs in consultation
3 with local career and technical education advisory committees by
4 submitting evidence of local high demand.

5 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,
6 and 28A.700.060, and section 307 of this act:

7 (a) "High-demand program" means a career and technical education
8 program that prepares students for either a high employer demand
9 program of study or a high-demand occupation, or both.

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

16 (c) "High-demand occupation" means an occupation with a substantial
17 number of current or projected employment opportunities.

18 **Sec. 804.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to
19 read as follows:

20 (1) The office of the superintendent of public instruction, the
21 workforce training and education coordinating board, the state board
22 for community and technical colleges, (~~the — higher — education~~
23 ~~coordinating board,~~) and the council of presidents shall work with
24 local school districts, workforce education programs in colleges, tech
25 prep consortia, and four-year institutions of higher education to
26 develop model career and technical education programs of study as
27 described by this section.

28 (2) Career and technical education programs of study:

29 (a) Incorporate secondary and postsecondary education elements;

30 (b) Include coherent and rigorous academic content aligned with
31 state learning standards and relevant career and technical content in
32 a coordinated, nonduplicative progression of courses that are aligned
33 with postsecondary education in a related field;

34 (c) Include opportunities for students to earn dual high school and
35 college credit; and

36 (d) Lead to an industry-recognized credential or certificate at the
37 postsecondary level, or an associate or baccalaureate degree.

1 (3) During the 2008-09 school year, model career and technical
2 education programs of study shall be developed for the following
3 high-demand programs: Construction, health care, and information
4 technology. Each school year thereafter, the office of the
5 superintendent of public instruction, the state board for community and
6 technical colleges, (~~the higher education coordinating board,~~) and
7 the workforce training and education coordinating board shall select
8 additional programs of study to develop, with a priority on high-demand
9 programs as identified under RCW 28A.700.020.

10 **Sec. 805.** RCW 28B.20.130 and 2010 c 51 s 1 are each amended to
11 read as follows:

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

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

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

19 (3) Establish entrance requirements for students seeking admission
20 to the university (~~which meet or exceed the standards specified under~~
21 ~~RCW 28B.76.290(2)~~). Completion of examinations satisfactory to the
22 university may be a prerequisite for entrance by any applicant at the
23 university's discretion. Evidence of completion of public high schools
24 and other educational institutions whose courses of study meet the
25 approval of the university may be acceptable for entrance.

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

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

32 (6) Grant to students such certificates or degrees as recommended
33 for such students by the faculty. The board, upon recommendation of
34 the faculty, may also confer honorary degrees upon persons other than
35 graduates of this university in recognition of their learning or
36 devotion to literature, art, or science: PROVIDED, That no degree

1 shall ever be conferred in consideration of the payment of money or the
2 giving of property of whatsoever kind.

3 (7) Accept such gifts, grants, conveyances, bequests, and devises,
4 whether real or personal property, or both, in trust or otherwise, for
5 the use or benefit of the university, its colleges, schools,
6 departments, or agencies; and sell, lease or exchange, invest or expend
7 the same or the proceeds, rents, profits, and income thereof except as
8 limited by the terms of said gifts, grants, conveyances, bequests, and
9 devises. The board shall adopt proper rules to govern and protect the
10 receipt and expenditure of the proceeds of all fees, and the proceeds,
11 rents, profits, and income of all gifts, grants, conveyances, bequests,
12 and devises above-mentioned.

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

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

17 (10) (~~Subject to the approval of the higher education coordinating~~
18 ~~board pursuant to RCW 28B.76.230,~~) To offer new degree programs, offer
19 off-campus programs, participate in consortia or centers, contract for
20 off-campus educational programs, and purchase or lease major off-campus
21 facilities.

22 (11) To confer honorary degrees upon persons who request an
23 honorary degree if they were students at the university in 1942 and did
24 not graduate because they were ordered into an internment camp. The
25 honorary degree may also be requested by a representative of deceased
26 persons who meet these requirements. For the purposes of this
27 subsection, "internment camp" means a relocation center to which
28 persons were ordered evacuated by Presidential Executive Order 9066,
29 signed February 19, 1942.

30 **Sec. 806.** RCW 28B.30.150 and 2010 c 51 s 2 are each amended to
31 read as follows:

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

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

36 (2) Employ the president of the university, his or her assistants,

1 members of the faculty, and employees of the university, who, except as
2 otherwise provided by law, shall hold their positions during the
3 pleasure of said board of regents.

4 (3) Establish entrance requirements for students seeking admission
5 to the university (~~(which meet or exceed the standards specified under~~
6 ~~RCW 28B.76.290(2))~~). Completion of examinations satisfactory to the
7 university may be a prerequisite for entrance by any applicant, at the
8 university's discretion. Evidence of completion of public high schools
9 and other educational institutions whose courses of study meet the
10 approval of the university may be acceptable for entrance.

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

14 (5) (~~(Subject to the approval of the higher education coordinating~~
15 ~~board pursuant to RCW 28B.76.230,)~~) Offer new degree programs, offer
16 off-campus programs, participate in consortia or centers, contract for
17 off-campus educational programs, and purchase or lease major off-campus
18 facilities.

19 (6) With the assistance of the faculty of the university, prescribe
20 the courses of instruction in the various colleges, schools, and
21 departments of the institution and publish the necessary catalogues
22 thereof.

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

26 (8) Provide for holding agricultural institutes including farm
27 marketing forums.

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

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

34 (11) Establish a department of elementary science and in connection
35 therewith provide instruction in elementary mathematics, including
36 elementary trigonometry, elementary mechanics, elementary and
37 mechanical drawing, and land surveying.

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

14 (13) Establish agricultural experiment stations in connection with
15 the department of agriculture, including at least one in the western
16 portion of the state, and appoint the officers and prescribe
17 regulations for their management.

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

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

25 (16) Adopt plans and specifications for university buildings and
26 facilities or improvements thereto and employ skilled architects and
27 engineers to prepare such plans and specifications and supervise the
28 construction of buildings or facilities which the board is authorized
29 to erect, and fix the compensation for such services. The board shall
30 enter into contracts with one or more contractors for such suitable
31 buildings, facilities, or improvements as the available funds will
32 warrant, upon the most advantageous terms offered at a public
33 competitive letting, pursuant to public notice under rules established
34 by the board. The board shall require of all persons with whom they
35 contract for construction and improvements a good and sufficient bond
36 for the faithful performance of the work and full protection against
37 all liens.

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

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

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

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

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

25 (22) Supervise and control the agricultural experiment station at
26 Puyallup.

27 (23) Establish and maintain at Wenatchee an agricultural experiment
28 substation for the purpose of conducting investigational work upon the
29 principles and practices of orchard culture, spraying, fertilization,
30 pollenization, new fruit varieties, fruit diseases and pests, by-
31 products, marketing, management, and general horticultural problems.

32 (24) Accept such gifts, grants, conveyances, devises, and bequests,
33 whether real or personal property, in trust or otherwise, for the use
34 or benefit of the university, its colleges, schools, or departments;
35 and sell, lease or exchange, invest or expend the same or the proceeds,
36 rents, profits, and income thereof except as limited by the terms of
37 said gifts, grants, conveyances, bequests, and devises; and adopt

1 proper rules to govern and protect the receipt and expenditure of the
2 proceeds of all fees, and the proceeds, rents, profits, and income of
3 all gifts, grants, conveyances, bequests, and devises.

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

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

20 (27) Confer honorary degrees upon persons who request an honorary
21 degree if they were students at the university in 1942 and did not
22 graduate because they were ordered into an internment camp. The
23 honorary degree may also be requested by a representative of deceased
24 persons who meet these requirements. For the purposes of this
25 subsection, "internment camp" means a relocation center to which
26 persons were ordered evacuated by Presidential Executive Order 9066,
27 signed February 19, 1942.

28 **Sec. 807.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to
29 read as follows:

30 (1) A global Asia institute is created within the Henry M. Jackson
31 School of International Studies. The mission of the institute is to
32 promote the understanding of Asia and its interactions with Washington
33 state and the world. The institute shall host visiting scholars and
34 policymakers, sponsor programs and learning initiatives, engage in
35 collaborative research projects, and facilitate broader understanding
36 and cooperation between the state of Washington and Asia through

1 general public programs and targeted collaborations with specific
2 communities in the state.

3 (2) Within existing resources, a global Asia institute advisory
4 board is established. The director of the Henry M. Jackson School of
5 International Studies shall appoint members of the advisory board and
6 determine the advisory board's roles and responsibilities. The board
7 shall include members representing academia, business, and government.

8 ~~((3) The higher education coordinating board may solicit, accept,
9 receive, and administer federal funds or private funds, in trust or
10 otherwise, and contract with foundations or with for-profit or
11 nonprofit organizations to support the purposes of this section.))~~

12 **Sec. 808.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to
13 read as follows:

14 ~~((1))~~ A University of Washington center for human rights is
15 created. The mission of the center is to expand opportunities for
16 Washington residents to receive a world-class education in human
17 rights, generate research data and expert knowledge to enhance public
18 and private policymaking, and become an academic center for human
19 rights teaching and research in the nation. The center shall align
20 with the founding principles and philosophies of the United States of
21 America and engage faculty, staff, and students in service to enhance
22 the promise of life and liberty as outlined in the Preamble of the
23 United States Constitution. Key substantive issues for the center
24 include: The rights of all persons to security against violence; the
25 rights of immigrants, native Americans, and ethnic or religious
26 minorities; human rights and the environment; health as a human right;
27 human rights and trade; the human rights of working people; and women's
28 rights as human rights. State funds may not be used to support the
29 center for human rights created in this section.

30 ~~((2) The higher education coordinating board and the University of
31 Washington may solicit, accept, receive, and administer federal funds
32 or private funds, in trust or otherwise, and contract with foundations
33 or with for-profit or nonprofit organizations to support the purposes
34 of this section.))~~

35 **Sec. 809.** RCW 28B.30.530 and 2010 c 165 s 3 are each amended to
36 read as follows:

1 (1) The board of regents of Washington State University shall
2 establish the Washington State University small business development
3 center.

4 (2) The center shall provide management and technical assistance
5 including but not limited to training, counseling, and research
6 services to small businesses throughout the state. The center shall
7 work with the department of commerce, the state board for community and
8 technical colleges, (~~the higher education coordinating board,~~) the
9 workforce training and education coordinating board, the employment
10 security department, the Washington state economic development
11 commission, associate development organizations, and workforce
12 development councils to:

13 (a) Integrate small business development centers with other state
14 and local economic development and workforce development programs;

15 (b) Target the centers' services to small businesses;

16 (c) Tailor outreach and services at each center to the needs and
17 demographics of entrepreneurs and small businesses located within the
18 service area;

19 (d) Establish and expand small business development center
20 satellite offices when financially feasible; and

21 (e) Coordinate delivery of services to avoid duplication.

22 (3) The administrator of the center may contract with other public
23 or private entities for the provision of specialized services.

24 (4) The small business development center may accept and disburse
25 federal grants or federal matching funds or other funds or donations
26 from any source when made, granted, or donated to carry out the
27 center's purposes. When drawing on funds from the business assistance
28 account created in RCW 28B.30.531, the center must first use the funds
29 to make increased management and technical assistance available to
30 existing small businesses and start-up businesses at satellite offices.
31 The funds may also be used to develop and expand assistance programs
32 such as small business planning workshops and small business
33 counseling.

34 (5) By December 1, 2010, the center shall provide a written
35 progress report and a final report to the appropriate committees of the
36 legislature with respect to the requirements in subsection (2) of this
37 section and the amount and use of funding received through the business
38 assistance account. The reports must also include data on the number,

1 location, staffing, and budget levels of satellite offices;
2 affiliations with community colleges, associate development
3 organizations or other local organizations; the number, size, and type
4 of small businesses assisted; and the types of services provided. The
5 reports must also include information on the outcomes achieved, such as
6 jobs created or retained, private capital invested, and return on the
7 investment of state and federal dollars.

8 (6)(a) Subject to the availability of amounts appropriated for this
9 specific purpose, by December 1, 2010, the center, in conjunction with
10 the department of commerce, must prepare and present to the governor
11 and appropriate legislative committees a specific, actionable plan to
12 increase access to capital and technical assistance to small businesses
13 and entrepreneurs beginning with the 2011-2013 biennium. In developing
14 the plan, the center and the department may consult with the Washington
15 state microenterprise association, and with other government,
16 nonprofit, and private organizations as necessary. The plan must
17 identify:

18 (i) Existing sources of capital and technical assistance for small
19 businesses and entrepreneurs;

20 (ii) Critical gaps and barriers to availability of capital and
21 delivery of technical assistance to small businesses and entrepreneurs;

22 (iii) Workable solutions to filling the gaps and removing barriers
23 identified in (a)(ii) of this subsection; and

24 (iv) The financial resources and statutory changes necessary to put
25 the plan into effect beginning with the 2011-2013 biennium.

26 (b) With respect to increasing access to capital, the plan must
27 identify specific, feasible sources of capital and practical mechanisms
28 for expanding access to it.

29 (c) The center and the department must include, within the analysis
30 and recommendations in (a) of this subsection, any specific gaps,
31 barriers, and solutions related to rural and low-income communities and
32 small manufacturers interested in exporting.

33 **Sec. 810.** RCW 28B.35.120 and 2011 c 336 s 728 are each amended to
34 read as follows:

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

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

3 (2) Shall employ the president of the regional university, his or
4 her assistants, members of the faculty, and other employees of the
5 institution, who, except as otherwise provided by law, shall hold their
6 positions, until discharged therefrom by the board for good and lawful
7 reason.

8 (3) With the assistance of the faculty of the regional university,
9 shall prescribe the course of study in the various schools and
10 departments thereof and publish such catalogues thereof as the board
11 deems necessary: PROVIDED, That the Washington professional educator
12 standards board shall determine the requisites for and give program
13 approval of all courses leading to teacher certification by such board.

14 (4) May establish such divisions, schools, or departments necessary
15 to carry out the purposes of the regional university and not otherwise
16 proscribed by law.

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

20 (6) May acquire real and other property as provided in RCW
21 28B.10.020, as now or hereafter amended.

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

25 (8) May establish, lease, operate, equip, and maintain self-
26 supporting facilities in the manner provided in RCW 28B.10.300 through
27 28B.10.330, as now or hereafter amended.

28 (9) Except as otherwise provided by law, (~~to~~) shall enter into
29 such contracts as the trustees deem essential to regional university
30 purposes.

31 (10) May receive such gifts, grants, conveyances, devises, and
32 bequests of real or personal property from whatsoever source, as may be
33 made from time to time, in trust or otherwise, whenever the terms and
34 conditions thereof will aid in carrying out the regional university
35 programs; sell, lease, or exchange, invest or expend the same or the
36 proceeds, rents, profits, and income thereof except as limited by the
37 terms and conditions thereof; and adopt regulations to govern the

1 receipt and expenditure of the proceeds, rents, profits, and income
2 thereof.

3 ~~(11) ((Subject to the approval of the higher education coordinating~~
4 ~~board pursuant to RCW 28B.76.230,))~~ May offer new degree programs,
5 offer off-campus programs, participate in consortia or centers,
6 contract for off-campus educational programs, and purchase or lease
7 major off-campus facilities.

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

12 **Sec. 811.** RCW 28B.35.202 and 2011 c 136 s 1 are each amended to
13 read as follows:

14 The board of trustees of Eastern Washington University may offer
15 educational specialist degrees (~~(subject to review and approval by the~~
16 ~~higher education coordinating board)~~).

17 **Sec. 812.** RCW 28B.35.205 and 2010 c 51 s 3 are each amended to
18 read as follows:

19 (1) In addition to all other powers and duties given to them by
20 law, Central Washington University, Eastern Washington University, and
21 Western Washington University are hereby authorized to grant any degree
22 through the master's degree to any student who has completed a program
23 of study and/or research in those areas which are determined by the
24 faculty and board of trustees of the college to be appropriate for the
25 granting of such degree(~~(:—PROVIDED,—That—before—any—degree—is~~
26 ~~authorized under this section it shall be subject to the review and~~
27 ~~approval of the higher education coordinating board)~~).

28 (2) The board of trustees, upon recommendation of the faculty, may
29 also confer honorary bachelor's, master's, or doctorate level degrees
30 upon persons in recognition of their learning or devotion to education,
31 literature, art, or science. No degree may be conferred in
32 consideration of the payment of money or the donation of any kind of
33 property.

34 (3) The board of trustees may also confer honorary degrees upon
35 persons who request an honorary degree if they were students at the
36 university in 1942 and did not graduate because they were ordered into

1 an internment camp. The honorary degree may also be requested by a
2 representative of deceased persons who meet these requirements. For
3 the purposes of this subsection, "internment camp" means a relocation
4 center to which persons were ordered evacuated by Presidential
5 Executive Order 9066, signed February 19, 1942.

6 **Sec. 813.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to
7 read as follows:

8 The board of trustees of Eastern Washington University may offer
9 applied, but not research, doctorate level degrees in physical therapy
10 subject to review (~~and approval by the higher education coordinating~~
11 ~~board~~)).

12 **Sec. 814.** RCW 28B.40.120 and 2011 c 336 s 734 are each amended to
13 read as follows:

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

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

18 (2) Shall employ the president of the state college, his or her
19 assistants, members of the faculty, and other employees of the
20 institution, who, except as otherwise provided by law, shall hold their
21 positions, until discharged therefrom by the board for good and lawful
22 reason.

23 (3) With the assistance of the faculty of the state college, shall
24 prescribe the course of study in the various schools and departments
25 thereof and publish such catalogues thereof as the board deems
26 necessary: PROVIDED, That the Washington professional educator
27 standards board shall determine the requisites for and give program
28 approval of all courses leading to teacher certification by such board.

29 (4) May establish such divisions, schools, or departments necessary
30 to carry out the purposes of the college and not otherwise proscribed
31 by law.

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

35 (6) May acquire real and other property as provided in RCW
36 28B.10.020, as now or hereafter amended.

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

4 (8) May establish, lease, operate, equip, and maintain self-
5 supporting facilities in the manner provided in RCW 28B.10.300 through
6 28B.10.330, as now or hereafter amended.

7 (9) Except as otherwise provided by law, ~~((to))~~ shall enter into
8 such contracts as the trustees deem essential to college purposes.

9 (10) May receive such gifts, grants, conveyances, devises, and
10 bequests of real or personal property from whatsoever source, as may be
11 made from time to time, in trust or otherwise, whenever the terms and
12 conditions thereof will aid in carrying out the college programs; sell,
13 lease, or exchange, invest or expend the same or the proceeds, rents,
14 profits, and income thereof except as limited by the terms and
15 conditions thereof; and adopt regulations to govern the receipt and
16 expenditure of the proceeds, rents, profits, and income thereof.

17 (11) ~~((Subject to the approval of the higher education coordinating
18 board pursuant to RCW 28B.76.230,))~~ May offer new degree programs,
19 offer off-campus programs, participate in consortia or centers,
20 contract for off-campus educational programs, and purchase or lease
21 major off-campus facilities.

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

26 **Sec. 815.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to
27 read as follows:

28 In addition to all other powers and duties given to them by law,
29 the board of trustees of The Evergreen State College is hereby
30 authorized to grant any degree through the master's degree to any
31 student who has completed a program of study and/or research in those
32 areas which are determined by the faculty and board of trustees of the
33 college to be appropriate for the granting of such degree(~~(+ PROVIDED,
34 That any degree authorized under this section shall be subject to the
35 review and approval of the higher education coordinating board))~~).

36 The board of trustees, upon recommendation of the faculty, may also
37 confer honorary bachelor's or master's degrees upon persons other than

1 graduates of the institution, in recognition of their learning or
2 devotion to education, literature, art, or science. No degree may be
3 conferred in consideration of the payment of money or the donation of
4 any kind of property.

5 **Sec. 816.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each
6 amended to read as follows:

7 Central Washington University is responsible for providing upper-
8 division and graduate level higher education programs to the citizens
9 of the Yakima area(~~(, under rules or guidelines adopted by the higher~~
10 ~~education coordinating board)~~).

11 **Sec. 817.** RCW 43.09.440 and 2005 c 385 s 5 are each amended to
12 read as follows:

13 (1) The board and the state auditor shall collaborate with the
14 joint legislative audit and review committee regarding performance
15 audits of state government.

16 (a) The board shall establish criteria for performance audits
17 consistent with the criteria and standards followed by the joint
18 legislative audit and review committee. This criteria shall include,
19 at a minimum, the auditing standards of the United States government
20 accountability office, as well as legislative mandates and performance
21 objectives established by state agencies and the legislature. Mandates
22 include, but are not limited to, agency strategies, timelines, program
23 objectives, and mission and goals as required in RCW 43.88.090.

24 (b) Using the criteria developed in (a) of this subsection, the
25 state auditor shall contract for a statewide performance review to be
26 completed as expeditiously as possible as a preliminary to a draft work
27 plan for conducting performance audits. The board and the state
28 auditor shall develop a schedule and common methodology for conducting
29 these reviews. The purpose of these performance reviews is to identify
30 those agencies, programs, functions, or activities most likely to
31 benefit from performance audits and to identify likely areas warranting
32 early review, taking into account prior performance audits, if any, and
33 prior fiscal audits.

34 (c) The board and the state auditor shall develop the draft work
35 plan for performance audits based on input from citizens, state
36 employees, including front-line employees, state managers, chairs and

1 ranking members of appropriate legislative committees, the joint
2 legislative audit and review committee, public officials, and others.
3 The draft work plan may include a list of agencies, programs, or
4 systems to be audited on a timeline decided by the board and the state
5 auditor based on a number of factors including risk, importance, and
6 citizen concerns. When putting together the draft work plan, there
7 should be consideration of all audits and reports already required. On
8 average, audits shall be designed to be completed as expeditiously as
9 possible.

10 (d) Before adopting the final work plan, the board shall consult
11 with the legislative auditor and other appropriate oversight and audit
12 entities to coordinate work plans and avoid duplication of effort in
13 their planned performance audits of state government agencies. The
14 board shall defer to the joint legislative audit and review committee
15 work plan if a similar audit is included on both work plans for
16 auditing.

17 (e) The state auditor shall contract out for performance audits.
18 In conducting the audits, agency front-line employees and internal
19 auditors should be involved.

20 (f) All audits must include consideration of reports prepared by
21 other government oversight entities.

22 (g) The audits may include:

23 (i) Identification of programs and services that can be eliminated,
24 reduced, consolidated, or enhanced;

25 (ii) Identification of funding sources to the state agency, to
26 programs, and to services that can be eliminated, reduced,
27 consolidated, or enhanced;

28 (iii) Analysis of gaps and overlaps in programs and services and
29 recommendations for improving, dropping, blending, or separating
30 functions to correct gaps or overlaps;

31 (iv) Analysis and recommendations for pooling information
32 technology systems used within the state agency, and evaluation of
33 information processing and telecommunications policy, organization, and
34 management;

35 (v) Analysis of the roles and functions of the state agency, its
36 programs, and its services and their compliance with statutory
37 authority and recommendations for eliminating or changing those roles
38 and functions and ensuring compliance with statutory authority;

1 (vi) Recommendations for eliminating or changing statutes, rules,
2 and policy directives as may be necessary to ensure that the agency
3 carry out reasonably and properly those functions vested in the agency
4 by statute;

5 (vii) Verification of the reliability and validity of agency
6 performance data, self-assessments, and performance measurement systems
7 as required under RCW 43.88.090;

8 (viii) Identification of potential cost savings in the state
9 agency, its programs, and its services;

10 (ix) Identification and recognition of best practices;

11 (x) Evaluation of planning, budgeting, and program evaluation
12 policies and practices;

13 (xi) Evaluation of personnel systems operation and management;

14 (xii) Evaluation of state purchasing operations and management
15 policies and practices; and

16 (xiii) Evaluation of organizational structure and staffing levels,
17 particularly in terms of the ratio of managers and supervisors to
18 nonmanagement personnel.

19 (h) The state auditor must solicit comments on preliminary
20 performance audit reports from the audited state agency, the office of
21 the governor, the office of financial management, the board, the chairs
22 and ranking members of appropriate legislative committees, and the
23 joint legislative audit and review committee for comment. Comments
24 must be received within thirty days after receipt of the preliminary
25 performance audit report unless a different time period is approved by
26 the state auditor. All comments shall be incorporated into the final
27 performance audit report. The final performance audit report shall
28 include the objectives, scope, and methodology; the audit results,
29 including findings and recommendations; conclusions; and identification
30 of best practices.

31 (i) The board and the state auditor shall jointly release final
32 performance audit reports to the governor, the citizens of Washington,
33 the joint legislative audit and review committee, and the appropriate
34 standing legislative committees. Final performance audit reports shall
35 be posted on the internet.

36 (j) For institutions of higher education, performance audits shall
37 not duplicate, and where applicable, shall make maximum use of existing
38 audit records, accreditation reviews, and performance measures required

1 by the office of financial management(~~(7—the—higher—education~~
2 ~~coordinating—board,)~~) and nationally or regionally recognized
3 accreditation organizations including accreditation of hospitals
4 licensed under chapter 70.41 RCW and ambulatory care facilities.

5 (2) The citizen board created under RCW 44.75.030 shall be
6 responsible for performance audits for transportation related agencies
7 as defined under RCW 44.75.020.

8 **Sec. 818.** RCW 43.43.934 and 2010 1st sp.s. c 7 s 45 are each
9 amended to read as follows:

10 The director of fire protection shall:

11 (1)(a)(i) With the state board for community and technical
12 colleges, provide academic, vocational, and field training programs for
13 the fire service; and (ii) with the (~~higher—education—coordinating~~
14 ~~board—and—the~~) state colleges and universities, provide instructional
15 programs requiring advanced training, especially in command and
16 management skills;

17 (b) Cooperate with the common schools, technical and community
18 colleges, institutions of higher education, and any department or
19 division of the state, or of any county or municipal corporation in
20 establishing and maintaining instruction in fire service training and
21 education in accordance with any act of congress and legislation
22 enacted by the legislature in pursuance thereof and in establishing,
23 building, and operating training and education facilities.

24 Industrial fire departments and private fire investigators may
25 participate in training and education programs under this chapter for
26 a reasonable fee established by rule;

27 (c) Develop and adopt a master plan for constructing, equipping,
28 maintaining, and operating necessary fire service training and
29 education facilities subject to the provisions of chapter 43.19 RCW;

30 (d) Develop and adopt a master plan for the purchase, lease, or
31 other acquisition of real estate necessary for fire service training
32 and education facilities in a manner provided by law; and

33 (e) Develop and adopt a plan with a goal of providing firefighter
34 one and wildland training to all firefighters in the state. Wildland
35 training reimbursement will be provided if a fire protection district
36 or a city fire department has and is fulfilling their interior attack
37 policy or if they do not have an interior attack policy. The plan will

1 include a reimbursement for fire protection districts and city fire
2 departments of not less than three dollars for every hour of
3 firefighter one or wildland training. The Washington state patrol
4 shall not provide reimbursement for more than two hundred hours of
5 firefighter one or wildland training for each firefighter trained.

6 (2)(a) Promote mutual aid and disaster planning for fire services
7 in this state;

8 (b) Assure the dissemination of information concerning the amount
9 of fire damage including that damage caused by arson, and its causes
10 and prevention; and

11 (c) Implement any legislation enacted by the legislature to meet
12 the requirements of any acts of congress that apply to this section.

13 (3) In carrying out its statutory duties, the office of the state
14 fire marshal shall give particular consideration to the appropriate
15 roles to be played by the state and by local jurisdictions with fire
16 protection responsibilities. Any determinations on the division of
17 responsibility shall be made in consultation with local fire officials
18 and their representatives.

19 To the extent possible, the office of the state fire marshal shall
20 encourage development of regional units along compatible geographic,
21 population, economic, and fire risk dimensions. Such regional units
22 may serve to: (a) Reinforce coordination among state and local
23 activities in fire service training, reporting, inspections, and
24 investigations; (b) identify areas of special need, particularly in
25 smaller jurisdictions with inadequate resources; (c) assist the state
26 in its oversight responsibilities; (d) identify funding needs and
27 options at both the state and local levels; and (e) provide models for
28 building local capacity in fire protection programs.

29 **Sec. 819.** RCW 43.43.938 and 2010 1st sp.s. c 7 s 46 are each
30 amended to read as follows:

31 (1) Wherever the term state fire marshal appears in the Revised
32 Code of Washington or the Washington Administrative Code it shall mean
33 the director of fire protection.

34 (2) The chief of the Washington state patrol shall appoint an
35 officer who shall be known as the director of fire protection.

36 (3) The director of fire protection may designate one or more

1 deputies and may delegate to those deputies his or her duties and
2 authorities as deemed appropriate.

3 (4) The director of fire protection shall prepare a biennial budget
4 pertaining to fire protection services. Such biennial budget shall be
5 submitted as part of the Washington state patrol's budget request.

6 (5) The director of fire protection, shall implement and
7 administer, within constraints established by budgeted resources, all
8 duties of the chief of the Washington state patrol that are to be
9 carried out through the director of fire protection, and all of the
10 duties of the director of fire protection. Such administration shall
11 include negotiation of agreements with the state board for community
12 and technical colleges(~~(, the higher education coordinating board,)~~)
13 and the state colleges and universities as provided in RCW 43.43.934.
14 Programs covered by such agreements shall include, but not be limited
15 to, planning curricula, developing and delivering instructional
16 programs and materials, and using existing instructional personnel and
17 facilities. Where appropriate, such contracts shall also include
18 planning and conducting instructional programs at the state fire
19 service training center.

20 **Sec. 820.** RCW 43.60A.151 and 2007 c 451 s 3 are each amended to
21 read as follows:

22 (1) The department shall assist veterans enrolled in the veterans
23 conservation corps with obtaining employment in conservation programs
24 and projects that restore Washington's natural habitat, maintain and
25 steward local, state, and federal forest lands and other outdoor lands,
26 maintain and improve urban and suburban storm water management
27 facilities and other water management facilities, and other
28 environmental maintenance, stewardship, and restoration projects. The
29 department shall consult with the workforce training and education
30 coordinating board, the state board for community and technical
31 colleges, (~~(the higher education coordinating board,)~~) the employment
32 security department, and other state agencies administering
33 conservation corps programs, to incorporate training, education, and
34 certification in environmental restoration and management fields into
35 the program. The department may enter into agreements with community
36 colleges, private schools, state or local agencies, or other entities

1 to provide training and educational courses as part of the enrollee
2 benefits from the program.

3 (2) The department may receive gifts, grants, federal funds, or
4 other moneys from public or private sources, for the use and benefit of
5 the veterans conservation corps program. The funds shall be deposited
6 to the veterans conservation corps account created in RCW 43.60A.153.

7 (3) The department shall submit a report to the appropriate
8 committees of the legislature by December 1, 2008, on the status of the
9 veterans conservation corps program, including the number of enrollees
10 employed in projects, training provided, certifications earned,
11 employment placements achieved, program funding provided from all
12 sources, and the results of the pilot project authorized in section 4,
13 chapter 451, Laws of 2007.

14 **Sec. 821.** RCW 43.88D.010 and 2010 c 245 s 9 are each amended to
15 read as follows:

16 (1) By October 1st of each even-numbered year, the office of
17 financial management shall complete an objective analysis and scoring
18 of all capital budget projects proposed by the public four-year
19 institutions of higher education and submit the results of the scoring
20 process to the legislative fiscal committees(~~(, the higher education~~
21 ~~coordinating board,~~) and the four-year institutions. Each project
22 must be reviewed and scored within one of the following categories,
23 according to the project's principal purpose. Each project may be
24 scored in only one category. The categories are:

25 (a) Access-related projects to accommodate enrollment growth at
26 main and branch campuses, at existing or new university centers, or
27 through distance learning. Growth projects should provide significant
28 additional student capacity. Proposed projects must demonstrate that
29 they are based on solid enrollment demand projections, more
30 cost-effectively provide enrollment access than alternatives such as
31 university centers and distance learning, and make cost-effective use
32 of existing and proposed new space;

33 (b) Projects that replace failing permanent buildings. Facilities
34 that cannot be economically renovated are considered replacement
35 projects. New space may be programmed for the same or a different use
36 than the space being replaced and may include additions to improve
37 access and enhance the relationship of program or support space;

1 (c) Projects that renovate facilities to restore building life and
2 upgrade space to meet current program requirements. Renovation
3 projects should represent a complete renovation of a total facility or
4 an isolated wing of a facility. A reasonable renovation project should
5 cost between sixty to eighty percent of current replacement value and
6 restore the renovated area to at least twenty-five years of useful
7 life. New space may be programmed for the same or a different use than
8 the space being renovated and may include additions to improve access
9 and enhance the relationship of program or support space;

10 (d) Major stand-alone campus infrastructure projects;

11 (e) Projects that promote economic growth and innovation through
12 expanded research activity. The acquisition and installation of
13 specialized equipment is authorized under this category; and

14 (f) Other project categories as determined by the office of
15 financial management in consultation with the legislative fiscal
16 committees.

17 (2) The office of financial management, in consultation with the
18 legislative fiscal committees, shall establish a scoring system and
19 process for each four-year project category that is based on the
20 framework used in the community and technical college system of
21 prioritization. Staff from the state board for community and technical
22 colleges(~~(, the higher education coordinating board,)~~) and the four-
23 year institutions shall provide technical assistance on the development
24 of a scoring system and process.

25 (3) The office of financial management shall consult with the
26 legislative fiscal committees in the scoring of four-year institution
27 project proposals, and may also solicit participation by independent
28 experts.

29 (a) For each four-year project category, the scoring system must,
30 at a minimum, include an evaluation of enrollment trends,
31 reasonableness of cost, the ability of the project to enhance specific
32 strategic master plan goals, age and condition of the facility if
33 applicable, and impact on space utilization.

34 (b) Each four-year project category may include projects at the
35 predesign, design, or construction funding phase.

36 (c) To the extent possible, the objective analysis and scoring
37 system of all capital budget projects shall occur within the context of
38 any and all performance agreements between the office of financial

1 management and the governing board of a public, four-year institution
2 of higher education that aligns goals, priorities, desired outcomes,
3 flexibility, institutional mission, accountability, and levels of
4 resources.

5 (4) In evaluating and scoring four-year institution projects, the
6 office of financial management shall take into consideration project
7 schedules that result in realistic, balanced, and predictable
8 expenditure patterns over the ensuing three biennia.

9 (5) The office of financial management shall distribute common
10 definitions, the scoring system, and other information required for the
11 project proposal and scoring process as part of its biennial budget
12 instructions. The office of financial management, in consultation with
13 the legislative fiscal committees, shall develop common definitions
14 that four-year institutions must use in developing their project
15 proposals and lists under this section.

16 (6) In developing any scoring system for capital projects proposed
17 by the four-year institutions, the office of financial management:

18 (a) Shall be provided with all required information by the four-
19 year institutions as deemed necessary by the office of financial
20 management;

21 (b) May utilize independent services to verify, sample, or evaluate
22 information provided to the office of financial management by the four-
23 year institutions; and

24 (c) Shall have full access to all data maintained by the (~~higher~~
25 ~~education-coordinating-board-and-the~~) joint legislative audit and
26 review committee concerning the condition of higher education
27 facilities.

28 (7) By August 1st of each even-numbered year each public four-year
29 higher education institution shall prepare and submit prioritized lists
30 of the individual projects proposed by the institution for the ensuing
31 six-year period in each category. The lists must be submitted to the
32 office of financial management and the legislative fiscal committees.
33 The four-year institutions may aggregate minor works project proposals
34 by 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 **PART IX**

2 **MISCELLANEOUS PROVISIONS**

3 **Sec. 901.** 2011 1st sp.s. c 11 s 244 (uncodified) is amended to
4 read as follows:

5 The following acts or parts of acts, as now existing or hereafter
6 amended, are each repealed, effective July 1, 2012:

7 (1) RCW 28B.76.010 (Board created) and 1985 c 370 s 1;

8 (2) RCW 28B.76.030 (Purpose) and 2004 c 275 s 1;

9 (3) RCW 28B.76.040 (Members--Appointment) and 2002 c 348 s 1, 2002
10 c 129 s 1, & 1985 c 370 s 10;

11 (4) RCW 28B.76.050 (Members--Terms) and 2007 c 458 s 101, 2004 c
12 275 s 3, 2002 c 129 s 2, & 1985 c 370 s 11;

13 (5) RCW 28B.76.060 (Members--Vacancies) and 1985 c 370 s 12;

14 (6) RCW 28B.76.070 (Bylaws--Meetings) and 1985 c 370 s 13;

15 (7) RCW 28B.76.080 (Members--Compensation and travel expenses) and
16 1985 c 370 s 16, 1984 c 287 s 65, 1975-'76 2nd ex.s. c 34 s 77, & 1969
17 ex.s. c 277 s 12;

18 (8) RCW 28B.76.200 (Statewide strategic master plan for higher
19 education--Institution-level strategic plans) and 2007 c 458 s 201,
20 2004 c 275 s 6, & 2003 c 130 s 2;

21 (9) RCW 28B.76.260 (Statewide system of course equivalency--Work
22 group) and 2004 c 55 s 3;

23 (10) ~~((RCW 28B.76.280 (Data collection and research Privacy
24 protection) and 2010 1st sp.s. c 7 s 58 & 2004 c 275 s 12;~~

25 ~~(+11))~~ RCW 28B.76.330 (Coordination, articulation, and transitions
26 among systems of education--Biennial updates to legislature) and 2004
27 c 275 s 17 & 1994 c 222 s 3; and

28 ~~((+12))~~ (11) RCW 28B.76.530 (Board may develop and administer
29 demonstration projects) and 1989 c 306 s 2.

30 NEW SECTION. **Sec. 902.** The following acts or parts of acts are
31 each repealed:

32 (1) RCW 28B.10.682 (Precollege coursework--Adoption of definitions)
33 and 1995 c 310 s 2;

34 (2) RCW 28B.15.732 (Washington/Oregon reciprocity tuition and fee
35 program--Reimbursement when greater net revenue loss) and 2011 1st
36 sp.s. c 11 s 153, 1985 c 370 s 70, & 1979 c 80 s 2;

1 (3) RCW 28B.15.752 (Washington/Idaho reciprocity tuition and fee
2 program--Reimbursement when greater net revenue loss) and 2011 1st
3 sp.s. c 11 s 154, 1985 c 370 s 74, & 1983 c 166 s 2;

4 (4) RCW 28B.15.796 (Effective communication--Task force to improve
5 communication and teaching skills of faculty and teaching assistants)
6 and 1991 c 228 s 4;

7 (5) RCW 28B.20.280 (Masters and doctorate level degrees in
8 technology authorized--Review by higher education coordinating board)
9 and 1985 c 370 s 82 & 1983 1st ex.s. c 72 s 10;

10 (6) RCW 28B.30.500 (Masters and doctorate level degrees in
11 technology authorized--Review by higher education coordinating board)
12 and 1985 c 370 s 83 & 1983 1st ex.s. c 72 s 12; and

13 (7) RCW 43.88D.005 (Findings--Intent) and 2008 c 205 s 1.

14 NEW SECTION. **Sec. 903.** Sections 102 through 110 of this act are
15 each added to chapter 28B.77 RCW.

16 NEW SECTION. **Sec. 904.** RCW 28B.76.110, 28B.76.210, 28B.76.230,
17 28B.76.235, 28B.76.240, 28B.76.2401, 28B.76.250, 28B.76.270,
18 28B.76.280, 28B.76.325, 28B.76.510, and 28B.76.695 are each recodified
19 as sections in chapter 28B.77 RCW.

20 NEW SECTION. **Sec. 905.** RCW 28B.76.310 is recodified as a section
21 in chapter 43.41 RCW.

22 NEW SECTION. **Sec. 906.** RCW 28B.10.125 is decodified.

23 NEW SECTION. **Sec. 907.** Sections 561 and 616 of this act expire
24 June 30, 2013.

25 NEW SECTION. **Sec. 908.** Sections 101, 119, 123, 401, 501 through
26 585, 601 through 616, 701 through 708, 801 through 821, 902, and 904 of
27 this act take effect July 1, 2012.

28 NEW SECTION. **Sec. 909.** Sections 105 and 901 of this act are
29 necessary for the immediate preservation of the public peace, health,

1 or safety, or support of the state government and its existing public
2 institutions, and take effect immediately.

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