
SECOND SUBSTITUTE SENATE BILL 5789

State of Washington

67th Legislature

2022 Regular Session

By Senate Ways & Means (originally sponsored by Senators Randall, Nobles, Conway, Das, Frockt, Kuderer, Lias, Nguyen, and C. Wilson; by request of Student Achievement Council)

READ FIRST TIME 02/07/22.

1 AN ACT Relating to creating the Washington career and college
2 pathways innovation challenge program; amending RCW 28B.120.040;
3 reenacting and amending RCW 43.79A.040; adding a new chapter to Title
4 28B RCW; and repealing RCW 28B.120.005, 28B.120.010, 28B.120.020,
5 28B.120.025, 28B.120.030, and 28B.120.900.

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

7 NEW SECTION. **Sec. 1.** (1) The Washington career and college
8 pathways innovation challenge program is established. The purpose of
9 the program is to meet statewide educational attainment goals
10 established in RCW 28B.77.020 by developing local and regional
11 partnerships that foster innovations to:

12 (a) Increase postsecondary enrollment, success, and completion
13 for students enrolling directly from high school and adults returning
14 to education;

15 (b) Eliminate educational opportunity gaps for students of color,
16 English language learners, students with disabilities, opportunity
17 youth, and foster and homeless youth;

18 (c) Enhance the ability of Washington residents to achieve their
19 own goals in life; and

20 (d) Increase the skills and talents of Washington's workforce.

1 (2) (a) The student achievement council shall administer the
2 program and award grants, based on a competitive grant process, to
3 local and regional partnerships that represent cross-sector
4 collaborations among education and higher education agencies and
5 institutions, local education agencies, local government, community-
6 based organizations, employers, and other local entities. The student
7 achievement council must consult, in both the design of the grant
8 program as well as in the administration of the grant program, with
9 stakeholders including representatives of:

- 10 (i) The state board for community and technical colleges;
- 11 (ii) The council of presidents;
- 12 (iii) The workforce training and education coordinating board;
- 13 (iv) The commission on African American affairs;
- 14 (v) The commission on Hispanic affairs;
- 15 (vi) The commission on Asian Pacific American affairs;
- 16 (vii) The Washington state LGBTQ commission;
- 17 (viii) The governor's office of Indian affairs; and
- 18 (ix) The Washington state women's commission.

19 (b) In awarding the grants, the student achievement council shall
20 consider applications that meet at least one of the following
21 criteria:

- 22 (i) Plan and pilot innovative initiatives to raise educational
23 attainment and reach new populations;
- 24 (ii) Engage community-based organizations and resources to reach
25 the range of populations living in the region;
- 26 (iii) Develop programs that recognize the needs of specific
27 populations to be successful in postsecondary education and training;
- 28 (iv) Expand the use of integrated work-based learning models and
29 career connected learning;
- 30 (v) Provide financial support to cover expenses beyond
31 educational tuition and fees, and other services and supports for
32 students to enroll and complete education and training;
- 33 (vi) Further the development of innovations, such as the use of
34 mastery-based measurements of student achievement as the basis for
35 awarding degrees and certificates, expansion of accelerated programs,
36 and alternative scheduling to meet working adult needs; and
- 37 (vii) Include local matching funds.

38 (c) In administering the program the student achievement council
39 may hire staff to support grant oversight and provide technical
40 assistance to grantees.

1 (d) The student achievement council shall provide a report each
2 year by September 1st to the governor and the education and higher
3 education committees of the legislature. The report shall:

4 (i) Describe grants awarded;

5 (ii) Report the progress of each local and regional partnership
6 by reporting on high school graduation, postsecondary enrollment, and
7 completion for each of the regions that partnerships serve; and

8 (iii) Disaggregate data by income, race, ethnicity, and other
9 demographic characteristics.

10 **Sec. 2.** RCW 28B.120.040 and 2012 c 229 s 575 are each amended to
11 read as follows:

12 The (~~student achievement council fund for innovation and~~
13 ~~quality~~) Washington career and college pathways innovation challenge
14 program account is hereby established in the custody of the state
15 treasurer. The student achievement council shall deposit in the fund
16 all moneys received (~~under RCW 28B.120.030~~) for the Washington
17 career and college pathways innovation challenge program. Moneys in
18 the fund may be spent only for the purposes of (~~RCW 28B.120.010 and~~
19 ~~28B.120.020~~) awarding grants under the Washington career and college
20 pathways innovation challenge program. Disbursements from the fund
21 shall be on the authorization of the student achievement council. The
22 fund is subject to the allotment procedure provided under chapter
23 43.88 RCW, but no appropriation is required for disbursements.

24 NEW SECTION. **Sec. 3.** The student achievement council may
25 solicit and receive such gifts, grants, and endowments from public or
26 private sources as may be made from time to time, in trust or
27 otherwise, for the use and benefit of the purposes of the program and
28 may expend the same or any income therefrom according to the terms of
29 the gifts, grants, or endowments.

30 **Sec. 4.** RCW 43.79A.040 and 2021 c 175 s 10 and 2021 c 108 s 5
31 are each reenacted and amended to read as follows:

32 (1) Money in the treasurer's trust fund may be deposited,
33 invested, and reinvested by the state treasurer in accordance with
34 RCW 43.84.080 in the same manner and to the same extent as if the
35 money were in the state treasury, and may be commingled with moneys
36 in the state treasury for cash management and cash balance purposes.

1 (2) All income received from investment of the treasurer's trust
2 fund must be set aside in an account in the treasury trust fund to be
3 known as the investment income account.

4 (3) The investment income account may be utilized for the payment
5 of purchased banking services on behalf of treasurer's trust funds
6 including, but not limited to, depository, safekeeping, and
7 disbursement functions for the state treasurer or affected state
8 agencies. The investment income account is subject in all respects to
9 chapter 43.88 RCW, but no appropriation is required for payments to
10 financial institutions. Payments must occur prior to distribution of
11 earnings set forth in subsection (4) of this section.

12 (4)(a) Monthly, the state treasurer must distribute the earnings
13 credited to the investment income account to the state general fund
14 except under (b), (c), and (d) of this subsection.

15 (b) The following accounts and funds must receive their
16 proportionate share of earnings based upon each account's or fund's
17 average daily balance for the period: The 24/7 sobriety account, the
18 Washington promise scholarship account, the Gina Grant Bull memorial
19 legislative page scholarship account, the Rosa Franklin legislative
20 internship program scholarship (~~([account])~~) account, the Washington
21 advanced college tuition payment program account, the Washington
22 college savings program account, the accessible communities account,
23 the Washington achieving a better life experience program account,
24 the Washington career and college pathways innovation challenge
25 program account, the community and technical college innovation
26 account, the agricultural local fund, the American Indian scholarship
27 endowment fund, the foster care scholarship endowment fund, the
28 foster care endowed scholarship trust fund, the contract harvesting
29 revolving account, the Washington state combined fund drive account,
30 the commemorative works account, the county enhanced 911 excise tax
31 account, the county road administration board emergency loan account,
32 the toll collection account, the developmental disabilities endowment
33 trust fund, the energy account, the fair fund, the family and medical
34 leave insurance account, the fish and wildlife federal lands
35 revolving account, the natural resources federal lands revolving
36 account, the food animal veterinarian conditional scholarship
37 account, the forest health revolving account, the fruit and vegetable
38 inspection account, the educator conditional scholarship account, the
39 game farm alternative account, the GET ready for math and science
40 scholarship account, the Washington global health technologies and

1 product development account, the grain inspection revolving fund, the
2 Washington history day account, the industrial insurance rainy day
3 fund, the juvenile accountability incentive account, the law
4 enforcement officers' and firefighters' plan 2 expense fund, the
5 local tourism promotion account, the low-income home rehabilitation
6 revolving loan program account, the multiagency permitting team
7 account, the northeast Washington wolf-livestock management account,
8 the produce railcar pool account, the public use general aviation
9 airport loan revolving account, the regional transportation
10 investment district account, the rural rehabilitation account, the
11 Washington sexual assault kit account, the stadium and exhibition
12 center account, the youth athletic facility account, the self-
13 insurance revolving fund, the children's trust fund, the Washington
14 horse racing commission Washington bred owners' bonus fund and
15 breeder awards account, the Washington horse racing commission class
16 C purse fund account, the individual development account program
17 account, the Washington horse racing commission operating account,
18 the life sciences discovery fund, the Washington state library-
19 archives building account, the reduced cigarette ignition propensity
20 account, the center for deaf and hard of hearing youth account, the
21 school for the blind account, the Millersylvania park trust fund, the
22 public employees' and retirees' insurance reserve fund, the school
23 employees' benefits board insurance reserve fund, the public
24 employees' and retirees' insurance account, the school employees'
25 insurance account, the long-term services and supports trust account,
26 the radiation perpetual maintenance fund, the Indian health
27 improvement reinvestment account, the department of licensing tuition
28 recovery trust fund, the student achievement council tuition recovery
29 trust fund, the tuition recovery trust fund, the industrial insurance
30 premium refund account, the mobile home park relocation fund, the
31 natural resources deposit fund, the Washington state health insurance
32 pool account, the federal forest revolving account, and the library
33 operations account.

34 (c) The following accounts and funds must receive eighty percent
35 of their proportionate share of earnings based upon each account's or
36 fund's average daily balance for the period: The advance right-of-way
37 revolving fund, the advanced environmental mitigation revolving
38 account, the federal narcotics asset forfeitures account, the high
39 occupancy vehicle account, the local rail service assistance account,
40 and the miscellaneous transportation programs account.

1 (d) Any state agency that has independent authority over accounts
2 or funds not statutorily required to be held in the custody of the
3 state treasurer that deposits funds into a fund or account in the
4 custody of the state treasurer pursuant to an agreement with the
5 office of the state treasurer shall receive its proportionate share
6 of earnings based upon each account's or fund's average daily balance
7 for the period.

8 (5) In conformance with Article II, section 37 of the state
9 Constitution, no trust accounts or funds shall be allocated earnings
10 without the specific affirmative directive of this section.

11 NEW SECTION. **Sec. 5.** The following acts or parts of acts are
12 each repealed:

13 (1) RCW 28B.120.005 (Findings) and 2010 c 245 s 6, 1999 c 169 s
14 2, & 1991 c 98 s 1;

15 (2) RCW 28B.120.010 (Washington fund for innovation and quality
16 in higher education program—Incentive grants) and 2012 c 229 s 571,
17 2010 c 245 s 7, 1999 c 169 s 5, 1996 c 41 s 1, & 1991 c 98 s 2;

18 (3) RCW 28B.120.020 (Program administration—Powers and duties of
19 student achievement council) and 2012 c 229 s 572, 2011 1st sp.s. c
20 11 s 235, 2010 c 245 s 8, 1999 c 169 s 3, 1996 c 41 s 2, & 1991 c 98
21 s 3;

22 (4) RCW 28B.120.025 (Program administration—Powers and duties of
23 state board for community and technical colleges) and 2012 c 229 s
24 573 & 1999 c 169 s 4;

25 (5) RCW 28B.120.030 (Receipt of gifts, grants, and endowments)
26 and 2012 c 229 s 574, 1999 c 169 s 6, & 1991 c 98 s 4; and

27 (6) RCW 28B.120.900 (Intent—1999 c 169) and 1999 c 169 s 1.

28 NEW SECTION. **Sec. 6.** Sections 1 and 3 of this act constitute a
29 new chapter in Title 28B RCW.

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