
SECOND SUBSTITUTE SENATE BILL 5182

State of Washington

62nd Legislature

2011 Regular Session

By Senate Ways & Means (originally sponsored by Senators White, Tom, Hill, Zarelli, Murray, Ericksen, Prentice, Hobbs, and Nelson)

READ FIRST TIME 03/16/11.

1 AN ACT Relating to establishing the office of student financial
2 assistance by eliminating the higher education coordinating board and
3 transferring its functions to various entities; amending RCW
4 28B.76.020, 28B.76.090, 28B.76.120, 28B.76.500, 28B.76.505, 28B.76.510,
5 28B.76.520, 28B.76.525, 28B.76.540, 28B.76.560, 28B.76.565, 28B.76.570,
6 28B.76.575, 28B.76.605, 28B.76.610, 28B.76.615, 28B.76.620, 28B.76.640,
7 28B.76.645, 28B.76.650, 28B.76.660, 28B.76.670, 28B.76.690,
8 28A.600.120, 28A.600.130, 28A.600.140, 28A.600.150, 28A.230.125,
9 28A.600.285, 28A.630.400, 28A.650.015, 28A.660.050, 28B.04.080,
10 28B.07.020, 28B.07.030, 28B.10.786, 28B.10.790, 28B.10.792, 28B.10.840,
11 28B.12.030, 28B.12.040, 28B.12.050, 28B.12.055, 28B.12.060, 28B.12.070,
12 28B.15.012, 28B.15.013, 28B.15.015, 28B.15.100, 28B.15.543, 28B.15.732,
13 28B.15.752, 28B.15.760, 28B.15.762, 28B.50.272, 28B.92.020, 28B.92.040,
14 28B.92.050, 28B.92.060, 28B.92.084, 28B.92.120, 28B.92.130, 28B.92.140,
15 28B.92.150, 28B.95.020, 28B.95.025, 28B.95.030, 28B.95.040, 28B.95.060,
16 28B.95.160, 28B.97.010, 28B.97.020, 28B.102.020, 28B.102.030,
17 28B.102.040, 28B.102.050, 28B.102.055, 28B.102.060, 28B.102.080,
18 28B.105.020, 28B.105.040, 28B.105.050, 28B.105.070, 28B.105.100,
19 28B.105.110, 28B.106.010, 28B.106.070, 28B.108.010, 28B.108.020,
20 28B.108.030, 28B.108.060, 28B.109.010, 28B.109.020, 28B.109.030,
21 28B.109.040, 28B.109.050, 28B.109.060, 28B.109.070, 28B.109.080,

1 28B.115.020, 28B.115.030, 28B.115.050, 28B.115.070, 28B.115.080,
2 28B.115.090, 28B.115.120, 28B.115.130, 28B.115.140, 28B.116.010,
3 28B.116.020, 28B.116.030, 28B.116.050, 28B.116.060, 28B.116.070,
4 28B.117.020, 28B.117.030, 28B.117.040, 28B.117.050, 28B.117.060,
5 28B.117.070, 28B.118.010, 28B.118.020, 28B.118.040, 28B.118.050,
6 28B.118.060, 28B.119.010, 28B.119.020, 28B.119.030, 28B.119.050,
7 28B.120.010, 28B.120.020, 28B.120.025, 28B.120.030, 28B.120.040,
8 28B.133.030, 28B.133.040, 28B.133.050, 28B.135.010, 28B.135.030,
9 28B.135.040, 28C.18.166, 39.86.130, 42.17.2401, 42.17A.705, 43.41.400,
10 43.105.825, 74.13.570, 28B.76.210, 28B.76.230, 28B.76.290, 28B.76.300,
11 28B.76.310, 28B.76.320, 28B.76.335, 28B.76.340, 28B.10.020, 28B.15.460,
12 28B.20.130, 28B.20.280, 28B.30.150, 28B.30.500, 28B.35.120, 28B.35.205,
13 28B.35.215, 28B.38.010, 28B.40.120, 28B.40.206, 28B.45.014, 28B.45.020,
14 28B.45.030, 28B.45.040, 28B.45.060, 28B.50.140, 28B.50.810, 28B.65.050,
15 28B.85.010, 28B.85.020, 28B.85.030, 28B.85.040, 28B.85.050, 28B.85.060,
16 28B.85.070, 28B.85.080, 28B.85.090, 28B.85.100, 28B.85.130, 28B.85.170,
17 28B.90.010, 28B.90.020, 28B.90.030, 28B.110.030, 28B.110.040,
18 47.80.090, 35.104.020, 35.104.040, 43.06.115, 9A.60.070, 18.260.110,
19 28A.600.280, 28A.600.290, 28A.600.310, 28A.600.390, 28A.700.020,
20 28A.700.060, 28B.07.040, 28B.10.056, 28B.10.125, 28B.10.682,
21 28B.10.784, 28B.15.068, 28B.15.069, 28B.15.730, 28B.15.734, 28B.15.750,
22 28B.15.754, 28B.15.756, 28B.15.758, 28B.20.308, 28B.20.478, 28B.30.530,
23 28B.45.080, 28B.65.040, 28B.67.010, 28B.103.030, 28C.10.030,
24 28C.10.040, 28C.18.030, 28C.18.060, 28C.18.132, 28C.18.134, 43.09.440,
25 43.43.934, 43.43.938, 43.60A.151, 43.88.090, 43.88D.010, 43.105.400,
26 43.215.090, 43.330.310, 43.330.375, and 70.180.110; reenacting and
27 amending RCW 28B.50.030, 28B.92.030, 28B.115.110, 28A.230.100, and
28 43.330.280; adding a new section to chapter 41.06 RCW; adding new
29 sections to chapter 43.41 RCW; adding a new section to chapter 28B.76
30 RCW; adding a new section to chapter 28B.10 RCW; adding a new chapter
31 to Title 28B RCW; creating new sections; recodifying RCW 28B.76.210,
32 28B.76.300, and 28B.76.310; repealing RCW 28B.15.736, 28B.76.010,
33 28B.76.030, 28B.76.040, 28B.76.050, 28B.76.060, 28B.76.070, 28B.76.080,
34 28B.76.200, 28B.76.240, 28B.76.2401, 28B.76.250, 28B.76.260,
35 28B.76.270, 28B.76.280, 28B.76.330, 28B.76.530, 28B.115.060,
36 28B.10.920, 28B.10.921, 28B.10.922, 28B.15.465, 28B.10.5691, and
37 28B.15.796; providing effective dates; providing expiration dates; and
38 declaring an emergency.

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

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

9 The legislature also recognizes the significant contributions made
10 by the higher education coordinating board in coordinating higher
11 education policy and planning, and administering the state's financial
12 aid programs. The board has also recently finished several significant
13 planning efforts that will provide guidance to the legislature and to
14 the institutions in forming priorities and deploying resources.

15 However, the legislature also recognizes the importance of
16 prioritizing scarce resources for the core, front-line services that
17 institutions provide--namely instruction, research, and robust
18 financial aid. During times of economic downturn, policymakers must
19 focus on those areas of public service that have the most direct and
20 immediate impact on students. Keeping class sections open, attracting
21 the best professors and instructors, providing comprehensive support
22 services, and offering meaningful financial help to offset the costs of
23 attending school must be the main concerns of policymakers.

24 It is for these reasons that the legislature intends to create a
25 new office dedicated entirely to the administration of student
26 financial aid programs. By focusing financial and governance resources
27 on direct aid to students, the state can provide the highest level of
28 service in this area. The legislature further intends to eliminate
29 many of the policy and planning functions of the higher education
30 coordinating board and rededicate those resources to the higher
31 education institutions that provide the core, front-line services
32 associated with instruction and research. Given the unprecedented
33 budget crises the state is facing, the state must take the opportunity
34 to build on the recommendations of the board and use the dollars where
35 they can make the most direct impact.

1 PART I

2 OFFICE OF STUDENT FINANCIAL ASSISTANCE

3 Sec. 101. RCW 28B.76.020 and 2010 c 245 s 4 are each amended to
4 read as follows:

5 The definitions in this section apply throughout this chapter
6 unless the context clearly requires otherwise.

7 (1) (~~("Board" means the higher education coordinating board.)~~)
8 "Council" means the council for higher education.

9 (2) "Four-year institutions" means the University of Washington,
10 Washington State University, Central Washington University, Eastern
11 Washington University, Western Washington University, and The Evergreen
12 State College.

13 (3) "Major expansion" means expansion of the higher education
14 system that requires significant new capital investment, including
15 building new institutions, campuses, branches, or centers or conversion
16 of existing campuses, branches, or centers that would result in a
17 mission change.

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

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

21 Sec. 102. RCW 28B.76.090 and 2007 c 458 s 102 are each amended to
22 read as follows:

23 (1) The office of student financial assistance is created.

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

28 (3) The (~~board~~) office shall employ a director (~~and may delegate~~
29 agency management to the director. The director) who shall serve at
30 the pleasure of the (~~board, shall be the executive officer of the~~
31 ~~board, and shall, under the board's supervision,~~) governor and shall
32 administer the provisions of this chapter. The (~~executive~~) director
33 shall(~~, with the approval of the board~~): ((+1)) (a) Employ
34 necessary deputy and assistant directors and other exempt staff under
35 chapter 41.06 RCW who shall serve at his or her pleasure on such terms
36 and conditions as he or she determines and ((+2)) (b) subject to the
37 provisions of chapter 41.06 RCW, appoint and employ such other

1 employees as may be required for the proper discharge of the functions
2 of the ((board. The executive director shall exercise such additional
3 powers, other than rule making, as may be delegated by the board by
4 resolution. In fulfilling the duties under this chapter, the board
5 shall make extensive use of those state agencies with responsibility
6 for implementing and supporting postsecondary education plans and
7 policies including but not limited to appropriate legislative groups,
8 the postsecondary education institutions, the office of financial
9 management, the workforce training and education coordinating board,
10 the state board for community and technical colleges, and the office of
11 the superintendent of public instruction. Outside consulting and
12 service agencies may also be employed. The board may compensate these
13 groups and consultants in appropriate ways)) office.

14 **Sec. 103.** RCW 28B.76.120 and 1985 c 370 s 8 are each amended to
15 read as follows:

16 The ((board)) office shall have authority to adopt rules as
17 necessary to implement this chapter.

18 **Sec. 104.** RCW 28B.76.300 and 2004 c 275 s 14 are each amended to
19 read as follows:

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

34 (2) Beginning July 30, 1993, the ((board)) office shall annually
35 provide information appropriate to each institution's student body to

1 each state-supported four-year institution of higher education and to
2 the state board for community and technical colleges for distribution
3 to community colleges and technical colleges.

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

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

21 **Sec. 105.** RCW 28B.76.500 and 2009 c 215 s 7 are each amended to
22 read as follows:

23 (1) The ((~~board~~)) office shall administer any state program or
24 state-administered federal program of student financial aid now or
25 hereafter established.

26 (2) Each of the student financial aid programs administered by the
27 ((~~board~~)) office shall be labeled an "opportunity pathway." Loans
28 provided by the federal government and aid granted to students outside
29 of the financial aid package provided through institutions of higher
30 education are not subject to the labeling provisions in this
31 subsection. All communication materials, including, but not limited
32 to, printed materials, presentations, and web content, shall include
33 the "opportunity pathway" label.

34 (3) If the ((~~board~~)) office develops a one-stop college information
35 web-based portal that includes financial, academic, and career planning
36 information, the portal shall display all available student financial
37 aid programs, except federal student loans and aid granted to students

1 outside of the financial aid package provided through institutions of
2 higher education, under the "opportunity pathway" label. The portal
3 shall also display information regarding federal tax credits related to
4 higher education available for students or their families.

5 (4) The labeling requirements in this section do not change the
6 source, eligibility requirements, or student obligations associated
7 with each program. The (~~board~~) office shall customize its
8 communications to differentiate between programs, eligibility
9 requirements, and student obligations, so long as the reporting
10 provisions of this chapter are also fulfilled.

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

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

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

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

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

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

32 (6) The authority to establish all policies relating to scholarship
33 endowment funds, other than the investment policies in subsections (2)
34 through (5) of this section, resides with the (~~higher education
35 coordinating board~~) office.

36 (7) The (~~higher education coordinating board~~) office may request
37 and accept moneys from the state investment board. With the exception

1 of expenses of the state investment board in subsection (2) of this
2 section, disbursements from the fund shall be made only on the
3 authorization of the (~~higher education coordinating board,~~) office
4 and money in the fund may be spent only for the purposes of the
5 endowment programs as specified in the authorizing chapter of each
6 program.

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

11 **Sec. 107.** RCW 28B.76.510 and 1985 c 370 s 21 are each amended to
12 read as follows:

13 The (~~board~~) office shall administer any federal act pertaining to
14 higher education which is not administered by another state agency.

15 **Sec. 108.** RCW 28B.76.520 and 1985 c 370 s 22 are each amended to
16 read as follows:

17 The (~~board~~) office is authorized to receive and expend federal
18 funds and any private gifts or grants, such federal funds or private
19 funds to be expended in accordance with the conditions contingent in
20 such grant thereof.

21 **Sec. 109.** RCW 28B.76.525 and 2005 c 139 s 1 are each amended to
22 read as follows:

23 (1) The state financial aid account is created in the custody of
24 the state treasurer. The primary purpose of the account is to ensure
25 that all appropriations designated for financial aid through statewide
26 student financial aid programs are made available to eligible students.
27 The account shall be a nontreasury account.

28 (2) The (~~higher education coordinating board~~) office shall
29 deposit in the account all money received for the state need grant
30 program established under RCW 28B.92.010, the state work-study program
31 established under chapter 28B.12 RCW, the Washington scholars program
32 established under RCW 28A.600.110, the Washington award for vocational
33 excellence program established under RCW 28C.04.525, and the
34 educational opportunity grant program established under chapter 28B.101
35 RCW. The account shall consist of funds appropriated by the

1 legislature for the programs listed in this subsection and private
2 contributions to the programs. Moneys deposited in the account do not
3 lapse at the close of the fiscal period for which they were
4 appropriated. Both during and after the fiscal period in which moneys
5 were deposited in the account, the ((~~board~~)) office may expend moneys
6 in the account only for the purposes for which they were appropriated,
7 and the expenditures are subject to any other conditions or limitations
8 placed on the appropriations.

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

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

14 (5) Only the ((~~executive~~)) director of the ((~~higher education~~
15 ~~coordinating board~~)) office or the ((~~executive~~)) director's designee
16 may authorize expenditures from the account.

17 **Sec. 110.** RCW 28B.76.540 and 2004 c 275 s 18 are each amended to
18 read as follows:

19 In addition to administrative responsibilities assigned in this
20 chapter, the ((~~board~~)) office shall administer the programs set forth
21 in the following statutes: RCW 28A.600.100 through 28A.600.150
22 (Washington scholars); chapter 28B.85 RCW (degree-granting
23 institutions); chapter 28B.92 RCW (state need grant); chapter 28B.12
24 RCW (work study); RCW 28B.15.543 (tuition waivers for Washington
25 scholars); RCW 28B.15.760 through 28B.15.766 (math and science loans);
26 RCW 28B.15.100 (reciprocity agreement); RCW 28B.15.730 through
27 ((~~28B.15.736~~)) 28B.15.734 (Oregon reciprocity); RCW 28B.15.750 through
28 28B.15.754 (Idaho reciprocity); RCW 28B.15.756 and 28B.15.758 (British
29 Columbia reciprocity); chapter 28B.101 RCW (educational opportunity
30 grant); chapter 28B.102 RCW (future teachers conditional scholarship);
31 chapter 28B.108 RCW (American Indian endowed scholarship); chapter
32 28B.109 RCW (Washington international exchange scholarship); chapter
33 28B.115 RCW (health professional conditional scholarship); chapter
34 28B.119 RCW (Washington promise scholarship); and chapter 28B.133 RCW
35 (gaining independence for students with dependents).

1 **Sec. 111.** RCW 28B.76.560 and 1987 c 8 s 2 are each amended to read
2 as follows:

3 The Washington distinguished professorship trust fund program is
4 established.

5 The program shall be administered by the (~~higher education~~
6 ~~coordinating board~~) office.

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

8 **Sec. 112.** RCW 28B.76.565 and 2010 1st sp.s. c 37 s 915 are each
9 amended to read as follows:

10 Funds appropriated by the legislature for the distinguished
11 professorship program shall be deposited in the distinguished
12 professorship trust fund. At the request of the (~~higher education~~
13 ~~coordinating board~~) office under RCW 28B.76.575, the treasurer shall
14 release the state matching funds to the designated institution's local
15 endowment fund. No appropriation is required for expenditures from the
16 fund. During the 2009-2011 fiscal biennium, the legislature may
17 transfer from the distinguished professorship trust fund to the state
18 general fund such amounts as reflect the excess fund balance in the
19 account.

20 **Sec. 113.** RCW 28B.76.570 and 1987 c 8 s 4 are each amended to read
21 as follows:

22 In consultation with the eligible institutions of higher education,
23 the (~~higher education coordinating board~~) office shall set guidelines
24 for the program. These guidelines may include an allocation system
25 based on factors which include but are not limited to: The amount of
26 money available in the trust fund; characteristics of the institutions
27 including the size of the faculty and student body; and the number of
28 professorships previously received.

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

31 **Sec. 114.** RCW 28B.76.575 and 1988 c 125 s 3 are each amended to
32 read as follows:

33 All state four-year institutions of higher education shall be
34 eligible for matching trust funds. An institution may apply to the
35 (~~higher education coordinating board~~) office for two hundred fifty

1 thousand dollars from the fund when the institution can match the state
2 funds with an equal amount of pledged or contributed private donations
3 or with funds received through legislative appropriation specifically
4 for the G. Robert Ross distinguished faculty award and designated as
5 being qualified to be matched from trust fund moneys. These donations
6 shall be made specifically to the professorship program, and shall be
7 donated after July 1, 1985.

8 Upon an application by an institution, the (~~board~~) office may
9 designate two hundred fifty thousand dollars from the trust fund for
10 that institution's pledged professorship. If the pledged two hundred
11 fifty thousand dollars is not received within three years, the
12 (~~board~~) office shall make the designated funds available for another
13 pledged professorship.

14 Once the private donation is received by the institution, the
15 (~~higher education coordinating board~~) office shall ask the state
16 treasurer to release the state matching funds to a local endowment fund
17 established by the institution for the professorship.

18 **Sec. 115.** RCW 28B.76.605 and 1987 c 147 s 2 are each amended to
19 read as follows:

20 The Washington graduate fellowship trust fund program is
21 established. The program shall be administered by the (~~higher
22 education coordinating board~~) office. The trust fund shall be
23 administered by the state treasurer.

24 **Sec. 116.** RCW 28B.76.610 and 2010 1st sp.s. c 37 s 916 are each
25 amended to read as follows:

26 Funds appropriated by the legislature for the graduate fellowship
27 program shall be deposited in the graduate fellowship trust fund. At
28 the request of the (~~higher education coordinating board~~) office under
29 RCW 28B.76.620, the treasurer shall release the state matching funds to
30 the designated institution's local endowment fund. No appropriation is
31 required for expenditures from the fund. During the 2009-2011 fiscal
32 biennium, the legislature may transfer from the graduate fellowship
33 trust fund to the state general fund such amounts as reflect the excess
34 fund balance in the account.

1 **Sec. 117.** RCW 28B.76.615 and 1987 c 147 s 4 are each amended to
2 read as follows:

3 In consultation with eligible institutions of higher education, the
4 (~~higher education coordinating board~~) office shall set guidelines for
5 the program. These guidelines may include an allocation system based
6 on factors which include but are not limited to: The amount of money
7 available in the trust fund; characteristics of the institutions
8 including the size of the faculty and student body; and the number of
9 fellowships previously received.

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

12 **Sec. 118.** RCW 28B.76.620 and 1987 c 147 s 5 are each amended to
13 read as follows:

14 (1) All state four-year institutions of higher education shall be
15 eligible for matching trust funds. Institutions may apply to the
16 (~~higher education coordinating board~~) office for twenty-five thousand
17 dollars from the fund when they can match the state funds with equal
18 pledged or contributed private donations. These donations shall be
19 made specifically to the graduate fellowship program, and shall be
20 donated after July 1, 1987.

21 (2) Upon an application by an institution, the (~~board~~) office may
22 designate twenty-five thousand dollars from the trust fund for that
23 institution's pledged graduate fellowship fund. If the pledged twenty-
24 five thousand dollars is not received within two years, the (~~board~~)
25 office shall make the designated funds available for another pledged
26 graduate fellowship fund.

27 (3) Once the private donation is received by the institution, the
28 (~~higher education coordinating board~~) office shall ask the state
29 treasurer to release the state matching funds to a local endowment fund
30 established by the institution for the graduate fellowships.

31 **Sec. 119.** RCW 28B.76.640 and 1985 c 370 s 17 are each amended to
32 read as follows:

33 The (~~board~~) office is hereby specifically directed to develop
34 such state plans as are necessary to coordinate the state of
35 Washington's participation within the student exchange compact programs
36 under the auspices of the Western Interstate Commission for Higher

1 Education, as provided by chapter 28B.70 RCW. In addition to
2 establishing such plans the ((board)) office shall designate the state
3 certifying officer for student programs.

4 **Sec. 120.** RCW 28B.76.645 and 2004 c 275 s 23 are each amended to
5 read as follows:

6 In the development of any such plans as called for within RCW
7 28B.76.640, the ((board)) office shall use at least the following
8 criteria:

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

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

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

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

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

1 **Sec. 121.** RCW 28B.76.650 and 1985 c 370 s 19 are each amended to
2 read as follows:

3 The ((~~board~~)) office shall periodically advise the governor and the
4 legislature of the policy implications of the state of Washington's
5 participation in the Western Interstate Commission for Higher Education
6 student exchange programs as they affect long-range planning for post-
7 secondary education, together with recommendations on the most
8 efficient way to provide high cost or special educational programs to
9 Washington residents.

10 **Sec. 122.** RCW 28B.76.660 and 2005 c 518 s 917 are each amended to
11 read as follows:

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

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

1 Beginning with scholars selected in the year 2000, if the
2 recipients of grants fail to demonstrate in a timely manner that they
3 will enroll in a Washington institution of higher education in the fall
4 term of the academic year following the award of the grant or are
5 deemed by the (~~higher education coordinating board~~) office to have
6 withdrawn from college during the first academic year following the
7 award, then the grant shall be considered relinquished. The (~~higher
8 education coordinating board~~) office may then award any remaining
9 grant amounts to the Washington scholars-alternate from the same
10 legislative district if the grants are awarded within one calendar year
11 of the recipient being named a Washington scholars-alternate.
12 Washington scholars-alternates named as recipients of the grant must
13 also demonstrate in a timely manner that they will enroll in a
14 Washington institution of higher education during the next available
15 term, as determined by the (~~higher education coordinating board~~)
16 office. The (~~board~~) office may accept appeals and grant waivers to
17 the enrollment requirements of this section based on exceptional
18 mitigating circumstances of individual grant recipients.

19 To maintain eligibility for the grants, recipients must maintain a
20 minimum grade point average at the college or university equivalent to
21 3.30. Students shall be eligible to receive a maximum of twelve
22 quarters or eight semesters of grants for undergraduate study and may
23 transfer among in-state public and independent colleges and
24 universities during that period and continue to receive the grant as
25 provided under RCW 28B.76.665. If the student's cumulative grade point
26 average falls below 3.30 during the first three quarters or two
27 semesters, that student may petition the (~~higher education
28 coordinating board~~) office which shall have the authority to establish
29 a probationary period until such time as the student's grade point
30 average meets required standards.

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

33 (4) As used in this section, "independent college or university"
34 means a private, nonprofit educational institution, the main campus of
35 which is permanently situated in the state, open to residents of the
36 state, providing programs of education beyond the high school level
37 leading at least to the baccalaureate degree, and accredited by the
38 northwest association of schools and colleges as of June 9, 1988, and

1 other institutions as may be developed that are approved by the
2 (~~higher education coordinating board~~) office of financial management
3 as meeting equivalent standards as those institutions accredited under
4 this section.

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

7 **Sec. 123.** RCW 28B.76.670 and 1995 1st sp.s. c 7 s 8 are each
8 amended to read as follows:

9 (1) Recipients of the Washington award for vocational excellence
10 under RCW 28C.04.520 through 28C.04.550, who receive the award after
11 June 30, 1994, may receive a grant, if funds are available. The grant
12 shall be used to attend a postsecondary institution located in the
13 state of Washington. Recipients may attend an institution of higher
14 education as defined in RCW 28B.10.016, or an independent college or
15 university, or a licensed private vocational school. The (~~higher
16 education coordinating board~~) office shall distribute grants to
17 eligible students under this section from moneys appropriated for this
18 purpose. The individual grants shall not exceed, on a yearly basis,
19 the yearly, full-time, resident, undergraduate tuition and service and
20 activities fees in effect at the state-funded research universities.
21 In consultation with the workforce training and education coordinating
22 board, the (~~higher education coordinating board~~) office shall
23 establish procedures, by rule, to disburse the awards as direct grants
24 to the students.

25 (2) To qualify for the grant, recipients shall enter the
26 postsecondary institution within three years of high school graduation
27 and maintain a minimum grade point average at the institution
28 equivalent to 3.00, or, at a technical college, an above average
29 rating. Students shall be eligible to receive a maximum of two years
30 of grants for undergraduate study and may transfer among in-state
31 eligible postsecondary institutions during that period and continue to
32 receive the grant.

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

35 (4) As used in this section, "independent college or university"
36 means a private, nonprofit educational institution, the main campus of
37 which is permanently situated in the state, open to residents of the

1 state, providing programs of education beyond the high school level
2 leading at least to the baccalaureate degree, and accredited by the
3 Northwest association of schools and colleges as of June 9, 1988, and
4 other institutions as may be developed that are approved by the
5 (~~higher education coordinating board~~) office of financial management
6 as meeting equivalent standards as those institutions accredited under
7 this section.

8 (5) As used in this section, "licensed private vocational school"
9 means a private postsecondary institution, located in the state,
10 licensed by the workforce training and education coordinating board
11 under chapter 28C.10 RCW, and offering postsecondary education in order
12 to prepare persons for a vocation or profession, as defined in RCW
13 28C.10.020(7).

14 **Sec. 124.** RCW 28B.76.690 and 2003 c 159 s 3 are each amended to
15 read as follows:

16 The (~~higher education coordinating board~~) office shall administer
17 Washington's participation in the border county higher education
18 opportunity project.

19 **Sec. 125.** RCW 28A.600.120 and 1985 c 370 s 32 are each amended to
20 read as follows:

21 The (~~higher education coordinating board~~) office of student
22 financial assistance shall have the responsibility for administration
23 of the Washington scholars program. The program will be developed
24 cooperatively with the Washington association of secondary school
25 principals, a voluntary professional association of secondary school
26 principals. The cooperation of other state agencies and private
27 organizations having interest and responsibility in public and private
28 education shall be sought for planning assistance.

29 **Sec. 126.** RCW 28A.600.130 and 2006 c 263 s 916 are each amended to
30 read as follows:

31 The (~~higher education coordinating board~~) office of student
32 financial assistance shall establish a planning committee to develop
33 criteria for screening and selection of the Washington scholars each
34 year in accordance with RCW 28A.600.110(1). It is the intent that
35 these criteria shall emphasize scholastic achievement but not exclude

1 such criteria as leadership ability and community contribution in final
2 selection procedures. The Washington scholars planning committee shall
3 have members from selected state agencies and private organizations
4 having an interest and responsibility in education, including but not
5 limited to, the office of superintendent of public instruction, the
6 council of presidents, the state board for community and technical
7 colleges, and the Washington friends of higher education.

8 **Sec. 127.** RCW 28A.600.140 and 1990 c 33 s 501 are each amended to
9 read as follows:

10 Each year on or before March 1st, the Washington association of
11 secondary school principals shall submit to the (~~higher education~~
12 ~~coordinating board~~) office of student financial assistance the names
13 of graduating senior high school students who have been identified and
14 recommended to be outstanding in academic achievement by their school
15 principals based on criteria to be established under RCW 28A.600.130.

16 **Sec. 128.** RCW 28A.600.150 and 2005 c 518 s 916 are each amended to
17 read as follows:

18 Each year, three Washington scholars and one Washington scholars-
19 alternate shall be selected from the students nominated under RCW
20 28A.600.140, except that during fiscal year 2007, no more than two
21 scholars plus one alternate may be selected. The (~~higher education~~
22 ~~coordinating board~~) office of student financial assistance shall
23 notify the students so designated, their high school principals, the
24 legislators of their respective districts, and the governor when final
25 selections have been made.

26 The (~~board~~) office, in conjunction with the governor's office,
27 shall prepare appropriate certificates to be presented to the
28 Washington scholars and the Washington scholars-alternates. An awards
29 ceremony at an appropriate time and place shall be planned by the
30 (~~board~~) office in cooperation with the Washington association of
31 secondary school principals, and with the approval of the governor.

32 **Sec. 129.** RCW 28A.230.125 and 2009 c 556 s 9 are each amended to
33 read as follows:

34 (1) The superintendent of public instruction, in consultation with
35 the (~~higher education coordinating board~~) four-year institutions as

1 defined in RCW 28B.76.020, the state board for community and technical
2 colleges, and the workforce training and education coordinating board,
3 shall develop for use by all public school districts a standardized
4 high school transcript. The superintendent shall establish clear
5 definitions for the terms "credits" and "hours" so that school programs
6 operating on the quarter, semester, or trimester system can be
7 compared.

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

11 **Sec. 130.** RCW 28A.600.285 and 2009 c 450 s 4 are each amended to
12 read as follows:

13 The superintendent of public instruction and the (~~higher education~~
14 ~~coordinating board~~) office of student financial assistance shall
15 develop advising guidelines to assure that students and parents
16 understand that college credits earned in high school dual credit
17 programs may impact eligibility for financial aid.

18 **Sec. 131.** RCW 28A.630.400 and 2006 c 263 s 815 are each amended to
19 read as follows:

20 (1) The professional educator standards board and the state board
21 for community and technical colleges, in consultation with the
22 superintendent of public instruction, (~~the higher education~~
23 ~~coordinating board,~~) the state apprenticeship training council, and
24 community colleges, shall adopt rules as necessary under chapter 34.05
25 RCW to implement the paraeducator associate of arts degree.

26 (2) As used in this section, a "paraeducator" is an individual who
27 has completed an associate of arts degree for a paraeducator. The
28 paraeducator may be hired by a school district to assist certificated
29 instructional staff in the direct instruction of children in small and
30 large groups, individualized instruction, testing of children,
31 recordkeeping, and preparation of materials. The paraeducator shall
32 work under the direction of instructional certificated staff.

33 (3) The training program for a paraeducator associate of arts
34 degree shall include, but is not limited to, the general requirements
35 for receipt of an associate of arts degree and training in the areas of
36 introduction to childhood education, orientation to children with

1 disabilities, fundamentals of childhood education, creative activities
2 for children, instructional materials for children, fine art
3 experiences for children, the psychology of learning, introduction to
4 education, child health and safety, child development and guidance,
5 first aid, and a practicum in a school setting.

6 (4) Consideration shall be given to transferability of credit
7 earned in this program to teacher preparation programs at colleges and
8 universities.

9 **Sec. 132.** RCW 28A.650.015 and 2009 c 556 s 17 are each amended to
10 read as follows:

11 (1) The superintendent of public instruction, to the extent funds
12 are appropriated, shall develop and implement a Washington state K-12
13 education technology plan. The technology plan shall be updated on at
14 least a biennial basis, shall be developed to coordinate and expand the
15 use of education technology in the common schools of the state. The
16 plan shall be consistent with applicable provisions of chapter 43.105
17 RCW. The plan, at a minimum, shall address:

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

21 (b) The continued development of a network to connect school
22 districts, institutions of higher learning, and other sources of online
23 information; and

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

26 (2) The superintendent of public instruction shall appoint an
27 educational technology advisory committee to assist in the development
28 and implementation of the technology plan in subsection (1) of this
29 section. The committee shall include, but is not limited to, persons
30 representing: The department of information services, educational
31 service districts, school directors, school administrators, school
32 principals, teachers, classified staff, higher education faculty,
33 parents, students, business, labor, scientists and mathematicians,
34 (~~the higher education coordinating board,~~) the workforce training and
35 education coordinating board, and the state library.

36 (3) The plan adopted and implemented under this section may not
37 impose on school districts any requirements that are not specifically

1 required by federal law or regulation, including requirements to
2 maintain eligibility for the federal schools and libraries program of
3 the universal service fund.

4 **Sec. 133.** RCW 28A.660.050 and 2010 c 235 s 505 are each amended to
5 read as follows:

6 Subject to the availability of amounts appropriated for these
7 purposes, the conditional scholarship programs in this chapter are
8 created under the following guidelines:

9 (1) The programs shall be administered by the (~~higher education~~
10 ~~coordinating board~~) office of student financial assistance. In
11 administering the programs, the (~~higher education coordinating board~~)
12 office has the following powers and duties:

13 (a) To adopt necessary rules and develop guidelines to administer
14 the programs;

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

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

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

21 (a) The alternative route conditional scholarship program is
22 limited to interns of professional educator standards board-approved
23 alternative routes to teaching programs under RCW 28A.660.040. For
24 fiscal year 2011, priority must be given to fiscal year 2010
25 participants in the alternative route partnership program. In order to
26 receive conditional scholarship awards, recipients shall:

27 (i) Be accepted and maintain enrollment in alternative
28 certification routes through a professional educator standards board-
29 approved program;

30 (ii) Continue to make satisfactory progress toward completion of
31 the alternative route certification program and receipt of a residency
32 teaching certificate; and

33 (iii) Receive no more than the annual amount of the scholarship,
34 not to exceed eight thousand dollars, for the cost of tuition, fees,
35 and educational expenses, including books, supplies, and transportation
36 for the alternative route certification program in which the recipient

1 is enrolled. The board may adjust the annual award by the average rate
2 of resident undergraduate tuition and fee increases at the state
3 universities as defined in RCW 28B.10.016.

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

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

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

15 (iii) Receive no more than the annual amount of the scholarship,
16 not to exceed four thousand dollars, for the cost of tuition, fees, and
17 educational expenses, including books, supplies, and transportation for
18 the alternative route certification program in which the recipient is
19 enrolled. The board may adjust the annual award by the average rate of
20 tuition and fee increases at the state community and technical
21 colleges.

22 (c) The retooling to teach mathematics and science conditional
23 scholarship program is limited to current K-12 teachers. In order to
24 receive conditional scholarship awards:

25 (i) Individuals currently employed as teachers shall pursue a
26 middle level mathematics or science, or secondary mathematics or
27 science endorsement; or

28 (ii) Individuals who are certificated with an elementary education
29 endorsement shall pursue an endorsement in middle level mathematics or
30 science, or both; and

31 (iii) Individuals shall use one of the pathways to endorsement
32 processes to receive a mathematics or science endorsement, or both,
33 which shall include passing a mathematics or science endorsement test,
34 or both tests, plus observation and completing applicable coursework to
35 attain the proper endorsement; and

36 (iv) Individuals shall receive no more than the annual amount of
37 the scholarship, not to exceed three thousand dollars, for the cost of

1 tuition, test fees, and educational expenses, including books,
2 supplies, and transportation for the endorsement pathway being pursued.

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

7 (4) For the purpose of this chapter, a conditional scholarship is
8 a loan that is forgiven in whole or in part in exchange for service as
9 a certificated teacher employed in a Washington state K-12 public
10 school. The state shall forgive one year of loan obligation for every
11 two years a recipient teaches in a public school. Recipients who fail
12 to continue a course of study leading to residency teacher
13 certification or cease to teach in a public school in the state of
14 Washington in their endorsement area are required to repay the
15 remaining loan principal with interest.

16 (5) Recipients who fail to fulfill the required teaching obligation
17 are required to repay the remaining loan principal with interest and
18 any other applicable fees. The (~~higher education coordinating board~~)
19 office of student financial assistance shall adopt rules to define the
20 terms for repayment, including applicable interest rates, fees, and
21 deferments.

22 (6) The (~~higher education coordinating board~~) office of student
23 financial assistance may deposit all appropriations, collections, and
24 any other funds received for the program in this chapter in the future
25 teachers conditional scholarship account authorized in RCW 28B.102.080.

26 **Sec. 134.** RCW 28B.04.080 and 2004 c 275 s 31 are each amended to
27 read as follows:

28 (1) The board shall consult and cooperate with the department of
29 social and health services; (~~the higher education coordinating~~
30 ~~board~~); the superintendent of public instruction; the workforce
31 training and education coordinating board; the employment security
32 department; the department of labor and industries; sponsoring agencies
33 under the federal comprehensive employment and training act (87 Stat.
34 839; 29 U.S.C. Sec. 801 et seq.), and any other persons or agencies as
35 the board deems appropriate to facilitate the coordination of centers
36 established under this chapter with existing programs of a similar
37 nature.

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

5 (3) The board shall serve as a clearinghouse for displaced
6 homemaker information and resources and shall compile and disseminate
7 statewide information to the centers, related agencies, and interested
8 persons upon request.

9 **Sec. 135.** RCW 28B.07.020 and 2007 c 218 s 86 are each amended to
10 read as follows:

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

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

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

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

23 (4) "Higher education institution" means a private, nonprofit
24 educational institution, the main campus of which is permanently
25 situated in the state, which is open to residents of the state, which
26 neither restricts entry on racial or religious grounds, which provides
27 programs of education beyond high school leading at least to the
28 baccalaureate degree, and which is accredited by the Northwest
29 Association of Schools and Colleges or by an accrediting association
30 recognized by the council for higher education (~~(coordinating board)~~).

31 (5) "Participant" means a higher education institution which, under
32 this chapter, undertakes the financing of a project or projects or
33 undertakes the refunding or refinancing of obligations, mortgages, or
34 advances previously incurred for a project or projects.

35 (6) "Project" means any land or any improvement, including, but not
36 limited to, buildings, structures, fixtures, utilities, machinery,
37 excavations, paving, and landscaping, and any interest in such land or

1 improvements, and any personal property pertaining or useful to such
2 land and improvements, which are necessary, useful, or convenient for
3 the operation of a higher education institution, including but not
4 limited to, the following: Dormitories or other multi-unit housing
5 facilities for students, faculty, officers, or employees; dining halls;
6 student unions; administration buildings; academic buildings;
7 libraries; laboratories; research facilities; computer facilities;
8 classrooms; athletic facilities; health care facilities; maintenance,
9 storage, or utility facilities; parking facilities; or any combination
10 thereof, or any other structures, facilities, or equipment so related.

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

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

34 **Sec. 136.** RCW 28B.07.030 and 2007 c 36 s 14 are each amended to
35 read as follows:

36 (1) The Washington higher education facilities authority is hereby
37 established as a public body corporate and politic, with perpetual

1 corporate succession, constituting an agency of the state of Washington
2 exercising essential governmental functions. The authority is a
3 "public body" within the meaning of RCW 39.53.010.

4 (2) The authority shall consist of (~~seven~~) six members as
5 follows: The governor, lieutenant governor, (~~executive director of~~
6 ~~the higher education coordinating board,~~) and four public members, one
7 of whom shall be the president of a higher education institution at the
8 time of appointment. The public members shall be residents of the
9 state and appointed by the governor, subject to confirmation by the
10 senate, on the basis of their interest or expertise in the provision of
11 higher education and the financing of higher education. The public
12 members of the authority shall serve for terms of four years. The
13 initial terms of the public members shall be staggered in a manner
14 determined by the governor. In the event of a vacancy on the authority
15 due to death, resignation, or removal of one of the public members, and
16 upon the expiration of the term of any public member, the governor
17 shall appoint a successor for a term expiring on the fourth anniversary
18 of the successor's date of the appointment. If any of the state
19 offices are abolished, the resulting vacancy on the authority shall be
20 filled by the state officer who shall succeed substantially to the
21 power and duties of the abolished office. Any public member of the
22 authority may be removed by the governor for misfeasance, malfeasance,
23 (~~wilful~~) willful neglect of duty, or any other cause after notice and
24 a public hearing, unless such notice and hearing shall be expressly
25 waived in writing.

26 (3) The governor shall serve as chairperson of the authority. The
27 authority shall elect annually one of its members as secretary. If the
28 governor shall be absent from a meeting of the authority, the secretary
29 shall preside. However, the governor may designate an employee of the
30 governor's office to act on the governor's behalf in all other respects
31 during the absence of the governor at any meeting of the authority. If
32 the designation is in writing and is presented to the person presiding
33 at the meetings of the authority who is included in the designation,
34 the vote of the designee has the same effect as if cast by the
35 governor.

36 (4) Any person designated by resolution of the authority shall keep
37 a record of the proceedings of the authority and shall be the custodian
38 of all books, documents, and papers filed with the authority, the

1 minute book or a journal of the authority, and the authority's official
2 seal, if any. The person may cause copies to be made of all minutes
3 and other records and documents of the authority, and may give
4 certificates to the effect that such copies are true copies. All
5 persons dealing with the authority may rely upon the certificates.

6 (5) Four members of the authority constitute a quorum. Members
7 participating in a meeting through the use of any means of
8 communication by which all members participating can hear each other
9 during the meeting shall be deemed to be present in person at the
10 meeting for all purposes. The authority may act on the basis of a
11 motion except when authorizing the issuance and sale of bonds, in which
12 case the authority shall act by resolution. Bond resolutions and other
13 resolutions shall be adopted upon the affirmative vote of four members
14 of the authority, and shall be signed by those members voting yes.
15 Motions shall be adopted upon the affirmative vote of a majority of a
16 quorum of members present at any meeting of the authority. All actions
17 taken by the authority shall take effect immediately without need for
18 publication or other public notice. A vacancy in the membership of the
19 authority does not impair the power of the authority to act under this
20 chapter.

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

25 **Sec. 137.** RCW 28B.10.786 and 1993 sp.s. c 15 s 7 are each amended
26 to read as follows:

27 It is the policy of the state of Washington that financial need not
28 be a barrier to participation in higher education. It is also the
29 policy of the state of Washington that the essential requirements level
30 budget calculation include funding for state student financial aid
31 programs. The calculation should, at a minimum, include a funding
32 level equal to the amount provided in the second year of the previous
33 biennium in the omnibus appropriations act, adjusted for the percentage
34 of needy resident students, by educational sector, likely to be
35 included in any enrollment increases necessary to maintain, by
36 educational sector, the participation rate funded in the 1993 fiscal
37 year. The calculation should also be adjusted to reflect, by

1 educational sector, any increases in cost of attendance. The cost of
2 attendance figures should be calculated by the (~~higher education~~
3 ~~coordinating board and provided to the~~) office of financial management
4 and provided to the appropriate legislative committees by June 30th of
5 each even-numbered year.

6 **Sec. 138.** RCW 28B.10.790 and 2004 c 275 s 44 are each amended to
7 read as follows:

8 Washington residents attending any nonprofit college or university
9 in another state which has a reciprocity agreement with the state of
10 Washington shall be eligible for the student financial aid program
11 outlined in chapter 28B.92 RCW if (1) they qualify as a "needy student"
12 under RCW 28B.92.030(~~(+3)~~) (5), and (2) the institution attended is a
13 member institution of an accrediting association recognized by rule of
14 the (~~higher education coordinating board~~) office of student financial
15 assistance for the purposes of this section and is specifically
16 encompassed within or directly affected by such reciprocity agreement
17 and agrees to and complies with program rules and regulations
18 pertaining to such students and institutions adopted pursuant to RCW
19 28B.92.150.

20 **Sec. 139.** RCW 28B.10.792 and 1985 c 370 s 55 are each amended to
21 read as follows:

22 The (~~higher education coordinating board~~) office of student
23 financial assistance shall develop guidelines for determining the
24 conditions under which an institution can be determined to be directly
25 affected by a reciprocity agreement for the purposes of RCW 28B.10.790:
26 PROVIDED, That no institution shall be determined to be directly
27 affected unless students from the county in which the institution is
28 located are provided, pursuant to a reciprocity agreement, access to
29 Washington institutions at resident tuition and fee rates to the extent
30 authorized by Washington law.

31 **Sec. 140.** RCW 28B.10.840 and 1985 c 370 s 57 are each amended to
32 read as follows:

33 The term "institution of higher education" whenever used in RCW
34 28B.10.840 through 28B.10.844, shall be held and construed to mean any
35 public institution of higher education in Washington. The term

1 "educational board" whenever used in RCW 28B.10.840 through 28B.10.844,
2 shall be held and construed to mean the state board for community and
3 technical colleges (~~(education and the higher education coordinating~~
4 ~~board))~~).

5 **Sec. 141.** RCW 28B.12.030 and 2002 c 187 s 2 are each amended to
6 read as follows:

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

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

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

26 **Sec. 142.** RCW 28B.12.040 and 2009 c 560 s 21 are each amended to
27 read as follows:

28 The (~~(higher education coordinating board))~~ office of student
29 financial assistance shall develop and administer the state work-study
30 program. The board shall be authorized to enter into agreements with
31 employers and eligible institutions for the operation of the program.
32 These agreements shall include such provisions as the (~~(higher~~
33 ~~education coordinating board))~~ 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 (~~board~~) office shall define community service
5 placements and may determine any salary matching requirements for any
6 community service employers.

7 **Sec. 143.** RCW 28B.12.050 and 1994 c 130 s 5 are each amended to
8 read as follows:

9 The (~~higher education coordinating board~~) office of student
10 financial assistance shall disburse state work-study funds. In
11 performing its duties under this section, the (~~board~~) office shall
12 consult eligible institutions and (~~post-secondary~~) postsecondary
13 education advisory and governing bodies. The (~~board~~) office shall
14 establish criteria designed to achieve such distribution of assistance
15 under this chapter among students attending eligible institutions as
16 will most effectively carry out the purposes of this chapter.

17 **Sec. 144.** RCW 28B.12.055 and 2009 c 215 s 12 are each amended to
18 read as follows:

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

31 (2) The (~~board~~) office may adopt rules to identify high-demand
32 fields for purposes of this section. The legislature recognizes that
33 the high-demand fields identified by the (~~board~~) office may differ in
34 different regions of the state.

35 (3) The (~~board~~) office may award grants to eligible institutions

1 of higher education that cover both student wages and program
2 administration.

3 (4) The (~~board~~) office shall develop performance benchmarks
4 regarding program success including, but not limited to, the number of
5 students served, the amount of employer contributions, and the number
6 of participating high-demand employers.

7 **Sec. 145.** RCW 28B.12.060 and 2009 c 172 s 1 are each amended to
8 read as follows:

9 The (~~higher education coordinating board~~) office of student
10 financial assistance shall adopt rules as may be necessary or
11 appropriate for effecting the provisions of this chapter, and not in
12 conflict with this chapter, in accordance with the provisions of
13 chapter 34.05 RCW, the (~~state higher education~~) administrative
14 procedure act. Such rules shall include provisions designed to make
15 employment under the work-study program reasonably available, to the
16 extent of available funds, to all eligible needy students in eligible
17 postsecondary institutions. The rules shall include:

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

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

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

25 (b) Has been accepted for enrollment as at least a half-time
26 student at the eligible institution or, in the case of a student
27 already enrolled in and attending the eligible institution, is in good
28 standing and in at least half-time attendance there either as an
29 undergraduate, graduate or professional student; and

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

31 (3) Placing priority on providing:

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

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

1 (c) Off-campus community service placements;

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

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

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

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

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

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

17 (6) Provisions to encourage job placements in high employer demand
18 occupations that meet Washington's economic development goals,
19 including those in international trade and international relations.
20 The (~~board~~) office shall permit appropriate job placements in other
21 states and other countries.

22 **Sec. 146.** RCW 28B.12.070 and 1994 c 130 s 7 are each amended to
23 read as follows:

24 Each eligible institution shall submit to the (~~higher education~~
25 ~~coordinating board~~) office of student financial assistance an annual
26 report in accordance with such requirements as are adopted by the
27 board.

28 **Sec. 147.** RCW 28B.15.012 and 2010 c 183 s 1 are each amended to
29 read as follows:

30 Whenever used in this chapter:

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

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

34 (a) A financially independent student who has had a domicile in the
35 state of Washington for the period of one year immediately prior to the
36 time of commencement of the first day of the semester or quarter for

1 which the student has registered at any institution and has in fact
2 established a bona fide domicile in this state primarily for purposes
3 other than educational;

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

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

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

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

36 (f) Any person who has lived in Washington, primarily for purposes
37 other than educational, for at least one year immediately before the
38 date on which the person has enrolled in an institution, and who holds

1 lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii),
2 (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse
3 or child of a person having nonimmigrant status under one of those
4 subsections, or who, holding or having previously held such lawful
5 nonimmigrant status as a principal or derivative, has filed an
6 application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

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

9 (h) A student who is the spouse or a dependent of a person who is
10 on active military duty stationed in the state. If the person on
11 active military duty is reassigned out-of-state, the student maintains
12 the status as a resident student so long as the student is continuously
13 enrolled in a degree program;

14 (i) A student who resides in the state of Washington and is the
15 spouse or a dependent of a person who is a member of the Washington
16 national guard;

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

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

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

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

1 Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the
2 student maintains the status as a resident student so long as the
3 student resides in Washington and is continuously enrolled in a degree
4 program.

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

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

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

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

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

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

- 1 (a) The armed forces of the United States government; or
2 (b) The Washington national guard; or
3 (c) The coast guard, merchant mariners, or other nonmilitary
4 organization when such service is recognized by the United States
5 government as equivalent to service in the armed forces.

6 **Sec. 148.** RCW 28B.15.013 and 1989 c 175 s 79 are each amended to
7 read as follows:

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

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

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

18 (b) A person does not lose a domicile in the state of Washington by
19 reason of residency in any state or country while a member of the civil
20 or military service of this state or of the United States, nor while
21 engaged in the navigation of the waters of this state or of the United
22 States or of the high seas if that person returns to the state of
23 Washington within one year of discharge from said service with the
24 intent to be domiciled in the state of Washington; any resident
25 dependent student who remains in this state when such student's
26 parents, having theretofore been domiciled in this state for a period
27 of one year immediately prior to the time of commencement of the first
28 day of the semester or quarter for which the student has registered at
29 any institution, remove from this state, shall be entitled to continued
30 classification as a resident student so long as such student's
31 attendance (except summer sessions) at an institution in this state is
32 continuous.

33 (3) To aid the institution in deciding whether a student, parent,
34 legally appointed guardian or the person having legal custody of a
35 student is domiciled in the state of Washington primarily for purposes
36 other than educational, the rules and regulations adopted by the

1 ((higher education coordinating board)) office of student financial
2 assistance shall include but not be limited to the following:

3 (a) Registration or payment of Washington taxes or fees on a motor
4 vehicle, mobile home, travel trailer, boat, or any other item of
5 personal property owned or used by the person for which state
6 registration or the payment of a state tax or fee is required will be
7 a factor in considering evidence of the establishment of a Washington
8 domicile.

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

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

13 (4) After a student has registered at an institution such student's
14 classification shall remain unchanged in the absence of satisfactory
15 evidence to the contrary. A student wishing to apply for a change in
16 classification shall reduce such evidence to writing and file it with
17 the institution. In any case involving an application for a change
18 from nonresident to resident status, the burden of proof shall rest
19 with the applicant. Any change in classification, either nonresident
20 to resident, or the reverse, shall be based upon written evidence
21 maintained in the files of the institution and, if approved, shall take
22 effect the semester or quarter such evidence was filed with the
23 institution: PROVIDED, That applications for a change in
24 classification shall be accepted up to the thirtieth calendar day
25 following the first day of instruction of the quarter or semester for
26 which application is made.

27 **Sec. 149.** RCW 28B.15.015 and 1985 c 370 s 64 are each amended to
28 read as follows:

29 The ((higher education coordinating board, upon consideration of
30 advice from representatives of the)) state's institutions, with the
31 advice of the attorney general, shall adopt rules and regulations to be
32 used by the state's institutions for determining a student's resident
33 and nonresident status and for recovery of fees for improper
34 classification of residency.

35 **Sec. 150.** RCW 28B.15.100 and 2003 c 232 s 6 are each amended to
36 read as follows:

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

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

23 (3) Full-time students registered for more than eighteen credit
24 hours shall be charged an additional operating fee for each credit hour
25 in excess of eighteen hours at the applicable established per credit
26 hour tuition fee rate for part-time students: PROVIDED, That, subject
27 to the limitations of RCW 28B.15.910, the governing boards of the state
28 universities and the community colleges may exempt all or a portion of
29 the additional charge, for students who are registered exclusively in
30 first professional programs in medicine, dental medicine, veterinary
31 medicine, doctor of pharmacy, or law, or who are registered exclusively
32 in required courses in vocational preparatory programs.

33 **Sec. 151.** RCW 28B.15.543 and 2004 c 275 s 49 are each amended to
34 read as follows:

35 (1) Subject to the limitations of RCW 28B.15.910, the governing
36 boards of the state universities, the regional universities, The
37 Evergreen State College, and the community colleges shall waive tuition

1 and service and activities fees for students named by the (~~higher~~
2 ~~education coordinating board~~) office of student financial assistance
3 on or before June 30, 1994, as recipients of the Washington scholars
4 award under RCW 28A.600.100 through 28A.600.150. The waivers shall be
5 used only for undergraduate studies. To qualify for the waiver,
6 recipients shall enter the college or university within three years of
7 high school graduation and maintain a minimum grade point average at
8 the college or university equivalent to 3.30. Students shall be
9 eligible to receive a maximum of twelve quarters or eight semesters of
10 waivers and may transfer among state-supported institutions of higher
11 education during that period and continue to have the tuition and
12 services and activities fees waived by the state-supported institution
13 of higher education that the student attends. Should the student's
14 cumulative grade point average fall below 3.30 during the first three
15 quarters or two semesters, that student may petition the (~~higher~~
16 ~~education coordinating board~~) office of student financial assistance
17 which shall have the authority to establish a probationary period until
18 such time as the student's grade point average meets required
19 standards.

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

25 **Sec. 152.** RCW 28B.15.732 and 1985 c 370 s 70 are each amended to
26 read as follows:

27 Prior to January 1st of each odd-numbered year the (~~higher~~
28 ~~education coordinating board, in cooperation with the state board for~~
29 ~~community college education, and~~) office of student financial
30 assistance, in consultation with appropriate agencies and officials in
31 the state of Oregon, shall determine for the purposes of RCW 28B.15.730
32 the number of students for whom nonresident tuition and fees have been
33 waived for the first academic year of the biennium and the fall term of
34 the second academic year, and make an estimate of the number of such
35 students for the remainder of the second academic year, and the
36 difference between the aggregate amount of tuition and fees that would
37 have been paid to the respective states by residents of the other state

1 had such waivers not been made, and the aggregate amount of tuition and
2 fees paid by residents of the other state. Should the ((board)) office
3 of student financial assistance determine that the state of Oregon has
4 experienced a greater net tuition and fee revenue loss than
5 institutions in Washington, it shall pay from funds appropriated for
6 this purpose to the appropriate agency or institutions in Oregon an
7 amount determined by subtracting the net tuition and fee revenue loss
8 of Washington from the net tuition and fee revenue loss of Oregon,
9 minus twenty-five thousand dollars for each year of the biennium:
10 PROVIDED, That appropriate officials in the state of Oregon agree to
11 make similar restitution to the state of Washington should the net
12 tuition and fee revenue loss in Washington be greater than that in
13 Oregon.

14 **Sec. 153.** RCW 28B.15.752 and 1985 c 370 s 74 are each amended to
15 read as follows:

16 Prior to January 1st of each odd-numbered year, the ((higher
17 education coordinating board, in cooperation with the state board for
18 community college education and)) office of student financial
19 assistance in consultation with appropriate agencies and officials in
20 the state of Idaho, shall determine for the purposes of RCW 28B.15.750
21 the number of students for whom nonresident tuition and fees have been
22 waived for the first academic year of the biennium and the fall term of
23 the second academic year, and make an estimate of the number of such
24 students for the remainder of the second academic year, and the
25 difference between the aggregate amount of tuition and fees that would
26 have been paid to the respective states by residents of the other state
27 had such waivers not been made, and the aggregate amount of tuition and
28 fees paid by residents of the other state. Should the ((board)) office
29 of student financial assistance determine that the state of Idaho has
30 experienced a greater net tuition and fee revenue loss than
31 institutions in Washington, it shall pay from funds appropriated for
32 this purpose to the appropriate agency or institution in Idaho an
33 amount determined by subtracting the net tuition and fee revenue loss
34 of Washington from the net tuition and fee revenue loss of Idaho, minus
35 twenty-five thousand dollars for each year of the biennium if the
36 appropriate officials in the state of Idaho agree to make similar

1 restitution to the state of Washington should the net tuition and fee
2 revenue loss in Washington be greater than that in Idaho.

3 **Sec. 154.** RCW 28B.15.760 and 2004 c 275 s 65 are each amended to
4 read as follows:

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

7 (1) "Institution of higher education" or "institution" means a
8 college or university in the state of Washington which is a member
9 institution of an accrediting association recognized as such by rule of
10 the council for higher education (~~(coordinating board)~~).

11 (2) (~~("Board" means the higher education coordinating board.~~
12 ~~(3))~~) "Eligible student" means a student registered for at least
13 ten credit hours or the equivalent and demonstrates achievement of a
14 3.00 grade point average for each academic year, who is a resident
15 student as defined by RCW 28B.15.012 through 28B.15.015, who is a
16 "needy student" as defined in RCW 28B.92.030, and who has a declared
17 major in a program leading to a degree in teacher education in a field
18 of science or mathematics, or a certificated teacher who meets the same
19 credit hour and "needy student" requirements and is seeking an
20 additional degree in science or mathematics.

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

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

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

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

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

31 **Sec. 155.** RCW 28B.15.762 and 1996 c 107 s 2 are each amended to
32 read as follows:

33 (1) The (~~(board)~~) office may make long-term loans to eligible
34 students at institutions of higher education from the funds
35 appropriated to the (~~(board)~~) office for this purpose. The amount of
36 any such loan shall not exceed the demonstrated financial need of the

1 student or two thousand five hundred dollars for each academic year
2 whichever is less, and the total amount of such loans to an eligible
3 student shall not exceed ten thousand dollars. The interest rates and
4 terms of deferral of such loans shall be consistent with the terms of
5 the guaranteed loan program established by 20 U.S.C. Sec. 1701 et seq.
6 The period for repaying the loan principal and interest shall be ten
7 years with payments accruing quarterly commencing nine months from the
8 date the borrower graduated. The entire principal and interest of each
9 loan payment shall be forgiven for each payment period in which the
10 borrower teaches science or mathematics in a public school in this
11 state until the entire loan is satisfied or the borrower ceases to
12 teach science or mathematics at a public school in this state. Should
13 the borrower cease to teach science or mathematics at a public school
14 in this state before the time in which the principal and interest on
15 the loan are satisfied, payments on the unsatisfied portion of the
16 principal and interest on the loan shall begin the next payment period
17 and continue until the remainder of the loan is paid.

18 (2) The (~~board~~) office is responsible for collection of loans
19 made under subsection (1) of this section and shall exercise due
20 diligence in such collection, maintaining all necessary records to
21 insure that maximum repayments are made. Collection and servicing of
22 loans under subsection (1) of this section shall be pursued using the
23 full extent of the law, including wage garnishment if necessary, and
24 shall be performed by entities approved for such servicing by the
25 Washington student loan guaranty association or its successor agency.
26 The board is responsible to forgive all or parts of such loans under
27 the criteria established in subsection (1) of this section and shall
28 maintain all necessary records of forgiven payments.

29 (3) Receipts from the payment of principal or interest or any other
30 subsidies to which the board as lender is entitled, which are paid by
31 or on behalf of borrowers under subsection (1) of this section, shall
32 be deposited with the (~~higher education coordinating board~~) office
33 and shall be used to cover the costs of making the loans under
34 subsection (1) of this section, maintaining necessary records, and
35 making collections under subsection (2) of this section. The (~~board~~)
36 office shall maintain accurate records of these costs, and all receipts
37 beyond those necessary to pay such costs shall be used to make loans to
38 eligible students.

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

4 (5) The ((board)) office shall adopt necessary rules to implement
5 this section.

6 **Sec. 156.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and
7 2009 c 64 s 3 are each reenacted and amended to read as follows:

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

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

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

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

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

31 (3) "Board" means the workforce training and education coordinating
32 board.

33 (4) "Board of trustees" means the local community and technical
34 college board of trustees established for each college district within
35 the state.

36 (5) "Center of excellence" means a community or technical college

1 designated by the college board as a statewide leader in
2 industry-specific, community and technical college workforce education
3 and training.

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

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

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

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

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

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

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

34 (13) "Forest products worker" means a worker in the forest products
35 industries affected by the reduction of forest fiber enhancement,
36 transportation, or production. The workers included within this
37 definition shall be determined by the employment security department,
38 but shall include workers employed in the industries assigned the major

1 group standard industrial classification codes "24" and "26" and the
2 industries involved in the harvesting and management of logs,
3 transportation of logs and wood products, processing of wood products,
4 and the manufacturing and distribution of wood processing and logging
5 equipment. The commissioner may adopt rules further interpreting these
6 definitions. For the purposes of this subsection, "standard industrial
7 classification code" means the code identified in RCW 50.29.025(3).

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

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

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

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

22 (a) Washington public community and technical colleges;

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

26 (c) Washington state apprenticeship and training council-approved
27 apprenticeship programs.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 Vocational-Technical Institute, Renton Vocational-Technical Institute,
2 Bates Vocational-Technical Institute, Clover Park Vocational Institute,
3 and Bellingham Vocational-Technical Institute.

4 **Sec. 157.** RCW 28B.50.272 and 2007 c 277 s 102 are each amended to
5 read as follows:

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

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

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

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

18 (2) Upon enrolling, the student must provide evidence of commitment
19 to complete the program. The student must make satisfactory progress
20 and maintain a cumulative 2.0 grade point average for continued
21 eligibility. If a student's cumulative grade point average falls below
22 2.0, the student may petition the institution of higher education of
23 attendance. The qualified institution of higher education has the
24 authority to establish a probationary period until such time as the
25 student's grade point average reaches required standards.

26 (3) Subject to funds appropriated for this specific purpose, public
27 qualified institutions of higher education shall receive an enhancement
28 of one thousand five hundred dollars for each full-time equivalent
29 student enrolled in the opportunity grant program whose income is below
30 two hundred percent of the federal poverty level. The funds shall be
31 used for individualized support services which may include, but are not
32 limited to, college and career advising, tutoring, emergency child
33 care, and emergency transportation. The qualified institution of
34 higher education is expected to help students access all financial
35 resources and support services available to them through alternative
36 sources.

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

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

13 (6) The college board and (~~higher education coordinating board~~)
14 office of student financial assistance shall document the amount of
15 opportunity grant assistance and the types and amounts of other sources
16 of financial aid received by participating students. Annually, they
17 shall produce a summary of the data.

18 (7) The college board shall:

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

21 (b) Submit a progress report to the legislature by December 1,
22 2008.

23 (8) The college board may, in implementing the opportunity grant
24 program, accept, use, and expend or dispose of contributions of money,
25 services, and property. All such moneys received by the college board
26 for the program must be deposited in an account at a depository
27 approved by the state treasurer. Only the college board or a duly
28 authorized representative thereof may authorize expenditures from this
29 account. In order to maintain an effective expenditure and revenue
30 control, the account is subject in all respects to chapter 43.88 RCW,
31 but no appropriation is required to permit expenditure of moneys in the
32 account.

33 **Sec. 158.** RCW 28B.92.020 and 2003 c 19 s 11 are each amended to
34 read as follows:

35 (1) The legislature finds that the (~~higher education coordinating~~
36 ~~board, in consultation with the~~) higher education community, has

1 completed a review of the state need grant program. It is the intent
2 of the legislature to endorse the (~~board's~~) proposed changes to the
3 state need grant program, including:

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

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

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

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

16 (e) Institutional aid administrators be allowed to determine
17 whether a student eligible for a state need grant in a given academic
18 year may remain eligible for the ensuing year if the student's family
19 income increases by no more than a marginal amount except for funds
20 provided through the educational assistance grant program for students
21 with dependents.

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

26 (3) The legislature also finds that:

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

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

34 **Sec. 159.** RCW 28B.92.030 and 2009 c 238 s 7 and 2009 c 215 s 5 are
35 each reenacted and amended to read as follows:

36 As used in this chapter:

37 (1) (~~"Board" means the higher education coordinating board.~~

1 ~~(2)~~) "Disadvantaged student" means a (~~(post-high)~~) posthigh school
2 student who by reason of adverse cultural, educational, environmental,
3 experiential, familial or other circumstances is unable to qualify for
4 enrollment as a full-time student in an institution of higher
5 education, who would otherwise qualify as a needy student, and who is
6 attending an institution of higher education under an established
7 program designed to qualify the student for enrollment as a full-time
8 student.

9 ~~(3)~~) (2) "Financial aid" means loans and/or grants to needy
10 students enrolled or accepted for enrollment as a student at
11 institutions of higher education.

12 ~~(4)~~) (3) "Institution" or "institutions of higher education"
13 means:

14 (a) Any public university, college, community college, or technical
15 college operated by the state of Washington or any political
16 subdivision thereof; or

17 (b) Any other university, college, school, or institute in the
18 state of Washington offering instruction beyond the high school level
19 which is a member institution of an accrediting association recognized
20 by rule of the board for the purposes of this section: PROVIDED, That
21 any institution, branch, extension or facility operating within the
22 state of Washington which is affiliated with an institution operating
23 in another state must be a separately accredited member institution of
24 any such accrediting association, or a branch of a member institution
25 of an accrediting association recognized by rule of the board for
26 purposes of this section, that is eligible for federal student
27 financial aid assistance and has operated as a nonprofit college or
28 university delivering on-site classroom instruction for a minimum of
29 twenty consecutive years within the state of Washington, and has an
30 annual enrollment of at least seven hundred full-time equivalent
31 students: PROVIDED FURTHER, That no institution of higher education
32 shall be eligible to participate in a student financial aid program
33 unless it agrees to and complies with program rules and regulations
34 adopted pursuant to RCW 28B.92.150.

35 ~~(5)~~) (4) "Needy student" means a (~~(post-high)~~) posthigh school
36 student of an institution of higher education who demonstrates to the
37 board the financial inability, either through the student's parents,
38 family and/or personally, to meet the total cost of board, room, books,

1 and tuition and incidental fees for any semester or quarter. "Needy
2 student" also means an opportunity internship graduate as defined by
3 RCW 28C.18.162 who enrolls in a postsecondary program of study as
4 defined in RCW 28C.18.162 within one year of high school graduation.

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

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

11 **Sec. 160.** RCW 28B.92.040 and 2004 c 275 s 36 are each amended to
12 read as follows:

13 The ((board)) office shall be cognizant of the following guidelines
14 in the performance of its duties:

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

17 (2) The ((board)) office shall coordinate all existing programs of
18 financial aid except those specifically dedicated to a particular
19 institution by the donor.

20 (3) The ((board)) office shall take the initiative and
21 responsibility for coordinating all federal student financial aid
22 programs to ensure that the state recognizes the maximum potential
23 effect of these programs, and shall design state programs that
24 complement existing federal, state, and institutional programs. The
25 ((board)) office shall ensure that state programs continue to follow
26 the principle that state financial aid funding follows the student to
27 the student's choice of institution of higher education.

28 (4) Counseling is a paramount function of the state need grant and
29 other state student financial aid programs, and in most cases could
30 only be properly implemented at the institutional levels; therefore,
31 state student financial aid programs shall be concerned with the
32 attainment of those goals which, in the judgment of the ((board))
33 office, are the reasons for the existence of a student financial aid
34 program, and not solely with administration of the program on an
35 individual basis.

36 (5) The "package" approach of combining loans, grants and

1 employment for student financial aid shall be the conceptual element of
2 the state's involvement.

3 (6) The ((~~board~~)) office shall ensure that allocations of state
4 appropriations for financial aid are made to individuals and
5 institutions in a timely manner and shall closely monitor expenditures
6 to avoid under or overexpenditure of appropriated funds.

7 **Sec. 161.** RCW 28B.92.050 and 1999 c 345 s 4 are each amended to
8 read as follows:

9 The ((~~board~~)) office shall have the following powers and duties:

10 (1) Conduct a full analysis of student financial aid as a means of:

11 (a) Fulfilling educational aspirations of students of the state of
12 Washington, and

13 (b) Improving the general, social, cultural, and economic character
14 of the state.

15 Such an analysis will be a continuous one and will yield current
16 information relevant to needed improvements in the state program of
17 student financial aid. The ((~~board~~)) office will disseminate the
18 information yielded by their analyses to all appropriate individuals
19 and agents.

20 (2) Design a state program of student financial aid based on the
21 data of the study referred to in this section. The state programs will
22 supplement available federal and local aid programs. The state
23 programs of student financial aid will not exceed the difference
24 between the budgetary costs of attending an institution of higher
25 education and the student's total resources, including family support,
26 personal savings, employment, and federal, state, and local aid
27 programs.

28 (3) Determine and establish criteria for financial need of the
29 individual applicant based upon the consideration of that particular
30 applicant. In making this determination the ((~~board~~)) office shall
31 consider the following:

32 (a) Assets and income of the student.

33 (b) Assets and income of the parents, or the individuals legally
34 responsible for the care and maintenance of the student.

35 (c) The cost of attending the institution the student is attending
36 or planning to attend.

37 (d) Any other criteria deemed relevant to the ((~~board~~)) office.

1 (4) Set the amount of financial aid to be awarded to any individual
2 needy or disadvantaged student in any school year.

3 (5) Award financial aid to needy or disadvantaged students for a
4 school year based upon only that amount necessary to fill the financial
5 gap between the budgetary cost of attending an institution of higher
6 education and the family and student contribution.

7 (6) Review the need and eligibility of all applications on an
8 annual basis and adjust financial aid to reflect changes in the
9 financial need of the recipients and the cost of attending the
10 institution of higher education.

11 **Sec. 162.** RCW 28B.92.060 and 2009 c 215 s 4 are each amended to
12 read as follows:

13 In awarding need grants, the ((board)) office shall proceed
14 substantially as follows: PROVIDED, That nothing contained herein
15 shall be construed to prevent the ((board)) office, in the exercise of
16 its sound discretion, from following another procedure when the best
17 interest of the program so dictates:

18 (1) The ((board)) office shall annually select the financial aid
19 award recipients from among Washington residents applying for student
20 financial aid who have been ranked according to:

21 (a) Financial need as determined by the amount of the family
22 contribution; and

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

26 (2) The financial need of the highest ranked students shall be met
27 by grants depending upon the evaluation of financial need until the
28 total allocation has been disbursed. Funds from grants which are
29 declined, forfeited or otherwise unused shall be reawarded until
30 disbursed, except that eligible former foster youth shall be assured
31 receipt of a grant.

32 (3) A student shall be eligible to receive a state need grant for
33 up to five years, or the credit or clock hour equivalent of five years,
34 or up to one hundred twenty-five percent of the published length of
35 time of the student's program. A student may not start a new associate
36 degree program as a state need grant recipient until at least five
37 years have elapsed since earning an associate degree as a need grant

1 recipient, except that a student may earn two associate degrees
2 concurrently. Qualifications for renewal will include maintaining
3 satisfactory academic progress toward completion of an eligible program
4 as determined by the ((board)) office. Should the recipient terminate
5 his or her enrollment for any reason during the academic year, the
6 unused portion of the grant shall be returned to the state educational
7 grant fund by the institution according to the institution's own policy
8 for issuing refunds, except as provided in RCW 28B.92.070.

9 (4) In computing financial need, the ((board)) office shall
10 determine a maximum student expense budget allowance, not to exceed an
11 amount equal to the total maximum student expense budget at the public
12 institutions plus the current average state appropriation per student
13 for operating expense in the public institutions. Any child support
14 payments received by students who are parents attending less than half-
15 time shall not be used in computing financial need.

16 (5)(a) A student who is enrolled in three to six credit-bearing
17 quarter credits, or the equivalent semester credits, may receive a
18 grant for up to one academic year before beginning a program that leads
19 to a degree or certificate.

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

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

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

29 (ii) The student completes the required free application for
30 federal student aid;

31 (iii) The institution has reviewed the student's financial
32 condition, and the financial condition of the student's family if the
33 student is a dependent student, and has determined that the student is
34 likely eligible for a state need grant; and

35 (iv) The student has signed a document attesting to the fact that
36 the financial information provided on the free application for federal
37 student aid and any additional financial information provided directly

1 to the institution is accurate and complete, and that the student
2 agrees to repay the institution for the grant amount if the student
3 submitted false or incomplete information.

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

8 **Sec. 163.** RCW 28B.92.084 and 2009 c 238 s 8 are each amended to
9 read as follows:

10 (1) The ((board)) office shall work with institutions of higher
11 education to assure that the institutions are aware of the eligibility
12 of opportunity internship graduates for an award under this chapter.

13 (2) If an opportunity internship graduate enrolls within one year
14 of high school graduation in a postsecondary program of study in an
15 institution of higher education, including in an apprenticeship program
16 with related and supplemental instruction provided through an
17 institution of higher education, the graduate is eligible to receive a
18 state need grant for up to one year. The graduate shall not be
19 required to be enrolled on at least a half-time basis. The related and
20 supplemental instruction provided to a graduate through an
21 apprenticeship program shall not be required to lead to a degree or
22 certificate.

23 (3) Except for the eligibility criteria for an opportunity
24 internship graduate that are provided under this section, other rules
25 pertaining to award of a state need grant apply.

26 (4) Nothing in this section precludes an opportunity internship
27 graduate from being eligible to receive additional state need grants
28 after the one-year grant provided in this section if the graduate meets
29 other criteria as a needy or disadvantaged student.

30 **Sec. 164.** RCW 28B.92.120 and 2004 c 275 s 41 are each amended to
31 read as follows:

32 Funds appropriated for student financial assistance to be granted
33 pursuant to this chapter shall be disbursed as determined by the
34 ((board)) office.

1 **Sec. 165.** RCW 28B.92.130 and 2004 c 275 s 42 are each amended to
2 read as follows:

3 The ((~~board~~)) office shall be authorized to accept grants, gifts,
4 bequests, and devises of real and personal property from any source for
5 the purpose of granting financial aid in addition to that funded by the
6 state.

7 **Sec. 166.** RCW 28B.92.140 and 1997 c 269 s 1 are each amended to
8 read as follows:

9 The state educational trust fund is hereby established in the state
10 treasury. The primary purpose of the trust is to pledge statewide
11 available college student assistance to needy or disadvantaged
12 students, especially middle and high school youth, considered at-risk
13 of dropping out of secondary education who participate in
14 ((~~board~~)) approved early awareness and outreach programs and who enter
15 any accredited Washington institution of postsecondary education within
16 two years of high school graduation.

17 The ((~~board~~)) office shall deposit refunds and recoveries of
18 student financial aid funds expended in prior fiscal periods in such
19 account. The ((~~board~~)) office may also deposit moneys that have been
20 contributed from other state, federal, or private sources.

21 Expenditures from the fund shall be for financial aid to needy or
22 disadvantaged students. The ((~~board~~)) office may annually expend such
23 sums from the fund as may be necessary to fulfill the purposes of this
24 section, including not more than three percent for the costs to
25 administer aid programs supported by the fund. All earnings of
26 investments of balances in the state educational trust fund shall be
27 credited to the trust fund. Expenditures from the fund shall not be
28 subject to appropriation but are subject to allotment procedures under
29 chapter 43.88 RCW.

30 **Sec. 167.** RCW 28B.92.150 and 2004 c 275 s 43 are each amended to
31 read as follows:

32 The ((~~board~~)) office shall adopt rules as may be necessary or
33 appropriate for effecting the provisions of this chapter, in accordance
34 with the provisions of chapter 34.05 RCW, the administrative procedure
35 act.

1 **Sec. 168.** RCW 28B.95.020 and 2007 c 405 s 8 are each amended to
2 read as follows:

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

5 (1) "Academic year" means the regular nine-month, three-quarter, or
6 two-semester period annually occurring between August 1st and July
7 31st.

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

15 (3) (~~("Board")~~) "Office" means the (~~(higher education coordinating~~
16 ~~board)~~) office of student financial assistance as defined in chapter
17 28B.76 RCW.

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

25 (5) "Governing body" means the committee empowered by the
26 legislature to administer the Washington advanced college tuition
27 payment program.

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

33 (7) "Eligible beneficiary" means the person for whom the tuition
34 unit will be redeemed for attendance at an institution of higher
35 education. The beneficiary is that person named by the purchaser at
36 the time that a tuition unit contract is accepted by the governing
37 body. Qualified organizations, as allowed under section 529 of the

1 federal internal revenue code, purchasing tuition unit contracts as
2 future scholarships need not designate a beneficiary at the time of
3 purchase.

4 (8) "Eligible purchaser" means an individual or organization that
5 has entered into a tuition unit contract with the governing body for
6 the purchase of tuition units for an eligible beneficiary. The state
7 of Washington may be an eligible purchaser for purposes of purchasing
8 tuition units to be held for granting Washington college bound
9 scholarships.

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

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

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

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

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

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

33 (15) "Unit purchase price" means the minimum cost to purchase one
34 tuition unit for an eligible beneficiary. Generally, the minimum
35 purchase price is one percent of the undergraduate tuition and fees for
36 the current year, rounded to the nearest whole dollar, adjusted for the
37 costs of administration and adjusted to ensure the actuarial soundness
38 of the account. The analysis for price setting shall also include, but

1 not be limited to consideration of past and projected patterns of
2 tuition increases, program liability, past and projected investment
3 returns, and the need for a prudent stabilization reserve.

4 **Sec. 169.** RCW 28B.95.025 and 2000 c 14 s 2 are each amended to
5 read as follows:

6 The ((~~board~~)) office shall maintain appropriate offices and employ
7 and fix compensation of such personnel as may be necessary to perform
8 the advanced college tuition payment program duties. The ((~~board~~))
9 office shall consult with the governing body on the selection,
10 compensation, and other issues relating to the employment of the
11 program director. The positions are exempt from classified service
12 under chapter 41.06 RCW. The employees shall be employees of the
13 ((~~higher education coordinating board~~)) office.

14 **Sec. 170.** RCW 28B.95.030 and 2005 c 272 s 2 are each amended to
15 read as follows:

16 (1) The Washington advanced college tuition payment program shall
17 be administered by the committee on advanced tuition payment which
18 shall be chaired by the ((~~executive~~)) director of the ((~~board~~)) office.
19 The committee shall be supported by staff of the ((~~board~~)) office.

20 (2)(a) The Washington advanced college tuition payment program
21 shall consist of the sale of tuition units, which may be redeemed by
22 the beneficiary at a future date for an equal number of tuition units
23 regardless of any increase in the price of tuition, that may have
24 occurred in the interval.

25 (b) Each purchase shall be worth a specific number of or fraction
26 of tuition units at each state institution of higher education as
27 determined by the governing body.

28 (c) The number of tuition units necessary to pay for a full year's,
29 full-time undergraduate tuition and fee charges at a state institution
30 of higher education shall be set by the governing body at the time a
31 purchaser enters into a tuition unit contract.

32 (d) The governing body may limit the number of tuition units
33 purchased by any one purchaser or on behalf of any one beneficiary,
34 however, no limit may be imposed that is less than that necessary to
35 achieve four years of full-time, undergraduate tuition charges at a

1 state institution of higher education. The governing body also may, at
2 its discretion, limit the number of participants, if needed, to ensure
3 the actuarial soundness and integrity of the program.

4 (e) While the Washington advanced college tuition payment program
5 is designed to help all citizens of the state of Washington, the
6 governing body may determine residency requirements for eligible
7 purchasers and eligible beneficiaries to ensure the actuarial soundness
8 and integrity of the program.

9 (3)(a) No tuition unit may be redeemed until two years after the
10 purchase of the unit. Units may be redeemed for enrollment at any
11 institution of higher education that is recognized by the internal
12 revenue service under chapter 529 of the internal revenue code.

13 (b) Units redeemed at a nonstate institution of higher education or
14 for graduate enrollment shall be redeemed at the rate for state public
15 institutions in effect at the time of redemption.

16 (4) The governing body shall determine the conditions under which
17 the tuition benefit may be transferred to another family member. In
18 permitting such transfers, the governing body may not allow the tuition
19 benefit to be bought, sold, bartered, or otherwise exchanged for goods
20 and services by either the beneficiary or the purchaser.

21 (5) The governing body shall administer the Washington advanced
22 college tuition payment program in a manner reasonably designed to be
23 actuarially sound, such that the assets of the trust will be sufficient
24 to defray the obligations of the trust including the costs of
25 administration. The governing body may, at its discretion, discount
26 the minimum purchase price for certain kinds of purchases such as those
27 from families with young children, as long as the actuarial soundness
28 of the account is not jeopardized.

29 (6) The governing body shall annually determine current value of a
30 tuition unit.

31 (7) The governing body shall promote, advertise, and publicize the
32 Washington advanced college tuition payment program.

33 (8) In addition to any other powers conferred by this chapter, the
34 governing body may:

35 (a) Impose reasonable limits on the number of tuition units or
36 units that may be used in any one year;

37 (b) Determine and set any time limits, if necessary, for the use of
38 benefits under this chapter;

1 (c) Impose and collect administrative fees and charges in
2 connection with any transaction under this chapter;

3 (d) Appoint and use advisory committees as needed to provide
4 program direction and guidance;

5 (e) Formulate and adopt all other policies and rules necessary for
6 the efficient administration of the program;

7 (f) Consider the addition of an advanced payment program for room
8 and board contracts and also consider a college savings program;

9 (g) Purchase insurance from insurers licensed to do business in the
10 state, to provide for coverage against any loss in connection with the
11 account's property, assets, or activities or to further insure the
12 value of the tuition units;

13 (h) Make, execute, and deliver contracts, conveyances, and other
14 instruments necessary to the exercise and discharge of its powers and
15 duties under this chapter;

16 (i) Contract for the provision for all or part of the services
17 necessary for the management and operation of the program with other
18 state or nonstate entities authorized to do business in the state;

19 (j) Contract for other services or for goods needed by the
20 governing body in the conduct of its business under this chapter;

21 (k) Contract with financial consultants, actuaries, auditors, and
22 other consultants as necessary to carry out its responsibilities under
23 this chapter;

24 (l) Solicit and accept cash donations and grants from any person,
25 governmental agency, private business, or organization; and

26 (m) Perform all acts necessary and proper to carry out the duties
27 and responsibilities of this program under this chapter.

28 **Sec. 171.** RCW 28B.95.040 and 1997 c 289 s 4 are each amended to
29 read as follows:

30 The governing body may, at its discretion, allow an organization to
31 purchase tuition units for future use as scholarships. Such
32 organizations electing to purchase tuition units for this purpose must
33 enter into a contract with the governing body which, at a minimum,
34 ensures that the scholarship shall be freely given by the purchaser to
35 a scholarship recipient. For such purchases, the purchaser need not
36 name a beneficiary until four months before the date when the tuition
37 units are first expected to be used.

1 The governing body shall formulate and adopt such rules as are
2 necessary to determine which organizations may qualify to purchase
3 tuition units for scholarships under this section. The governing body
4 also may consider additional rules for the use of tuition units if
5 purchased as scholarships.

6 The governing body may establish a scholarship fund with moneys
7 from the Washington advanced college tuition payment program account.
8 A scholarship fund established under this authority shall be
9 administered by the (~~higher education coordinating board~~) office and
10 shall be provided to students who demonstrate financial need.
11 Financial need is not a criterion that any other organization need
12 consider when using tuition units as scholarships. The (~~board~~)
13 office also may establish its own corporate-sponsored scholarship fund
14 under this chapter.

15 **Sec. 172.** RCW 28B.95.060 and 2007 c 214 s 13 are each amended to
16 read as follows:

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

21 (2)(a) Except as provided in (b) of this subsection, the governing
22 body shall deposit in the account all money received for the program.
23 The account shall be self-sustaining and consist of payments received
24 from purchasers of tuition units and funds received from other sources,
25 public or private. With the exception of investment and operating
26 costs associated with the investment of money by the investment board
27 paid under RCW 43.33A.160 and 43.84.160, the account shall be credited
28 with all investment income earned by the account. Disbursements from
29 the account are exempt from appropriations and the allotment provisions
30 of chapter 43.88 RCW. Money used for program administration is subject
31 to the allotment of all expenditures. However, an appropriation is not
32 required for such expenditures. Program administration shall include,
33 but not be limited to: The salaries and expenses of the program
34 personnel including lease payments, travel, and goods and services
35 necessary for program operation; contracts for program promotion and
36 advertisement, audits, and account management; and other general costs
37 of conducting the business of the program.

1 (b) All money received by the program from the (~~higher education~~
2 ~~coordinating board~~) office for the GET ready for math and science
3 scholarship program shall be deposited in the GET ready for math and
4 science scholarship account created in RCW 28B.105.110.

5 (3) The assets of the account may be spent without appropriation
6 for the purpose of making payments to institutions of higher education
7 on behalf of the qualified beneficiaries, making refunds, transfers, or
8 direct payments upon the termination of the Washington advanced college
9 tuition payment program. Disbursements from the account shall be made
10 only on the authorization of the governing body.

11 (4) With regard to the assets of the account, the state acts in a
12 fiduciary, not ownership, capacity. Therefore the assets of the
13 program are not considered state money, common cash, or revenue to the
14 state.

15 **Sec. 173.** RCW 28B.95.160 and 2007 c 214 s 12 are each amended to
16 read as follows:

17 Ownership of tuition units purchased by the (~~higher education~~
18 ~~coordinating board~~) office for the GET ready for math and science
19 scholarship program under RCW 28B.105.070 shall be in the name of the
20 state of Washington and may be redeemed by the state of Washington on
21 behalf of recipients of GET ready for math and science scholarship
22 program scholarships for tuition and fees.

23 **Sec. 174.** RCW 28B.97.010 and 2009 c 215 s 13 are each amended to
24 read as follows:

25 (1) The Washington higher education loan program is created. The
26 program is created to assist students in need of additional low-cost
27 student loans and related loan benefits.

28 (2) The program shall be administered by the (~~board~~) office. In
29 administering the program, the (~~board~~) office must:

30 (a) Periodically assess the needs and target the benefits to
31 selected students;

32 (b) Devise a program to address the following issues related to
33 loans:

34 (i) Issuance of low-interest educational loans;

35 (ii) Determining loan repayment obligations and options;

36 (iii) Borrowing educational loans at low interest rates;

- 1 (iv) Developing conditional loans that can be forgiven in exchange
2 for service; and
- 3 (v) Creating an emergency loan fund to help students until other
4 state and federal long-term financing can be secured;
- 5 (c) Accept public and private contributions;
- 6 (d) Publicize the program; and
- 7 (e) Work with public and private colleges and universities, the
8 state board for community and technical colleges, the workforce
9 training and education coordinating board, and with students, to
10 conduct periodic assessment of program needs. The (~~board~~) office may
11 also consult with other groups and individuals as needed.

12 **Sec. 175.** RCW 28B.97.020 and 2009 c 215 s 14 are each amended to
13 read as follows:

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

16 (1) (~~("Board" means the higher education coordinating board.~~
17 ~~+2+))~~ "Institution of higher education" means a college or
18 university in the state of Washington that is accredited by an
19 accrediting association recognized as such by rule of the board.

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

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

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

24 **Sec. 176.** RCW 28B.102.020 and 2004 c 58 s 2 are each amended to
25 read as follows:

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

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

31 (2) "Institution of higher education" or "institution" means a
32 college or university in the state of Washington that is accredited by
33 an accrediting association recognized as such by rule of the council
34 for higher education (~~(coordinating board)~~).

35 (3) (~~("Board")~~) "Office" means the (~~(higher education coordinating~~
36 ~~board)~~) office of student financial assistance.

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

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

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

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

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

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

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

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

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

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

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

35 **Sec. 177.** RCW 28B.102.030 and 2004 c 58 s 3 are each amended to
36 read as follows:

37 The future teachers conditional scholarship and loan repayment

1 program is established. The program shall be administered by the
2 ((higher education coordinating board)) office. In administering the
3 program, the board shall have the following powers and duties:

- 4 (1) Select students to receive conditional scholarships or loan
5 repayments;
- 6 (2) Adopt necessary rules and guidelines;
- 7 (3) Publicize the program;
- 8 (4) Collect and manage repayments from students who do not meet
9 their teaching obligations under this chapter; and
- 10 (5) Solicit and accept grants and donations from public and private
11 sources for the program.

12 **Sec. 178.** RCW 28B.102.040 and 2008 c 170 s 306 are each amended to
13 read as follows:

14 (1) The ((board)) office may select participants based on an
15 application process conducted by the ((board)) office or the ((board))
16 office may utilize selection processes for similar students in
17 cooperation with the professional educator standards board or the
18 office of the superintendent of public instruction.

19 (2) If the ((board)) office selects participants for the program,
20 it shall establish a selection committee for screening and selecting
21 recipients of the conditional scholarships. The criteria shall
22 emphasize factors demonstrating excellence including but not limited to
23 superior scholastic achievement, leadership ability, community
24 contributions, bilingual ability, willingness to commit to providing
25 teaching service in shortage areas, and an ability to act as a role
26 model for students. Priority will be given to individuals seeking
27 certification or an additional endorsement in math, science, technology
28 education, agricultural education, business and marketing education,
29 family and consumer science education, or special education.

30 **Sec. 179.** RCW 28B.102.050 and 2004 c 58 s 6 are each amended to
31 read as follows:

32 The ((board)) office may award conditional scholarships or provide
33 loan repayments to eligible participants from the funds appropriated to
34 the ((board)) office for this purpose, or from any private donations,
35 or any other funds given to the ((board)) office for this program. The
36 amount of the conditional scholarship or loan repayment awarded an

1 individual shall not exceed the amount of tuition and fees at the
2 institution of higher education attended by the participant or resident
3 undergraduate tuition and fees at the University of Washington per
4 academic year for a full-time student, whichever is lower.
5 Participants are eligible to receive conditional scholarships or loan
6 repayments for a maximum of five years.

7 **Sec. 180.** RCW 28B.102.055 and 2004 c 58 s 8 are each amended to
8 read as follows:

9 (1) Upon documentation of federal student loan indebtedness, the
10 (~~board~~) office may enter into agreements with participants to repay
11 all or part of a federal student loan in exchange for teaching service
12 in an approved educational program. The ratio of loan repayment to
13 years of teaching service for the loan repayment program shall be the
14 same as established for the conditional scholarship program.

15 (2) The agreement shall specify the period of time it is in effect
16 and detail the obligations of the (~~board~~) office and the participant,
17 including the amount to be paid to the participant. The agreement may
18 also specify the geographic location and subject matter area of
19 teaching service for which loan repayment will be provided.

20 (3) At the end of each school year, a participant under this
21 section shall provide evidence to the (~~board~~) office that the
22 requisite teaching service has been provided. Upon receipt of the
23 evidence, the (~~board~~) office shall pay the participant the agreed-
24 upon amount for one year of full-time teaching service or a prorated
25 amount for less than full-time teaching service. To qualify for
26 additional loan repayments, the participant must be engaged in
27 continuous teaching service as defined by the (~~board~~) office.

28 (4) The (~~board~~) office may, at its discretion, arrange to make
29 the loan repayment directly to the holder of the participant's federal
30 student loan.

31 (5) The (~~board's~~) office's obligations to a participant under
32 this section shall cease when:

33 (a) The terms of the agreement have been fulfilled;

34 (b) The participant fails to maintain continuous teaching service
35 as determined by the (~~board~~) office; or

36 (c) All of the participant's federal student loans have been
37 repaid.

1 (6) The ((~~board~~)) office shall adopt rules governing loan
2 repayments, including approved leaves of absence from continuous
3 teaching service and other deferments as may be necessary.

4 **Sec. 181.** RCW 28B.102.060 and 2004 c 58 s 7 are each amended to
5 read as follows:

6 (1) Participants in the conditional scholarship program incur an
7 obligation to repay the conditional scholarship, with interest and an
8 equalization fee, unless they teach for two years in an approved
9 education program for each year of scholarship received, under rules
10 adopted by the ((~~board~~)) office. Participants who teach in a
11 designated teacher shortage area shall have one year of loan canceled
12 for each year they teach in the shortage area.

13 (2) The interest rate shall be determined annually by the ((~~board~~))
14 office. Participants who fail to complete the teaching service shall
15 incur an equalization fee based on the remaining unforgiven balance of
16 the loan. The equalization fee shall be added to the remaining balance
17 and repaid by the participant.

18 (3) The minimum payment shall be set by the ((~~board~~)) office. The
19 maximum period for repayment shall be ten years, with payments of
20 principal and interest accruing quarterly commencing six months from
21 the date the participant completes or discontinues the course of study.
22 Provisions for deferral of payment shall be determined by the ((~~board~~))
23 office.

24 (4) The entire principal and interest of each payment shall be
25 forgiven for each payment period in which the participant teaches in an
26 approved education program until the entire repayment obligation is
27 satisfied. Should the participant cease to teach in an approved
28 education program in this state before the participant's repayment
29 obligation is completed, payments on the unsatisfied portion of the
30 principal and interest shall begin the next payment period and continue
31 until the remainder of the participant's repayment obligation is
32 satisfied.

33 (5) The ((~~board~~)) office is responsible for collection of
34 repayments made under this section and shall exercise due diligence in
35 such collection, maintaining all necessary records to insure that
36 maximum repayments are made. Collection and servicing of repayments
37 under this section shall be pursued using the full extent of the law,

1 including wage garnishment if necessary. The ((~~board~~)) office is
2 responsible to forgive all or parts of such repayments under the
3 criteria established in this section and shall maintain all necessary
4 records of forgiven payments.

5 (6) Receipts from the payment of principal or interest or any other
6 subsidies to which the ((~~board~~)) office as administrator is entitled,
7 which are paid by or on behalf of participants under this section,
8 shall be deposited in the future teachers conditional scholarship
9 account and shall be used to cover the costs of granting the
10 conditional scholarships, maintaining necessary records, and making
11 collections under subsection (5) of this section. The ((~~board~~)) office
12 shall maintain accurate records of these costs, and all receipts beyond
13 those necessary to pay such costs shall be used to grant conditional
14 scholarships to eligible students.

15 (7) The ((~~board~~)) office shall adopt rules to define the terms of
16 repayment, including applicable interest rates, fees, and deferments.

17 **Sec. 182.** RCW 28B.102.080 and 2010 1st sp.s. c 37 s 917 are each
18 amended to read as follows:

19 (1) The future teachers conditional scholarship account is created
20 in the custody of the state treasurer. An appropriation is not
21 required for expenditures of funds from the account. The account is
22 not subject to allotment procedures under chapter 43.88 RCW except for
23 moneys used for program administration.

24 (2) The ((~~board~~)) office shall deposit in the account all moneys
25 received for the future teachers conditional scholarship and loan
26 repayment program and for conditional loan programs under chapter
27 28A.660 RCW. The account shall be self-sustaining and consist of funds
28 appropriated by the legislature for the future teachers conditional
29 scholarship and loan repayment program, private contributions to the
30 program, receipts from participant repayments from the future teachers
31 conditional scholarship and loan repayment program, and conditional
32 loan programs established under chapter 28A.660 RCW. Beginning July 1,
33 2004, the ((~~board~~)) office shall also deposit into the account: (a)
34 All funds from the institution of higher education loan account that
35 are traceable to any conditional scholarship program for teachers or
36 prospective teachers established by the legislature before June 10,
37 2004; and (b) all amounts repaid by individuals under any such program.

1 (3) Expenditures from the account may be used solely for
2 conditional loans and loan repayments to participants in the future
3 teachers conditional scholarship and loan repayment program established
4 by this chapter, conditional scholarships for participants in programs
5 established in chapter 28A.660 RCW, and costs associated with program
6 administration by the ~~((board))~~ office.

7 (4) Disbursements from the account may be made only on the
8 authorization of the ~~((board))~~ office.

9 (5) During the 2009-2011 fiscal biennium, the legislature may
10 transfer from the future teachers conditional scholarship account to
11 the state general fund such amounts as reflect the excess fund balance
12 of the account.

13 **Sec. 183.** RCW 28B.105.020 and 2007 c 214 s 2 are each amended to
14 read as follows:

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

17 (1) ~~(("Board" means the higher education coordinating board.~~
18 ~~(+2))~~ "GET units" means tuition units under the advanced college
19 tuition payment program in chapter 28B.95 RCW.

20 ~~((+3))~~ (2) "Institution of higher education" has the same meaning
21 as in RCW 28B.92.030.

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

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

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

33 **Sec. 184.** RCW 28B.105.040 and 2007 c 214 s 4 are each amended to
34 read as follows:

35 (1) If the student enrolls in a qualified program or declares a
36 qualified major and the program or major is subsequently removed from

1 the list of qualified programs and qualified majors by the ((~~board~~))
2 office and the program administrator, the student's eligibility to
3 receive a GET ready for math and science scholarship shall not be
4 affected.

5 (2) If a student who received a GET ready for math and science
6 scholarship ceases to be enrolled in an institution of higher
7 education, withdraws or is no longer enrolled in a qualified program,
8 declares a major that is not a qualified major, or otherwise is no
9 longer eligible to receive a GET ready for math and science
10 scholarship, the student shall notify the program administrator as soon
11 as practicable and is not eligible for further GET ready for math and
12 science scholarship awards. Such a student shall also repay the amount
13 of the GET ready for math and science scholarship awarded to the
14 student as required by RCW 28B.105.050.

15 **Sec. 185.** RCW 28B.105.050 and 2007 c 214 s 5 are each amended to
16 read as follows:

17 (1) A recipient of a GET ready for math and science scholarship
18 incurs an obligation to repay the scholarship, with interest and an
19 equalization fee, if he or she does not:

20 (a) Graduate with a bachelor's degree from a qualified program or
21 in a qualified major within five years of first enrolling at an
22 institution of higher education; and

23 (b) Work in Washington in a mathematics, science, or related
24 occupation full time for at least three years following completion of
25 a bachelor's degree, unless he or she is enrolled in a graduate degree
26 program as provided in subsection (4) of this section.

27 (2) A former scholarship recipient who has earned a bachelor's
28 degree shall annually verify to the ((~~board~~)) office that he or she is
29 working full time in a mathematics, science, or related field for three
30 years.

31 (3) If a former scholarship recipient begins but then stops working
32 full time in a mathematics, science, or related field within three
33 years following completion of a bachelor's degree, he or she shall pay
34 back a prorated portion of the amount of the GET ready for math and
35 science scholarship award received by the recipient, plus interest and
36 a prorated equalization fee.

1 (4) A recipient may postpone for up to three years his or her in-
2 state work obligation if he or she enrolls full time in a graduate
3 degree program in mathematics, science, or a related field.

4 **Sec. 186.** RCW 28B.105.070 and 2007 c 214 s 7 are each amended to
5 read as follows:

6 The ((board)) office shall:

7 (1) Purchase GET units to be owned and held in trust by the
8 ((board)) office, for the purpose of scholarship awards as provided for
9 in this section;

10 (2) Distribute scholarship funds, in the form of GET units or
11 through direct payments from the GET ready for math and science
12 scholarship account, to institutions of higher education on behalf of
13 eligible recipients identified by the program administrator;

14 (3) Provide the program administrator with annual reports regarding
15 enrollment, contact, and graduation information of GET ready for math
16 and science scholarship recipients, if the recipients have given
17 permission for the ((board)) office to do so;

18 (4) Collect repayments from former scholarship recipients who do
19 not meet the eligibility criteria or work obligations;

20 (5) Establish rules for scholarship repayment, approved leaves of
21 absence, deferments, and exceptions to recognize extenuating
22 circumstances that may impact students; and

23 (6) Provide information to school districts in Washington, at least
24 once per year, about the GET ready for math and science scholarship
25 program.

26 **Sec. 187.** RCW 28B.105.100 and 2007 c 214 s 10 are each amended to
27 read as follows:

28 The ((board)) office and the program administrator shall jointly:

29 (1) Determine criteria for qualifying undergraduate programs,
30 majors, and courses leading to a bachelor's degree in mathematics,
31 science, or a related field, offered by institutions of higher
32 education. The ((board)) office shall publish the criteria for
33 qualified courses, and lists of qualified programs and qualified
34 majors, on its web site on a biennial basis; and

35 (2) Establish criteria for selecting among eligible applicants

1 those who, without scholarship assistance, would be least likely to
2 pursue a qualified undergraduate program at an institution of higher
3 education in Washington state.

4 **Sec. 188.** RCW 28B.105.110 and 2010 1st sp.s. c 37 s 918 are each
5 amended to read as follows:

6 (1) The GET ready for math and science scholarship account is
7 created in the custody of the state treasurer.

8 (2) The ((board)) office shall deposit into the account all money
9 received for the GET ready for math and science scholarship program
10 from appropriations and private sources. The account shall be
11 self-sustaining.

12 (3) Expenditures from the account shall be used for scholarships to
13 eligible students and for purchases of GET units. Purchased GET units
14 shall be owned and held in trust by the ((board)) office. Expenditures
15 from the account shall be an equal match of state appropriations and
16 private funds raised by the program administrator. During the 2009-
17 2011 fiscal biennium, expenditures from the account not to exceed five
18 percent may be used by the program administrator to carry out the
19 provisions of RCW 28B.105.090.

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

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

26 (6) Disbursements from the account shall be made only on the
27 authorization of the ((board)) office.

28 ~~(7) ((During the 2007-2009 fiscal biennium, the legislature may
29 transfer state appropriations to the GET ready for math and science
30 scholarship account that have not been matched by private contributions
31 to the state general fund.~~

32 (+8)) During the 2009-2011 fiscal biennium, the legislature may
33 transfer from the GET ready for math and science scholarship account to
34 the state general fund such amounts as have not been donated from or
35 matched by private contributions.

1 **Sec. 189.** RCW 28B.106.010 and 1988 c 125 s 9 are each amended to
2 read as follows:

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

5 (1) "College savings bonds" or "bonds" are Washington state general
6 obligation bonds, issued under the authority of and in accordance with
7 this chapter.

8 (2) (~~("Board")~~) "Office" means the (~~(higher education coordinating~~
9 ~~board)~~) office of student financial assistance, or any successor
10 thereto.

11 **Sec. 190.** RCW 28B.106.070 and 1988 c 125 s 16 are each amended to
12 read as follows:

13 The (~~(board)~~) office and the state finance committee shall create
14 and implement marketing strategies and educational programs designed to
15 publicize the college savings bond program to Washington residents.

16 **Sec. 191.** RCW 28B.108.010 and 2004 c 275 s 69 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) "Institution of higher education" or "institution" means a
21 college or university in the state of Washington which is accredited by
22 an accrediting association recognized as such by rule of the council
23 for higher education (~~(coordinating board)~~).

24 (2) (~~("Board")~~) "Office" means the (~~(higher education coordinating~~
25 ~~board)~~) office of student financial assistance.

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

31 **Sec. 192.** RCW 28B.108.020 and 2009 c 259 s 1 are each amended to
32 read as follows:

33 The American Indian endowed scholarship program is created. The
34 program shall be administered by the (~~(higher education coordinating~~

1 ~~board~~) office. In administering the program, the board's powers and
2 duties shall include but not be limited to:

3 (1) Selecting students to receive scholarships, with the assistance
4 of a screening committee composed of persons involved in helping
5 American Indian students to obtain a higher education. The membership
6 of the committee may include, but is not limited to representatives of:
7 Indian tribes, urban Indians, the governor's office of Indian affairs,
8 the Washington state Indian education association, and institutions of
9 higher education;

10 (2) Adopting necessary rules and guidelines;

11 (3) Publicizing the program;

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

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

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

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

21 **Sec. 193.** RCW 28B.108.030 and 1991 c 228 s 11 are each amended to
22 read as follows:

23 The (~~higher education coordinating board~~) office shall establish
24 an advisory committee to assist in program design and to develop
25 criteria for the screening and selection of scholarship recipients.
26 The committee shall be composed of representatives of the same groups
27 as the screening committee described in RCW 28B.108.020. The criteria
28 shall assess the student's social and cultural ties to an American
29 Indian community within the state. The criteria shall include a
30 priority for upper-division or graduate students. The criteria may
31 include a priority for students who are majoring in program areas in
32 which expertise is needed by the state's American Indians.

33 **Sec. 194.** RCW 28B.108.060 and 2009 c 259 s 2 are each amended to
34 read as follows:

35 The American Indian scholarship endowment fund is created in the

1 custody of the state treasurer. The investment of the endowment fund
2 shall be managed by the state investment board. Funds appropriated by
3 the legislature for the endowment fund must be deposited into the fund.

4 (1) Moneys received from the (~~higher education coordinating~~
5 ~~board~~) office, private donations, state moneys, and funds received
6 from any other source may be deposited into the endowment fund.
7 Private moneys received as a gift subject to conditions may be deposit-
8 ed into the fund.

9 (2) At the request of the (~~higher education coordinating board~~)
10 office, the state investment board shall release earnings from the
11 endowment fund to the state treasurer. The state treasurer shall then
12 release those funds at the request of the (~~higher education~~
13 ~~coordinating board~~) office for scholarships. No appropriation is
14 required for expenditures from the endowment fund.

15 (3) When notified by the (~~higher education coordinating board~~)
16 office that a condition attached to a gift of private moneys in the
17 fund has failed, the state investment board shall release those moneys
18 to the (~~higher education coordinating board~~) office. The (~~higher~~
19 ~~education coordinating board~~) office shall then release the moneys to
20 the donors according to the terms of the conditional gift.

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

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

28 **Sec. 195.** RCW 28B.109.010 and 1996 c 253 s 401 are each amended to
29 read as follows:

30 Unless the context clearly requires otherwise, the definitions in
31 this section apply throughout this chapter.

32 (1) (~~"Board" means the higher education coordinating board.~~
33 ~~(2)~~) "Eligible participant" means an international student whose
34 country of residence has a trade relationship with the state of
35 Washington.

36 (~~(3)~~) (2) "Institution of higher education" or "institution"

1 means a college or university in the state of Washington that is
2 accredited by an accrediting association recognized as such by rule of
3 the board.

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

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

10 (5) "Washington international exchange scholarship program" means
11 a scholarship award for a period not to exceed one academic year to
12 attend a Washington institution of higher education made to an
13 international student whose country has an established trade
14 relationship with Washington.

15 **Sec. 196.** RCW 28B.109.020 and 1996 c 253 s 402 are each amended to
16 read as follows:

17 The Washington international exchange scholarship program is
18 created subject to funding under RCW 28B.109.060. The program shall be
19 administered by the ((board)) office. In administering the program,
20 the ((board)) office may:

21 (1) Convene an advisory committee that may include but need not be
22 limited to representatives of the office of the superintendent of
23 public instruction, the department of ((community, trade, and economic
24 development)) commerce, the secretary of state, private business, and
25 institutions of higher education;

26 (2) Select students to receive the scholarship with the assistance
27 of a screening committee composed of leaders in business, international
28 trade, and education;

29 (3) Adopt necessary rules and guidelines including rules for
30 disbursing scholarship funds to participants;

31 (4) Publicize the program;

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

34 (6) Establish and notify participants of service obligations; and

35 (7) Establish a formula for selecting the countries from which
36 participants may be selected in consultation with the *department of
37 community, trade, and economic development.

1 **Sec. 197.** RCW 28B.109.030 and 1996 c 253 s 403 are each amended to
2 read as follows:

3 The ((~~board~~)) office may negotiate and enter into a reciprocal
4 agreement with foreign countries that have international students
5 attending institutions in Washington. The goal of the reciprocal
6 agreements shall be to allow Washington students enrolled in an
7 institution of higher education to attend an international institution
8 under similar terms and conditions.

9 **Sec. 198.** RCW 28B.109.040 and 1996 c 253 s 404 are each amended to
10 read as follows:

11 If funds are available, the ((~~board~~)) office shall select students
12 yearly to receive a Washington international exchange student
13 scholarship from moneys earned from the Washington international
14 exchange scholarship endowment fund created in RCW 28B.109.060, from
15 funds appropriated to the ((~~board~~)) office for this purpose, or from
16 any private donations, or from any other funds given to the ((~~board~~))
17 office for this program.

18 **Sec. 199.** RCW 28B.109.050 and 1996 c 253 s 405 are each amended to
19 read as follows:

20 The Washington international exchange trust fund is established in
21 the custody of the state treasurer. Any funds appropriated by the
22 legislature for the trust fund shall be deposited into the fund. At
23 the request of the ((~~board~~)) office, and when conditions set forth in
24 RCW 28B.109.070 are met, the treasurer shall deposit state matching
25 moneys from the Washington international exchange trust fund into the
26 Washington international exchange scholarship endowment fund. No
27 appropriation is required for expenditures from the trust fund.

28 **Sec. 200.** RCW 28B.109.060 and 1996 c 253 s 406 are each amended to
29 read as follows:

30 The Washington international exchange scholarship endowment fund is
31 established in the custody of the state treasurer. Moneys received
32 from the private donations and funds received from any other source may
33 be deposited into the endowment fund. At the request of the ((~~board~~))
34 office, the treasurer shall release earnings from the endowment fund to
35 the ((~~board~~)) office for scholarships. No appropriation is required

1 for expenditures from the endowment fund. The principal of the
2 endowment fund shall not be invaded. The earnings on the fund shall be
3 used solely for the purposes in this chapter.

4 **Sec. 201.** RCW 28B.109.070 and 1996 c 253 s 407 are each amended to
5 read as follows:

6 The ((~~board~~)) office may request that the treasurer deposit state
7 matching funds into the Washington international exchange scholarship
8 endowment fund when the ((~~board~~)) office can match the state funds with
9 an equal amount of private cash donations, including conditional gifts.

10 **Sec. 202.** RCW 28B.109.080 and 1996 c 253 s 408 are each amended to
11 read as follows:

12 Each Washington international exchange scholarship recipient shall
13 agree to complete the service obligation as defined by the ((~~board~~))
14 office.

15 **Sec. 203.** RCW 28B.115.020 and 1991 c 332 s 15 are each amended to
16 read as follows:

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

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

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

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

25 (4) "Eligible expenses" means reasonable expenses associated with
26 the costs of acquiring an education such as tuition, books, equipment,
27 fees, room and board, and other expenses determined by the ((~~board~~))
28 office.

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

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

1 (7) "Health professional shortage areas" means those areas where
2 credentialed health care professionals are in short supply as a result
3 of geographic maldistribution or as the result of a short supply of
4 credentialed health care professionals in specialty health care areas
5 and where vacancies exist in serious numbers that jeopardize patient
6 care and pose a threat to the public health and safety. The department
7 shall determine health professional shortage areas as provided for in
8 RCW 28B.115.070(~~(, or until June 1, 1992, as provided for in RCW~~
9 ~~28B.115.060)~~). In making health professional shortage area
10 designations in the state the department may be guided by applicable
11 federal standards for "health manpower shortage areas," and "medically
12 underserved areas," and "medically underserved populations."

13 (8) "Credentialed health care profession" means a health care
14 profession regulated by a disciplining authority in the state of
15 Washington under RCW 18.130.040 or by the state board of pharmacy under
16 chapter 18.64 RCW and designated by the department in RCW
17 28B.115.070(~~(, or until June 1, 1992, as established in RCW~~
18 ~~28B.115.060)~~) as a profession having shortages of credentialed health
19 care professionals in the state.

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

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

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

31 (12) "Participant" means a credentialed health care professional
32 who has received a loan repayment award and has commenced practice as
33 a credentialed health care provider in a designated health professional
34 shortage area or an eligible student who has received a scholarship
35 under this program.

36 (13) "Program" means the health professional loan repayment and
37 scholarship program.

1 (14) "Required service obligation" means an obligation by the
2 participant to provide health care services in a health professional
3 shortage area for a period to be established as provided for in this
4 chapter.

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

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

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

14 (18) "Sponsoring community" means a rural hospital or hospitals as
15 authorized in chapter 70.41 RCW, a rural health care facility or
16 facilities as authorized in chapter 70.175 RCW, or a city or county
17 government or governments.

18 **Sec. 204.** RCW 28B.115.030 and 1991 c 332 s 16 are each amended to
19 read as follows:

20 The health professional loan repayment and scholarship program is
21 established for credentialed health professionals serving in health
22 professional shortage areas. The program shall be administered by the
23 (~~higher education coordinating board~~) office. In (~~administering~~)
24 administering this program, the (~~board~~) office shall:

25 (1) Select credentialed health care professionals to participate in
26 the loan repayment portion of the loan repayment and scholarship
27 program and select eligible students to participate in the scholarship
28 portion of the loan repayment and scholarship program;

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

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

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

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

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

4 **Sec. 205.** RCW 28B.115.050 and 2004 c 275 s 70 are each amended to
5 read as follows:

6 The ((board)) office shall establish a planning committee to assist
7 it in developing criteria for the selection of participants. The
8 ((board)) office shall include on the planning committee
9 representatives of the department, the department of social and health
10 services, appropriate representatives from health care facilities,
11 provider groups, consumers, the state board for community and technical
12 colleges, the superintendent of public instruction, and other
13 appropriate public and private agencies and organizations. The
14 criteria may require that some of the participants meet the definition
15 of "needy student" under RCW 28B.92.030.

16 **Sec. 206.** RCW 28B.115.070 and 2003 c 278 s 3 are each amended to
17 read as follows:

18 After June 1, 1992, the department, in consultation with the
19 ((board)) office and the department of social and health services,
20 shall:

21 (1) Determine eligible credentialed health care professions for the
22 purposes of the loan repayment and scholarship program authorized by
23 this chapter. Eligibility shall be based upon an assessment that
24 determines that there is a shortage or insufficient availability of a
25 credentialed profession so as to jeopardize patient care and pose a
26 threat to the public health and safety. The department shall consider
27 the relative degree of shortages among professions when determining
28 eligibility. The department may add or remove professions from
29 eligibility based upon the determination that a profession is no longer
30 in shortage. Should a profession no longer be eligible, participants
31 or eligible students who have received scholarships shall be eligible
32 to continue to receive scholarships or loan repayments until they are
33 no longer eligible or until their service obligation has been
34 completed;

35 (2) Determine health professional shortage areas for each of the
36 eligible credentialed health care professions.

1 **Sec. 207.** RCW 28B.115.080 and 1993 c 492 s 271 are each amended to
2 read as follows:

3 After June 1, 1992, the ((board)) office, in consultation with the
4 department and the department of social and health services, shall:

5 (1) Establish the annual award amount for each credentialed health
6 care profession which shall be based upon an assessment of reasonable
7 annual eligible expenses involved in training and education for each
8 credentialed health care profession. The annual award amount may be
9 established at a level less than annual eligible expenses. The annual
10 award amount shall be established by the ((board)) office for each
11 eligible health profession. The awards shall not be paid for more than
12 a maximum of five years per individual;

13 (2) Determine any scholarship awards for prospective physicians in
14 such a manner to require the recipients declare an interest in serving
15 in rural areas of the state of Washington. Preference for scholarships
16 shall be given to students who reside in a rural physician shortage
17 area or a nonshortage rural area of the state prior to admission to the
18 eligible education and training program in medicine. Highest
19 preference shall be given to students seeking admission who are
20 recommended by sponsoring communities and who declare the intent of
21 serving as a physician in a rural area. The ((board)) office may
22 require the sponsoring community located in a nonshortage rural area to
23 financially contribute to the eligible expenses of a medical student if
24 the student will serve in the nonshortage rural area;

25 (3) Establish the required service obligation for each credentialed
26 health care profession, which shall be no less than three years or no
27 more than five years. The required service obligation may be based
28 upon the amount of the scholarship or loan repayment award such that
29 higher awards involve longer service obligations on behalf of the
30 participant;

31 (4) Determine eligible education and training programs for purposes
32 of the scholarship portion of the program;

33 (5) Honor loan repayment and scholarship contract terms negotiated
34 between the ((board)) office and participants prior to May 21, 1991,
35 concerning loan repayment and scholarship award amounts and service
36 obligations authorized under chapter 28B.115, 28B.104, or 70.180 RCW.

1 **Sec. 208.** RCW 28B.115.090 and 2003 c 278 s 4 are each amended to
2 read as follows:

3 (1) The ((~~board~~)) office may grant loan repayment and scholarship
4 awards to eligible participants from the funds appropriated for this
5 purpose, or from any private or public funds given to the ((~~board~~))
6 office for this purpose. Participants are ineligible to receive loan
7 repayment if they have received a scholarship from programs authorized
8 under this chapter or chapter 70.180 RCW or are ineligible to receive
9 a scholarship if they have received loan repayment authorized under
10 this chapter or chapter 28B.115 RCW.

11 (2) Funds appropriated for the program, including reasonable
12 administrative costs, may be used by the ((~~board~~)) office for the
13 purposes of loan repayments or scholarships. The ((~~board~~)) office
14 shall annually establish the total amount of funding to be awarded for
15 loan repayments and scholarships and such allocations shall be
16 established based upon the best utilization of funding for that year.

17 (3) One portion of the funding appropriated for the program shall
18 be used by the ((~~board~~)) office as a recruitment incentive for
19 communities participating in the community-based recruitment and
20 retention program as authorized by chapter 70.185 RCW; one portion of
21 the funding shall be used by the ((~~board~~)) office as a recruitment
22 incentive for recruitment activities in state-operated institutions,
23 county public health departments and districts, county human service
24 agencies, federal and state contracted community health clinics, and
25 other health care facilities, such as rural hospitals that have been
26 identified by the department, as providing substantial amounts of
27 charity care or publicly subsidized health care; one portion of the
28 funding shall be used by the ((~~board~~)) office for all other awards.
29 The ((~~board~~)) office shall determine the amount of total funding to be
30 distributed between the three portions.

31 **Sec. 209.** RCW 28B.115.110 and 1991 c 332 s 24 and 1991 c 164 s 8
32 are each reenacted and amended to read as follows:

33 Participants in the health professional loan repayment and
34 scholarship program who are awarded loan repayments shall receive
35 payment from the program for the purpose of repaying educational loans
36 secured while attending a program of health professional training which

1 led to a credential as a credentialed health professional in the state
2 of Washington.

3 (1) Participants shall agree to meet the required service
4 obligation in a designated health professional shortage area.

5 (2) Repayment shall be limited to eligible educational and living
6 expenses as determined by the ((~~board~~)) office and shall include
7 principal and interest.

8 (3) Loans from both government and private sources may be repaid by
9 the program. Participants shall agree to allow the ((~~board~~)) office
10 access to loan records and to acquire information from lenders
11 necessary to verify eligibility and to determine payments. Loans may
12 not be renegotiated with lenders to accelerate repayment.

13 (4) Repayment of loans established pursuant to this program shall
14 begin no later than ninety days after the individual has become a
15 participant. Payments shall be made quarterly, or more frequently if
16 deemed appropriate by the ((~~board~~)) office, to the participant until
17 the loan is repaid or the participant becomes ineligible due to
18 discontinued service in a health professional shortage area or after
19 the required service obligation when eligibility discontinues,
20 whichever comes first.

21 (5) Should the participant discontinue service in a health
22 professional shortage area payments against the loans of the
23 participants shall cease to be effective on the date that the
24 participant discontinues service.

25 (6) Except for circumstances beyond their control, participants who
26 serve less than the required service obligation shall be obligated to
27 repay to the program an amount equal to twice the total amount paid by
28 the program on their behalf in addition to any payments on the
29 unsatisfied portion of the principal and interest. The ((~~board~~))
30 office shall determine the applicability of this subsection.

31 (7) The ((~~board~~)) office is responsible for the collection of
32 payments made on behalf of participants from the participants who
33 discontinue service before completion of the required service
34 obligation. The ((~~board~~)) office shall exercise due diligence in such
35 collection, maintaining all necessary records to ensure that the
36 maximum amount of payment made on behalf of the participant is
37 recovered. Collection under this section shall be pursued using the
38 full extent of the law, including wage garnishment if necessary.

1 (8) The(~~board~~) office shall not be held responsible for any
2 outstanding payments on principal and interest to any lenders once a
3 participant's eligibility expires.

4 (9) The (~~board~~) office shall temporarily or, in special
5 circumstances, permanently defer the requirements of this section for
6 eligible students as defined in RCW 28B.10.017.

7 **Sec. 210.** RCW 28B.115.120 and 1993 c 423 s 2 are each amended to
8 read as follows:

9 (1) Participants in the health professional loan repayment and
10 scholarship program who are awarded scholarships incur an obligation to
11 repay the scholarship, with interest, unless they serve the required
12 service obligation in a health professional shortage area in the state
13 of Washington.

14 (2) The interest rate shall be eight percent for the first four
15 years of repayment and ten percent beginning with the fifth year of
16 repayment.

17 (3) The period for repayment shall coincide with the required
18 service obligation, with payments of principal and interest accruing
19 quarterly commencing no later than nine months from the date the
20 participant completes or discontinues the course of study or completes
21 or discontinues the required residency. Provisions for deferral of
22 payment shall be determined by the (~~board~~) office.

23 (4) The entire principal and interest of each payment shall be
24 forgiven for each payment period in which the participant serves in a
25 health professional shortage area until the entire repayment obligation
26 is satisfied or the borrower ceases to so serve. Should the
27 participant cease to serve in a health professional shortage area of
28 this state before the participant's repayment obligation is completed,
29 payments on the unsatisfied portion of the principal and interest shall
30 begin the next payment period and continue until the remainder of the
31 participant's repayment obligation is satisfied. Except for
32 circumstances beyond their control, participants who serve less than
33 the required service obligation shall be obliged to repay to the
34 program an amount equal to twice the total amount paid by the program
35 on their behalf.

36 (5) The (~~board~~) office is responsible for collection of
37 repayments made under this section and shall exercise due diligence in

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

10 (6) Receipts from the payment of principal or interest or any other
11 subsidies to which the (~~board~~) office as administrator is entitled,
12 which are paid by or on behalf of participants under this section,
13 shall be deposited with the (~~board~~) office and shall be used to cover
14 the costs of granting the scholarships, maintaining necessary records,
15 and making collections under subsection (5) of this section. The
16 (~~board~~) office shall maintain accurate records of these costs, and
17 all receipts beyond those necessary to pay such costs shall be used to
18 grant scholarships to eligible students.

19 (7) Sponsoring communities who financially contribute to the
20 eligible financial expenses of eligible medical students may enter into
21 agreements with the student to require repayment should the student not
22 serve the required service obligation in the community as a primary
23 care physician. The (~~board~~) office may develop criteria for the
24 content of such agreements with respect to reasonable provisions and
25 obligations between communities and eligible students.

26 (8) The (~~board~~) office may make exceptions to the conditions for
27 participation and repayment obligations should circumstances beyond the
28 control of individual participants warrant such exceptions.

29 **Sec. 211.** RCW 28B.115.130 and 1991 c 332 s 28 are each amended to
30 read as follows:

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

35 (2) The health professional loan repayment and scholarship program
36 fund is created in custody of the state treasurer. All receipts from
37 the program shall be deposited into the fund. Only the (~~higher~~

1 ~~education coordinating board~~) office, or its designee, may authorize
2 expenditures from the fund. The fund is subject to allotment
3 procedures under chapter 43.88 RCW, but no appropriation is required
4 for expenditures.

5 **Sec. 212.** RCW 28B.115.140 and 1989 1st ex.s. c 9 s 722 are each
6 amended to read as follows:

7 After consulting with the (~~higher education coordinating board~~)
8 office, the governor may transfer the administration of this program to
9 another agency with an appropriate mission.

10 **Sec. 213.** RCW 28B.116.010 and 2005 c 215 s 2 are each amended to
11 read as follows:

12 Unless the context clearly requires otherwise, the definitions in
13 this section apply throughout this chapter.

14 (1) "Institution of higher education" means a college or university
15 in the state of Washington that is accredited by an accrediting
16 association recognized as such by rule of the council for higher
17 education (~~coordinating board~~).

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

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

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

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

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

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

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

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

30 (3) "Cost of attendance" means the cost associated with the
31 attendance of the institution of higher education as determined by the
32 (~~higher education coordinating board~~) office of student financial
33 assistance, including but not limited to tuition, room, board, and
34 books.

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

1 **Sec. 214.** RCW 28B.116.020 and 2009 c 560 s 20 are each amended to
2 read as follows:

3 (1) The foster care endowed scholarship program is created. The
4 purpose of the program is to help students who were in foster care
5 attend an institution of higher education in the state of Washington.
6 The foster care endowed scholarship program shall be administered by
7 the ((~~higher education coordinating board~~)) office.

8 (2) In administering the program, the ((~~higher education~~
9 ~~coordinating board's~~)) office's powers and duties shall include but not
10 be limited to:

11 (a) Adopting necessary rules and guidelines; and

12 (b) Administering the foster care endowed scholarship trust fund
13 and the foster care scholarship endowment fund.

14 (3) In administering the program, the ((~~higher education~~
15 ~~coordinating board's~~)) office's powers and duties may include but not
16 be limited to:

17 (a) Working with the department of social and health services and
18 the superintendent of public instruction to provide information about
19 the foster care endowed scholarship program to children in foster care
20 in the state of Washington and to students over the age of sixteen who
21 could be eligible for this program;

22 (b) Publicizing the program; and

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

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

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

32 (2) The ((~~board~~)) office may award scholarships to eligible
33 students from moneys earned from the foster care scholarship endowment
34 fund created in RCW 28B.116.060, or from funds appropriated to the
35 board for this purpose, or from any private donations, or from any
36 other funds given to the ((~~board~~)) office for this program. For an
37 undergraduate student, the amount of the scholarship shall not exceed

1 the student's demonstrated financial need. For a graduate student, the
2 amount of the scholarship shall not exceed the student's demonstrated
3 need; or the stipend of a teaching assistant, including tuition, at the
4 University of Washington; whichever is higher. In calculating a
5 student's need, the ((~~board~~)) office shall consider the student's costs
6 for tuition, fees, books, supplies, transportation, room, board,
7 personal expenses, and child care. The student's scholarship awarded
8 under this chapter shall not exceed the amount received by a student
9 attending a state research university. A student is eligible to
10 receive a scholarship for a maximum of five years. However, the length
11 of the scholarship shall be determined at the discretion of the
12 ((~~board~~)) office.

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

15 **Sec. 216.** RCW 28B.116.050 and 2005 c 215 s 6 are each amended to
16 read as follows:

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

19 (2) Funds appropriated by the legislature for the foster care
20 endowed scholarship trust fund shall be deposited in the foster care
21 endowed scholarship trust fund. When conditions in RCW 28B.116.070 are
22 met, the ((~~higher education coordinating board~~)) office shall deposit
23 state matching moneys from the trust fund into the foster care
24 scholarship endowment fund.

25 (3) No appropriation is required for expenditures from the trust
26 fund.

27 **Sec. 217.** RCW 28B.116.060 and 2007 c 73 s 3 are each amended to
28 read as follows:

29 The foster care scholarship endowment fund is created in the
30 custody of the state treasurer. The investment of the endowment fund
31 shall be managed by the state investment board.

32 (1) Moneys received from the ((~~higher education coordinating~~
33 ~~board~~)) office, private donations, state matching moneys, and funds
34 received from any other source may be deposited into the foster care
35 scholarship endowment fund. Private moneys received as a gift subject

1 to conditions may be deposited into the endowment fund if the
2 conditions do not violate state or federal law.

3 (2) At the request of the (~~higher education coordinating board~~)
4 office, the state investment board shall release earnings from the
5 endowment fund to the state treasurer. The state treasurer shall then
6 release those funds at the request of the (~~higher education~~
7 ~~coordinating board~~) office for scholarships. No appropriation is
8 required for expenditures from the endowment fund.

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

13 (4) When notified by court order that a condition attached to a
14 gift of private moneys from the foster care scholarship endowment fund
15 has failed, the (~~higher education coordinating board~~) office shall
16 release those moneys to the donors according to the terms of the
17 conditional gift.

18 (5) The principal of the foster care scholarship endowment fund
19 shall not be invaded. For the purposes of this section, only the first
20 twenty-five thousand dollars deposited into the foster care scholarship
21 endowment fund shall be considered the principal. The release of
22 moneys under subsection (4) of this section shall not constitute an
23 invasion of the corpus.

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

28 **Sec. 218.** RCW 28B.116.070 and 2005 c 215 s 8 are each amended to
29 read as follows:

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

34 (2) After the initial match of twenty-five thousand dollars, state
35 matching funds from the foster care endowed scholarship trust fund
36 shall be released to the foster care scholarship endowment fund

1 semiannually so long as there are funds available in the foster care
2 endowed scholarship trust fund.

3 **Sec. 219.** RCW 28B.117.020 and 2007 c 314 s 2 are each amended to
4 read as follows:

5 The definitions in this section apply throughout this chapter
6 unless the context clearly requires otherwise.

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

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

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

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

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

30 (a) Any public university, college, community college, or technical
31 college operated by the state of Washington or any political
32 subdivision thereof; or

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

34 (c) Any other university, college, school, or institute in the
35 state of Washington offering instruction beyond the high school level
36 that is a member institution of an accrediting association recognized
37 by rule of the council for higher education (~~coordinating board~~) for

1 the purposes of this section: PROVIDED, That any institution, branch,
2 extension, or facility operating within the state of Washington that is
3 affiliated with an institution operating in another state must be a
4 separately accredited member institution of any such accrediting
5 association, or a branch of a member institution of an accrediting
6 association recognized by rule of the (~~board~~) council for higher
7 education for purposes of this section, that is eligible for federal
8 student financial aid assistance and has operated as a nonprofit
9 college or university delivering on-site classroom instruction for a
10 minimum of twenty consecutive years within the state of Washington, and
11 has an annual enrollment of at least seven hundred full-time equivalent
12 students.

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

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

16 **Sec. 220.** RCW 28B.117.030 and 2007 c 314 s 4 are each amended to
17 read as follows:

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

23 (2) The (~~board~~) office shall convene and consult with an advisory
24 committee to assist with program design and implementation. The
25 committee shall include but not be limited to former foster care youth
26 and their advocates; representatives from the state board for community
27 and technical colleges, and from public and private agencies that
28 assist current and former foster care recipients in their transition to
29 adulthood; and student support specialists from public and private
30 colleges and universities.

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

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

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

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

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

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

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

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

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

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

16 (5) An eligible student may receive a passport to college
17 scholarship under this section for a maximum of five years after the
18 student first enrolls with an institution of higher education or until
19 the student turns age twenty-six, whichever occurs first. If a student
20 turns age twenty-six during an academic year, and would otherwise be
21 eligible for a scholarship under this section, the student shall
22 continue to be eligible for a scholarship for the remainder of the
23 academic year.

24 (6) The ((higher education coordinating board)) office, in
25 consultation with and with assistance from the state board for
26 community and technical colleges, shall perform an annual analysis to
27 verify that those institutions of higher education at which students
28 have received a scholarship under this section have awarded the student
29 all available need-based and merit-based grant and scholarship aid for
30 which the student qualifies.

31 (7) In designing and implementing the passport to college student
32 support program under this section, the ((board)) office, in
33 consultation with and with assistance from the state board for
34 community and technical colleges, shall ensure that a participating
35 college or university:

36 (a) Has a viable plan for identifying students eligible for
37 assistance under this section, for tracking and enhancing their

1 academic progress, for addressing their unique needs for assistance
2 during school vacations and academic interims, and for linking them to
3 appropriate sources of assistance in their transition to adulthood;

4 (b) Receives financial and other incentives for achieving
5 measurable progress in the recruitment, retention, and graduation of
6 eligible students.

7 **Sec. 221.** RCW 28B.117.040 and 2007 c 314 s 5 are each amended to
8 read as follows:

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

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

23 (2) The department of social and health services shall devise and
24 implement procedures for efficiently, promptly, and accurately
25 identifying students and applicants who are eligible for services under
26 RCW 28B.117.030, and for sharing that information with the (~~higher~~
27 ~~education coordinating board~~) office and with institutions of higher
28 education. The procedures shall include appropriate safeguards for
29 consent by the applicant or student before disclosure.

30 **Sec. 222.** RCW 28B.117.050 and 2007 c 314 s 6 are each amended to
31 read as follows:

32 (1) To the extent funds are appropriated for this purpose, the
33 (~~higher education coordinating board~~) office, with input from the
34 state board for community and technical colleges, the foster care
35 partnership, and institutions of higher education, shall develop and
36 maintain an internet web site and outreach program to serve as a

1 comprehensive portal for foster care youth in Washington state to
2 obtain information regarding higher education including, but not
3 necessarily limited to:

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

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

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

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

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

14 (2) The (~~board~~) office shall determine whether to design, build,
15 and operate such program and web site directly or to use, support, and
16 modify existing web sites created by government or nongovernmental
17 entities for a similar purpose.

18 **Sec. 223.** RCW 28B.117.060 and 2007 c 314 s 7 are each amended to
19 read as follows:

20 (1) To the extent funds are appropriated for this purpose, the
21 department of social and health services, with input from the state
22 board for community and technical colleges, the (~~higher education~~
23 ~~coordinating board~~) office, and institutions of higher education,
24 shall contract with at least one nongovernmental entity through a
25 request for proposals process to develop, implement, and administer a
26 program of supplemental educational transition planning for youth in
27 foster care in Washington state.

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

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

36 (a) Comprehensive information regarding postsecondary educational
37 opportunities including, but not limited to, sources of financial aid,

1 institutional characteristics and record of support for former foster
2 care youth, transportation, housing, and other logistical
3 considerations;

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

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

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

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

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

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

19 **Sec. 224.** RCW 28B.117.070 and 2007 c 314 s 8 are each amended to
20 read as follows:

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

31 (2) The state board for community and technical colleges and the
32 (~~higher education coordinating board~~) office of student financial
33 assistance shall monitor and analyze the extent to which eligible young
34 people are increasing their participation, persistence, and progress in
35 postsecondary education, and shall jointly submit a report on their
36 findings to appropriate committees of the legislature by December 1,
37 2009, and by December 1, 2011.

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

8 **Sec. 225.** RCW 28B.118.010 and 2008 c 321 s 9 are each amended to
9 read as follows:

10 The (~~higher education coordinating board~~) office of student
11 financial assistance shall design the Washington college bound
12 scholarship program in accordance with this section.

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

17 (2) Eligible students shall be notified of their eligibility for
18 the Washington college bound scholarship program beginning in their
19 seventh grade year. Students shall also be notified of the
20 requirements for award of the scholarship.

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

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

34 (b) To receive the Washington college bound scholarship, a student
35 must graduate with at least a "C" average from a public high school or
36 an approved private high school under chapter 28A.195 RCW in Washington

1 or have received home-based instruction under chapter 28A.200 RCW, must
2 have no felony convictions, and must be a resident student as defined
3 in RCW 28B.15.012(2) (a) through (d).

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

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

9 (a) For students attending two or four-year institutions of higher
10 education as defined in RCW 28B.10.016, the value of the award shall be

11 (i) the difference between the student's tuition and required fees,
12 less the value of any state-funded grant, scholarship, or waiver
13 assistance the student receives; (ii) plus five hundred dollars for
14 books and materials.

15 (b) For students attending private four-year institutions of higher
16 education in Washington, the award amount shall be the representative
17 average of awards granted to students in public research universities
18 in Washington.

19 (c) For students attending private vocational schools in
20 Washington, the award amount shall be the representative average of
21 awards granted to students in public community and technical colleges
22 in Washington.

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

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

30 (9) The first scholarships shall be awarded to students graduating
31 in 2012.

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

37 (11) The scholarship award must be used within five years of

1 receipt. Any unused scholarship tuition units revert to the Washington
2 college bound scholarship account.

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

7 **Sec. 226.** RCW 28B.118.020 and 2007 c 405 s 3 are each amended to
8 read as follows:

9 The office of the superintendent of public instruction shall:

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

13 (2) Work with the (~~higher education coordinating board~~) office of
14 student financial assistance to develop application collection and
15 student tracking procedures.

16 **Sec. 227.** RCW 28B.118.040 and 2007 c 405 s 5 are each amended to
17 read as follows:

18 The (~~higher education coordinating board~~) office of student
19 financial assistance shall:

20 (1) With the assistance of the office of the superintendent of
21 public instruction, implement and administer the Washington college
22 bound scholarship program;

23 (2) Develop and distribute, to all schools with students enrolled
24 in grade seven or eight, a pledge form that can be completed and
25 returned electronically or by mail by the student or the school to the
26 (~~higher education coordinating board~~) office of student financial
27 assistance;

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

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

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

34 (6) Purchase tuition units under the advanced college tuition
35 payment program in chapter 28B.95 RCW to be owned and held in trust by

1 the board, for the purpose of scholarship awards as provided for in
2 this section; and

3 (7) Distribute scholarship funds, in the form of tuition units
4 purchased under the advanced college tuition payment program in chapter
5 28B.95 RCW or through direct payments from the state educational trust
6 fund, to institutions of higher education on behalf of scholarship
7 recipients identified by the (~~board~~) office, as long as recipients
8 maintain satisfactory academic progress.

9 **Sec. 228.** RCW 28B.118.050 and 2007 c 405 s 6 are each amended to
10 read as follows:

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

15 **Sec. 229.** RCW 28B.118.060 and 2007 c 405 s 7 are each amended to
16 read as follows:

17 The (~~higher education coordinating board~~) office of student
18 financial assistance may adopt rules to implement this chapter.

19 **Sec. 230.** RCW 28B.119.010 and 2004 c 275 s 60 are each amended to
20 read as follows:

21 The (~~higher education coordinating board~~) office of student
22 financial assistance shall design the Washington promise scholarship
23 program based on the following parameters:

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

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

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

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

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

18 (2) Promise scholarships are not intended to supplant any grant,
19 scholarship, or tax program related to postsecondary education. If the
20 (~~board~~) office of student financial assistance finds that promise
21 scholarships supplant or reduce any grant, scholarship, or tax program
22 for categories of students, then the (~~board~~) office shall adjust the
23 financial eligibility criteria or the amount of scholarship to the
24 level necessary to avoid supplanting.

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

31 (4) By October 15th of each year, the (~~board~~) office of student
32 financial assistance shall determine the award amount of the
33 scholarships, after taking into consideration the availability of
34 funds.

35 (5) The scholarships may only be used for undergraduate coursework
36 at accredited institutions of higher education in the state of
37 Washington.

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

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

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

11 (9) The (~~higher education coordinating board~~) office of student
12 financial assistance may establish satisfactory progress standards for
13 the continued receipt of the promise scholarship.

14 (10) The (~~higher education coordinating board~~) office of student
15 financial assistance shall establish the time frame within which the
16 student must use the scholarship.

17 **Sec. 231.** RCW 28B.119.020 and 2002 c 204 s 3 are each amended to
18 read as follows:

19 The (~~higher education coordinating board~~) office of student
20 financial assistance, with the assistance of the office of the
21 superintendent of public instruction, shall implement and administer
22 the Washington promise scholarship program described in RCW 28B.119.010
23 as follows:

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

26 (2) The office of the superintendent of public instruction shall
27 provide information to the (~~higher education coordinating board~~)
28 office of student financial assistance that is necessary for
29 implementation of the program. The (~~higher education coordinating~~
30 ~~board~~) office of student financial assistance and the office of the
31 superintendent of public instruction shall jointly establish a timeline
32 and procedures necessary for accurate and timely data reporting.

33 (a) For students meeting the academic eligibility criteria as
34 provided in RCW 28B.119.010(1)(a), the office of the superintendent of
35 public instruction shall provide the (~~higher education coordinating~~
36 ~~board~~) office of student financial assistance with student names,
37 addresses, birth dates, and unique numeric identifiers.

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

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

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

9 **Sec. 232.** RCW 28B.119.030 and 2004 c 275 s 71 are each amended to
10 read as follows:

11 The Washington promise scholarship program shall not be funded at
12 the expense of the state need grant program as defined in chapter
13 28B.92 RCW. In administering the state need grant and promise
14 scholarship programs, the (~~higher education coordinating board~~)
15 office of student financial assistance shall first ensure that
16 eligibility for state need grant recipients is at least fifty-five
17 percent of state median family income.

18 **Sec. 233.** RCW 28B.119.050 and 2002 c 204 s 6 are each amended to
19 read as follows:

20 (1) The Washington promise scholarship account is created in the
21 custody of the state treasurer. The account shall be a nontreasury
22 account retaining its interest earnings in accordance with RCW
23 43.79A.040.

24 (2) The (~~higher education coordinating board~~) office of student
25 financial assistance shall deposit in the account all money received
26 for the program. The account shall be self-sustaining and consist of
27 funds appropriated by the legislature for the Washington promise
28 scholarship program, private contributions to the program, and refunds
29 of Washington promise scholarships.

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

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

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

3 (6) Disbursements from the account shall be made only on the
4 authorization of the (~~higher education coordinating board~~) office of
5 student financial assistance.

6 **Sec. 234.** RCW 28B.120.010 and 2010 c 245 s 7 are each amended to
7 read as follows:

8 The Washington fund for innovation and quality in higher education
9 program is established. The council for higher education
10 (~~coordinating board~~) shall administer the program and shall work in
11 close collaboration with the state board for community and technical
12 colleges and other local and regional entities. Through this program
13 the council for higher education (~~coordinating board~~) may award on a
14 competitive basis incentive grants to state public or private nonprofit
15 institutions of higher education or consortia of institutions to
16 encourage programs designed to address specific system problems. Each
17 institution or consortia of institutions receiving the award shall
18 contribute some financial support, either by covering part of the costs
19 for the program during its implementation, or by assuming continuing
20 support at the end of the grant period. Strong priority will be given
21 to proposals that involve more than one sector of education.
22 Institutions are encouraged to solicit nonstate funds to support these
23 cooperative programs.

24 **Sec. 235.** RCW 28B.120.020 and 2010 c 245 s 8 are each amended to
25 read as follows:

26 The council for higher education (~~coordinating board~~) shall have
27 the following powers and duties in administering the program for those
28 proposals in which a four-year institution of higher education is named
29 as the lead institution and fiscal agent:

- 30 (1) To adopt rules necessary to carry out the program;
- 31 (2) To award grants no later than September 1st in those years when
32 funding is available by June 30th;
- 33 (3) To establish each biennium specific guidelines for submitting
34 grant proposals consistent with RCW 28B.120.005 and consistent with the
35 strategic master plan for higher education, the system design plan, the

1 overall goals of the program and the guidelines established by the
2 state board for community and technical colleges under RCW 28B.120.025.

3 After June 30, 2001, and each biennium thereafter, the (~~board~~)
4 council for higher education shall determine funding priorities for
5 proposals for the biennium in consultation with (~~the governor,~~) the
6 legislature, the office of the superintendent of public instruction,
7 the state board for community and technical colleges, the workforce
8 training and education coordinating board, higher education
9 institutions, educational associations, and business and community
10 groups consistent with statewide needs;

11 (4) To solicit grant proposals and provide information to the
12 institutions of higher education about the program; and

13 (5) To establish reporting, evaluation, accountability, monitoring,
14 and dissemination requirements for the recipients of the grants awarded
15 by the (~~higher education coordinating board~~) office of financial
16 management.

17 **Sec. 236.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to
18 read as follows:

19 The state board for community and technical colleges has the
20 following powers and duties in administering the program for those
21 proposals in which a community or technical college is named as the
22 lead institution and fiscal agent:

23 (1) To adopt rules necessary to carry out the program;

24 (2) To establish one or more review committees to assist in the
25 evaluation of proposals for funding. The review committee shall
26 include individuals with significant experience in higher education in
27 areas relevant to one or more of the funding period priorities and
28 shall include representatives from both the four-year and two-year
29 sectors of higher education;

30 (3) To award grants no later than September 1st in those years when
31 funding is available by June 30th;

32 (4) To establish each biennium specific guidelines for submitting
33 grant proposals consistent with the overall goals of the program and
34 consistent with the guidelines established by the council for higher
35 education (~~coordinating board~~) under RCW 28B.120.020. During the
36 1999-01 biennium the guidelines shall be consistent with the following
37 desired outcomes of:

1 (a) Minority and diversity initiatives that encourage the
2 participation of minorities in higher education, including students
3 with disabilities;

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

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

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

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

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

18 (g) Projects that further the development of competency-based
19 measurements of student achievement to be used as the basis for
20 awarding degrees and certificates;

21 (5) To solicit grant proposals and provide information to the
22 community and technical colleges and private career schools; and

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

26 **Sec. 237.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to
27 read as follows:

28 The ((~~higher education coordinating board and the~~)) state board for
29 community and technical colleges may solicit and receive such gifts,
30 grants, and endowments from public or private sources as may be made
31 from time to time, in trust or otherwise, for the use and benefit of
32 the purposes of the program and may expend the same or any income
33 therefrom according to the terms of the gifts, grants, or endowments.

34 **Sec. 238.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to
35 read as follows:

36 The ((~~higher education coordinating board~~)) fund for innovation and

1 quality is hereby established in the custody of the state treasurer.
2 The council for higher education (~~coordinating board~~) shall deposit
3 in the fund all moneys received under RCW 28B.120.030. Moneys in the
4 fund may be spent only for the purposes of RCW 28B.120.010 and
5 28B.120.020. Disbursements from the fund shall be on the authorization
6 of the council for higher education (~~coordinating board~~). The fund
7 is subject to the allotment procedure provided under chapter 43.88 RCW,
8 but no appropriation is required for disbursements.

9 **Sec. 239.** RCW 28B.133.030 and 2003 c 19 s 4 are each amended to
10 read as follows:

11 (1) The students with dependents grant account is created in the
12 custody of the state treasurer. All receipts from the program shall be
13 deposited into the account. Only the (~~higher education coordinating~~
14 ~~board~~) office of student financial assistance, or its designee, may
15 authorize expenditures from the account. Disbursements from the
16 account are exempt from appropriations and the allotment procedures
17 under chapter 43.88 RCW.

18 (2) The (~~board~~) office may solicit and receive gifts, grants, or
19 endowments from private sources that are made from time to time, in
20 trust or otherwise, for the use and benefit of the purposes of the
21 educational assistance grant program. The (~~executive~~) director, or
22 the (~~executive~~) director's designee, may spend gifts, grants, or
23 endowments or income from the private sources according to their terms
24 unless the receipt of the gifts, grants, or endowments violates RCW
25 42.17.710.

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

30 **Sec. 240.** RCW 28B.133.040 and 2003 c 19 s 5 are each amended to
31 read as follows:

32 The (~~higher education coordinating board~~) office of student
33 financial assistance shall develop and administer the educational
34 assistance grant program for students with dependents. In
35 administering the program, once the balance in the students with

1 dependents grant account is five hundred thousand dollars, the
2 ((board's)) office's powers and duties shall include but not be limited
3 to:

- 4 (1) Adopting necessary rules and guidelines;
- 5 (2) Publicizing the program;
- 6 (3) Accepting and depositing donations into the grant account
7 established in RCW 28B.133.030; and
- 8 (4) Soliciting and accepting grants and donations from private
9 sources for the program.

10 **Sec. 241.** RCW 28B.133.050 and 2004 c 275 s 74 are each amended to
11 read as follows:

12 The educational assistance grant program for students with
13 dependents grants may be used by eligible participants to attend any
14 public or private college or university in the state of Washington as
15 defined in RCW 28B.92.030. Each participating student may receive an
16 amount to be determined by the ((higher education coordinating board))
17 office of student financial assistance, with a minimum amount of one
18 thousand dollars per academic year, not to exceed the student's
19 documented financial need for the course of study as determined by the
20 institution.

21 Educational assistance grants for students with dependents are not
22 intended to supplant any grant scholarship or tax program related to
23 postsecondary education. If the ((higher education coordinating
24 board)) office of student financial assistance finds that the
25 educational assistance grants for students with dependents supplant or
26 reduce any grant, scholarship, or tax program for categories of
27 students, then the ((higher education coordinating board)) office shall
28 adjust the financial eligibility criteria or the amount of the grant to
29 the level necessary to avoid supplanting.

30 **Sec. 242.** RCW 28B.135.010 and 2010 1st sp.s. c 9 s 5 are each
31 amended to read as follows:

32 The four-year student child care in higher education account is
33 established. The ((higher education coordinating board)) office of
34 student financial assistance shall administer the program for the
35 four-year institutions of higher education. Through ((these)) this
36 program((s)) the ((board)) office shall award either competitive or

1 matching child care grants to state institutions of higher education to
2 encourage programs to address the need for high quality, accessible,
3 and affordable child care for students at higher education
4 institutions. The grants shall be used exclusively for the provision
5 of quality child care services for students at institutions of higher
6 education. The university or college administration and student
7 government association, or its equivalent, of each institution
8 receiving the award may contribute financial support in an amount equal
9 to or greater than the child care grant received by the institution.

10 **Sec. 243.** RCW 28B.135.030 and 2008 c 162 s 3 are each amended to
11 read as follows:

12 The (~~higher education coordinating board~~) office of student
13 financial assistance shall have the following powers and duties in
14 administering the program for the four-year institutions of higher
15 education:

- 16 (1) To adopt rules necessary to carry out the program;
- 17 (2) To establish one or more review committees to assist in the
18 evaluation of proposals for funding. The review committees may receive
19 input from parents, educators, and other experts in the field of early
20 childhood education for this purpose;
- 21 (3) To establish each biennium specific guidelines for submitting
22 grant proposals consistent with the overall goals of the program. The
23 guidelines shall be consistent with the following desired outcomes of
24 increasing access to quality child care for students, providing
25 affordable child care alternatives for students, creating a partnership
26 between university or college administrations, university or college
27 foundations, and student government associations, or their equivalents;
- 28 (4) To proportionally distribute the amount of money available in
29 the trust fund based on the financial support for child care received
30 by the student government associations or their equivalents. Student
31 government associations may solicit funds from private organizations
32 and targeted fund-raising campaigns as part of their financial support
33 for child care;
- 34 (5) To solicit grant proposals and provide information to the
35 institutions of higher education about the program;
- 36 (6) To establish reporting, evaluation, accountability, monitoring,
37 and dissemination requirements for the recipients of the grants; and

1 (~~(7) To report to the appropriate committees of the legislature by~~
2 ~~December 15, 2008, and every two years thereafter, on the status of~~
3 ~~program design and implementation at the four-year institutions of~~
4 ~~higher education. The report shall include but not be limited to~~
5 ~~summary information on the institutions receiving child care grant~~
6 ~~allocations, the amount contributed by each university or college~~
7 ~~administration and student government association for the purposes of~~
8 ~~child care including expenditures and reports for the previous~~
9 ~~biennium, services provided by each institutional child care center,~~
10 ~~the number of students using such services, and identifiable unmet~~
11 ~~need.))~~

12 **Sec. 244.** RCW 28B.135.040 and 2010 1st sp.s. c 9 s 4 are each
13 amended to read as follows:

14 The four-year student child care in higher education account is
15 established in the custody of the state treasurer. Moneys in the
16 account may be spent only for the purposes of RCW 28B.135.010.
17 Disbursements from the account shall be on the authorization of the
18 (~~higher education coordinating board~~) office of student financial
19 assistance. The account is subject to the allotment procedures under
20 chapter 43.88 RCW, but no appropriation is required for disbursements.

21 **Sec. 245.** RCW 28C.18.166 and 2009 c 238 s 5 are each amended to
22 read as follows:

23 On an annual basis, each opportunity internship consortium shall
24 provide the board with a list of the opportunity internship graduates
25 from the consortium. The board shall compile the lists from all
26 consortia and shall notify the (~~higher education coordinating board~~)
27 office of student financial assistance of the eligibility of each
28 graduate on the lists to receive a state need grant under chapter
29 28B.92 RCW if the graduate enrolls in a postsecondary program of study
30 within one year of high school graduation.

31 **Sec. 246.** RCW 39.86.130 and 2010 1st sp.s. c 6 s 7 are each
32 amended to read as follows:

33 (1) In granting an allocation, reallocation, or carryforward of the
34 state ceiling as provided in this chapter, the agency shall consider

1 existing state priorities and other such criteria, including but not
2 limited to, the following criteria:

3 (a) Need of issuers to issue bonds within a bond use category
4 subject to a state ceiling;

5 (b) Amount of the state ceiling available;

6 (c) Public benefit and purpose to be satisfied, including economic
7 development, educational opportunity, and public health, safety, or
8 welfare;

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

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

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

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

17 (b) Student loans: Criteria which comply with the applicable
18 provisions of Title 28B RCW and rules adopted by the (~~higher education~~
19 ~~coordinating board~~) office of student financial assistance or
20 applicable state agency dealing with student financial aid.

21 (c) Small issue: Factors which may include:

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

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

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

28 (iv) Geographic distribution of projects;

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

30 (vi) Consistency with criteria identified in subsection (1) of this
31 section; and

32 (vii) Order in which requests were received.

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

34 (i) State issuance needs;

35 (ii) Consistency with criteria identified in subsection (1) of this
36 section;

37 (iii) Order in which requests were received;

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

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

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

6 (i) Consistency with criteria identified in subsection (1) of this
7 section; and

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

9 **Sec. 247.** RCW 42.17.2401 and 2009 c 565 s 24 are each amended to
10 read as follows:

11 For the purposes of RCW 42.17.240, the term "executive state
12 officer" includes:

13 (1) The chief administrative law judge, the director of
14 agriculture, the administrator of the Washington basic health plan, the
15 director of the department of services for the blind, the director of
16 the state system of community and technical colleges, the director of
17 commerce, the secretary of corrections, the director of early learning,
18 the director of ecology, the commissioner of employment security, the
19 chair of the energy facility site evaluation council, the secretary of
20 the state finance committee, the director of financial management, the
21 director of fish and wildlife, the executive secretary of the forest
22 practices appeals board, the director of the gambling commission, the
23 director of general administration, the secretary of health, the
24 administrator of the Washington state health care authority, the
25 executive secretary of the health care facilities authority, the
26 executive secretary of the higher education facilities authority, the
27 executive secretary of the horse racing commission, the executive
28 secretary of the human rights commission, the executive secretary of
29 the indeterminate sentence review board, the director of the department
30 of information services, the executive director of the state investment
31 board, the director of labor and industries, the director of licensing,
32 the director of the lottery commission, the director of the office of
33 minority and women's business enterprises, the director of parks and
34 recreation, the director of personnel, the executive director of the
35 public disclosure commission, the executive director of the Puget Sound
36 partnership, the director of the recreation and conservation office,
37 the director of retirement systems, the director of revenue, the

1 secretary of social and health services, the chief of the Washington
2 state patrol, the executive secretary of the board of tax appeals, the
3 secretary of transportation, the secretary of the utilities and
4 transportation commission, the director of veterans affairs, the
5 president of each of the regional and state universities and the
6 president of The Evergreen State College, and each district and each
7 campus president of each state community college;

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

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

10 (4) Central Washington University board of trustees, the boards of
11 trustees of each community college and each technical college, each
12 member of the state board for community and technical colleges, state
13 convention and trade center board of directors, committee for deferred
14 compensation, Eastern Washington University board of trustees,
15 Washington economic development finance authority, The Evergreen State
16 College board of trustees, executive ethics board, forest practices
17 appeals board, forest practices board, gambling commission, life
18 sciences discovery fund authority board of trustees, Washington health
19 care facilities authority, each member of the Washington health
20 services commission, (~~higher education coordinating board,~~) higher
21 education facilities authority, horse racing commission, state housing
22 finance commission, human rights commission, indeterminate sentence
23 review board, board of industrial insurance appeals, information
24 services board, recreation and conservation funding board, state
25 investment board, commission on judicial conduct, legislative ethics
26 board, liquor control board, lottery commission, marine oversight
27 board, Pacific Northwest electric power and conservation planning
28 council, parks and recreation commission, board of pilotage
29 commissioners, pollution control hearings board, public disclosure
30 commission, public pension commission, shorelines hearings board,
31 public employees' benefits board, salmon recovery funding board, board
32 of tax appeals, transportation commission, University of Washington
33 board of regents, utilities and transportation commission, Washington
34 state maritime commission, Washington personnel resources board,
35 Washington public power supply system executive board, Washington State
36 University board of regents, Western Washington University board of
37 trustees, and fish and wildlife commission.

1 **Sec. 248.** RCW 42.17A.705 and 2010 c 204 s 902 are each amended to
2 read as follows:

3 For the purposes of RCW 42.17A.700, "executive state officer"
4 includes:

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

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

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

1 (4) Central Washington University board of trustees, the boards of
2 trustees of each community college and each technical college, each
3 member of the state board for community and technical colleges, state
4 convention and trade center board of directors, Eastern Washington
5 University board of trustees, Washington economic development finance
6 authority, Washington energy northwest executive board, The Evergreen
7 State College board of trustees, executive ethics board, fish and
8 wildlife commission, forest practices appeals board, forest practices
9 board, gambling commission, Washington health care facilities
10 authority, (~~higher education coordinating board,~~) higher education
11 facilities authority, horse racing commission, state housing finance
12 commission, human rights commission, indeterminate sentence review
13 board, board of industrial insurance appeals, information services
14 board, state investment board, commission on judicial conduct,
15 legislative ethics board, life sciences discovery fund authority board
16 of trustees, liquor control board, lottery commission, Pacific
17 Northwest electric power and conservation planning council, parks and
18 recreation commission, Washington personnel resources board, board of
19 pilotage commissioners, pollution control hearings board, public
20 disclosure commission, public employees' benefits board, recreation and
21 conservation funding board, salmon recovery funding board, shorelines
22 hearings board, board of tax appeals, transportation commission,
23 University of Washington board of regents, utilities and transportation
24 commission, Washington State University board of regents, and Western
25 Washington University board of trustees.

26 **Sec. 249.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to
27 read as follows:

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

1 four-year institutions of higher education, and the employment security
2 department. The education data center shall conduct collaborative
3 analyses under this section with the legislative evaluation and
4 accountability program committee and provide data electronically to the
5 legislative evaluation and accountability program committee, to the
6 extent permitted by state and federal confidentiality requirements.
7 The education data center shall be considered an authorized
8 representative of the state educational agencies in this section under
9 applicable federal and state statutes for purposes of accessing and
10 compiling student record data for research purposes.

11 (2) The education data center shall:

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

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

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

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

37 (e) Monitor and evaluate the education data collection systems of
38 the organizations and agencies represented in the education data center

1 ensuring that data systems are flexible, able to adapt to evolving
2 needs for information, and to the extent feasible and necessary,
3 include data that are needed to conduct the analyses and provide
4 answers to the research and policy questions identified in (a) of this
5 subsection;

6 (f) Track enrollment and outcomes through the public centralized
7 higher education enrollment system;

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

11 (h) Provide research that focuses on student transitions within and
12 among the early learning, K-12, and higher education sectors in the P-
13 20 system; and

14 (i) Make recommendations to the legislature as necessary to help
15 ensure the goals and objectives of this section and RCW 28A.655.210 and
16 28A.300.507 are met.

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

1 **Sec. 250.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to
2 read as follows:

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

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

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

14 (4) The coordination of telecommunications planning for the common
15 schools remains the responsibility of the superintendent of public
16 instruction. Except as set forth in RCW 43.105.041(1)(d), the board
17 may recommend, but not require, revisions to the superintendent's
18 telecommunications plans.

19 **Sec. 251.** RCW 74.13.570 and 2005 c 93 s 2 are each amended to read
20 as follows:

21 (1) The department shall establish an oversight committee composed
22 of staff from the children's administration of the department, the
23 office of the superintendent of public instruction, the council for
24 higher education (~~(coordinating board)~~), foster youth, former foster
25 youth, foster parents, and advocacy agencies to develop strategies for
26 maintaining foster children in the schools they were attending at the
27 time they entered foster care and to promote opportunities for foster
28 youth to participate in postsecondary education or training.

29 (2) The duties of the oversight committee shall include, but are
30 not limited to:

31 (a) Developing strategies for school-based recruitment of foster
32 homes;

33 (b) Monitoring the progress of current pilot projects that assist
34 foster children to continue attending the schools they were attending
35 at the time they entered foster care;

36 (c) Overseeing the expansion of the number of pilot projects;

1 (d) Promoting the use of best practices, throughout the state,
2 demonstrated by the pilot projects and other programs relating to
3 maintaining foster children in the schools they were attending at the
4 time they entered foster care;

5 (e) Informing the legislature of the status of efforts to maintain
6 foster children in the schools they were attending at the time they
7 entered foster care;

8 (f) Assessing the scope and nature of statewide need among current
9 and former foster youth for assistance to pursue and participate in
10 postsecondary education or training opportunities;

11 (g) Identifying available sources of funding available in the state
12 for services to former foster youth to pursue and participate in
13 postsecondary education or training opportunities;

14 (h) Reviewing the effectiveness of activities in the state to
15 support former foster youth to pursue and participate in postsecondary
16 education or training opportunities;

17 (i) Identifying new activities, or existing activities that should
18 be modified or expanded, to best meet statewide needs; and

19 (j) Reviewing on an ongoing basis the progress toward improving
20 educational and vocational outcomes for foster youth.

21 NEW SECTION. **Sec. 252.** The following acts or parts of acts are
22 each repealed:

23 (1) RCW 28B.15.736 (Washington/Oregon reciprocity tuition and fee
24 program--Program review) and 1985 c 370 s 72, 1983 c 104 s 2, & 1979 c
25 80 s 4;

26 (2) RCW 28B.76.010 (Board created) and 1985 c 370 s 1;

27 (3) RCW 28B.76.030 (Purpose) and 2004 c 275 s 1;

28 (4) RCW 28B.76.040 (Members--Appointment) and 2002 c 348 s 1, 2002
29 c 129 s 1, & 1985 c 370 s 10;

30 (5) RCW 28B.76.050 (Members--Terms) and 2007 c 458 s 101, 2004 c
31 275 s 3, 2002 c 129 s 2, & 1985 c 370 s 11;

32 (6) RCW 28B.76.060 (Members--Vacancies) and 1985 c 370 s 12;

33 (7) RCW 28B.76.070 (Bylaws--Meetings) and 1985 c 370 s 13;

34 (8) RCW 28B.76.080 (Members--Compensation and travel expenses) and
35 1985 c 370 s 16, 1984 c 287 s 65, 1975-'76 2nd ex.s. c 34 s 77, & 1969
36 ex.s. c 277 s 12;

1 (9) RCW 28B.76.200 (Statewide strategic master plan for higher
2 education--Institution-level strategic plans) and 2007 c 458 s 201,
3 2004 c 275 s 6, & 2003 c 130 s 2;

4 (10) RCW 28B.76.240 (Statewide transfer and articulation policies)
5 and 2004 c 275 s 10, 1998 c 245 s 23, 1985 c 370 s 27, & 1983 c 304 s
6 1;

7 (11) RCW 28B.76.2401 (Statewide transfer of credit policy and
8 agreement--Requirements) and 2004 c 55 s 5 & 1983 c 304 s 2;

9 (12) RCW 28B.76.250 (Transfer associate degrees--Work groups--
10 Implementation--Progress reports) and 2004 c 55 s 2;

11 (13) RCW 28B.76.260 (Statewide system of course equivalency--Work
12 group) and 2004 c 55 s 3;

13 (14) RCW 28B.76.270 (Accountability monitoring and reporting
14 system--Institution biennial plans and performance targets--Biennial
15 reports to the legislature) and 2004 c 275 s 11;

16 (15) RCW 28B.76.280 (Data collection and research--Privacy
17 protection) and 2010 1st sp.s. c 7 s 58 & 2004 c 275 s 12;

18 (16) RCW 28B.76.330 (Coordination, articulation, and transitions
19 among systems of education--Biennial updates to legislature) and 2004
20 c 275 s 17 & 1994 c 222 s 3;

21 (17) RCW 28B.76.530 (Board may develop and administer demonstration
22 projects) and 1989 c 306 s 2; and

23 (18) RCW 28B.115.060 (Eligible credentialed health care
24 professions--Required service obligations) and 1991 c 332 s 19.

25 NEW SECTION. **Sec. 253.** (1) The higher education coordinating
26 board is abolished. All powers, duties, and functions of the higher
27 education coordinating board pertaining to student financial assistance
28 are transferred to the office of student financial assistance. All
29 references to the executive director or the higher education
30 coordinating board in the Revised Code of Washington shall be construed
31 to mean the director or the office of student financial assistance when
32 referring to the functions transferred in this section.

33 (2)(a) All reports, documents, surveys, books, records, files,
34 papers, or written material in the possession of the higher education
35 coordinating board pertaining to the powers, functions, and duties
36 transferred shall be delivered to the custody of the office of student
37 financial assistance. All cabinets, furniture, office equipment, motor

1 vehicles, and other tangible property employed by the higher education
2 coordinating board in carrying out the powers, functions, and duties
3 transferred shall be made available to the office of student financial
4 assistance. All funds, credits, or other assets held in connection
5 with the powers, functions, and duties transferred shall be assigned to
6 the office of student financial assistance.

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

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

17 (3) All employees of the higher education coordinating board
18 engaged in performing the powers, functions, and duties transferred are
19 transferred to the jurisdiction of the office of student financial
20 assistance. All employees classified under chapter 41.06 RCW, the
21 state civil service law, are assigned to the office of student
22 financial assistance to perform their usual duties upon the same terms
23 as formerly, without any loss of rights, subject to any action that may
24 be appropriate thereafter in accordance with the laws and rules
25 governing state civil service.

26 (4) All rules and all pending business before the higher education
27 coordinating board pertaining to the powers, functions, and duties
28 transferred shall be continued and acted upon by the office of student
29 financial assistance. All existing contracts and obligations shall
30 remain in full force and shall be performed by the office of student
31 financial assistance.

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

35 (6) If apportionments of budgeted funds are required because of the
36 transfers directed by this section, the director of financial
37 management shall certify the apportionments to the agencies affected,

1 the state auditor, and the state treasurer. Each of these shall make
2 the appropriate transfer and adjustments in funds and appropriation
3 accounts and equipment records in accordance with the certification.

4 (7) All classified employees of the higher education coordinating
5 board assigned to the office of student financial assistance under this
6 section whose positions are within an existing bargaining unit
7 description at the office of student financial assistance shall become
8 a part of the existing bargaining unit at the office of student
9 financial assistance and shall be considered an appropriate inclusion
10 or modification of the existing bargaining unit under the provisions of
11 chapter 41.80 RCW.

12 **PART II**

13 **COUNCIL FOR HIGHER EDUCATION**

14 NEW SECTION. **Sec. 301.** (1) The council for higher education is
15 created.

16 (2) The council shall consist of the presidents, or their
17 designees, of each of the state universities, regional universities,
18 and the state college, the director for the state system of community
19 and technical colleges or designee, a representative from the office of
20 the superintendent of public instruction, and one president or designee
21 from a higher education institution as defined in RCW 28B.07.020.

22 NEW SECTION. **Sec. 302.** The definitions in this section apply
23 throughout this chapter unless the context clearly requires otherwise.

24 (1) "Council" means the council for higher education.

25 (2) "Work group" means the work group convened under section 304 of
26 this act.

27 NEW SECTION. **Sec. 303.** (1) The purpose of the council is to:

28 (a) Develop performance-based measures and goals for each state
29 university, regional university, and the state college, linked to the
30 role, mission, and strategic plan of the institution of higher
31 education including:

32 (i) Indicators and goals that measure outcomes concerning cost,
33 quality, and timeliness of student progress toward degrees and
34 certifications;

1 (ii) Benchmarks and goals for long-term degree production,
2 including discrete benchmarks and goals in particular fields of study;

3 (iii) The level of resources necessary to meet the performance
4 outcomes, benchmarks, and goals, subject to legislative appropriation;

5 (iv) Indicators and goals that measure outcomes concerning
6 recruitment, retention, and success of students from diverse,
7 underrepresented communities; and

8 (v) A system of consequences for exceeding or for failing to
9 achieve the goals or benchmarks; and

10 (b) Convene a work group to develop and recommend statewide
11 policies to enhance the availability, quality, efficiency, and
12 accountability of public higher education in Washington state.

13 (2) The performance measures and goals for each institution shall
14 take effect immediately upon being affirmed by the legislature by joint
15 resolution. If, through action or inaction, the legislature does not
16 affirm the measures and goals, the council shall redraft and resubmit
17 them for the subsequent legislative session.

18 (3) The performance measures and goals for each institution may be
19 modified by the council. Modifications shall take effect upon being
20 affirmed by the legislature by joint resolution.

21 NEW SECTION. **Sec. 304.** (1) Beginning 2013, and every two years
22 thereafter, the council shall convene a work group consisting of:

23 (a) Three representatives from the four-year institutions of higher
24 education selected by the council;

25 (b) Three representatives from the community and technical college
26 system selected by the state board for community and technical
27 colleges;

28 (c) A representative from the office of the superintendent of
29 public instruction;

30 (d) Two faculty representatives, one from a four-year institution
31 of higher education and one from a community or technical college,
32 selected by the council of faculty representatives;

33 (e) Two student representatives, appointed by the governor; and

34 (f) Three members of the public appointed by the governor.

35 (2) The work group shall identify and use models of regional
36 planning and decision making before initiating a statewide planning
37 process. The work group shall also seek input, when appropriate, from

1 students, faculty organizations, community and business leaders in the
2 state, the workforce training and education coordinating board, the
3 superintendent of public instruction, the independent higher education
4 institutions, the business sector, labor, members of the legislature,
5 and the governor.

6 (3) The purpose of the work group is to identify measureable and
7 feasible goals and priorities for the system of higher education in
8 Washington for a ten-year period of time and a plan to achieve them.
9 The plan shall encompass all sectors of higher education, including the
10 two-year system, workforce training, and the four-year institutions of
11 higher education. The work group shall also identify strategies for
12 expanding access, affordability, quality, efficiency, and
13 accountability among the various institutions of higher education.

14 (4) Every two years by December 15th, beginning December 15, 2013,
15 the council shall submit an update of the ten-year statewide plan to
16 the governor and the legislature. The updated plan must reflect the
17 expectations and policy directions of the legislative higher education
18 and fiscal committees, and must provide a timely and relevant framework
19 for the development of future budgets and policy proposals. The
20 legislature shall, by concurrent resolution, approve or recommend
21 changes to the updated plan, following public hearings. The council
22 shall submit the final plan, incorporating legislative changes, to the
23 governor and the legislature by June of the year in which the
24 legislature approves the concurrent resolution. The plan shall then
25 become state higher education policy unless legislation is enacted to
26 alter the policies set forth in the plan.

27 (5) Staff for the work group shall be provided by the council and
28 the state board for community and technical colleges.

29 NEW SECTION. **Sec. 305.** (1) The council shall adopt bylaws and
30 shall meet at least four times each year and at such other times as
31 determined by the chair who shall give reasonable prior notice to the
32 members.

33 (2) All votes on nonprocedural matters must be recorded and the
34 record must be preserved in a manner that reflects the vote of each
35 individual member of the council.

1 NEW SECTION. **Sec. 306.** (1) The council may employ an executive
2 director and may delegate agency management to the executive director.
3 The executive director shall serve at the pleasure of the council and
4 shall, under the council's supervision, administer the provisions of
5 this chapter.

6 (2) The executive director shall, with the approval of the council,
7 appoint and employ such other employees as may be required for the
8 proper discharge of the functions of the council.

9 (3) The executive director shall exercise such additional powers,
10 other than rule making, as may be delegated by the council by
11 resolution.

12 (4) In fulfilling the duties under this chapter, the council shall
13 make extensive use of those state agencies with responsibility for
14 implementing and supporting postsecondary education plans and policies
15 including, but not limited to, appropriate legislative groups, the
16 postsecondary education institutions, the office of financial
17 management, the workforce training and education coordinating board,
18 the state board for community and technical colleges, and the office of
19 the superintendent of public instruction and may also employ outside
20 consulting and service agencies. The council may compensate these
21 groups and consultants in appropriate ways.

22 NEW SECTION. **Sec. 307.** Members of the council shall be
23 compensated in accordance with RCW 43.03.240 and shall receive travel
24 expenses in accordance with RCW 43.03.050 and 43.03.060.

25 NEW SECTION. **Sec. 308.** The council may adopt rules as necessary
26 to implement this chapter.

27 NEW SECTION. **Sec. 309.** The council is designated as the state
28 commission as provided for in section 1202 of the education amendments
29 of 1972 (P.L. 92-318), as now or hereafter amended; and shall perform
30 such functions as is necessary to comply with federal directives
31 pertaining to the provisions of that law.

32 NEW SECTION. **Sec. 310.** A new section is added to chapter 41.06
33 RCW to read as follows:

1 In addition to the exemptions under RCW 41.06.070, the provisions
2 of this chapter shall not apply in the council for higher education to
3 the executive director and one confidential secretary.

4 **Sec. 311.** RCW 28B.76.210 and 2010 c 245 s 10 are each amended to
5 read as follows:

6 ~~(1) ((The board shall collaborate with the four-year institutions
7 including the council of presidents, the community and technical
8 college system, and when appropriate the workforce training and
9 education coordinating board, the superintendent of public instruction,
10 and the independent higher educational institutions to identify budget
11 priorities and levels of funding for higher education, including the
12 two and four-year institutions of higher education and state financial
13 aid programs. It is the intent of the legislature that recommendations
14 from the board reflect not merely the sum of budget requests from
15 multiple institutions, but prioritized funding needs for the overall
16 system of higher education.~~

17 ~~(2) By December of each odd-numbered year, the board shall
18 distribute guidelines which outline the board's fiscal priorities to
19 the institutions and the state board for community and technical
20 colleges.~~

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

32 ~~(b))~~ Capital budget outlines for the two-year institutions shall
33 be submitted to the state board for community and technical colleges by
34 August 15th of each even-numbered year, and shall include the
35 prioritized ranking of the capital projects being requested, a
36 description of each capital project, and the amount and fund source
37 being requested.

1 ~~((e))~~ (2) Capital budget outlines for the four-year institutions
2 must be submitted by each four-year institution to the council by
3 August 15th of each even-numbered year, and must include: The
4 institutions' priority ranking of the project; the capital budget
5 category within which the project will be submitted to the office of
6 financial management in accordance with RCW 43.88D.010; a description
7 of each capital project; and the amount and fund source being
8 requested.

9 ~~((d))~~ (3) The office of financial management shall reference
10 these reporting requirements in its budget instructions.

11 ~~((3))~~ (4) The ~~((board))~~ office of financial management shall
12 review and evaluate the operating and capital budget requests from
13 four-year institutions and the community and technical college system
14 based on how the requests align with the ~~((board's))~~ budget
15 priorities~~((7))~~ and the missions of the institutions~~((, and the~~
16 ~~statewide strategic master plan for higher education under RCW~~
17 ~~28B.76.200))~~.

18 ~~((4) The board shall submit recommendations on the proposed~~
19 ~~operating budget and priorities to the office of financial management~~
20 ~~by October 1st of each even-numbered year, and to the legislature by~~
21 ~~January 1st of each odd-numbered year.))~~

22 (5) The ~~((board's))~~ capital budget recommendations for the
23 community and technical college system and the four-year institutions
24 must be submitted to the office of financial management and to the
25 legislature by November 15th of each even-numbered year. The
26 ~~((board's))~~ council's recommendations for the four-year institutions
27 must include a single, prioritized list of the major projects that the
28 ~~((board))~~ council recommends be funded with state bond and building
29 account appropriations during the forthcoming fiscal biennium. In
30 developing this single prioritized list, the ~~((board))~~ council shall:

31 (a) Seek to identify the combination of projects that will most
32 cost-effectively achieve the state's goals. These goals include
33 increasing baccalaureate and graduate degree production, particularly
34 in high-demand fields; promoting economic development through research
35 and innovation; providing quality, affordable educational environments;
36 preserving existing assets; and maximizing the efficient utilization of
37 instructional space;

1 (b) Be guided by the objective analysis and scoring of capital
2 budget projects (~~completed by the office of financial management~~)
3 pursuant to chapter 43.88D RCW;

4 (c) Anticipate (i) that state bond and building account
5 appropriations continue at the same level during each of the two
6 subsequent fiscal biennia as has actually been appropriated for the
7 baccalaureate institutions during the current one; (ii) that major
8 projects funded for design during a biennium are funded for
9 construction during the subsequent one before state appropriations are
10 provided for new major projects; and (iii) that minor health, safety,
11 code, and preservation projects are funded at the same average level as
12 in recent biennia before state appropriations are provided for new
13 major projects.

14 (~~(6) Institutions and the state board for community and technical
15 colleges shall submit any supplemental budget requests and revisions to
16 the board at the same time they are submitted to the office of
17 financial management. The board shall submit recommendations on the
18 proposed supplemental budget requests to the office of financial
19 management by November 1st and to the legislature by January 1st.~~)

20 **Sec. 312.** RCW 28B.76.230 and 2010 c 245 s 5 are each amended to
21 read as follows:

22 (1) The (~~board~~) council shall develop a comprehensive and ongoing
23 assessment process to analyze the need for additional degrees and
24 programs, additional off-campus centers and locations for degree
25 programs, and consolidation or elimination of programs by the four-year
26 institutions. (~~Board~~) Council recommendations regarding proposed
27 major expansion shall be limited to determinations of whether the major
28 expansion is within the scope indicated in the most recent strategic
29 master plan for higher education or most recent system design plan.
30 Recommendations regarding existing capital prioritization processes are
31 not within the scope of the evaluation of major expansion. Major
32 expansion and proposed mission changes may be proposed by the (~~board~~)
33 council, any public institution of higher education, or by a state or
34 local government.

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

1 (a) Projections of student, employer, and community demand for
2 education and degrees, including liberal arts degrees, on a regional
3 and statewide basis;

4 (b) Current and projected degree programs and enrollment at public
5 and private institutions of higher education, by location and mode of
6 service delivery;

7 (c) Data from the workforce training and education coordinating
8 board and the state board for community and technical colleges on the
9 supply and demand for workforce education and certificates and
10 associate degrees; and

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

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

30 ~~(4))~~ The ~~((board))~~ council shall determine whether certain major
31 lines of study or types of degrees, including applied degrees or
32 research-oriented degrees, shall be assigned uniquely to some
33 institutions or institutional sectors in order to create centers of
34 excellence that focus resources and expertise.

35 ~~((+5))~~ (4) The following activities are subject to approval by the
36 ~~((board))~~ council:

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

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

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

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

4 (e) New degree programs and creation of off-campus programs by an
5 independent college or university in collaboration with a community or
6 technical college; and

7 (f) Applied baccalaureate degree programs developed by colleges
8 under RCW 28B.50.810.

9 ((+6)) (5) Institutions seeking ((~~board~~) council) approval under
10 this section must demonstrate that the proposal is justified by the
11 needs assessment developed under this section. Institutions must also
12 demonstrate how the proposals align with or implement the statewide
13 strategic master plan for higher education under RCW 28B.76.200.

14 ((+7)) (6) The ((~~board~~) council) shall develop clear guidelines
15 and objective decision-making criteria regarding approval of proposals
16 under this section, which must include review and consultation with the
17 institution and other interested agencies and individuals.

18 ((+8)) (7) The ((~~board~~) council) shall periodically recommend
19 consolidation or elimination of programs at the four-year institutions,
20 based on the needs assessment analysis.

21 ((+9)) (8) In the case of a proposed major expansion or mission
22 change, the needs assessment process under subsection (2) of this
23 section constitutes a threshold inquiry. If the ((~~board~~) council)
24 determines that the need for the proposed major expansion or mission
25 change has not been justified, the inquiry is concluded. If the
26 ((~~board~~) council) determines that the need for the proposed major
27 expansion or mission change has been sufficiently established, the
28 ((~~board~~) council), in consultation with any directly involved
29 institutions and other interested agencies and individuals, shall
30 proceed to examine the viability of the proposal using criteria
31 including, but not limited to:

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

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

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

37 (d) The current and five-year projected student population,

1 faculty, and staff to support the proposed programs, institution, or
2 innovation;

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

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

7 (g) The feasibility of any proposed innovations to accelerate
8 degree production.

9 ~~((+10))~~ (9) After the ~~((board))~~ council completes its evaluation
10 of the proposed major expansion or mission change using the needs
11 assessment under subsection (2) of this section and viability
12 determination under subsection ~~((+9))~~ (8) of this section, the
13 ~~((board))~~ council shall make a recommendation to either proceed,
14 modify, or not proceed with the proposed major expansion or mission
15 change. The ~~((board's))~~ council's recommendation shall be presented to
16 the governor and the legislature.

17 **Sec. 313.** RCW 28B.76.290 and 1993 c 77 s 2 are each amended to
18 read as follows:

19 The ~~((board))~~ council shall coordinate educational activities among
20 all ~~((segments of higher education taking into account the educational
21 programs, facilities, and other resources of both public and
22 independent two and four year colleges and universities))~~ four-year
23 institutions of higher education. The four-year institutions and the
24 state board for community and technical colleges shall coordinate
25 information and activities with the ~~((board))~~ council. The ~~((board))~~
26 council shall have the following additional responsibilities:

27 (1) Promote interinstitutional cooperation;

28 (2) Establish minimum admission standards for four-year
29 institutions, including a requirement that coursework in American sign
30 language or an American Indian language shall satisfy any requirement
31 for instruction in a language other than English that the ~~((board))~~
32 council or the institutions may establish as a general undergraduate
33 admissions requirement(~~+~~

34 ~~(3) Establish transfer policies;~~

35 ~~(4) Adopt rules implementing statutory residency requirements;~~

36 ~~(5) Develop and administer reciprocity agreements with bordering
37 states and the province of British Columbia;~~

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

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

6 ~~(8) Arbitrate disputes between and among four-year institutions or~~
7 ~~between and among four-year institutions and community colleges at the~~
8 ~~request of one or more of the institutions involved, or at the request~~
9 ~~of the governor, or from a resolution adopted by the legislature. The~~
10 ~~decision of the board shall be binding on the participants in the~~
11 ~~dispute;~~

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

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

17 ~~(11) Make recommendations to increase minority participation, and~~
18 ~~monitor and report on the progress of minority participation in higher~~
19 ~~education)).~~

20 **Sec. 314.** RCW 28B.76.310 and 2004 c 275 s 15 are each amended to
21 read as follows:

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

33 (2) ((By December 1, 2004, the board must propose a schedule of
34 regular cost study reports intended to meet the information needs of
35 the governor's office and the legislature and the requirements of RCW
36 28B.76.300 and submit the proposed schedule to the higher education and

1 ~~fiscal committees of the house of representatives and the senate for~~
2 ~~their review.~~

3 (3)) The institutions of higher education, as defined in RCW
4 28B.10.016, shall participate in the development of cost study methods
5 and shall provide all necessary data in a timely fashion consistent
6 with the protocols developed.

7 **Sec. 315.** RCW 28B.76.320 and 2004 c 275 s 16 are each amended to
8 read as follows:

9 The ((~~board~~)) council for higher education shall determine and
10 transmit amounts constituting approved undergraduate and graduate
11 educational costs to the several boards of regents and trustees of the
12 state institutions of higher education by November 10th of each even-
13 numbered year.

14 **Sec. 316.** RCW 28B.76.335 and 2010 c 235 s 507 are each amended to
15 read as follows:

16 As part of the state needs assessment process conducted by the
17 ((~~board~~)) council in accordance with RCW 28B.76.230, the ((~~board~~))
18 council shall, in collaboration with the professional educator
19 standards board, assess the need for additional degree and certificate
20 programs in Washington that specialize in teacher preparation to meet
21 regional or subject area shortages. If the ((~~board~~)) council
22 determines that there is a need for additional programs, then the
23 ((~~board~~)) council shall encourage the appropriate institutions of
24 higher education or institutional sectors to create such a program.

25 **Sec. 317.** RCW 28B.76.340 and 2010 c 235 s 508 are each amended to
26 read as follows:

27 (1) The ((~~board~~)) council must establish boundaries for service
28 regions for institutions of higher education as defined in RCW
29 28B.10.016 implementing professional educator standards board-approved
30 educator preparation programs. Regions shall be established to
31 encourage and support, not exclude, the reach of public institutions of
32 higher education across the state.

33 (2) Based on the data in the assessment in RCW 28B.76.230 and
34 28B.76.335, the ((~~board~~)) council shall determine whether reasonable
35 teacher preparation program access for prospective teachers is

1 available in each region. If access is determined to be inadequate in
2 a region, the institution of higher education responsible for the
3 region shall submit a plan for meeting the access need to the ((~~board~~)
4 council).

5 (3) Partnerships with other teacher preparation program providers
6 and the use of appropriate technology shall be considered. The
7 ((~~board~~) council) shall review the plan and, as appropriate, assist the
8 institution in developing support and resources for implementing the
9 plan.

10 **Sec. 318.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to
11 read as follows:

12 The boards of regents of the University of Washington and
13 Washington State University, respectively, and the boards of trustees
14 of Central Washington University, Eastern Washington University,
15 Western Washington University, and The Evergreen State College,
16 respectively, shall have the power and authority to acquire by
17 exchange, gift, purchase, lease, or condemnation in the manner provided
18 by chapter 8.04 RCW for condemnation of property for public use, such
19 lands, real estate and other property, and interests therein as they
20 may deem necessary for the use of said institutions respectively.
21 However, the purchase or lease of major off-campus facilities is
22 subject to the approval of the council for higher education
23 ((~~coordinating board~~)) under RCW 28B.76.230.

24 **Sec. 319.** RCW 28B.15.460 and 1997 c 5 s 2 are each amended to read
25 as follows:

26 (1) An institution of higher education shall not grant any waivers
27 for the purpose of achieving gender equity until the 1991-92 academic
28 year, and may grant waivers for the purpose of achieving gender equity
29 in intercollegiate athletic programs as authorized in RCW 28B.15.740,
30 for the 1991-92 academic year only if the institution's governing board
31 has adopted a plan for complying with the provisions of RCW 28B.15.455
32 and submitted the plan to the council for higher education
33 ((~~coordinating board~~)).

34 (2)(a) Beginning in the 1992-93 academic year, an institution of
35 higher education shall not grant any waiver for the purpose of

1 achieving gender equity in intercollegiate athletic programs as
2 authorized in RCW 28B.15.740 unless the institution's plan has been
3 approved by the council for higher education (~~coordinating board~~)).

4 (b) Beginning in the 1999-2000 academic year, an institution that
5 did not provide, by June 30, 1998, athletic opportunities for an
6 historically underrepresented gender class at a rate that meets or
7 exceeds the current rate at which that class participates in high
8 school athletics in Washington state shall have a new institutional
9 plan approved by the council for higher education (~~coordinating~~
10 ~~board~~)) before granting further waivers.

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

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

18 (a) For any institution with an historically underrepresented
19 gender class described in subsection (2)(b) of this section, provisions
20 that ensure that by July 1, 2000, the institution shall provide
21 athletic opportunities for the underrepresented gender class at a rate
22 that meets or exceeds the current rate at which that class participates
23 in high school interscholastic athletics in Washington state not to
24 exceed the point at which the underrepresented gender class is no
25 longer underrepresented;

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

30 (c) Activities to be undertaken by the institution to increase
31 participation rates of any underrepresented gender class in
32 interscholastic and intercollegiate athletics. These activities may
33 include, but are not limited to: Sponsoring equity conferences,
34 coaches clinics and sports clinics; and taking a leadership role in
35 working with athletic conferences to reduce barriers to participation
36 by those gender classes in interscholastic and intercollegiate
37 athletics;

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

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

5 **Sec. 320.** RCW 28B.20.130 and 2010 c 51 s 1 are each amended to
6 read as follows:

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

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

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

14 (3) Establish entrance requirements for students seeking admission
15 to the university which meet or exceed the standards (~~(specified under~~
16 ~~RCW 28B.76.290(2))~~) adopted by the council for higher education.
17 Completion of examinations satisfactory to the university may be a
18 prerequisite for entrance by any applicant at the university's
19 discretion. Evidence of completion of public high schools and other
20 educational institutions whose courses of study meet the approval of
21 the university may be acceptable for entrance.

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

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

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

35 (7) Accept such gifts, grants, conveyances, bequests, and devises,
36 whether real or personal property, or both, in trust or otherwise, for
37 the use or benefit of the university, its colleges, schools,

1 departments, or agencies; and sell, lease or exchange, invest or expend
2 the same or the proceeds, rents, profits, and income thereof except as
3 limited by the terms of said gifts, grants, conveyances, bequests, and
4 devises. The board shall adopt proper rules to govern and protect the
5 receipt and expenditure of the proceeds of all fees, and the proceeds,
6 rents, profits, and income of all gifts, grants, conveyances, bequests,
7 and devises above-mentioned.

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

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

12 (10) Subject to the approval of the council for higher education
13 (~~coordinating board~~) pursuant to RCW 28B.76.230, offer new degree
14 programs, offer off-campus programs, participate in consortia or
15 centers, contract for off-campus educational programs, and purchase or
16 lease major off-campus facilities.

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

25 **Sec. 321.** RCW 28B.20.280 and 1985 c 370 s 82 are each amended to
26 read as follows:

27 The board of regents of the University of Washington may offer
28 masters level and doctorate level degrees in technology subject to
29 review and approval by the council for higher education (~~coordinating~~
30 ~~board~~)).

31 **Sec. 322.** RCW 28B.30.150 and 2010 c 51 s 2 are each amended to
32 read as follows:

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

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

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

5 (3) Establish entrance requirements for students seeking admission
6 to the university which meet or exceed the standards (~~(specified under~~
7 ~~RCW 28B.76.290(2))~~) adopted by the council for higher education.
8 Completion of examinations satisfactory to the university may be a
9 prerequisite for entrance by any applicant, at the university's
10 discretion. Evidence of completion of public high schools and other
11 educational institutions whose courses of study meet the approval of
12 the university may be acceptable for entrance.

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

16 (5) Subject to the approval of the council for higher education
17 (~~(coordinating board)~~) pursuant to RCW 28B.76.230, offer new degree
18 programs, offer off-campus programs, participate in consortia or
19 centers, contract for off-campus educational programs, and purchase or
20 lease major off-campus facilities.

21 (6) With the assistance of the faculty of the university, prescribe
22 the courses of instruction in the various colleges, schools, and
23 departments of the institution and publish the necessary catalogues
24 thereof.

25 (7) Collect such information as the (~~board~~) council for higher
26 education deems desirable as to the schemes of technical instruction
27 adopted in other parts of the United States and foreign countries.

28 (8) Provide for holding agricultural institutes including farm
29 marketing forums.

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

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

36 (11) Establish a department of elementary science and in connection
37 therewith provide instruction in elementary mathematics, including

1 elementary trigonometry, elementary mechanics, elementary and
2 mechanical drawing, and land surveying.

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

16 (13) Establish agricultural experiment stations in connection with
17 the department of agriculture, including at least one in the western
18 portion of the state, and appoint the officers and prescribe
19 regulations for their management.

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

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

27 (16) Adopt plans and specifications for university buildings and
28 facilities or improvements thereto and employ skilled architects and
29 engineers to prepare such plans and specifications and supervise the
30 construction of buildings or facilities which the board is authorized
31 to erect, and fix the compensation for such services. The board shall
32 enter into contracts with one or more contractors for such suitable
33 buildings, facilities, or improvements as the available funds will
34 warrant, upon the most advantageous terms offered at a public
35 competitive letting, pursuant to public notice under rules established
36 by the board. The board shall require of all persons with whom they
37 contract for construction and improvements a good and sufficient bond

1 for the faithful performance of the work and full protection against
2 all liens.

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

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

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

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

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

27 (22) Supervise and control the agricultural experiment station at
28 Puyallup.

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

34 (24) Accept such gifts, grants, conveyances, devises, and bequests,
35 whether real or personal property, in trust or otherwise, for the use
36 or benefit of the university, its colleges, schools, or departments;
37 and sell, lease or exchange, invest or expend the same or the proceeds,
38 rents, profits, and income thereof except as limited by the terms of

1 said gifts, grants, conveyances, bequests, and devises; and adopt
2 proper rules to govern and protect the receipt and expenditure of the
3 proceeds of all fees, and the proceeds, rents, profits, and income of
4 all gifts, grants, conveyances, bequests, and devises.

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

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

21 (27) Confer honorary degrees upon persons who request an honorary
22 degree if they were students at the university in 1942 and did not
23 graduate because they were ordered into an internment camp. The
24 honorary degree may also be requested by a representative of deceased
25 persons who meet these requirements. For the purposes of this
26 subsection, "internment camp" means a relocation center to which
27 persons were ordered evacuated by Presidential Executive Order 9066,
28 signed February 19, 1942.

29 **Sec. 323.** RCW 28B.30.500 and 1985 c 370 s 83 are each amended to
30 read as follows:

31 The board of regents of Washington State University may offer
32 masters level and doctorate level degrees in technology subject to
33 review and approval by the council for higher education (~~coordinating~~
34 ~~board~~)).

35 **Sec. 324.** RCW 28B.35.120 and 2006 c 263 s 824 are each amended to
36 read as follows:

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

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

5 (2) Shall employ the president of the regional university, (~~his~~)
6 the president's assistants, members of the faculty, and other employees
7 of the institution, who, except as otherwise provided by law, shall
8 hold their positions, until discharged therefrom by the board for good
9 and lawful reason.

10 (3) With the assistance of the faculty of the regional university,
11 shall prescribe the course of study in the various schools and
12 departments thereof and publish such catalogues thereof as the board
13 deems necessary: PROVIDED, That the Washington professional educator
14 standards board shall determine the requisites for and give program
15 approval of all courses leading to teacher certification by such board.

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

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

22 (6) May acquire real and other property as provided in RCW
23 28B.10.020, as now or hereafter amended.

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

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

30 (9) Except as otherwise provided by law, to enter into such
31 contracts as the trustees deem essential to regional university
32 purposes.

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

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

4 (11) Subject to the approval of the council for higher education
5 (~~coordinating board~~) pursuant to RCW 28B.76.230, offer new degree
6 programs, offer off-campus programs, participate in consortia or
7 centers, contract for off-campus educational programs, and purchase or
8 lease major off-campus facilities.

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

13 **Sec. 325.** RCW 28B.35.205 and 2010 c 51 s 3 are each amended to
14 read as follows:

15 (1) In addition to all other powers and duties given to them by
16 law, Central Washington University, Eastern Washington University, and
17 Western Washington University are hereby authorized to grant any degree
18 through the master's degree to any student who has completed a program
19 of study and/or research in those areas which are determined by the
20 faculty and board of trustees of the college to be appropriate for the
21 granting of such degree: PROVIDED, That before any degree is
22 authorized under this section it shall be subject to the review and
23 approval of the council for higher education (~~coordinating board~~).

24 (2) The board of trustees, upon recommendation of the faculty, may
25 also confer honorary bachelor's, master's, or doctorate level degrees
26 upon persons in recognition of their learning or devotion to education,
27 literature, art, or science. No degree may be conferred in
28 consideration of the payment of money or the donation of any kind of
29 property.

30 (3) The board of trustees may also confer honorary degrees upon
31 persons who request an honorary degree if they were students at the
32 university in 1942 and did not graduate because they were ordered into
33 an internment camp. The honorary degree may also be requested by a
34 representative of deceased persons who meet these requirements. For
35 the purposes of this subsection, "internment camp" means a relocation
36 center to which persons were ordered evacuated by Presidential
37 Executive Order 9066, signed February 19, 1942.

1 **Sec. 326.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to
2 read as follows:

3 The board of trustees of Eastern Washington University may offer
4 applied, but not research, doctorate level degrees in physical therapy
5 subject to review and approval by the council for higher education
6 (~~coordinating board~~)).

7 **Sec. 327.** RCW 28B.38.010 and 2004 c 275 s 55 are each amended to
8 read as follows:

9 (1) The Spokane intercollegiate research and technology institute
10 is created.

11 (2) The institute shall be operated and administered as a multi-
12 institutional education and research center, housing appropriate
13 programs conducted in Spokane under the authority of institutions of
14 higher education as defined in RCW 28B.10.016. Washington independent
15 and private institutions of higher education may participate as full
16 partners in any academic and research activities of the institute.

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

19 (4) The establishment of any education program at the institute and
20 the lease, purchase, or construction of any site or facility for the
21 institute is subject to the approval of the council for higher
22 education (~~coordinating board~~) under RCW 28B.76.230.

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

24 (6) The mission of the institute is to perform and commercialize
25 research that benefits the intermediate and long-term economic vitality
26 of eastern Washington and to develop and strengthen university-industry
27 relationships through the conduct of research that is primarily of
28 interest to eastern Washington-based companies or state economic
29 development programs. The institute shall:

30 (a) Perform and facilitate research supportive of state science and
31 technology objectives, particularly as they relate to eastern
32 Washington industries;

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

35 (c) Provide substantial opportunities for training undergraduate
36 and graduate students through direct involvement in research and
37 industry interactions;

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

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

7 **Sec. 328.** RCW 28B.40.120 and 2006 c 263 s 825 are each amended to
8 read as follows:

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

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

13 (2) Shall employ the president of the state college, (~~his~~) the
14 president's assistants, members of the faculty, and other employees of
15 the institution, who, except as otherwise provided by law, shall hold
16 their positions, until discharged therefrom by the board for good and
17 lawful reason.

18 (3) With the assistance of the faculty of the state college, shall
19 prescribe the course of study in the various schools and departments
20 thereof and publish such catalogues thereof as the board deems
21 necessary: PROVIDED, That the Washington professional educator
22 standards board shall determine the requisites for and give program
23 approval of all courses leading to teacher certification by such board.

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

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

30 (6) May acquire real and other property as provided in RCW
31 28B.10.020, as now or hereafter amended.

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

35 (8) May establish, lease, operate, equip and maintain self-
36 supporting facilities in the manner provided in RCW 28B.10.300 through
37 28B.10.330, as now or hereafter amended.

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

3 (10) May receive such gifts, grants, conveyances, devises and
4 bequests of real or personal property from whatsoever source, as may be
5 made from time to time, in trust or otherwise, whenever the terms and
6 conditions thereof will aid in carrying out the college programs; sell,
7 lease or exchange, invest or expend the same or the proceeds, rents,
8 profits and income thereof except as limited by the terms and
9 conditions thereof; and adopt (~~regulations~~) rules to govern the
10 receipt and expenditure of the proceeds, rents, profits and income
11 thereof.

12 (11) Subject to the approval of the council for higher education
13 (~~coordinating board~~) pursuant to RCW 28B.76.230, offer new degree
14 programs, offer off-campus programs, participate in consortia or
15 centers, contract for off-campus educational programs, and purchase or
16 lease major off-campus facilities.

17 (12) May (~~promulgate~~) adopt such rules (~~and regulations~~), and
18 perform all other acts not forbidden by law, as the board of trustees
19 may in its discretion deem necessary or appropriate to the
20 administration of the college.

21 **Sec. 329.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to
22 read as follows:

23 In addition to all other powers and duties given to them by law,
24 the board of trustees of The Evergreen State College is hereby
25 authorized to grant any degree through the master's degree to any
26 student who has completed a program of study and/or research in those
27 areas which are determined by the faculty and board of trustees of the
28 college to be appropriate for the granting of such degree: PROVIDED,
29 That any degree authorized under this section shall be subject to the
30 review and approval of the council for higher education (~~coordinating~~
31 ~~board~~)).

32 The board of trustees, upon recommendation of the faculty, may also
33 confer honorary bachelor's or master's degrees upon persons other than
34 graduates of the institution, in recognition of their learning or
35 devotion to education, literature, art, or science. No degree may be
36 conferred in consideration of the payment of money or the donation of
37 any kind of property.

1 **Sec. 330.** RCW 28B.45.014 and 2005 c 258 s 2 are each amended to
2 read as follows:

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

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

19 (3) In communities where a private postsecondary institution is
20 located, representatives of the private institution may be invited to
21 participate in the conversation about meeting the baccalaureate and
22 master's level graduate needs in underserved urban areas of the state.

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

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

1 (6) In consultation with the council for higher education
2 (~~coordinating board~~), a branch campus may propose legislation to
3 authorize practice-oriented or professional doctoral programs if: (a)
4 Unique research facilities and equipment are located near the campus;
5 or (b) the campus can clearly demonstrate student and employer demand
6 in the region that is linked to regional economic development.

7 (7) It is not the legislature's intent to have each campus chart
8 its own future path without legislative guidance. Instead, the
9 legislature intends to consider carefully the mission and model of
10 education that best suits each campus and best meets the needs of
11 students, the community, and the region. The council for higher
12 education (~~coordinating board~~) shall monitor and evaluate the
13 addition of lower division students to the branch campuses and
14 periodically report and make recommendations to the higher education
15 committees of the legislature to ensure the campuses continue to follow
16 the priorities established under this chapter.

17 **Sec. 331.** RCW 28B.45.020 and 2005 c 258 s 3 are each amended to
18 read as follows:

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

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

1 addition to offering lower division courses linked to specific majors
2 as addressed above, the campus may also directly admit freshmen and
3 sophomores gradually and deliberately in accordance with the campus
4 plan submitted to the higher education coordinating board in 2004.

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

20 **Sec. 332.** RCW 28B.45.030 and 2006 c 166 s 1 are each amended to
21 read as follows:

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

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

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

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

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

1 (5) Beginning in the fall of 2007, the Washington State University
2 Tri-Cities branch campus may begin, subject to approval by the council
3 for 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.

13 **Sec. 333.** RCW 28B.45.040 and 2005 c 258 s 5 are each amended to
14 read as follows:

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

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

33 **Sec. 334.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each
34 amended to read as follows:

35 Central Washington University is responsible for providing upper-

1 division and graduate level higher education programs to the citizens
2 of the Yakima area, under rules or guidelines adopted by the council
3 for higher education (~~(coordinating board)~~).

4 **Sec. 335.** RCW 28B.50.140 and 2010 c 51 s 4 are each amended to
5 read as follows:

6 Each board of trustees:

7 (1) Shall operate all existing community and technical colleges in
8 its district;

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

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

28 (4) May establish, under the approval and direction of the college
29 board, new facilities as community needs and interests demand.
30 However, the authority of boards of trustees to purchase or lease major
31 off-campus facilities shall be subject to the approval of the (~~(higher~~
32 ~~education coordinating board pursuant to RCW 28B.76.230)~~) state board
33 for community and technical colleges;

34 (5) May establish or lease, operate, equip and maintain
35 dormitories, food service facilities, bookstores and other self-
36 supporting facilities connected with the operation of the community and
37 technical college;

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

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

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

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

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

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

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

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

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

27 (13) Shall enforce the rules prescribed by the state board for
28 community and technical colleges for the government of community and
29 technical colleges, students and teachers, and adopt such rules and
30 perform all other acts not inconsistent with law or rules of the state
31 board for community and technical colleges as the board of trustees may
32 in its discretion deem necessary or appropriate to the administration
33 of college districts: PROVIDED, That such rules shall include, but not
34 be limited to, rules relating to housing, scholarships, conduct at the
35 various community and technical college facilities, and discipline:
36 PROVIDED, FURTHER, That the board of trustees may suspend or expel from
37 community and technical colleges students who refuse to obey any of the
38 duly adopted rules;

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

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

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

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

33 (18) Shall be authorized to pay dues to any association of trustees
34 that may be formed by the various boards of trustees; such association
35 may expend any or all of such funds to submit biennially, or more often
36 if necessary, to the governor and to the legislature, the
37 recommendations of the association regarding changes which would affect
38 the efficiency of such association;

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

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

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

18 **Sec. 336.** RCW 28B.50.810 and 2010 c 245 s 3 are each amended to
19 read as follows:

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

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

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

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

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

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

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

11 **Sec. 337.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to
12 read as follows:

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

15 (2) The board shall:

16 (a) Determine the specific high-technology occupational fields in
17 which technical training is needed and advise the institutions of
18 higher education (~~and the higher education coordinating board~~) on
19 their findings;

20 (b) Identify economic areas and high-technology industries in need
21 of technical training and research and development critical to economic
22 development and advise the institutions of higher education (~~and the~~
23 ~~higher education coordinating board~~) on their findings;

24 (c) Oversee and coordinate the Washington high-technology education
25 and training program to ensure high standards, efficiency, and
26 effectiveness;

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

30 (e) Work cooperatively with and provide any information or advice
31 which may be requested by the council for higher education
32 (~~coordinating board~~) during the board's review of new baccalaureate
33 degree program proposals which are submitted under this chapter.
34 Nothing in this chapter shall be construed as altering or superseding
35 the powers or prerogatives of the council for higher education
36 (~~coordinating board~~) over the review of new degree programs as
37 established in section 6(2) of this 1985 act;

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

5 (g) Work towards increasing private sector participation and
6 contributions in Washington high-technology programs;

7 (h) Identify and evaluate the effectiveness of state sponsored
8 research related to high technology; and

9 (i) Establish and maintain a plan, including priorities, to guide
10 high-technology program development in public institutions of higher
11 education, which plan shall include an assessment of current high-
12 technology programs, steps to increase existing programs, new
13 initiatives and programs necessary to promote high technology, and
14 methods to coordinate and target high-technology programs to changing
15 market opportunities in business and industry.

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

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

20 **Sec. 338.** RCW 28B.85.010 and 1986 c 136 s 1 are each amended to
21 read as follows:

22 Unless the context clearly requires otherwise, the definitions in
23 this section apply throughout this chapter:

24 (1) (~~"Board" means the higher education coordinating board.~~)
25 "Council" means the council for higher education.

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

31 (3) "Degree-granting institution" means an entity that offers
32 educational credentials, instruction, or services prerequisite to or
33 indicative of an academic or professional degree beyond the secondary
34 level.

35 **Sec. 339.** RCW 28B.85.020 and 2006 c 234 s 3 are each amended to
36 read as follows:

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

2 (a) Shall adopt by rule, in accordance with chapter 34.05 RCW,
3 minimum standards for degree-granting institutions concerning granting
4 of degrees, quality of education, unfair business practices, financial
5 stability, and other necessary measures to protect citizens of this
6 state against substandard, fraudulent, or deceptive practices. The
7 rules shall require that an institution operating in Washington:

8 (i) Be accredited;

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

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

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

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

26 (c) Shall develop an interagency agreement with the workforce
27 training and education coordinating board to regulate degree-granting
28 private vocational schools with respect to degree and nondegree
29 programs; and

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

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

4 **Sec. 340.** RCW 28B.85.030 and 2003 c 53 s 175 are each amended to
5 read as follows:

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

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

17 **Sec. 341.** RCW 28B.85.040 and 2006 c 234 s 4 are each amended to
18 read as follows:

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

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

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

35 (a) Any public college, university, community college, technical

1 college, or institute operating as part of the public higher
2 educational system of this state;

3 (b) Institutions that have been accredited by an accrediting
4 association recognized by the agency for the purposes of this chapter:
5 PROVIDED, That those institutions meet minimum exemption standards
6 adopted by the agency; and PROVIDED FURTHER, That an institution,
7 branch, extension, or facility operating within the state of Washington
8 which is affiliated with an institution operating in another state must
9 be a separately accredited member institution of any such accrediting
10 association to qualify for this exemption;

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

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

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

21 **Sec. 342.** RCW 28B.85.050 and 1986 c 136 s 5 are each amended to
22 read as follows:

23 All degree-granting institutions subject to this chapter shall file
24 information with the ((board)) council as the ((board)) council may
25 require.

26 **Sec. 343.** RCW 28B.85.060 and 1986 c 136 s 6 are each amended to
27 read as follows:

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

33 **Sec. 344.** RCW 28B.85.070 and 1986 c 136 s 7 are each amended to
34 read as follows:

35 (1) The ((board)) council may require any degree-granting

1 institution to have on file with the ((~~board~~)) council an approved
2 surety bond or other security in lieu of a bond in an amount determined
3 by the ((~~board~~)) council.

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

15 (3) Each bond shall:

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

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

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

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

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

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

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

1 (a) The ((~~board~~)) council shall attempt to notify all potential
2 claimants. If the absence of records or other circumstances makes it
3 impossible or unreasonable for the ((~~board~~)) council to ascertain the
4 names and addresses of all the claimants, the ((~~board~~)) council after
5 exerting due diligence and making reasonable inquiry to secure that
6 information from all reasonable and available sources, may make a
7 demand on a bond on the basis of information in the ((~~board's~~))
8 council's possession. The ((~~board~~)) council is not liable or
9 responsible for claims or the handling of claims that may subsequently
10 appear or be discovered.

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

15 (c) After reviewing the claims, the ((~~board~~)) council may make
16 demands upon the bond on behalf of those claimants whose claims have
17 been filed. The ((~~board~~)) council may settle or compromise the claims
18 with the surety and may execute and deliver a release and discharge of
19 the bond.

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

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

27 (6) The liability of the surety shall not exceed the amount of the
28 bond.

29 **Sec. 345.** RCW 28B.85.080 and 1986 c 136 s 8 are each amended to
30 read as follows:

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

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

35 (2) The education to be offered addresses a substantial,
36 demonstrated need among residents of the state or that literal

1 application of this chapter would cause a manifestly unreasonable
2 hardship.

3 **Sec. 346.** RCW 28B.85.090 and 1989 c 175 s 82 are each amended to
4 read as follows:

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

11 (2) The ((~~board~~)) council shall investigate any complaint under
12 this section and may attempt to bring about a settlement. The
13 ((~~board~~)) council may hold a hearing pursuant to the administrative
14 procedure act, chapter 34.05 RCW, in order to determine whether a
15 violation has occurred. If the ((~~board~~)) council prevails, the degree-
16 granting institution shall pay the costs of the administrative hearing.

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

27 **Sec. 347.** RCW 28B.85.100 and 1986 c 136 s 10 are each amended to
28 read as follows:

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

1 **Sec. 348.** RCW 28B.85.130 and 1986 c 136 s 13 are each amended to
2 read as follows:

3 If any degree-granting institution discontinues its operation, the
4 chief administrative officer of the institution shall file with the
5 ((~~board~~)) council the original or legible true copies of all
6 educational records required by the ((~~board~~)) council. If the
7 ((~~board~~)) council determines that any educational records are in danger
8 of being made unavailable to the ((~~board~~)) council, the ((~~board~~))
9 council may seek a court order to protect and if necessary take
10 possession of the records. The ((~~board~~)) council shall cause to be
11 maintained a permanent file of educational records coming into its
12 possession.

13 **Sec. 349.** RCW 28B.85.170 and 1986 c 136 s 17 are each amended to
14 read as follows:

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

26 **Sec. 350.** RCW 28B.90.010 and 1993 c 181 s 2 are each amended to
27 read as follows:

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

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

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

- 1 (a) That is domiciled in a foreign country;
- 2 (b) That offers in its country of domicile credentials,
3 instruction, or services prerequisite to the obtaining of an academic
4 or professional degree granted by such college or university; and
- 5 (c) That is authorized under the laws or regulations of its country
6 of domicile to operate a degree-granting institution in that country.
- 7 (3) "Approved branch campus" means a foreign degree-granting
8 institution's branch campus that has been approved by the council for
9 higher education (~~(coordinating board)~~) to operate in the state.
- 10 (4) "Branch campus" means an educational facility located in the
11 state that:
- 12 (a) Is either owned and operated directly by a foreign degree-
13 granting institution or indirectly through a Washington profit or
14 nonprofit corporation in which the foreign degree-granting institution
15 is the sole or controlling shareholder or member; and
- 16 (b) Provides courses solely and exclusively to students enrolled in
17 a degree-granting program offered by the foreign degree-granting
18 institution who:
- 19 (i) Have received academic credit for courses of study completed at
20 the foreign degree-granting institution in its country of domicile;
- 21 (ii) Will receive academic credit towards their degree from the
22 foreign degree-granting institution for the courses of study completed
23 at the educational facility in the state; and
- 24 (iii) Will return to the foreign degree-granting institution in its
25 country of domicile for completion of their degree-granting program or
26 receipt of their degree.
- 27 (5) (~~"Board"~~) "Council" means the council for higher education
28 (~~(coordinating board)~~).

29 **Sec. 351.** RCW 28B.90.020 and 1999 c 85 s 1 are each amended to
30 read as follows:

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

1 granting institution is approved to operate in the state under this
2 chapter, for as long as the foreign degree-granting institution retains
3 its authorized status in its country of domicile.

4 **Sec. 352.** RCW 28B.90.030 and 1993 c 181 s 4 are each amended to
5 read as follows:

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

14 **Sec. 353.** RCW 28B.110.030 and 1989 c 341 s 3 are each amended to
15 read as follows:

16 (~~In consultation with~~) The institutions of higher education(~~(-~~
17 ~~the higher education coordinating board~~)) shall develop rules and
18 guidelines to eliminate possible gender discrimination to students,
19 including sexual harassment, at institutions of higher education as
20 defined in RCW 28B.10.016. The rules and guidelines shall include but
21 not be limited to access to academic programs, student employment,
22 counseling and guidance services, financial aid, recreational
23 activities including club sports, and intercollegiate athletics.

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

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

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

30 (c) Provide the same opportunities for advancement to males and
31 females; and

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

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

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

5 (4) All academic programs shall be available to students without
6 regard to gender.

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

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

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

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

32 (b) Opportunities to participate in intercollegiate athletics.
33 Institutions shall provide equitable opportunities to male and female
34 students.

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

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

3 **Sec. 354.** RCW 28B.110.040 and 1997 c 5 s 5 are each amended to
4 read as follows:

5 The ~~((executive))~~ director of the ~~((higher education coordinating
6 board))~~ office of financial management, in consultation with the
7 council ~~((of presidents))~~ for higher education and the state board for
8 community and technical colleges, shall monitor the compliance by
9 institutions of higher education with this chapter.

10 (1) The ~~((board))~~ office of financial management shall establish a
11 timetable and guidelines for compliance with this chapter.

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

22 (3) ~~((The board shall report every four years, beginning December
23 31, 1998, to the governor and the higher education committees of the
24 house of representatives and the senate on institutional efforts to
25 comply with this chapter. The report shall include recommendations on
26 measures to assist institutions with compliance. This report may be
27 combined with the report required in RCW 28B.15.465.~~

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

32 **Sec. 355.** RCW 47.80.090 and 2009 c 459 s 2 are each amended to
33 read as follows:

34 (1) A regional transportation planning organization containing any
35 county with a population in excess of one million in collaboration with
36 representatives from the department of ecology, the department of

1 ((community, trade, and economic development)) commerce, local
2 governments, and the office of regulatory assistance must seek federal
3 or private funding for the planning for, deployment of, or regulations
4 concerning electric vehicle infrastructure. These efforts should
5 include:

6 (a) Development of short-term and long-term plans outlining how
7 state, regional, and local government construction may include electric
8 vehicle infrastructure in publicly available off-street parking and
9 government fleet vehicle parking, including what ratios of charge spots
10 to parking may be appropriate based on location or type of facility or
11 building;

12 (b) Consultations with the state building code council and the
13 department of labor and industries to coordinate the plans with state
14 standards for new residential, commercial, and industrial buildings to
15 ensure that the appropriate electric circuitry is installed to support
16 electric vehicle infrastructure;

17 (c) Consultation with the workforce development council ~~((and))~~,
18 the council for higher education ((coordinating board)), and the state
19 board for community and technical colleges to ensure the development of
20 appropriate educational and training opportunities for citizens of the
21 state in support of the transition of some portion of vehicular
22 transportation from combustion to electric vehicles;

23 (d) Development of an implementation plan for counties with a
24 population greater than five hundred thousand with the goal of having
25 public and private parking spaces, in the aggregate, be ten percent
26 electric vehicle ready by December 31, 2018; and

27 (e) Development of model ordinances and guidance for local
28 governments for siting and installing electric vehicle infrastructure,
29 in particular battery charging stations, and appropriate handling,
30 recycling, and storage of electric vehicle batteries and equipment.

31 (2) These plans and any recommendations developed as a result of
32 the consultations required by this section must be submitted to the
33 legislature by December 31, 2010, or as soon as reasonably practicable
34 after the securing of any federal or private funding. Priority will be
35 given to the activities in subsection (1)(e) of this section and any
36 ordinances or guidance that is developed will be submitted to the
37 legislature, the department of ~~((community, trade, and economic~~

1 development)) commerce, and affected local governments prior to
2 December 31, 2010, if completed.

3 (3) The definitions in this subsection apply ((~~through~~
4 ~~[throughout]~~) throughout this section unless the context clearly
5 requires otherwise.

6 (a) "Battery charging station" means an electrical component
7 assembly or cluster of component assemblies designed specifically to
8 charge batteries within electric vehicles, which meet or exceed any
9 standards, codes, and regulations set forth by chapter 19.28 RCW and
10 consistent with rules adopted under RCW 19.27.540.

11 (b) "Battery exchange station" means a fully automated facility
12 that will enable an electric vehicle with a swappable battery to enter
13 a drive lane and exchange the depleted battery with a fully charged
14 battery through a fully automated process, which meets or exceeds any
15 standards, codes, and regulations set forth by chapter 19.28 RCW and
16 consistent with rules adopted under RCW 19.27.540.

17 (c) "Electric vehicle infrastructure" means structures, machinery,
18 and equipment necessary and integral to support an electric vehicle,
19 including battery charging stations, rapid charging stations, and
20 battery exchange stations.

21 (d) "Rapid charging station" means an industrial grade electrical
22 outlet that allows for faster recharging of electric vehicle batteries
23 through higher power levels, which meets or exceeds any standards,
24 codes, and regulations set forth by chapter 19.28 RCW and consistent
25 with rules adopted under RCW 19.27.540.

26 NEW SECTION. Sec. 356. The following sections are each recodified
27 as sections in chapter 43.41 RCW.

- 28 RCW 28B.76.210
- 29 RCW 28B.76.300
- 30 RCW 28B.76.310

31 NEW SECTION. Sec. 357. The following acts or parts of acts are
32 each repealed:

- 33 (1) RCW 28B.10.920 (Performance agreements--Generally) and 2008 c
34 160 s 2;
- 35 (2) RCW 28B.10.921 (Performance agreements--Contents) and 2008 c
36 160 s 3;

1 (3) RCW 28B.10.922 (Performance agreements--State committee--
2 Development of final proposals--Implementation--Updates) and 2008 c 160
3 s 4; and

4 (4) RCW 28B.15.465 (Gender equity--Reports) and 1997 c 5 s 3 & 1989
5 c 340 s 5.

6 NEW SECTION. **Sec. 358.** A new section is added to chapter 28B.76
7 RCW to read as follows:

8 (1) All powers, duties, and functions of the higher education
9 coordinating board not specifically assigned to other agencies in
10 chapter ..., Laws of 2011 (this act), are transferred to the council
11 for higher education. All references to the director or the higher
12 education coordinating board in the Revised Code of Washington shall be
13 construed to be the executive director of the council for higher
14 education or the council for higher education when referring to the
15 functions transferred in this section.

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

27 (b) Any appropriations made to the higher education coordinating
28 board for carrying out the powers, functions, and duties transferred
29 shall, on the effective date of this section, be transferred and
30 credited to the council for higher education.

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

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

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

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

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

24 PART III

25 WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

26 **Sec. 401.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to
27 read as follows:

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

30 (1) "Authority" means a health sciences and services authority
31 created pursuant to this chapter.

32 (2) "Board" means the governing board of trustees of an authority.

33 (3) "Director" means (~~{the director of}~~) the director of the
34 (~~(higher)~~) workforce training and education coordinating board.

35 (4) "Health sciences and services" means biosciences that advance

1 new therapies and procedures to combat disease and promote public
2 health.

3 (5) "Local government" means a city, town, or county.

4 (6) "Sponsoring local government" means a city, town, or county
5 that creates a health sciences and services authority.

6 **Sec. 402.** RCW 35.104.040 and 2010 1st sp.s. c 33 s 2 are each
7 amended to read as follows:

8 (1) The ((higher)) workforce training and education coordinating
9 board may approve applications submitted by local governments for an
10 area's designation as a health sciences and services authority under
11 this chapter. The director must determine the division to review
12 applications submitted by local governments under this chapter. The
13 application for designation must be in the form and manner and contain
14 such information as the ((higher)) workforce training and education
15 coordinating board may prescribe, provided the application:

16 (a) Contains sufficient information to enable the director to
17 determine the viability of the proposal;

18 (b) Demonstrates that an ordinance or resolution has been passed by
19 the legislative authority of a local government that delineates the
20 boundaries of an area that may be designated an authority;

21 (c) Is submitted on behalf of the local government, or, if that
22 office does not exist, by the legislative body of the local government;

23 (d) Demonstrates that the public funds directed to programs or
24 facilities in the authority will leverage private sector resources and
25 contributions to activities to be performed;

26 (e) Provides a plan or plans for the development of the authority
27 as an entity to advance as a cluster for health sciences education,
28 health sciences research, biotechnology development, biotechnology
29 product commercialization, and/or health care services; and

30 (f) Demonstrates that the state has previously provided funds to
31 health sciences and services programs or facilities in the applicant
32 city, town, or county.

33 (2) The director must determine the division to develop criteria to
34 evaluate the application. The criteria must include:

35 (a) The presence of infrastructure capable of spurring development
36 of the area as a center of health sciences and services;

1 (b) The presence of higher education facilities where undergraduate
2 or graduate coursework or research is conducted; and

3 (c) The presence of facilities in which health services are
4 provided.

5 (3) There may be no more than two authorities statewide.

6 (4) An authority may only be created in a county with a population
7 of less than one million persons and located east of the crest of the
8 Cascade mountains.

9 (5) The director may reject or approve an application. When
10 denying an application, the director must specify the application's
11 deficiencies. The decision regarding such designation as it relates to
12 a specific local government is final; however, a rejected application
13 may be resubmitted.

14 (6) Applications are due by December 31, 2010, and must be
15 processed within sixty days of submission.

16 (7) The director may, at his or her discretion, amend the
17 boundaries of an authority upon the request of the local government.

18 (8) The ((higher)) workforce training and education coordinating
19 board may adopt any rules necessary to implement this chapter.

20 (9) The ((higher)) workforce training and education coordinating
21 board must develop evaluation and performance measures in order to
22 evaluate the effectiveness of the programs in the authorities that are
23 funded with public resources. A report to the legislature is due on a
24 biennial basis beginning December 1, 2009. In addition, the ((higher))
25 workforce training and education coordinating board must develop
26 evaluation criteria that enables the local governments to measure the
27 effectiveness of the program.

28 **Sec. 403.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to
29 read as follows:

30 (1) The governor may, by executive order, after consultation with
31 or notification of the executive-legislative committee on economic
32 development created by chapter . . . (Senate Bill No. 5300), Laws of
33 1993, declare a community to be a "military impacted area." A
34 "military impacted area" means a community or communities, as
35 identified in the executive order, that experience serious social and
36 economic hardships because of a change in defense spending by the
37 federal government in that community or communities.

1 (2) If the governor executes an order under subsection (1) of this
2 section, the governor shall establish a response team to coordinate
3 state efforts to assist the military impacted community. The response
4 team may include, but not be limited to, one member from each of the
5 following agencies: (a) The department of (~~community, trade, and~~
6 ~~economic development~~) commerce; (b) the department of social and
7 health services; (c) the employment security department; (d) the state
8 board for community and technical colleges; (e) the (~~higher~~)
9 workforce training and education coordinating board; and (f) the
10 department of transportation. The governor may appoint a response team
11 coordinator. The governor shall seek to actively involve the impacted
12 community or communities in planning and implementing a response to the
13 crisis. The governor may seek input or assistance from the community
14 diversification advisory committee, and the governor may establish task
15 forces in the community or communities to assist in the coordination
16 and delivery of services to the local community. The state and
17 community response shall consider economic development, human service,
18 and training needs of the community or communities impacted.

19 NEW SECTION. Sec. 404. (1) All powers, duties, and functions of
20 the higher education coordinating board pertaining to degree-granting
21 institutions, approval of health sciences and services authorities, and
22 the approval of veterans' programs are transferred to the workforce
23 training and education coordinating board, unless and until the
24 governor designates an alternate state approving agency for purposes of
25 approving veterans' programs pursuant to 38 U.S.C. Sec. 3671(a).

26 (2)(a) All reports, documents, surveys, books, records, files,
27 papers, or written material in the possession of the higher education
28 coordinating board pertaining to the powers, functions, and duties
29 transferred shall be delivered to the custody of the workforce training
30 and education coordinating board. All cabinets, furniture, office
31 equipment, motor vehicles, and other tangible property employed by the
32 higher education coordinating board in carrying out the powers,
33 functions, and duties transferred shall be made available to the
34 workforce training and education coordinating board. All funds,
35 credits, or other assets held in connection with the powers, functions,
36 and duties transferred shall be assigned to the workforce training and
37 education coordinating board.

1 (b) Any appropriations made to the higher education coordinating
2 board for carrying out the powers, functions, and duties transferred
3 shall, on the effective date of this section, be transferred and
4 credited to the workforce training and education coordinating board.

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

11 (3) All employees of the higher education coordinating board
12 engaged in performing the powers, functions, and duties transferred are
13 transferred to the jurisdiction of the workforce training and education
14 coordinating board. All employees classified under chapter 41.06 RCW,
15 the state civil service law, are assigned to the workforce training and
16 education coordinating board to perform their usual duties upon the
17 same terms as formerly, without any loss of rights, subject to any
18 action that may be appropriate thereafter in accordance with the laws
19 and rules governing state civil service.

20 (4) All rules and all pending business before the higher education
21 coordinating board pertaining to the powers, functions, and duties
22 transferred shall be continued and acted upon by the workforce training
23 and education coordinating board. All existing contracts and
24 obligations shall remain in full force and shall be performed by the
25 workforce training and education coordinating board.

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

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

35 (7) All classified employees of the higher education coordinating
36 board assigned to the workforce training and education coordinating
37 board under this section whose positions are within an existing
38 bargaining unit description at the workforce training and education

1 coordinating board shall become a part of the existing bargaining unit
2 at the workforce training and education coordinating board and shall be
3 considered an appropriate inclusion or modification of the existing
4 bargaining unit under the provisions of chapter 41.80 RCW.

5 **PART IV**

6 **MISCELLANEOUS REFERENCES**

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

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

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

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

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

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

20 (2) A person is guilty of knowingly using a false academic
21 credential if the person knowingly uses a false academic credential or
22 falsely claims to have a credential issued by an institution of higher
23 education that is accredited by an accrediting association recognized
24 as such by rule of the council for higher education (~~coordinating~~
25 ~~board~~):

26 (a) In a written or oral advertisement or other promotion of a
27 business; or

28 (b) With the intent to:

29 (i) Obtain employment;

30 (ii) Obtain a license or certificate to practice a trade,
31 profession, or occupation;

32 (iii) Obtain a promotion, compensation or other benefit, or an
33 increase in compensation or other benefit, in employment or in the
34 practice of a trade, profession, or occupation;

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

1 (v) Gain a position in government with authority over another
2 person, regardless of whether the person receives compensation for the
3 position.

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

6 (a) "False academic credential" means a document that provides
7 evidence or demonstrates completion of an academic or professional
8 course of instruction beyond the secondary level that results in the
9 attainment of an academic certificate, degree, or rank, and that is not
10 issued by a person or entity that: (i) Is an entity accredited by an
11 agency recognized as such by rule of the council for higher education
12 (~~coordinating board~~) or has the international equivalents of such
13 accreditation; or (ii) is an entity authorized as a degree-granting
14 institution by the council for higher education (~~coordinating board~~);
15 or (iii) is an entity exempt from the requirements of authorization as
16 a degree-granting institution by the council for higher education
17 (~~coordinating board~~); or (iv) is an entity that has been granted a
18 waiver by the council for higher education (~~coordinating board~~) from
19 the requirements of authorization by the (~~board~~) council for higher
20 education. Such documents include, but are not limited to, academic
21 certificates, degrees, coursework, degree credits, transcripts, or
22 certification of completion of a degree.

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

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

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

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

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

30 (iii) Maintaining or advertising a Washington location, mailing
31 address, computer server, or telephone number, for any purpose, other
32 than for contact with the institution's former students for any
33 legitimate purpose related to the students having attended the
34 institution.

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

36 (5) Knowingly using a false academic credential is a gross
37 misdemeanor.

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

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

4 (1) The practice of a dental assistant in the discharge of official
5 duties by dental assistants in the United States federal services on
6 federal reservations, including but not limited to the armed services,
7 coast guard, public health service, veterans' bureau, or bureau of
8 Indian affairs;

9 (2) Expanded function dental auxiliary education and training
10 programs approved by the commission and the practice as an expanded
11 function dental auxiliary by students in expanded function dental
12 auxiliary education and training programs approved by the commission,
13 when acting under the direction and supervision of persons licensed
14 under chapter 18.29 or 18.32 RCW;

15 (3) Dental assistant education and training programs, and the
16 practice of dental assisting by students in dental assistant education
17 and training programs approved by the commission or offered at a school
18 approved or licensed by the workforce training and education
19 coordinating board, (~~higher education coordinating board,~~) state
20 board for community and technical colleges, or Washington state skill
21 centers certified by the office of the superintendent of public
22 instruction, when acting under the direction and supervision of persons
23 registered or licensed under this chapter or chapter 18.29 or 18.32
24 RCW; or

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

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

30 The superintendent of public instruction, in consultation with
31 (~~the higher education coordinating board,~~) the state board for
32 community and technical colleges(~~(7)~~) and the workforce training and
33 education coordinating board, shall adopt rules pursuant to chapter
34 34.05 RCW, to implement the course requirements set forth in RCW
35 28A.230.090. The rules shall include, as the superintendent deems
36 necessary, granting equivalencies for and temporary exemptions from the
37 course requirements in RCW 28A.230.090 and special alterations of the

1 course requirements in RCW 28A.230.090. In developing such rules the
2 superintendent shall recognize the relevance of vocational and applied
3 courses and allow such courses to fulfill in whole or in part the
4 courses required for graduation in RCW 28A.230.090, as determined by
5 the high school or school district in accordance with RCW 28A.230.097.
6 The rules may include provisions for competency testing in lieu of such
7 courses required for graduation in RCW 28A.230.090 or demonstration of
8 specific skill proficiency or understanding of concepts through work or
9 experience.

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

12 (1) The office of the superintendent of public instruction, in
13 collaboration with the state board for community and technical
14 colleges, the Washington state apprenticeship and training council, the
15 workforce training and education coordinating board, (~~the higher~~
16 ~~education coordinating board,~~) and the public baccalaureate
17 institutions, shall report by September 1, 2010, and annually
18 thereafter to the education and higher education committees of the
19 legislature regarding participation in dual credit programs. The
20 report shall include:

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

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

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

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

32 **Sec. 505.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to
33 read as follows:

34 (1) The superintendent of public instruction, the state board for
35 community and technical colleges, (~~the higher education coordinating~~
36 ~~board,~~) and the public baccalaureate institutions shall jointly

1 develop and each adopt rules governing the college in the high school
2 program. The association of Washington school principals shall be
3 consulted during the rules development. The rules shall be written to
4 encourage the maximum use of the program and may not narrow or limit
5 the enrollment options.

6 (2) College in the high school programs shall each be governed by
7 a local contract between the district and the institution of higher
8 education, in compliance with the guidelines adopted by the
9 superintendent of public instruction, the state board for community and
10 technical colleges, and the public baccalaureate institutions.

11 (3) The college in the high school program must include the
12 provisions in this subsection.

13 (a) The high school and institution of higher education together
14 shall define the criteria for student eligibility. The institution of
15 higher education may charge tuition fees to participating students.

16 (b) School districts shall report no student for more than one
17 full-time equivalent including college in the high school courses.

18 (c) The funds received by the institution of higher education may
19 not be deemed tuition or operating fees and may be retained by the
20 institution of higher education.

21 (d) Enrollment information on persons registered under this section
22 must be maintained by the institution of higher education separately
23 from other enrollment information and may not be included in official
24 enrollment reports, nor may such persons be considered in any
25 enrollment statistics that would affect higher education budgetary
26 determinations.

27 (e) A school district must grant high school credit to a student
28 enrolled in a program course if the student successfully completes the
29 course. If no comparable course is offered by the school district, the
30 school district superintendent shall determine how many credits to
31 award for the course. The determination shall be made in writing
32 before the student enrolls in the course. The credits shall be applied
33 toward graduation requirements and subject area requirements. Evidence
34 of successful completion of each program course shall be included in
35 the student's secondary school records and transcript.

36 (f) An institution of higher education must grant college credit to
37 a student enrolled in a program course if the student successfully
38 completes the course. The college credit shall be applied toward

1 general education requirements or major requirements. If no comparable
2 course is offered by the college, the institution of higher education
3 at which the teacher of the program course is employed shall determine
4 how many credits to award for the course and whether the course
5 fulfills general education or major requirements. Evidence of
6 successful completion of each program course must be included in the
7 student's college transcript.

8 (g) Eleventh and twelfth grade students or students who have not
9 yet received a high school diploma or its equivalent and are eligible
10 to be in the eleventh or twelfth grades may participate in the college
11 in the high school program.

12 (h) Participating school districts must provide general information
13 about the college in the high school program to all students in grades
14 ten, eleven, and twelve and to the parents and guardians of those
15 students.

16 (i) Full-time and part-time faculty at institutions of higher
17 education, including adjunct faculty, are eligible to teach program
18 courses.

19 (4) The definitions in this subsection apply throughout this
20 section.

21 (a) "Institution of higher education" has the meaning in RCW
22 28B.10.016 and also includes a public tribal college located in
23 Washington and accredited by the Northwest commission on colleges and
24 universities or another accrediting association recognized by the
25 United States department of education.

26 (b) "Program course" means a college course offered in a high
27 school under the college in the high school program.

28 **Sec. 506.** RCW 28A.600.310 and 2009 c 450 s 8 are each amended to
29 read as follows:

30 (1) Eleventh and twelfth grade students or students who have not
31 yet received the credits required for the award of a high school
32 diploma and are eligible to be in the eleventh or twelfth grades may
33 apply to a participating institution of higher education to enroll in
34 courses or programs offered by the institution of higher education. A
35 student receiving home-based instruction enrolling in a public high
36 school for the sole purpose of participating in courses or programs
37 offered by institutions of higher education shall not be counted by the

1 school district in any required state or federal accountability
2 reporting if the student's parents or guardians filed a declaration of
3 intent to provide home-based instruction and the student received home-
4 based instruction during the school year before the school year in
5 which the student intends to participate in courses or programs offered
6 by the institution of higher education. Students receiving home-based
7 instruction under chapter 28A.200 RCW and students attending private
8 schools approved under chapter 28A.195 RCW shall not be required to
9 meet the student learning goals, obtain a certificate of academic
10 achievement or a certificate of individual achievement to graduate from
11 high school, or to master the essential academic learning requirements.
12 However, students are eligible to enroll in courses or programs in
13 participating universities only if the board of directors of the
14 student's school district has decided to participate in the program.
15 Participating institutions of higher education, in consultation with
16 school districts, may establish admission standards for these students.
17 If the institution of higher education accepts a secondary school pupil
18 for enrollment under this section, the institution of higher education
19 shall send written notice to the pupil and the pupil's school district
20 within ten days of acceptance. The notice shall indicate the course
21 and hours of enrollment for that pupil.

22 (2) In lieu of tuition and fees, as defined in RCW 28B.15.020 and
23 28B.15.041, running start students shall pay to the community or
24 technical college all other mandatory fees as established by each
25 community or technical college; and all other institutions of higher
26 education operating a running start program may charge technology fees.
27 The fees charged shall be prorated based on credit load.

28 (3) The institutions of higher education must make available fee
29 waivers for low-income running start students. Each institution must
30 establish a written policy for the determination of low-income students
31 before offering the fee waiver. A student shall be considered low
32 income and eligible for a fee waiver upon proof that the student is
33 currently qualified to receive free or reduced-price lunch. Acceptable
34 documentation of low-income status may also include, but is not limited
35 to, documentation that a student has been deemed eligible for free or
36 reduced-price lunches in the last five years, or other criteria
37 established in the institution's policy.

1 (4) The pupil's school district shall transmit to the institution
2 of higher education an amount per each full-time equivalent college
3 student at statewide uniform rates for vocational and nonvocational
4 students. The superintendent of public instruction shall separately
5 calculate and allocate moneys appropriated for basic education under
6 RCW 28A.150.260 to school districts for purposes of making such
7 payments and for granting school districts seven percent thereof to
8 offset program related costs. The calculations and allocations shall
9 be based upon the estimated statewide annual average per full-time
10 equivalent high school student allocations under RCW 28A.150.260,
11 excluding small high school enhancements, and applicable rules adopted
12 under chapter 34.05 RCW. The superintendent of public instruction(~~(~~
13 ~~the higher education coordinating board,~~~~)~~) and the state board for
14 community and technical colleges shall consult on the calculation and
15 distribution of the funds. The funds received by the institution of
16 higher education from the school district shall not be deemed tuition
17 or operating fees and may be retained by the institution of higher
18 education. A student enrolled under this subsection shall be counted
19 for the purpose of meeting enrollment targets in accordance with terms
20 and conditions specified in the omnibus appropriations act.

21 (5) The state board for community and technical colleges, in
22 collaboration with the other institutions of higher education that
23 participate in the running start program and the office of the
24 superintendent of public instruction, shall identify, assess, and
25 report on alternatives for providing ongoing and adequate financial
26 support for the program. Such alternatives shall include but are not
27 limited to student tuition, increased support from local school
28 districts, and reallocation of existing state financial support among
29 the community and technical college system to account for differential
30 running start enrollment levels and impacts. The state board for
31 community and technical colleges shall report the assessment of
32 alternatives to the governor and to the appropriate fiscal and policy
33 committees of the legislature by September 1, 2010.

34 **Sec. 507.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to
35 read as follows:

36 The superintendent of public instruction(~~(~~) and the state board
37 for community and technical colleges(~~(~~~~and the higher education~~

1 ~~coordinating board~~)) shall jointly develop and adopt rules governing
2 RCW 28A.600.300 through 28A.600.380, if rules are necessary. The rules
3 shall be written to encourage the maximum use of the program and shall
4 not narrow or limit the enrollment options under RCW 28A.600.300
5 through 28A.600.380.

6 **Sec. 508.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to
7 read as follows:

8 (1) The office of the superintendent of public instruction, in
9 consultation with the workforce training and education coordinating
10 board, the Washington state apprenticeship and training council, and
11 the state board for community and technical colleges, shall develop a
12 list of statewide high-demand programs for secondary career and
13 technical education. The list shall be developed using the high-demand
14 list maintained by workforce development councils in consultation with
15 the employment security department(~~(7)~~) and the high employer demand
16 programs of study identified by the workforce training and education
17 coordinating board(~~(7, and the high employer demand programs of study~~
18 ~~identified by the higher education coordinating board)~~). Local school
19 districts may recommend additional high-demand programs in consultation
20 with local career and technical education advisory committees by
21 submitting evidence of local high demand.

22 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,
23 and 28A.700.060(~~(7, and section 307 of this act)~~):

24 (a) "High-demand program" means a career and technical education
25 program that prepares students for either a high employer demand
26 program of study or a high-demand occupation, or both.

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

33 (c) "High-demand occupation" means an occupation with a substantial
34 number of current or projected employment opportunities.

35 **Sec. 509.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to
36 read as follows:

1 (1) The office of the superintendent of public instruction, the
2 workforce training and education coordinating board, and the state
3 board for community and technical colleges(~~(, the higher education~~
4 ~~coordinating board, and the council of presidents))~~) shall work with
5 local school districts, workforce education programs in colleges, tech
6 prep consortia, and four-year institutions of higher education to
7 develop model career and technical education programs of study as
8 described by this section.

9 (2) Career and technical education programs of study:

10 (a) Incorporate secondary and postsecondary education elements;

11 (b) Include coherent and rigorous academic content aligned with
12 state learning standards and relevant career and technical content in
13 a coordinated, nonduplicative progression of courses that are aligned
14 with postsecondary education in a related field;

15 (c) Include opportunities for students to earn dual high school and
16 college credit; and

17 (d) Lead to an industry-recognized credential or certificate at the
18 postsecondary level, or an associate or baccalaureate degree.

19 (3) During the 2008-09 school year, model career and technical
20 education programs of study shall be developed for the following
21 high-demand programs: Construction, health care, and information
22 technology. Each school year thereafter, the office of the
23 superintendent of public instruction, the state board for community and
24 technical colleges, (~~(the higher education coordinating board,)~~) and
25 the workforce training and education coordinating board shall select
26 additional programs of study to develop, with a priority on high-demand
27 programs as identified under RCW 28A.700.020.

28 **Sec. 510.** RCW 28B.07.040 and 1985 c 370 s 49 are each amended to
29 read as follows:

30 The authority is authorized and empowered to do the following, on
31 such terms, with such security and undertakings, subject to such
32 conditions, and in return for such consideration, as the authority
33 shall determine in its discretion to be necessary, useful, or
34 convenient in accomplishing the purposes of this chapter:

35 (1) To (~~(promulgate))~~ adopt rules in accordance with chapter 34.05
36 RCW;

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

- 1 (3) To maintain an office at any place or places as the authority
2 may designate;
- 3 (4) To sue and be sued in its own name, and to plead and be
4 impleaded;
- 5 (5) To make and execute agreements with participants and others and
6 all other instruments necessary, useful, or convenient for the
7 accomplishment of the purposes of this chapter;
- 8 (6) To provide long-term or short-term financing or refinancing to
9 participants for project costs, by way of loan, lease, conditional
10 sales contract, mortgage, option to purchase, or other financing or
11 security device or any such combination;
- 12 (7) If, in order to provide to participants the financing or
13 refinancing of project costs described in subsection (6) of this
14 section, the authority deems it necessary or convenient for it to own
15 a project or projects or any part of a project or projects, for any
16 period of time, it may acquire, contract, improve, alter, rehabilitate,
17 repair, manage, operate, mortgage, subject to a security interest,
18 lease, sell, or convey the project;
- 19 (8) To fix, revise from time to time, and charge and collect from
20 participants and others rates, rents, fees, charges, and repayments as
21 necessary to fully and timely reimburse the authority for all expenses
22 incurred by it in providing the financing and refinancing and other
23 services under this section and for the repayment, when due, of all the
24 principal of, redemption premium, if any, and interest on all bonds
25 issued under this chapter to provide the financing, refinancing, and
26 services;
- 27 (9) To accept and receive funds, grants, gifts, pledges,
28 guarantees, mortgages, trust deeds, and other security instruments, and
29 property from the federal government or the state or other public body,
30 entity, or agency and from any public or private institution,
31 association, corporation, or organization, including participants. It
32 shall not accept or receive from the state or any taxing agency any
33 money derived from taxes, except money to be devoted to the purposes of
34 a project of the state or of a taxing agency;
- 35 (10) To open and maintain a bank account or accounts in one or more
36 qualified public depositories in this state and to deposit all or any
37 part of authority funds therein;

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

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

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

12 ~~(14) ((To consult with the higher education coordinating board to
13 determine project priorities under the purposes of this chapter; and~~

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

16 In the exercise of any of these powers, the authority shall incur
17 no expense or liability which shall be an obligation, either general or
18 special, of the state, or a general obligation of the authority, and
19 shall pay no expense or liability from funds other than funds of the
20 authority. Funds of the state shall not be used for such purpose.

21 **Sec. 511.** RCW 28B.10.056 and 2006 c 180 s 2 are each amended to
22 read as follows:

23 (1) A state priority is established for institutions of higher
24 education, including community colleges, to encourage growing numbers
25 of enrollments and degrees in the fields of engineering, technology,
26 biotechnology, sciences, computer sciences, and mathematics.

27 (2) In meeting this state priority, the legislature understands and
28 recognizes that the demands of the economic marketplace and the desires
29 of students are not always on parallel tracks. Therefore, institutions
30 of higher education shall determine local student demand for programs
31 in the fields of engineering, technology, biotechnology, sciences,
32 computer sciences, and mathematics and submit findings and proposed
33 alternatives to meet demand to the higher education coordinating board
34 and the legislature by November 1, 2008.

35 (3) While it is understood that these areas of emphasis should not
36 be the sole focus of institutions of higher education. It is the
37 intent of the legislature that steady progress in these areas occur.

1 The (~~higher education coordinating board~~) institutions of higher
2 education and the state board for community and technical colleges
3 shall track and report progress in the fields of engineering,
4 technology, biotechnology, sciences, computer sciences, and mathematics
5 including, but not limited to, the following information:

6 (a) The number of students enrolled in these fields on a biennial
7 basis;

8 (b) The number of associate, bachelor's, and master's degrees
9 conferred in these fields on a biennial basis;

10 (c) The amount of expenditures in enrollment and degree programs in
11 these fields; and

12 (d) The number and type of public-private partnerships established
13 relating to these fields among institutions of higher education,
14 including community colleges, and leading corporations in Washington
15 state.

16 (4) Institutions of higher education, including community colleges,
17 shall be provided discretion and flexibility in achieving the
18 objectives under this section. Examples of the types of institutional
19 programs that may help achieve these objectives include, but are not
20 limited to, establishment of institutes of technology, new polytechnic-
21 based institutions, new divisions of existing institutions, and a
22 flexible array of delivery models, including face-to-face learning,
23 interactive courses, internet-based offerings, and instruction on main
24 campuses, branch campuses, and other educational centers.

25 (5) The legislature recognizes the global needs of the economic
26 marketplace for technologically prepared graduates, and the
27 relationship between technology industries and higher education.
28 Institutions of higher education, including community colleges, are
29 strongly urged to consider science, engineering, and technology program
30 growth in areas of the state that exhibit a high concentration of
31 aerospace, biotechnology, and technology industrial presence. Expanded
32 science and technology programs can gain from the proximity of
33 experienced and knowledgeable industry leaders, while industry can
34 benefit from access to new sources of highly trained and educated
35 graduates.

36 **Sec. 512.** RCW 28B.10.125 and 2000 c 166 s 2 are each amended to
37 read as follows:

1 (1) Beginning in April 2000, representatives of the public
2 baccalaureate institutions designated by the council of presidents, in
3 consultation with representatives of the community and technical
4 colleges (~~and representatives of the higher education coordinating~~
5 ~~board~~)), shall convene an interinstitutional group to begin to: (a)
6 Develop a definition of information and technology literacy; (b)
7 develop strategies or standards by which to measure the achievement of
8 information and technology literacy; and (c) develop a financial
9 assessment of the cost of implementation.

10 (2) The baccalaureate institutions shall provide the house of
11 representatives and senate committees on higher education with a
12 progress report in January 2001.

13 (3) By the end of January 2002, the baccalaureate institutions
14 shall deliver to the house of representatives and senate committees on
15 higher education a report detailing: (a) The definition of information
16 and technology literacy; (b) strategies or standards for measurement;
17 (c) institutionally specific plans for implementation; and (d) an
18 evaluation of the feasibility of implementation taking into
19 consideration cost.

20 (4) If the legislature determines that implementation is feasible,
21 the public baccalaureate institutions shall pilot test strategies to
22 assess and report on information and technology literacy during the
23 2002-03 academic year.

24 (5) By the end of January 2004, the institutions shall report to
25 the house of representatives and senate committees on higher education
26 the results of the 2002-03 pilot study.

27 (6) Implementation of assessment strategies shall begin in the
28 academic year 2003-04.

29 (~~(7) The higher education coordinating board shall report results~~
30 ~~to the house of representatives and senate committees on higher~~
31 ~~education in the 2005 legislative session.))~~

32 **Sec. 513.** RCW 28B.10.682 and 1995 c 310 s 2 are each amended to
33 read as follows:

34 By June 30, 1996, in consultation with the commission on student
35 learning, the superintendent of public instruction, the state board of
36 education, faculty, teachers from institutions of higher education and
37 high schools, and others as appropriate, (~~the higher education~~

1 ~~coordinating board~~)) shall adopt common definitions of remedial and
2 precollege material and course work. The definitions adopted by the
3 board shall be rigorous, challenging students to come to college well
4 prepared to engage in college and university work, and shall be adopted
5 by each institution of higher education as defined in RCW 28B.10.016.

6 **Sec. 514.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended
7 to read as follows:

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

35 **Sec. 515.** RCW 28B.15.068 and 2009 c 540 s 1 are each amended to
36 read as follows:

1 (1) Beginning with the 2007-08 academic year and ending with the
2 2016-17 academic year, tuition fees charged to full-time resident
3 undergraduate students, except in academic years 2009-10 and 2010-11,
4 may increase no greater than seven percent over the previous academic
5 year in any institution of higher education. Annual reductions or
6 increases in full-time tuition fees for resident undergraduate students
7 shall be as provided in the omnibus appropriations act, within the
8 seven percent increase limit established in this section. For academic
9 years 2009-10 and 2010-11 the omnibus appropriations act may provide
10 tuition increases greater than seven percent. To the extent that state
11 appropriations combined with tuition and fee revenues are insufficient
12 to achieve the total per-student funding goals established in
13 subsection (2) of this section, the legislature may revisit state
14 appropriations, authorized enrollment levels, and changes in tuition
15 fees for any given fiscal year.

16 (2) The state shall adopt as its goal total per-student funding
17 levels, from state appropriations plus tuition and fees, of at least
18 the sixtieth percentile of total per-student funding at similar public
19 institutions of higher education in the global challenge states. In
20 defining comparable per-student funding levels, the office of financial
21 management shall adjust for regional cost-of-living differences; for
22 differences in program offerings and in the relative mix of lower
23 division, upper division, and graduate students; and for accounting and
24 reporting differences among the comparison institutions. The office of
25 financial management shall develop a funding trajectory for each four-
26 year institution of higher education and for the community and
27 technical college system as a whole that when combined with tuition and
28 fees revenue allows the state to achieve its funding goal for each
29 four-year institution and the community and technical college system as
30 a whole no later than fiscal year 2017. The state shall not reduce
31 enrollment levels below fiscal year 2007 budgeted levels in order to
32 improve or alter the per-student funding amount at any four-year
33 institution of higher education or the community and technical college
34 system as a whole. The state recognizes that each four-year
35 institution of higher education and the community and technical college
36 system as a whole have different funding requirements to achieve
37 desired performance levels, and that increases to the total per-student
38 funding amount may need to exceed the minimum funding goal.

1 (3) By September 1st of each year beginning in 2008, the office of
2 financial management shall report to the governor(~~(, the higher~~
3 ~~education coordinating board,~~) and appropriate committees of the
4 legislature with updated estimates of the total per-student funding
5 level that represents the sixtieth percentile of funding for comparable
6 institutions of higher education in the global challenge states, and
7 the progress toward that goal that was made for each of the public
8 institutions of higher education.

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

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

22 **Sec. 516.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to
23 read as follows:

24 (1) The building fee for each academic year shall be a percentage
25 of total tuition fees. This percentage shall be calculated by the
26 (~~higher education coordinating board~~) institutions of higher
27 education and be based on the actual percentage the building fee is of
28 total tuition for each tuition category in the 1994-95 academic year,
29 rounded up to the nearest half percent.

30 (2) The governing boards of each institution of higher education,
31 except for the technical colleges, shall charge to and collect from
32 each student a services and activities fee. A governing board may
33 increase the existing fee annually, consistent with budgeting
34 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
35 the annual percentage increase in student tuition fees for resident
36 undergraduate students: PROVIDED, That such percentage increase shall
37 not apply to that portion of the services and activities fee previously

1 committed to the repayment of bonded debt. These rate adjustments may
2 exceed the fiscal growth factor. For the 2003-04 academic year, the
3 services and activities fee shall be based upon the resident
4 undergraduate services and activities fee in 2002-03. The services and
5 activities fee committee provided for in RCW 28B.15.045 may initiate a
6 request to the governing board for a fee increase.

7 (3) Tuition and services and activities fees consistent with
8 subsection (2) of this section shall be set by the state board for
9 community and technical colleges for community college summer school
10 students unless the community college charges fees in accordance with
11 RCW 28B.15.515.

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

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

23 **Sec. 517.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended
24 to read as follows:

25 Subject to the limitations of RCW 28B.15.910, the state board for
26 community and technical colleges and the governing boards of the state
27 universities, the regional universities, the community colleges, and
28 The Evergreen State College may waive all or a portion of the
29 nonresident tuition fees differential for residents of Oregon, upon
30 completion of and to the extent permitted by an agreement between the
31 (~~higher education coordinating~~) boards and appropriate officials and
32 agencies in Oregon granting similar waivers for residents of the state
33 of Washington.

34 **Sec. 518.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to
35 read as follows:

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

1 community and technical colleges and the governing boards of the state
2 universities, the regional universities, and The Evergreen State
3 College may enter into an agreement with appropriate officials or
4 agencies in Oregon to implement the provisions of RCW 28B.15.730
5 through 28B.15.734.

6 **Sec. 519.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended
7 to read as follows:

8 Subject to the limitations of RCW 28B.15.910, the governing boards
9 of the state universities, the regional universities, and The Evergreen
10 State College and the state board for community and technical colleges
11 may waive all or a portion of the nonresident tuition fees differential
12 for residents of Idaho, upon completion of and to the extent permitted
13 by an agreement between the (~~higher education coordinating~~) boards
14 and appropriate officials and agencies in Idaho granting similar
15 waivers for residents of the state of Washington.

16 **Sec. 520.** RCW 28B.15.754 and 1987 c 446 s 1 are each amended to
17 read as follows:

18 The (~~higher education coordinating board~~) state board for
19 community and technical colleges and the governing boards of the state
20 universities, the regional universities, and The Evergreen State
21 College may enter into an agreement with appropriate officials or
22 agencies in the state of Idaho to implement RCW 28B.15.750 and
23 28B.15.752. (~~By January 10 of each odd-numbered year, the board shall~~
24 ~~review the costs and benefits of any agreement entered into under RCW~~
25 ~~28B.15.750 and shall transmit copies of their review to the governor~~
26 ~~and the appropriate policy and fiscal committees of the legislature.))~~

27 **Sec. 521.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended
28 to read as follows:

29 Subject to the limitations of RCW 28B.15.910, the governing boards
30 of the state universities, the regional universities, and The Evergreen
31 State College and the state board for community and technical colleges
32 may waive all or a portion of the nonresident tuition fees differential
33 for residents of the Canadian province of British Columbia, upon
34 completion of and to the extent permitted by an agreement between the
35 (~~higher education coordinating~~) boards and appropriate officials and

1 agencies in the Canadian province of British Columbia providing for
2 enrollment opportunities for residents of the state of Washington
3 without payment of tuition or fees in excess of those charged to
4 residents of British Columbia.

5 **Sec. 522.** RCW 28B.15.758 and 1987 c 446 s 3 are each amended to
6 read as follows:

7 The (~~higher education coordinating board~~) state board for
8 community and technical colleges and the governing boards of the state
9 universities, the regional universities, and The Evergreen State
10 College may enter into an agreement with appropriate officials or
11 agencies in the Canadian province of British Columbia to implement RCW
12 28B.15.756. The agreement should provide for a balanced exchange of
13 enrollment opportunities, without payment of excess tuition or fees,
14 for residents of the state of Washington or the Canadian province of
15 British Columbia. (~~By January 10 of each odd numbered year, the board~~
16 ~~shall review the costs and benefits of any agreement entered into under~~
17 ~~RCW 28B.15.756 and shall transmit copies of their review to the~~
18 ~~governor and the appropriate policy and fiscal committees of the~~
19 ~~legislature.~~)

20 **Sec. 523.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to
21 read as follows:

22 (1) A global Asia institute is created within the Henry M. Jackson
23 School of International Studies. The mission of the institute is to
24 promote the understanding of Asia and its interactions with Washington
25 state and the world. The institute shall host visiting scholars and
26 policymakers, sponsor programs and learning initiatives, engage in
27 collaborative research projects, and facilitate broader understanding
28 and cooperation between the state of Washington and Asia through
29 general public programs and targeted collaborations with specific
30 communities in the state.

31 (2) Within existing resources, a global Asia institute advisory
32 board is established. The director of the Henry M. Jackson School of
33 International Studies shall appoint members of the advisory board and
34 determine the advisory board's roles and responsibilities. The board
35 shall include members representing academia, business, and government.

1 ~~((3) The higher education coordinating board may solicit, accept,~~
2 ~~receive, and administer federal funds or private funds, in trust or~~
3 ~~otherwise, and contract with foundations or with for-profit or~~
4 ~~nonprofit organizations to support the purposes of this section.))~~

5 **Sec. 524.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to
6 read as follows:

7 ~~((1))~~ A University of Washington center for human rights is
8 created. The mission of the center is to expand opportunities for
9 Washington residents to receive a world-class education in human
10 rights, generate research data and expert knowledge to enhance public
11 and private policymaking, and become an academic center for human
12 rights teaching and research in the nation. The center shall align
13 with the founding principles and philosophies of the United States of
14 America and engage faculty, staff, and students in service to enhance
15 the promise of life and liberty as outlined in the Preamble of the
16 United States Constitution. Key substantive issues for the center
17 include: The rights of all persons to security against violence; the
18 rights of immigrants, native Americans, and ethnic or religious
19 minorities; human rights and the environment; health as a human right;
20 human rights and trade; the human rights of working people; and women's
21 rights as human rights. State funds may not be used to support the
22 center for human rights created in this section.

23 ~~((2) The higher education coordinating board and the University of~~
24 ~~Washington may solicit, accept, receive, and administer federal funds~~
25 ~~or private funds, in trust or otherwise, and contract with foundations~~
26 ~~or with for-profit or nonprofit organizations to support the purposes~~
27 ~~of this section.))~~

28 **Sec. 525.** RCW 28B.30.530 and 2010 c 165 s 3 are each amended to
29 read as follows:

30 (1) The board of regents of Washington State University shall
31 establish the Washington State University small business development
32 center.

33 (2) The center shall provide management and technical assistance
34 including but not limited to training, counseling, and research
35 services to small businesses throughout the state. The center shall
36 work with the department of commerce, the state board for community and

1 technical colleges, (~~the higher education coordinating board,~~) the
2 workforce training and education coordinating board, the employment
3 security department, the Washington state economic development
4 commission, associate development organizations, and workforce
5 development councils to:

6 (a) Integrate small business development centers with other state
7 and local economic development and workforce development programs;

8 (b) Target the centers' services to small businesses;

9 (c) Tailor outreach and services at each center to the needs and
10 demographics of entrepreneurs and small businesses located within the
11 service area;

12 (d) Establish and expand small business development center
13 satellite offices when financially feasible; and

14 (e) Coordinate delivery of services to avoid duplication.

15 (3) The administrator of the center may contract with other public
16 or private entities for the provision of specialized services.

17 (4) The small business development center may accept and disburse
18 federal grants or federal matching funds or other funds or donations
19 from any source when made, granted, or donated to carry out the
20 center's purposes. When drawing on funds from the business assistance
21 account created in RCW 28B.30.531, the center must first use the funds
22 to make increased management and technical assistance available to
23 existing small businesses and start-up businesses at satellite offices.
24 The funds may also be used to develop and expand assistance programs
25 such as small business planning workshops and small business
26 counseling.

27 (5) By December 1, 2010, the center shall provide a written
28 progress report and a final report to the appropriate committees of the
29 legislature with respect to the requirements in subsection (2) of this
30 section and the amount and use of funding received through the business
31 assistance account. The reports must also include data on the number,
32 location, staffing, and budget levels of satellite offices;
33 affiliations with community colleges, associate development
34 organizations or other local organizations; the number, size, and type
35 of small businesses assisted; and the types of services provided. The
36 reports must also include information on the outcomes achieved, such as
37 jobs created or retained, private capital invested, and return on the
38 investment of state and federal dollars.

1 (6)(a) Subject to the availability of amounts appropriated for this
2 specific purpose, by December 1, 2010, the center, in conjunction with
3 the department of commerce, must prepare and present to the governor
4 and appropriate legislative committees a specific, actionable plan to
5 increase access to capital and technical assistance to small businesses
6 and entrepreneurs beginning with the 2011-2013 biennium. In developing
7 the plan, the center and the department may consult with the Washington
8 state microenterprise association, and with other government,
9 nonprofit, and private organizations as necessary. The plan must
10 identify:

11 (i) Existing sources of capital and technical assistance for small
12 businesses and entrepreneurs;

13 (ii) Critical gaps and barriers to availability of capital and
14 delivery of technical assistance to small businesses and entrepreneurs;

15 (iii) Workable solutions to filling the gaps and removing barriers
16 identified in (a)(ii) of this subsection; and

17 (iv) The financial resources and statutory changes necessary to put
18 the plan into effect beginning with the 2011-2013 biennium.

19 (b) With respect to increasing access to capital, the plan must
20 identify specific, feasible sources of capital and practical mechanisms
21 for expanding access to it.

22 (c) The center and the department must include, within the analysis
23 and recommendations in (a) of this subsection, any specific gaps,
24 barriers, and solutions related to rural and low-income communities and
25 small manufacturers interested in exporting.

26 **Sec. 526.** RCW 28B.45.080 and 2004 c 57 s 5 are each amended to
27 read as follows:

28 The ((higher education coordinating board)) state board for
29 community and technical colleges and the governing boards of the state
30 universities, the regional universities, and The Evergreen State
31 College shall adopt performance measures to ensure a collaborative
32 partnership between the community and technical colleges and the branch
33 campuses. The partnership shall be one in which the community and
34 technical colleges prepare students for transfer to the upper-division
35 programs of the branch campuses and the branch campuses work with
36 community and technical colleges to enable students to transfer and
37 obtain degrees efficiently.

1 **Sec. 527.** 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~~) seventeen members
6 as follows:

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

15 (b) (~~Seven~~) Six of the members shall be as follows: One
16 representative from each of the state's two research universities, one
17 representative of the state college and regional universities, the
18 director for the state system of community and technical colleges or
19 the director's designee, the superintendent of public instruction or
20 the superintendent's designee, (~~a representative of the higher~~
21 ~~education coordinating board,~~) and the director of the department of
22 (~~community, trade, and economic development~~) commerce or the
23 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. 528.** RCW 28B.67.010 and 2006 c 112 s 2 are each amended to
32 read as follows:

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

35 (1) "Board" means the state board for community and technical
36 colleges.

1 (2) "Costs of training" and "training costs" means the direct costs
2 experienced under a contract with a qualified training institution for
3 formal technical or skill training, including basic skills. "Costs of
4 training" includes amounts in the contract for costs of instruction,
5 materials, equipment, rental of class space, marketing, and overhead.
6 "Costs of training" does not include employee tuition reimbursements
7 unless the tuition reimbursement is specifically included in a
8 contract.

9 (3) "Participant" means a private employer that, under this
10 chapter, undertakes a training program with a qualified training
11 institution.

12 (4) "Qualified training institution" means a public community or
13 technical college or a private vocational school licensed by ((either))
14 the workforce training and education coordinating board ((~~or the higher~~
15 ~~education coordinating board~~)).

16 (5) "Training allowance" and "allowance" means a voucher, credit,
17 or payment from the board to a participant to cover training costs.

18 (6) "Training program" means a program funded under this chapter at
19 a qualified training institution.

20 **Sec. 529.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to
21 read as follows:

22 (1) Participants in the conditional scholarship program incur an
23 obligation to repay the conditional scholarship, with interest, unless
24 they serve in the Washington national guard for one additional year for
25 each year of conditional scholarship received, under rules adopted by
26 the office.

27 (2) The entire principal and interest of each yearly repayment
28 shall be forgiven for each additional year in which a participant
29 serves in the Washington national guard, under rules adopted by the
30 office.

31 (3) If a participant elects to repay the conditional scholarship,
32 the period of repayment shall be four years, with payments accruing
33 quarterly commencing nine months from the date that the participant
34 leaves the Washington national guard or withdraws from the institution
35 of higher education, whichever comes first. The interest rate on the
36 repayments shall be eight percent per year. Provisions for deferral
37 and forgiveness shall be determined by the office.

1 (4) The office is responsible for collection of repayments made
2 under this section. The office shall exercise due diligence in such
3 collection, maintaining all necessary records to ensure that maximum
4 repayments are made. Collection and servicing of repayments under this
5 section shall be pursued using the full extent of law, including wage
6 garnishment if necessary. The office is responsible to forgive all or
7 parts of such repayments under the criteria established in this
8 section, and shall maintain all necessary records of forgiven payments.
9 The office may contract with the (~~higher education coordinating~~
10 ~~board~~) office of student financial assistance for collection of
11 repayments under this section.

12 (5) Receipts from the payment of principal or interest paid by or
13 on behalf of participants shall be deposited with the office and shall
14 be used to cover the costs of granting the conditional scholarships,
15 maintaining necessary records, and making collections under subsection
16 (4) of this section. The office shall maintain accurate records of
17 these costs, and all receipts beyond those necessary to pay such costs
18 shall be used to grant conditional scholarships to eligible students.

19 **Sec. 530.** RCW 28C.10.030 and 1994 sp.s. c 9 s 723 are each amended
20 to read as follows:

21 This chapter does not apply to:

22 (1) Bona fide trade, business, professional, or fraternal
23 organizations sponsoring educational programs primarily for that
24 organization's membership or offered by that organization on a no-fee
25 basis;

26 (2) Entities offering education that is exclusively avocational or
27 recreational;

28 (3) Education not requiring payment of money or other consideration
29 if this education is not advertised or promoted as leading toward
30 educational credentials;

31 (4) Entities that are established, operated, and governed by this
32 state or its political subdivisions under Title 28A, 28B, or 28C RCW;

33 (5) Degree-granting programs in compliance with the rules of the
34 council for higher education (~~coordinating board~~);

35 (6) Any other entity to the extent that it has been exempted from
36 some or all of the provisions of this chapter under RCW 28C.10.100;

1 (7) Entities not otherwise exempt that are of a religious
2 character, but only as to those educational programs exclusively
3 devoted to religious or theological objectives and represented
4 accurately in institutional catalogs or other official publications;

5 (8) Entities offering only courses certified by the federal
6 aviation administration;

7 (9) Barber and cosmetology schools licensed under chapter 18.16
8 RCW;

9 (10) Entities which only offer courses approved to meet the
10 continuing education requirements for licensure under chapter 18.04,
11 18.79, or 48.17 RCW; and

12 (11) Entities not otherwise exempt offering only workshops or
13 seminars lasting no longer than three calendar days.

14 **Sec. 531.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to
15 read as follows:

16 The agency:

17 (1) Shall maintain a list of private vocational schools licensed
18 under this chapter;

19 (2) Shall adopt rules in accordance with chapter 34.05 RCW to carry
20 out this chapter;

21 (3) May investigate any entity the agency reasonably believes to be
22 subject to the jurisdiction of this chapter. In connection with the
23 investigation, the agency may administer oaths and affirmations, issue
24 subpoenas and compel attendance, take evidence, and require the
25 production of any books, papers, correspondence, memorandums, or other
26 records which the agency deems relevant or material to the
27 investigation. The agency, including its staff and any other
28 authorized persons, may conduct site inspections and examine records of
29 all schools subject to this chapter;

30 ~~((4) Shall develop an interagency agreement with the higher
31 education coordinating board to regulate degree-granting private
32 vocational schools with respect to degree and nondegree programs.))~~

33 **Sec. 532.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to
34 read as follows:

35 The purpose of the board is to provide planning, coordination,
36 evaluation, monitoring, and policy analysis for the state training

1 system as a whole, and advice to the governor and legislature
2 concerning the state training system, in cooperation with the state
3 training system (~~(and the higher education coordinating board)~~).

4 **Sec. 533.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to
5 read as follows:

6 The board, in cooperation with the operating agencies of the state
7 training system and private career schools and colleges, shall:

8 (1) Concentrate its major efforts on planning, coordination
9 evaluation, policy analysis, and recommending improvements to the
10 state's training system;

11 (2) Advocate for the state training system and for meeting the
12 needs of employers and the workforce for workforce education and
13 training;

14 (3) Establish and maintain an inventory of the programs of the
15 state training system, and related state programs, and perform a
16 biennial assessment of the vocational education, training, and adult
17 basic education and literacy needs of the state; identify ongoing and
18 strategic education needs; and assess the extent to which employment,
19 training, vocational and basic education, rehabilitation services, and
20 public assistance services represent a consistent, integrated approach
21 to meet such needs;

22 (4) Develop and maintain a state comprehensive plan for workforce
23 training and education, including but not limited to, goals,
24 objectives, and priorities for the state training system, and review
25 the state training system for consistency with the state comprehensive
26 plan. In developing the state comprehensive plan for workforce
27 training and education, the board shall use, but shall not be limited
28 to: Economic, labor market, and populations trends reports in office
29 of financial management forecasts; joint office of financial management
30 and employment security department labor force, industry employment,
31 and occupational forecasts; the results of scientifically based
32 outcome, net-impact and cost-benefit evaluations; the needs of
33 employers as evidenced in formal employer surveys and other employer
34 input; and the needs of program participants and workers as evidenced
35 in formal surveys and other input from program participants and the
36 labor community;

1 (5) (~~In consultation with the higher education coordinating~~
2 ~~board,~~) Review and make recommendations to the office of financial
3 management and the legislature on operating and capital facilities
4 budget requests for operating agencies of the state training system for
5 purposes of consistency with the state comprehensive plan for workforce
6 training and education;

7 (6) Provide for coordination among the different operating agencies
8 and components of the state training system at the state level and at
9 the regional level;

10 (7) Develop a consistent and reliable database on vocational
11 education enrollments, costs, program activities, and job placements
12 from publicly funded vocational education programs in this state;

13 (8)(a) Establish standards for data collection and maintenance for
14 the operating agencies of the state training system in a format that is
15 accessible to use by the board. The board shall require a minimum of
16 common core data to be collected by each operating agency of the state
17 training system;

18 (b) Develop requirements for minimum common core data in
19 consultation with the office of financial management and the operating
20 agencies of the training system;

21 (9) Establish minimum standards for program evaluation for the
22 operating agencies of the state training system, including, but not
23 limited to, the use of common survey instruments and procedures for
24 measuring perceptions of program participants and employers of program
25 participants, and monitor such program evaluation;

26 (10) Every two years administer scientifically based outcome
27 evaluations of the state training system, including, but not limited
28 to, surveys of program participants, surveys of employers of program
29 participants, and matches with employment security department payroll
30 and wage files. Every five years administer scientifically based net-
31 impact and cost-benefit evaluations of the state training system;

32 (11) In cooperation with the employment security department,
33 provide for the improvement and maintenance of quality and utility in
34 occupational information and forecasts for use in training system
35 planning and evaluation. Improvements shall include, but not be
36 limited to, development of state-based occupational change factors
37 involving input by employers and employees, and delineation of skill

1 and training requirements by education level associated with current
2 and forecasted occupations;

3 (12) Provide for the development of common course description
4 formats, common reporting requirements, and common definitions for
5 operating agencies of the training system;

6 (13) Provide for effectiveness and efficiency reviews of the state
7 training system;

8 (14) In cooperation with the (~~higher education coordinating~~
9 ~~board~~) state board for community and technical colleges and the four-
10 year institutions of higher education, facilitate transfer of credit
11 policies and agreements between institutions of the state training
12 system, and encourage articulation agreements for programs encompassing
13 two years of secondary workforce education and two years of
14 postsecondary workforce education;

15 (15) In cooperation with the (~~higher education coordinating~~
16 ~~board~~) state board for community and technical colleges and the four-
17 year institutions of higher education, facilitate transfer of credit
18 policies and agreements between private training institutions and
19 institutions of the state training system;

20 (16) Develop policy objectives for the workforce investment act,
21 P.L. 105-220, or its successor; develop coordination criteria for
22 activities under the act with related programs and services provided by
23 state and local education and training agencies; and ensure that
24 entrepreneurial training opportunities are available through programs
25 of each local workforce investment board in the state;

26 (17) Make recommendations to the commission of student assessment,
27 the state board of education, and the superintendent of public
28 instruction, concerning basic skill competencies and essential core
29 competencies for K-12 education. Basic skills for this purpose shall
30 be reading, writing, computation, speaking, and critical thinking,
31 essential core competencies for this purpose shall be English, math,
32 science/technology, history, geography, and critical thinking. The
33 board shall monitor the development of and provide advice concerning
34 secondary curriculum which integrates vocational and academic
35 education;

36 (18) Establish and administer programs for marketing and outreach
37 to businesses and potential program participants;

1 (19) Facilitate the location of support services, including but not
2 limited to, child care, financial aid, career counseling, and job
3 placement services, for students and trainees at institutions in the
4 state training system, and advocate for support services for trainees
5 and students in the state training system;

6 (20) Facilitate private sector assistance for the state training
7 system, including but not limited to: Financial assistance, rotation
8 of private and public personnel, and vocational counseling;

9 (21) Facilitate the development of programs for school-to-work
10 transition that combine classroom education and on-the-job training,
11 including entrepreneurial education and training, in industries and
12 occupations without a significant number of apprenticeship programs;

13 (22) Include in the planning requirements for local workforce
14 investment boards a requirement that the local workforce investment
15 boards specify how entrepreneurial training is to be offered through
16 the one-stop system required under the workforce investment act, P.L.
17 105-220, or its successor;

18 (23) Encourage and assess progress for the equitable representation
19 of racial and ethnic minorities, women, and people with disabilities
20 among the students, teachers, and administrators of the state training
21 system. Equitable, for this purpose, shall mean substantially
22 proportional to their percentage of the state population in the
23 geographic area served. This function of the board shall in no way
24 lessen more stringent state or federal requirements for representation
25 of racial and ethnic minorities, women, and people with disabilities;

26 (24) Participate in the planning and policy development of governor
27 set-aside grants under P.L. 97-300, as amended;

28 (25) Administer veterans' programs, licensure of private vocational
29 schools, the job skills program, and the Washington award for
30 vocational excellence;

31 (26) Allocate funding from the state job training trust fund;

32 (27) Work with the director of (~~community, trade, and economic~~
33 ~~development~~) the department of commerce and the economic development
34 commission to ensure coordination among workforce training priorities,
35 the long-term economic development strategy of the economic development
36 commission, and economic development and entrepreneurial development
37 efforts, including but not limited to assistance to industry clusters;

1 (28) Conduct research into workforce development programs designed
2 to reduce the high unemployment rate among young people between
3 approximately eighteen and twenty-four years of age. In consultation
4 with the operating agencies, the board shall advise the governor and
5 legislature on policies and programs to alleviate the high unemployment
6 rate among young people. The research shall include disaggregated
7 demographic information and, to the extent possible, income data for
8 adult youth. The research shall also include a comparison of the
9 effectiveness of programs examined as a part of the research conducted
10 in this subsection in relation to the public investment made in these
11 programs in reducing unemployment of young adults. The board shall
12 report to the appropriate committees of the legislature by November 15,
13 2008, and every two years thereafter. Where possible, the data
14 reported to the legislative committees should be reported in numbers
15 and in percentages;

16 (29) Adopt rules as necessary to implement this chapter.

17 The board may delegate to the director any of the functions of this
18 section.

19 **Sec. 534.** RCW 28C.18.132 and 2008 c 258 s 2 are each amended to
20 read as follows:

21 (1) To the extent funds are appropriated specifically for this
22 purpose and in partnership with the state board for community and
23 technical colleges, the board shall convene a work group that includes
24 representatives from the prosperity partnership, the technology
25 alliance, (~~the higher education coordinating board,~~) a private career
26 or vocational school, a four-year public institution of higher
27 education, the council of faculty representatives, the united faculty
28 of Washington state, community and technical college faculty, and a
29 community and technical college student, to take the following actions
30 related to electronically distributed learning:

31 (a) Identify and evaluate current national private employer
32 workplace-based educational programs with electronically distributed
33 learning components provided by public colleges and universities. The
34 evaluation shall include:

35 (i) A review of the literature and interviews of practitioners
36 about promising practices and results;

1 (ii) An initial determination of feasibility based on targeted
2 populations served, subject matter, and level of education;

3 (iii) An overview of technological considerations and adult
4 learning strategies for distribution of learning to employer sites; and

5 (iv) An overview of cost factors, including shared costs or
6 coinvestments by public and private partners;

7 (b) Review and, to the extent necessary, establish standards and
8 best practices regarding electronically distributed learning and
9 related support services including online help desk support, advising,
10 mentoring, counseling, and tutoring;

11 (c) Recommend methods to increase student access to electronically
12 distributed learning programs of study and identify barriers to
13 programs of study participation and completion;

14 (d) Determine methods to increase the institutional supply and
15 quality of open course materials, with a focus on the OpenCourseWare
16 initiative at the Massachusetts Institute of Technology;

17 (e) Recommend methods to increase the availability and use of
18 digital open textbooks; and

19 (f) Review and report demographic information on electronically
20 distributed learning programs of study enrollments, retention, and
21 completions.

22 (2) The board shall work in cooperation with the state board for
23 community and technical colleges to report the preliminary results of
24 the studies to the appropriate committees of the legislature by
25 December 1, 2008, and a final report by December 1, 2009.

26 **Sec. 535.** RCW 28C.18.134 and 2008 c 258 s 3 are each amended to
27 read as follows:

28 (1) To the extent funds are appropriated specifically for this
29 purpose, the board shall use a matching fund strategy to select and
30 evaluate up to eight pilot projects operated by Washington institutions
31 of higher education. By September 2008, the board shall select up to
32 eight institutions of higher education as defined in RCW 28B.92.030
33 including at least four community or technical colleges to develop and
34 offer a pilot project providing employer workplace-based educational
35 programs with distance learning components. The board shall convene a
36 task force that includes representatives from the state board for
37 community and technical colleges (~~and the higher education~~

1 ~~coordinating board~~) to select the participant institutions. At a
2 minimum, the criteria for selecting the educational institutions shall
3 address:

4 (a) The ability to demonstrate a capacity to make a commitment of
5 resources to build and sustain a high quality program;

6 (b) The ability to readily engage faculty appropriately qualified
7 to develop and deliver a high quality curriculum;

8 (c) The ability to demonstrate demand for the proposed program from
9 a sufficient number of interested employees within its service area to
10 make the program cost-effective and feasible to operate; and

11 (d) The identification of employers that demonstrate a commitment
12 to host an on-site program. Employers shall demonstrate their
13 commitment to provide:

14 (i) Access to educational coursework and educational advice and
15 support for entry-level and semiskilled workers, including paid and
16 unpaid release time, and adequate classroom space that is equipped
17 appropriately for the selected technological distance learning
18 methodologies to be used;

19 (ii) On-site promotion and encouragement of worker participation,
20 including employee orientations, peer support and mentoring,
21 educational tutoring, and career planning;

22 (iii) Allowance of a reasonable level of worker choice in the type
23 and level of coursework available;

24 (iv) Commitment to work with college partner to ensure the
25 relevance of coursework to the skill demands and potential career
26 pathways of the employer host site and other participating employers;

27 (v) Willingness to participate in an evaluation of the pilot to
28 analyze the net benefit to the employer host site, other employer
29 partners, the worker-students, and the colleges; and

30 (vi) In firms with union representation, the mandatory
31 establishment of a labor-management committee to oversee design and
32 participation.

33 (2) Institutions of higher education may submit an application to
34 become a pilot college under this section. An institution of higher
35 education selected as a pilot college shall develop the curriculum for
36 and design and deliver courses. However, the programs developed under
37 this section are subject to approval by the state board for technical

1 and community colleges under RCW 28B.50.090 and by the (~~higher~~
2 ~~education coordinating board under RCW 28B.76.230~~) office of financial
3 management.

4 (3) The board shall evaluate the pilot project and report the
5 outcomes to students and employers by December 1, 2012.

6 **Sec. 536.** RCW 43.09.440 and 2005 c 385 s 5 are each amended to
7 read as follows:

8 (1) The board and the state auditor shall collaborate with the
9 joint legislative audit and review committee regarding performance
10 audits of state government.

11 (a) The board shall establish criteria for performance audits
12 consistent with the criteria and standards followed by the joint
13 legislative audit and review committee. This criteria shall include,
14 at a minimum, the auditing standards of the United States government
15 accountability office, as well as legislative mandates and performance
16 objectives established by state agencies and the legislature. Mandates
17 include, but are not limited to, agency strategies, timelines, program
18 objectives, and mission and goals as required in RCW 43.88.090.

19 (b) Using the criteria developed in (a) of this subsection, the
20 state auditor shall contract for a statewide performance review to be
21 completed as expeditiously as possible as a preliminary to a draft work
22 plan for conducting performance audits. The board and the state
23 auditor shall develop a schedule and common methodology for conducting
24 these reviews. The purpose of these performance reviews is to identify
25 those agencies, programs, functions, or activities most likely to
26 benefit from performance audits and to identify likely areas warranting
27 early review, taking into account prior performance audits, if any, and
28 prior fiscal audits.

29 (c) The board and the state auditor shall develop the draft work
30 plan for performance audits based on input from citizens, state
31 employees, including front-line employees, state managers, chairs and
32 ranking members of appropriate legislative committees, the joint
33 legislative audit and review committee, public officials, and others.
34 The draft work plan may include a list of agencies, programs, or
35 systems to be audited on a timeline decided by the board and the state
36 auditor based on a number of factors including risk, importance, and
37 citizen concerns. When putting together the draft work plan, there

1 should be consideration of all audits and reports already required. On
2 average, audits shall be designed to be completed as expeditiously as
3 possible.

4 (d) Before adopting the final work plan, the board shall consult
5 with the legislative auditor and other appropriate oversight and audit
6 entities to coordinate work plans and avoid duplication of effort in
7 their planned performance audits of state government agencies. The
8 board shall defer to the joint legislative audit and review committee
9 work plan if a similar audit is included on both work plans for
10 auditing.

11 (e) The state auditor shall contract out for performance audits.
12 In conducting the audits, agency front-line employees and internal
13 auditors should be involved.

14 (f) All audits must include consideration of reports prepared by
15 other government oversight entities.

16 (g) The audits may include:

17 (i) Identification of programs and services that can be eliminated,
18 reduced, consolidated, or enhanced;

19 (ii) Identification of funding sources to the state agency, to
20 programs, and to services that can be eliminated, reduced,
21 consolidated, or enhanced;

22 (iii) Analysis of gaps and overlaps in programs and services and
23 recommendations for improving, dropping, blending, or separating
24 functions to correct gaps or overlaps;

25 (iv) Analysis and recommendations for pooling information
26 technology systems used within the state agency, and evaluation of
27 information processing and telecommunications policy, organization, and
28 management;

29 (v) Analysis of the roles and functions of the state agency, its
30 programs, and its services and their compliance with statutory
31 authority and recommendations for eliminating or changing those roles
32 and functions and ensuring compliance with statutory authority;

33 (vi) Recommendations for eliminating or changing statutes, rules,
34 and policy directives as may be necessary to ensure that the agency
35 carry out reasonably and properly those functions vested in the agency
36 by statute;

37 (vii) Verification of the reliability and validity of agency

1 performance data, self-assessments, and performance measurement systems
2 as required under RCW 43.88.090;

3 (viii) Identification of potential cost savings in the state
4 agency, its programs, and its services;

5 (ix) Identification and recognition of best practices;

6 (x) Evaluation of planning, budgeting, and program evaluation
7 policies and practices;

8 (xi) Evaluation of personnel systems operation and management;

9 (xii) Evaluation of state purchasing operations and management
10 policies and practices; and

11 (xiii) Evaluation of organizational structure and staffing levels,
12 particularly in terms of the ratio of managers and supervisors to
13 nonmanagement personnel.

14 (h) The state auditor must solicit comments on preliminary
15 performance audit reports from the audited state agency, the office of
16 the governor, the office of financial management, the board, the chairs
17 and ranking members of appropriate legislative committees, and the
18 joint legislative audit and review committee for comment. Comments
19 must be received within thirty days after receipt of the preliminary
20 performance audit report unless a different time period is approved by
21 the state auditor. All comments shall be incorporated into the final
22 performance audit report. The final performance audit report shall
23 include the objectives, scope, and methodology; the audit results,
24 including findings and recommendations; conclusions; and identification
25 of best practices.

26 (i) The board and the state auditor shall jointly release final
27 performance audit reports to the governor, the citizens of Washington,
28 the joint legislative audit and review committee, and the appropriate
29 standing legislative committees. Final performance audit reports shall
30 be posted on the internet.

31 (j) For institutions of higher education, performance audits shall
32 not duplicate, and where applicable, shall make maximum use of existing
33 audit records, accreditation reviews, and performance measures required
34 by the office of financial management, the (~~higher~~) workforce
35 training and education coordinating board, and nationally or regionally
36 recognized accreditation organizations including accreditation of
37 hospitals licensed under chapter 70.41 RCW and ambulatory care
38 facilities.

1 (2) The citizen board created under RCW 44.75.030 shall be
2 responsible for performance audits for transportation related agencies
3 as defined under RCW 44.75.020.

4 **Sec. 537.** RCW 43.43.934 and 2010 1st sp.s. c 7 s 45 are each
5 amended to read as follows:

6 The director of fire protection shall:

7 (1)(a)(i) With the state board for community and technical
8 colleges, provide academic, vocational, and field training programs for
9 the fire service; and (ii) with the (~~higher education coordinating~~
10 ~~board and~~) the state colleges and universities, provide instructional
11 programs requiring advanced training, especially in command and
12 management skills;

13 (b) Cooperate with the common schools, technical and community
14 colleges, institutions of higher education, and any department or
15 division of the state, or of any county or municipal corporation in
16 establishing and maintaining instruction in fire service training and
17 education in accordance with any act of congress and legislation
18 enacted by the legislature in pursuance thereof and in establishing,
19 building, and operating training and education facilities.

20 Industrial fire departments and private fire investigators may
21 participate in training and education programs under this chapter for
22 a reasonable fee established by rule;

23 (c) Develop and adopt a master plan for constructing, equipping,
24 maintaining, and operating necessary fire service training and
25 education facilities subject to the provisions of chapter 43.19 RCW;

26 (d) Develop and adopt a master plan for the purchase, lease, or
27 other acquisition of real estate necessary for fire service training
28 and education facilities in a manner provided by law; and

29 (e) Develop and adopt a plan with a goal of providing firefighter
30 one and wildland training to all firefighters in the state. Wildland
31 training reimbursement will be provided if a fire protection district
32 or a city fire department has and is fulfilling their interior attack
33 policy or if they do not have an interior attack policy. The plan will
34 include a reimbursement for fire protection districts and city fire
35 departments of not less than three dollars for every hour of
36 firefighter one or wildland training. The Washington state patrol

1 shall not provide reimbursement for more than two hundred hours of
2 firefighter one or wildland training for each firefighter trained.

3 (2)(a) Promote mutual aid and disaster planning for fire services
4 in this state;

5 (b) Assure the dissemination of information concerning the amount
6 of fire damage including that damage caused by arson, and its causes
7 and prevention; and

8 (c) Implement any legislation enacted by the legislature to meet
9 the requirements of any acts of congress that apply to this section.

10 (3) In carrying out its statutory duties, the office of the state
11 fire marshal shall give particular consideration to the appropriate
12 roles to be played by the state and by local jurisdictions with fire
13 protection responsibilities. Any determinations on the division of
14 responsibility shall be made in consultation with local fire officials
15 and their representatives.

16 To the extent possible, the office of the state fire marshal shall
17 encourage development of regional units along compatible geographic,
18 population, economic, and fire risk dimensions. Such regional units
19 may serve to: (a) Reinforce coordination among state and local
20 activities in fire service training, reporting, inspections, and
21 investigations; (b) identify areas of special need, particularly in
22 smaller jurisdictions with inadequate resources; (c) assist the state
23 in its oversight responsibilities; (d) identify funding needs and
24 options at both the state and local levels; and (e) provide models for
25 building local capacity in fire protection programs.

26 **Sec. 538.** RCW 43.43.938 and 2010 1st sp.s. c 7 s 46 are each
27 amended to read as follows:

28 (1) Wherever the term state fire marshal appears in the Revised
29 Code of Washington or the Washington Administrative Code it shall mean
30 the director of fire protection.

31 (2) The chief of the Washington state patrol shall appoint an
32 officer who shall be known as the director of fire protection.

33 (3) The director of fire protection may designate one or more
34 deputies and may delegate to those deputies his or her duties and
35 authorities as deemed appropriate.

36 (4) The director of fire protection shall prepare a biennial budget

1 pertaining to fire protection services. Such biennial budget shall be
2 submitted as part of the Washington state patrol's budget request.

3 (5) The director of fire protection, shall implement and
4 administer, within constraints established by budgeted resources, all
5 duties of the chief of the Washington state patrol that are to be
6 carried out through the director of fire protection, and all of the
7 duties of the director of fire protection. Such administration shall
8 include negotiation of agreements with the state board for community
9 and technical colleges(~~(, the higher education coordinating board,)~~)
10 and the state colleges and universities as provided in RCW 43.43.934.
11 Programs covered by such agreements shall include, but not be limited
12 to, planning curricula, developing and delivering instructional
13 programs and materials, and using existing instructional personnel and
14 facilities. Where appropriate, such contracts shall also include
15 planning and conducting instructional programs at the state fire
16 service training center.

17 **Sec. 539.** RCW 43.60A.151 and 2007 c 451 s 3 are each amended to
18 read as follows:

19 (1) The department shall assist veterans enrolled in the veterans
20 conservation corps with obtaining employment in conservation programs
21 and projects that restore Washington's natural habitat, maintain and
22 steward local, state, and federal forest lands and other outdoor lands,
23 maintain and improve urban and suburban storm water management
24 facilities and other water management facilities, and other
25 environmental maintenance, stewardship, and restoration projects. The
26 department shall consult with the workforce training and education
27 coordinating board, the state board for community and technical
28 colleges, (~~(the higher education coordinating board,)~~) the employment
29 security department, and other state agencies administering
30 conservation corps programs, to incorporate training, education, and
31 certification in environmental restoration and management fields into
32 the program. The department may enter into agreements with community
33 colleges, private schools, state or local agencies, or other entities
34 to provide training and educational courses as part of the enrollee
35 benefits from the program.

36 (2) The department may receive gifts, grants, federal funds, or

1 other moneys from public or private sources, for the use and benefit of
2 the veterans conservation corps program. The funds shall be deposited
3 to the veterans conservation corps account created in RCW 43.60A.153.

4 (3) The department shall submit a report to the appropriate
5 committees of the legislature by December 1, 2008, on the status of the
6 veterans conservation corps program, including the number of enrollees
7 employed in projects, training provided, certifications earned,
8 employment placements achieved, program funding provided from all
9 sources, and the results of the pilot project authorized in section 4,
10 chapter 451, Laws of 2007.

11 **Sec. 540.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to
12 read as follows:

13 (1) For purposes of developing budget proposals to the legislature,
14 the governor shall have the power, and it shall be the governor's duty,
15 to require from proper agency officials such detailed estimates and
16 other information in such form and at such times as the governor shall
17 direct. The governor shall communicate statewide priorities to
18 agencies for use in developing biennial budget recommendations for
19 their agency and shall seek public involvement and input on these
20 priorities. The estimates for the legislature and the judiciary shall
21 be transmitted to the governor and shall be included in the budget
22 without revision. The estimates for state pension contributions shall
23 be based on the rates provided in chapter 41.45 RCW. Copies of all
24 such estimates shall be transmitted to the standing committees on ways
25 and means of the house and senate at the same time as they are filed
26 with the governor and the office of financial management.

27 The estimates shall include statements or tables which indicate, by
28 agency, the state funds which are required for the receipt of federal
29 matching revenues. The estimates shall be revised as necessary to
30 reflect legislative enactments and adopted appropriations and shall be
31 included with the initial biennial allotment submitted under RCW
32 43.88.110. The estimates must reflect that the agency considered any
33 alternatives to reduce costs or improve service delivery identified in
34 the findings of a performance audit of the agency by the joint
35 legislative audit and review committee. Nothing in this subsection
36 requires performance audit findings to be published as part of the
37 budget.

1 (2) Each state agency shall define its mission and establish
2 measurable goals for achieving desirable results for those who receive
3 its services and the taxpayers who pay for those services. Each agency
4 shall also develop clear strategies and timelines to achieve its goals.
5 This section does not require an agency to develop a new mission or
6 goals in place of identifiable missions or goals that meet the intent
7 of this section. The mission and goals of each agency must conform to
8 statutory direction and limitations.

9 (3) For the purpose of assessing activity performance, each state
10 agency shall establish quality and productivity objectives for each
11 major activity in its budget. The objectives must be consistent with
12 the missions and goals developed under this section. The objectives
13 must be expressed to the extent practicable in outcome-based,
14 objective, and measurable form unless an exception to adopt a different
15 standard is granted by the office of financial management and approved
16 by the legislative committee on performance review. Objectives must
17 specifically address the statutory purpose or intent of the program or
18 activity and focus on data that measure whether the agency is achieving
19 or making progress toward the purpose of the activity and toward
20 statewide priorities. The office of financial management shall provide
21 necessary professional and technical assistance to assist state
22 agencies in the development of strategic plans that include the mission
23 of the agency and its programs, measurable goals, strategies, and
24 performance measurement systems.

25 (4) Each state agency shall adopt procedures for and perform
26 continuous self-assessment of each activity, using the mission, goals,
27 objectives, and measurements required under subsections (2) and (3) of
28 this section. The assessment of the activity must also include an
29 evaluation of major information technology systems or projects that may
30 assist the agency in achieving or making progress toward the activity
31 purpose and statewide priorities. The evaluation of proposed major
32 information technology systems or projects shall be in accordance with
33 the standards and policies established by the information services
34 board. Agencies' progress toward the mission, goals, objectives, and
35 measurements required by subsections (2) and (3) of this section is
36 subject to review as set forth in this subsection.

37 (a) The office of financial management shall regularly conduct

1 reviews of selected activities to analyze whether the objectives and
2 measurements submitted by agencies demonstrate progress toward
3 statewide results.

4 (b) The office of financial management shall consult with the
5 (~~higher education coordinating board and the~~) state board for
6 community and technical colleges in those reviews that involve
7 (~~institutions of higher education~~) community and technical colleges.

8 (c) The goal is for all major activities to receive at least one
9 review each year.

10 (d) The office of financial management shall consult with the
11 information services board when conducting reviews of major information
12 technology systems in use by state agencies. The goal is that reviews
13 of these information technology systems occur periodically.

14 (5) It is the policy of the legislature that each agency's budget
15 recommendations must be directly linked to the agency's stated mission
16 and program, quality, and productivity goals and objectives.
17 Consistent with this policy, agency budget proposals must include
18 integration of performance measures that allow objective determination
19 of an activity's success in achieving its goals. When a review under
20 subsection (4) of this section or other analysis determines that the
21 agency's objectives demonstrate that the agency is making insufficient
22 progress toward the goals of any particular program or is otherwise
23 underachieving or inefficient, the agency's budget request shall
24 contain proposals to remedy or improve the selected programs. The
25 office of financial management shall develop a plan to merge the budget
26 development process with agency performance assessment procedures. The
27 plan must include a schedule to integrate agency strategic plans and
28 performance measures into agency budget requests and the governor's
29 budget proposal over three fiscal biennia. The plan must identify
30 those agencies that will implement the revised budget process in the
31 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.
32 In consultation with the legislative fiscal committees, the office of
33 financial management shall recommend statutory and procedural
34 modifications to the state's budget, accounting, and reporting systems
35 to facilitate the performance assessment procedures and the merger of
36 those procedures with the state budget process. The plan and
37 recommended statutory and procedural modifications must be submitted to
38 the legislative fiscal committees by September 30, 1996.

1 (6) In reviewing agency budget requests in order to prepare the
2 governor's biennial budget request, the office of financial management
3 shall consider the extent to which the agency's activities demonstrate
4 progress toward the statewide budgeting priorities, along with any
5 specific review conducted under subsection (4) of this section.

6 (7) In the year of the gubernatorial election, the governor shall
7 invite the governor-elect or the governor-elect's designee to attend
8 all hearings provided in RCW 43.88.100; and the governor shall furnish
9 the governor-elect or the governor-elect's designee with such
10 information as will enable the governor-elect or the governor-elect's
11 designee to gain an understanding of the state's budget requirements.
12 The governor-elect or the governor-elect's designee may ask such
13 questions during the hearings and require such information as the
14 governor-elect or the governor-elect's designee deems necessary and may
15 make recommendations in connection with any item of the budget which,
16 with the governor-elect's reasons therefor, shall be presented to the
17 legislature in writing with the budget document. Copies of all such
18 estimates and other required information shall also be submitted to the
19 standing committees on ways and means of the house and senate.

20 **Sec. 541.** RCW 43.88D.010 and 2010 c 245 s 9 are each amended to
21 read as follows:

22 (1) By October 1st of each even-numbered year, the office of
23 financial management shall complete an objective analysis and scoring
24 of all capital budget projects proposed by the public four-year
25 institutions of higher education and submit the results of the scoring
26 process to the legislative fiscal committees(~~(, the higher education~~
27 ~~coordinating board,~~)) and the four-year institutions. Each project
28 must be reviewed and scored within one of the following categories,
29 according to the project's principal purpose. Each project may be
30 scored in only one category. The categories are:

31 (a) Access-related projects to accommodate enrollment growth at
32 main and branch campuses, at existing or new university centers, or
33 through distance learning. Growth projects should provide significant
34 additional student capacity. Proposed projects must demonstrate that
35 they are based on solid enrollment demand projections, more
36 cost-effectively provide enrollment access than alternatives such as

1 university centers and distance learning, and make cost-effective use
2 of existing and proposed new space;

3 (b) Projects that replace failing permanent buildings. Facilities
4 that cannot be economically renovated are considered replacement
5 projects. New space may be programmed for the same or a different use
6 than the space being replaced and may include additions to improve
7 access and enhance the relationship of program or support space;

8 (c) Projects that renovate facilities to restore building life and
9 upgrade space to meet current program requirements. Renovation
10 projects should represent a complete renovation of a total facility or
11 an isolated wing of a facility. A reasonable renovation project should
12 cost between sixty to eighty percent of current replacement value and
13 restore the renovated area to at least twenty-five years of useful
14 life. New space may be programmed for the same or a different use than
15 the space being renovated and may include additions to improve access
16 and enhance the relationship of program or support space;

17 (d) Major stand-alone campus infrastructure projects;

18 (e) Projects that promote economic growth and innovation through
19 expanded research activity. The acquisition and installation of
20 specialized equipment is authorized under this category; and

21 (f) Other project categories as determined by the office of
22 financial management in consultation with the legislative fiscal
23 committees.

24 (2) The office of financial management, in consultation with the
25 legislative fiscal committees, shall establish a scoring system and
26 process for each four-year project category that is based on the
27 framework used in the community and technical college system of
28 prioritization. Staff from the state board for community and technical
29 colleges(~~(, the higher education coordinating board,)~~) and the four-
30 year institutions shall provide technical assistance on the development
31 of a scoring system and process.

32 (3) The office of financial management shall consult with the
33 legislative fiscal committees in the scoring of four-year institution
34 project proposals, and may also solicit participation by independent
35 experts.

36 (a) For each four-year project category, the scoring system must,
37 at a minimum, include an evaluation of enrollment trends,

1 reasonableness of cost, the ability of the project to enhance specific
2 strategic master plan goals, age and condition of the facility if
3 applicable, and impact on space utilization.

4 (b) Each four-year project category may include projects at the
5 predesign, design, or construction funding phase.

6 (c) To the extent possible, the objective analysis and scoring
7 system of all capital budget projects shall occur within the context of
8 any and all performance agreements between the office of financial
9 management and the governing board of a public, four-year institution
10 of higher education that aligns goals, priorities, desired outcomes,
11 flexibility, institutional mission, accountability, and levels of
12 resources.

13 (4) In evaluating and scoring four-year institution projects, the
14 office of financial management shall take into consideration project
15 schedules that result in realistic, balanced, and predictable
16 expenditure patterns over the ensuing three biennia.

17 (5) The office of financial management shall distribute common
18 definitions, the scoring system, and other information required for the
19 project proposal and scoring process as part of its biennial budget
20 instructions. The office of financial management, in consultation with
21 the legislative fiscal committees, shall develop common definitions
22 that four-year institutions must use in developing their project
23 proposals and lists under this section.

24 (6) In developing any scoring system for capital projects proposed
25 by the four-year institutions, the office of financial management:

26 (a) Shall be provided with all required information by the four-
27 year institutions as deemed necessary by the office of financial
28 management;

29 (b) May utilize independent services to verify, sample, or evaluate
30 information provided to the office of financial management by the four-
31 year institutions; and

32 (c) Shall have full access to all data maintained by the higher
33 education coordinating board and the joint legislative audit and review
34 committee concerning the condition of higher education facilities.

35 (7) By August 1st of each even-numbered year each public four-year
36 higher education institution shall prepare and submit prioritized lists
37 of the individual projects proposed by the institution for the ensuing
38 six-year period in each category. The lists must be submitted to the

1 office of financial management and the legislative fiscal committees.
2 The four-year institutions may aggregate minor works project proposals
3 by primary purpose for ranking purposes. Proposed minor works projects
4 must be prioritized within the aggregated proposal, and supporting
5 documentation, including project descriptions and cost estimates, must
6 be provided to the office of financial management and the legislative
7 fiscal committees.

8 **Sec. 542.** RCW 43.105.400 and 2009 c 509 s 10 are each amended to
9 read as follows:

10 (1) Subject to the availability of federal or state funding, the
11 department may reconvene the high-speed internet work group previously
12 established by chapter 262, Laws of 2008. The work group is renamed
13 the advisory council on digital inclusion, and is an advisory group to
14 the department. The council must include, but is not limited to,
15 volunteer representatives from community technology organizations,
16 telecommunications providers, higher education institutions, K-12
17 education institutions, public health institutions, public housing
18 entities, and local government and other governmental entities that are
19 engaged in community technology activities.

20 (2) The council shall prepare a report by January 15th of each year
21 and submit it to the department, the governor, and the appropriate
22 committees of the legislature. The report must contain:

23 (a) An analysis of how support from public and private sector
24 partnerships, the philanthropic community, and other not-for-profit
25 organizations in the community, along with strong relationships with
26 the state board for community and technical colleges(~~(, the higher~~
27 ~~education coordinating board,~~) and higher education institutions,
28 could establish a variety of high-speed internet access alternatives
29 for citizens;

30 (b) Proposed strategies for continued broadband deployment and
31 adoption efforts, as well as further development of advanced
32 telecommunications applications;

33 (c) Recommendations on methods for maximizing the state's research
34 and development capacity at universities and in the private sector for
35 developing advanced telecommunications applications and services, and
36 recommendations on incentives to stimulate the demand for and
37 development of these applications and services;

1 (d) An identification of barriers that hinder the advancement of
2 technology entrepreneurship in the state; and

3 (e) An evaluation of programs designed to advance digital literacy
4 and computer access that are made available by the federal government,
5 local agencies, telecommunications providers, and business and
6 charitable entities.

7 **Sec. 543.** RCW 43.215.090 and 2010 c 234 s 3 are each amended to
8 read as follows:

9 (1) The early learning advisory council is established to advise
10 the department on statewide early learning issues that would build a
11 comprehensive system of quality early learning programs and services
12 for Washington's children and families by assessing needs and the
13 availability of services, aligning resources, developing plans for data
14 collection and professional development of early childhood educators,
15 and establishing key performance measures.

16 (2) The council shall work in conjunction with the department to
17 develop a statewide early learning plan that guides the department in
18 promoting alignment of private and public sector actions, objectives,
19 and resources, and ensuring school readiness.

20 (3) The council shall include diverse, statewide representation
21 from public, nonprofit, and for-profit entities. Its membership shall
22 reflect regional, racial, and cultural diversity to adequately
23 represent the needs of all children and families in the state.

24 (4) Councilmembers shall serve two-year terms. However, to stagger
25 the terms of the council, the initial appointments for twelve of the
26 members shall be for one year. Once the initial one-year to two-year
27 terms expire, all subsequent terms shall be for two years, with the
28 terms expiring on June 30th of the applicable year. The terms shall be
29 staggered in such a way that, where possible, the terms of members
30 representing a specific group do not expire simultaneously.

31 (5) The council shall consist of not more than twenty-three
32 members, as follows:

33 (a) The governor shall appoint at least one representative from
34 each of the following: The department, the office of financial
35 management, the department of social and health services, the
36 department of health, the council for higher education (~~coordinating~~
37 ~~board~~)), and the state board for community and technical colleges;

1 (b) One representative from the office of the superintendent of
2 public instruction, to be appointed by the superintendent of public
3 instruction;

4 (c) The governor shall appoint seven leaders in early childhood
5 education, with at least one representative with experience or
6 expertise in each of the areas such as the following: Children with
7 disabilities, the K-12 system, family day care providers, and child
8 care centers;

9 (d) Two members of the house of representatives, one from each
10 caucus, and two members of the senate, one from each caucus, to be
11 appointed by the speaker of the house of representatives and the
12 president of the senate, respectively;

13 (e) Two parents, one of whom serves on the department's parent
14 advisory council, to be appointed by the governor;

15 (f) One representative of the private-public partnership created in
16 RCW 43.215.070, to be appointed by the partnership board;

17 (g) One representative designated by sovereign tribal governments;
18 and

19 (h) One representative from the Washington federation of
20 independent schools.

21 (6) The council shall be cochaired by one representative of a state
22 agency and one nongovernmental member, to be elected by the council for
23 two-year terms.

24 (7) The council shall appoint two members and stakeholders with
25 expertise in early learning to sit on the technical working group
26 created in section 2, chapter 234, Laws of 2010.

27 (8) Each member of the board shall be compensated in accordance
28 with RCW 43.03.240 and reimbursed for travel expenses incurred in
29 carrying out the duties of the board in accordance with RCW 43.03.050
30 and 43.03.060.

31 (9) The department shall provide staff support to the council.

32 **Sec. 544.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are
33 each reenacted and amended to read as follows:

34 (1) The Washington state economic development commission shall,
35 with the advice of an innovation partnership advisory group selected by
36 the commission:

1 (a) Provide information and advice to the department of commerce to
2 assist in the implementation of the innovation partnership zone
3 program, including criteria to be used in the selection of grant
4 applicants for funding;

5 (b) Document clusters of companies throughout the state that have
6 comparative competitive advantage or the potential for comparative
7 competitive advantage, using the process and criteria for identifying
8 strategic clusters developed by the working group specified in
9 subsection (2) of this section;

10 (c) Conduct an innovation opportunity analysis to identify (i) the
11 strongest current intellectual assets and research teams in the state
12 focused on emerging technologies and their commercialization, and (ii)
13 faculty and researchers that could increase their focus on
14 commercialization of technology if provided the appropriate technical
15 assistance and resources;

16 (d) Based on its findings and analysis, and in conjunction with the
17 (~~higher education coordinating board and~~) research institutions:

18 (i) Develop a plan to build on existing, and develop new,
19 intellectual assets and innovation research teams in the state in
20 research areas where there is a high potential to commercialize
21 technologies. The commission shall present the plan to the governor
22 and legislature by December 31, 2009. (~~The higher education~~
23 ~~coordinating board shall be responsible for implementing the plan in~~
24 ~~conjunction with~~) The publicly funded research institutions in the
25 state shall be responsible for implementing the plan. The plan shall
26 address the following elements and such other elements as the
27 commission deems important:

28 (A) Specific mechanisms to support, enhance, or develop innovation
29 research teams and strengthen their research and commercialization
30 capacity in areas identified as useful to strategic clusters and
31 innovative firms in the state;

32 (B) Identification of the funding necessary for laboratory
33 infrastructure needed to house innovation research teams;

34 (C) Specification of the most promising research areas meriting
35 enhanced resources and recruitment of significant entrepreneurial
36 researchers to join or lead innovation research teams;

37 (D) The most productive approaches to take in the recruitment, in

1 the identified promising research areas, of a minimum of ten
2 significant entrepreneurial researchers over the next ten years to join
3 or lead innovation research teams;

4 (E) Steps to take in solicitation of private sector support for the
5 recruitment of entrepreneurial researchers and the commercialization
6 activity of innovation research teams; and

7 (F) Mechanisms for ensuring the location of innovation research
8 teams in innovation partnership zones;

9 (ii) Provide direction for the development of comprehensive
10 entrepreneurial assistance programs at research institutions. The
11 programs may involve multidisciplinary students, faculty,
12 entrepreneurial researchers, entrepreneurs, and investors in building
13 business models and evolving business plans around innovative ideas.
14 The programs may provide technical assistance and the support of an
15 entrepreneur-in-residence to innovation research teams and offer
16 entrepreneurial training to faculty, researchers, undergraduates, and
17 graduate students. Curriculum leading to a certificate in
18 entrepreneurship may also be offered;

19 (e) Develop performance measures to be used in evaluating the
20 performance of innovation research teams, the implementation of the
21 plan and programs under (d)(i) and (ii) of this subsection, and the
22 performance of innovation partnership zone grant recipients, including
23 but not limited to private investment measures, business initiation
24 measures, job creation measures, and measures of innovation such as
25 licensing of ideas in research institutions, patents, or other
26 recognized measures of innovation. The performance measures developed
27 shall be consistent with the economic development commission's
28 comprehensive plan for economic development and its standards and
29 metrics for program evaluation. The commission shall report to the
30 legislature and the governor by June 30, 2009, on the measures
31 developed; and

32 (f) Using the performance measures developed, perform a biennial
33 assessment and report, the first of which shall be due December 31,
34 2012, on:

35 (i) Commercialization of technologies developed at state
36 universities, found at other research institutions in the state, and
37 facilitated with public assistance at existing companies;

1 (ii) Outcomes of the funding of innovation research teams and
2 recruitment of significant entrepreneurial researchers;

3 (iii) Comparison with other states of Washington's outcomes from
4 the innovation research teams and efforts to recruit significant
5 entrepreneurial researchers; and

6 (iv) Outcomes of the grants for innovation partnership zones.

7 The report shall include recommendations for modifications of chapter
8 227, Laws of 2007 and of state commercialization efforts that would
9 enhance the state's economic competitiveness.

10 (2) The economic development commission and the workforce training
11 and education coordinating board shall jointly convene a working group
12 to:

13 (a) Specify the process and criteria for identification of substate
14 geographic concentrations of firms or employment in an industry and the
15 industry's customers, suppliers, supporting businesses, and
16 institutions, which process will include the use of labor market
17 information from the employment security department and local labor
18 markets; and

19 (b) Establish criteria for identifying strategic clusters which are
20 important to economic prosperity in the state, considering cluster
21 size, growth rate, and wage levels among other factors.

22 **Sec. 545.** RCW 43.330.310 and 2010 c 187 s 2 are each amended to
23 read as follows:

24 (1) The legislature establishes a comprehensive green economy jobs
25 growth initiative based on the goal of, by 2020, increasing the number
26 of green economy jobs to twenty-five thousand from the eight thousand
27 four hundred green economy jobs the state had in 2004.

28 (2) The department, in consultation with the employment security
29 department, the state workforce training and education coordinating
30 board, the state board for community and technical colleges, and the
31 (~~higher education coordinating board~~) four-year institutions of
32 higher education as defined in RCW 28B.10.016, shall develop a defined
33 list of terms, consistent with current workforce and economic
34 development terms, associated with green economy industries and jobs.

35 (3)(a) The employment security department, in consultation with the
36 department, the state workforce training and education coordinating
37 board, the state board for community and technical colleges, the

1 ((~~higher education coordinating board~~)) four-year institutions of
2 higher education as defined in RCW 28B.10.016, Washington State
3 University small business development center, and the Washington State
4 University extension energy program, shall conduct labor market
5 research to analyze the current labor market and projected job growth
6 in the green economy, the current and projected recruitment and skill
7 requirement of green economy industry employers, the wage and benefits
8 ranges of jobs within green economy industries, and the education and
9 training requirements of entry-level and incumbent workers in those
10 industries.

11 (i) The employment security department shall conduct an analysis of
12 occupations in the forest products industry to: (A) Determine key
13 growth factors and employment projections in the industry; and (B)
14 define the education and skill standards required for current and
15 emerging green occupations in the industry.

16 (ii) The term "forest products industry" must be given a broad
17 interpretation when implementing (a)(i) of this subsection and
18 includes, but is not limited to, businesses that grow, manage, harvest,
19 transport, and process forest, wood, and paper products.

20 (b) The University of Washington business and economic development
21 center shall: Analyze the current opportunities for and participation
22 in the green economy by minority and women-owned business enterprises
23 in Washington; identify existing barriers to their successful
24 participation in the green economy; and develop strategies with
25 specific policy recommendations to improve their successful
26 participation in the green economy. The research may be informed by
27 the research of the Puget Sound regional council prosperity
28 partnership, as well as other entities. The University of Washington
29 business and economic development center shall report to the
30 appropriate committees of the house of representatives and the senate
31 on their research, analysis, and recommendations by December 1, 2008.

32 (4) Based on the findings from subsection (3) of this section, the
33 employment security department, in consultation with the department and
34 taking into account the requirements and goals of chapter 14, Laws of
35 2008 and other state clean energy and energy efficiency policies, shall
36 propose which industries will be considered high-demand green
37 industries, based on current and projected job creation and their
38 strategic importance to the development of the state's green economy.

1 The employment security department and the department shall take into
2 account which jobs within green economy industries will be considered
3 high-wage occupations and occupations that are part of career pathways
4 to the same, based on family-sustaining wage and benefits ranges.
5 These designations, and the results of the employment security
6 department's broader labor market research, shall inform the planning
7 and strategic direction of the department, the state workforce training
8 and education coordinating board, the state board for community and
9 technical colleges, and the ~~((higher education coordinating board))~~
10 four-year institutions of higher education as defined in RCW
11 28B.10.016.

12 (5) The department shall identify emerging technologies and
13 innovations that are likely to contribute to advancements in the green
14 economy, including the activities in designated innovation partnership
15 zones established in RCW 43.330.270.

16 (6) The department, consistent with the priorities established by
17 the state economic development commission, shall:

18 (a) Develop targeting criteria for existing investments, and make
19 recommendations for new or expanded financial incentives and
20 comprehensive strategies, to recruit, retain, and expand green economy
21 industries and small businesses; and

22 (b) Make recommendations for new or expanded financial incentives
23 and comprehensive strategies to stimulate research and development of
24 green technology and innovation, including designating innovation
25 partnership zones linked to the green economy.

26 (7) For the purposes of this section, "target populations" means
27 (a) entry-level or incumbent workers in high-demand green industries
28 who are in, or are preparing for, high-wage occupations; (b) dislocated
29 workers in declining industries who may be retrained for high-wage
30 occupations in high-demand green industries; (c) dislocated
31 agriculture, timber, or energy sector workers who may be retrained for
32 high-wage occupations in high-demand green industries; (d) eligible
33 veterans or national guard members; (e) disadvantaged populations; or
34 (f) anyone eligible to participate in the state opportunity grant
35 program under RCW 28B.50.271.

36 (8) The legislature directs the state workforce training and
37 education coordinating board to create and pilot green industry skill
38 panels. These panels shall consist of business representatives from:

1 Green industry sectors, including but not limited to forest product
2 companies, companies engaged in energy efficiency and renewable energy
3 production, companies engaged in pollution prevention, reduction, and
4 mitigation, and companies engaged in green building work and green
5 transportation; labor unions representing workers in those industries
6 or labor affiliates administering state-approved, joint apprenticeship
7 programs or labor-management partnership programs that train workers
8 for these industries; state and local veterans agencies; employer
9 associations; educational institutions; and local workforce development
10 councils within the region that the panels propose to operate; and
11 other key stakeholders as determined by the applicant. Any of these
12 stakeholder organizations are eligible to receive grants under this
13 section and serve as the intermediary that convenes and leads the
14 panel. Panel applicants must provide labor market and industry
15 analysis that demonstrates high demand, or demand of strategic
16 importance to the development of the state's clean energy economy as
17 identified in this section, for high-wage occupations, or occupations
18 that are part of career pathways to the same, within the relevant
19 industry sector. The panel shall:

20 (a) Conduct labor market and industry analyses, in consultation
21 with the employment security department, and drawing on the findings of
22 its research when available;

23 (b) Plan strategies to meet the recruitment and training needs of
24 the industry and small businesses; and

25 (c) Leverage and align other public and private funding sources.

26 (9) The green industries jobs training account is created in the
27 state treasury. Moneys from the account must be utilized to supplement
28 the state opportunity grant program established under RCW 28B.50.271.
29 All receipts from appropriations directed to the account must be
30 deposited into the account. Expenditures from the account may be used
31 only for the activities identified in this subsection. The state board
32 for community and technical colleges, in consultation with the state
33 workforce training and education coordinating board, informed by the
34 research of the employment security department and the strategies
35 developed in this section, may authorize expenditures from the account.
36 The state board for community and technical colleges must distribute
37 grants from the account on a competitive basis.

1 (a)(i) Allowable uses of these grant funds, which should be used
2 when other public or private funds are insufficient or unavailable, may
3 include:

4 (A) Curriculum development;

5 (B) Transitional jobs strategies for dislocated workers in
6 declining industries who may be retrained for high-wage occupations in
7 green industries;

8 (C) Workforce education to target populations; and

9 (D) Adult basic and remedial education as necessary linked to
10 occupation skills training.

11 (ii) Allowable uses of these grant funds do not include student
12 assistance and support services available through the state opportunity
13 grant program under RCW 28B.50.271.

14 (b) Applicants eligible to receive these grants may be any
15 organization or a partnership of organizations that has demonstrated
16 expertise in:

17 (i) Implementing effective education and training programs that
18 meet industry demand; and

19 (ii) Recruiting and supporting, to successful completion of those
20 training programs carried out under these grants, the target
21 populations of workers.

22 (c) In awarding grants from the green industries jobs training
23 account, the state board for community and technical colleges shall
24 give priority to applicants that demonstrate the ability to:

25 (i) Use labor market and industry analysis developed by the
26 employment security department and green industry skill panels in the
27 design and delivery of the relevant education and training program, and
28 otherwise utilize strategies developed by green industry skill panels;

29 (ii) Leverage and align existing public programs and resources and
30 private resources toward the goal of recruiting, supporting, educating,
31 and training target populations of workers;

32 (iii) Work collaboratively with other relevant stakeholders in the
33 regional economy;

34 (iv) Link adult basic and remedial education, where necessary, with
35 occupation skills training;

36 (v) Involve employers and, where applicable, labor unions in the
37 determination of relevant skills and competencies and, where relevant,
38 the validation of career pathways; and

1 (vi) Ensure that supportive services, where necessary, are
2 integrated with education and training and are delivered by
3 organizations with direct access to and experience with the targeted
4 population of workers.

5 **Sec. 546.** RCW 43.330.375 and 2010 c 187 s 3 are each amended to
6 read as follows:

7 (1) The department and the workforce board must:

8 (a) Coordinate efforts across the state to ensure that federal
9 training and education funds are captured and deployed in a focused and
10 effective manner in order to support green economy projects and
11 accomplish the goals of the evergreen jobs initiative;

12 (b) Accelerate and coordinate efforts by state and local
13 organizations to identify, apply for, and secure all sources of funds,
14 particularly those created by the 2009 American recovery and
15 reinvestment act, and to ensure that distributions of funding to local
16 organizations are allocated in a manner that is time-efficient and
17 user-friendly for the local organizations. Local organizations
18 eligible to receive support include but are not limited to:

- 19 (i) Associate development organizations;
- 20 (ii) Workforce development councils;
- 21 (iii) Public utility districts; and
- 22 (iv) Community action agencies;

23 (c) Support green economy projects at both the state and local
24 level by developing a process and a framework to provide, at a minimum:

- 25 (i) Administrative and technical assistance;
- 26 (ii) Assistance with and expediting of permit processes; and
- 27 (iii) Priority consideration of opportunities leading to exportable
28 green economy goods and services, including renewable energy
29 technology;

30 (d) Coordinate local and state implementation of projects using
31 federal funds to ensure implementation is time-efficient and user-
32 friendly for local organizations;

33 (e) Emphasize through both support and outreach efforts, projects
34 that:

- 35 (i) Have a strong and lasting economic or environmental impact;
- 36 (ii) Lead to a domestically or internationally exportable good or
37 service, including renewable energy technology;

1 (iii) Create training programs leading to a credential,
2 certificate, or degree in a green economy field;

3 (iv) Strengthen the state's competitiveness in a particular sector
4 or cluster of the green economy;

5 (v) Create employment opportunities for veterans, members of the
6 national guard, and low-income and disadvantaged populations;

7 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;

8 (vii) Ensure at least fifteen percent of labor hours are performed
9 by apprentices;

10 (f) Identify emerging technologies and innovations that are likely
11 to contribute to advancements in the green economy, including the
12 activities in designated innovation partnership zones established in
13 RCW 43.330.270;

14 (g) Identify barriers to the growth of green jobs in traditional
15 industries such as the forest products industry;

16 (h) Identify statewide performance metrics for projects receiving
17 agency assistance. Such metrics may include:

18 (i) The number of new green jobs created each year, their wage
19 levels, and, to the extent determinable, the percentage of new green
20 jobs filled by veterans, members of the national guard, and low-income
21 and disadvantaged populations;

22 (ii) The total amount of new federal funding secured, the
23 respective amounts allocated to the state and local levels, and the
24 timeliness of deployment of new funding by state agencies to the local
25 level;

26 (iii) The timeliness of state deployment of funds and support to
27 local organizations; and

28 (iv) If available, the completion rates, time to completion, and
29 training-related placement rates for green economy postsecondary
30 training programs;

31 (i) Identify strategies to allocate existing and new funding
32 streams for green economy workforce training programs and education to
33 emphasize those leading to a credential, certificate, or degree in a
34 green economy field;

35 (j) Identify and implement strategies to allocate existing and new
36 funding streams for workforce development councils and associate
37 development organizations to increase their effectiveness and

1 efficiency and increase local capacity to respond rapidly and
2 comprehensively to opportunities to attract green jobs to local
3 communities;

4 (k) Develop targeting criteria for existing investments that are
5 consistent with the economic development commission's economic
6 development strategy and the goals of this section and RCW 28C.18.170,
7 28B.50.281, and 49.04.200; and

8 (l) Make and support outreach efforts so that residents of
9 Washington, particularly members of target populations, become aware of
10 educational and employment opportunities identified and funded through
11 the evergreen jobs act.

12 (2) The department and the workforce board must provide semiannual
13 performance reports to the governor and appropriate committees of the
14 legislature on:

15 (a) Actual statewide performance based on the performance measures
16 identified in subsection (1)(h) of this section;

17 (b) How the state is emphasizing and supporting projects that lead
18 to a domestically or internationally exportable good or service,
19 including renewable energy technology;

20 (c) A list of projects supported, created, or funded in furtherance
21 of the goals of the evergreen jobs initiative and the actions taken by
22 state and local organizations, including the effectiveness of state
23 agency support provided to local organizations as directed in
24 subsection (1)(b) and (c) of this section;

25 (d) Recommendations for new or expanded financial incentives and
26 comprehensive strategies to:

27 (i) Recruit, retain, and expand green economy industries and small
28 businesses; and

29 (ii) Stimulate research and development of green technology and
30 innovation, which may include designating innovation partnership zones
31 linked to the green economy;

32 (e) Any information that associate development organizations and
33 workforce development councils choose to provide to appropriate
34 legislative committees regarding the effectiveness, timeliness, and
35 coordination of support provided by state agencies under this section
36 and RCW 28C.18.170, 28B.50.281, and 49.04.200; and

37 (f) Any recommended statutory changes necessary to increase the

1 effectiveness of the evergreen jobs initiative and state responsiveness
2 to local agencies and organizations.

3 (3) The definitions, designations, and results of the employment
4 security department's broader labor market research under RCW
5 43.330.010 shall inform the planning and strategic direction of the
6 department, the state workforce training and education coordinating
7 board, and the state board for community and technical colleges(~~(, and~~
8 ~~the higher education coordinating board)~~)).

9 **Sec. 547.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to
10 read as follows:

11 (1) The department, in consultation with at least the (~~higher~~
12 ~~education coordinating board~~) four-year institutions of higher
13 education as defined in RCW 28B.10.016, the state board for community
14 and technical colleges, the superintendent of public instruction, and
15 state-supported education programs in medicine, pharmacy, and nursing,
16 shall develop a plan for increasing rural training opportunities for
17 students in medicine, pharmacy, and nursing. The plan shall provide
18 for direct exposure to rural health professional practice conditions
19 for students planning careers in medicine, pharmacy, and nursing.

20 (2) The department and the medical, pharmacy, and nurse education
21 programs shall:

22 (a) Inventory existing rural-based clinical experience programs,
23 including internships, clerkships, residencies, and other training
24 opportunities available to students pursuing degrees in nursing,
25 pharmacy, and medicine;

26 (b) Identify where training opportunities do not currently exist
27 and are needed;

28 (c) Develop recommendations for improving the availability of rural
29 training opportunities;

30 (d) Develop recommendations on establishing agreements between
31 education programs to assure that all students in medical, pharmacist,
32 and nurse education programs in the state have access to rural training
33 opportunities; and

34 (e) Review private and public funding sources to finance rural-
35 based training opportunities.

1 NEW SECTION. **Sec. 606.** Sections 534 and 535 of this act expire
2 December 31, 2012.

3 NEW SECTION. **Sec. 607.** Except for section 248 of this act, this
4 act is necessary for the immediate preservation of the public peace,
5 health, or safety, or support of the state government and its existing
6 public institutions, and takes effect July 1, 2011.

--- END ---