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SECOND SUBSTITUTE SENATE BILL 6232

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State of Washington

62nd Legislature

2012 Regular Session

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

READ FIRST TIME 02/07/12.

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

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

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

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

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

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

11 **PART I**  
12 **STUDENT ACHIEVEMENT COUNCIL**

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

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

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

- 23 (1) "Committee" means the joint higher education committee.
- 24 (2) "Council" means the student achievement council.
- 25 (3) "Education data center" means the education data center  
26 established in the office of financial management as provided under RCW  
27 43.41.400.
- 28 (4) "Four-year institutions of higher education" means the  
29 University of Washington, Washington State University, Central  
30 Washington University, Eastern Washington University, Western  
31 Washington University, and The Evergreen State College.
- 32 (5) "Major expansion" means expansion of the higher education  
33 system that requires significant new capital investment, including  
34 building new institutions, campuses, branches, or centers or conversion

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13 (4) The chair shall be selected by the council from among the  
14 citizen members appointed to the council. The chair shall serve a one-  
15 year term but may serve more than one term if selected to do so by the  
16 membership.

17 (5) The council may create advisory committees on an ad hoc basis  
18 for the purpose of obtaining input from students, faculty, and higher  
19 education experts and practitioners, citizens, business and industry,  
20 and labor, and for the purpose of informing their research, policy, and  
21 programmatic functions.

22 (6) Any vacancies on the council shall be filled in the same manner  
23 as the original appointments. Appointments to fill vacancies shall be  
24 only for such terms as remain unexpired. Any vacancies among council  
25 members appointed by the governor shall be filled by the governor  
26 subject to confirmation by the senate and shall have full authority to  
27 act before the time the senate acts on their confirmation.

28 NEW SECTION. **Sec. 106.** (1) The council shall adopt bylaws and  
29 shall meet at least four times each year and at such other times as  
30 determined by the chair who shall give reasonable prior notice to the  
31 members.

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

1        NEW SECTION.    **Sec. 107.**    Councilmembers shall be compensated in  
2 accordance with RCW 43.03.240 and reimbursed for travel expenses  
3 incurred in carrying out the duties of the council in accordance with  
4 RCW 43.03.050 and 43.03.060.

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

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

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

23        NEW SECTION.    **Sec. 110.**    (1) The council shall identify measurable  
24 and feasible goals and priorities for the system of higher education in  
25 Washington for a ten-year period of time and a plan to achieve them.  
26 The plan must encompass all sectors of higher education, including the  
27 two-year system, workforce training, and the four-year institutions of  
28 higher education. The council shall also identify strategies for  
29 expanding access, affordability, quality, efficiency, and  
30 accountability among the various institutions of higher education.

31        (2) By October 1, 2014, and every two years thereafter, the council  
32 shall submit an update of the ten-year statewide plan to the joint  
33 higher education committee created in section 201 of this act. The  
34 updated plan must reflect the expectations and policy directions of the

1 higher education and fiscal committees of the legislature and must  
2 provide a timely and relevant framework for the development of future  
3 budgets and policy proposals.

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

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

8 (b) Financing planning and strategic investment recommendations for  
9 education, including system-wide budget recommendations, necessary to  
10 meet statewide goals;

11 (c) System design and coordination;

12 (d) Student transition improvement;

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

16 (f) Policy research; and

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

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

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

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

28 (1) The (~~board~~) council shall (~~collaborate with the four-year~~  
29 ~~institutions including the council of presidents, the community and~~  
30 ~~technical college system, and when appropriate the workforce training~~  
31 ~~and education coordinating board, the superintendent of public~~  
32 ~~instruction, and the independent higher educational institutions to~~)  
33 identify budget priorities and levels of funding for higher education,  
34 including the two and four-year institutions of higher education and  
35 state financial aid programs. It is the intent of the legislature for  
36 the council to make budget recommendations for allocations for major

1 policy changes in accordance with priorities set forth in the ten-year  
2 statewide plan, but the legislature does not intend for the council to  
3 review and make recommendations on individual institutional budgets.  
4 It is the intent of the legislature that recommendations from the  
5 (~~board reflect not merely the sum of budget requests from multiple~~  
6 ~~institutions, but prioritized~~) council prioritize funding needs for  
7 the overall system of higher education in accordance with priorities  
8 set forth in the ten-year statewide plan. It is also the intent of the  
9 legislature that the council's recommendations take into consideration  
10 the total per-student funding at similar public institutions of higher  
11 education in the global challenge states.

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

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

29 (~~(b) Capital budget outlines for the two-year institutions shall be~~  
30 ~~submitted by August 15th of each even-numbered year, and shall include~~  
31 ~~the prioritized ranking of the capital projects being requested, a~~  
32 ~~description of each capital project, and the amount and fund source~~  
33 ~~being requested.~~

34 (~~(c) Capital budget outlines for the four-year institutions must be~~  
35 ~~submitted by August 15th of each even-numbered year, and must include:~~  
36 ~~The institutions' priority ranking of the project; the capital budget~~  
37 ~~category within which the project will be submitted to the office of~~

1 ~~financial management in accordance with RCW 43.88D.010; a description~~  
2 ~~of each capital project; and the amount and fund source being~~  
3 ~~requested.~~

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

6 ~~(3) The board shall review and evaluate the operating and capital~~  
7 ~~budget requests from four year institutions and the community and~~  
8 ~~technical college system based on how the requests align with the~~  
9 ~~board's budget priorities, the missions of the institutions, and the~~  
10 ~~statewide strategic master plan for higher education under RCW~~  
11 ~~28B.76.200.~~

12 ~~(4))~~ (3) The ~~((board))~~ council shall submit recommendations on the  
13 proposed operating budget and priorities to support the ten-year  
14 statewide plan to the office of financial management by October 1st of  
15 each even-numbered year, and to the legislature by January 1st of each  
16 odd-numbered year. The council shall submit recommendations on the  
17 proposed supplemental budget requests to the office of financial  
18 management by November 1st of odd-numbered years and to the legislature  
19 by January 1st of even-numbered years.

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

24 ~~(b) The board shall develop one prioritized list of capital~~  
25 ~~projects for the legislature to consider that includes all of the~~  
26 ~~projects requested by the four year institutions of higher education~~  
27 ~~that were scored by the office of financial management pursuant to~~  
28 ~~chapter 43.88D RCW, including projects that were previously scored but~~  
29 ~~not funded. The prioritized list of capital projects shall be based on~~  
30 ~~the following priorities in the following order:~~

31 ~~(i) Office of financial management scores pursuant to chapter~~  
32 ~~43.88D RCW;~~

33 ~~(ii) Preserving assets;~~

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

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

36 ~~(c) The board shall include all of the capital projects requested~~  
37 ~~by the four year institutions of higher education, except for the minor~~

1 ~~works projects, in the prioritized list of capital projects provided to~~  
2 ~~the legislature.~~

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

8 ~~(i) Include subpriorities;~~

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

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

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

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. 113.** 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 of higher education. ((Board)) Council recommendations  
27 regarding proposed major expansion shall be limited to determinations  
28 of whether the major expansion is within the scope indicated in the  
29 most recent ((strategic master)) ten-year statewide plan for higher  
30 education or most recent system design plan. Recommendations regarding  
31 existing capital prioritization processes are not within the scope of  
32 the evaluation of major expansion. Major expansion and proposed  
33 mission changes may be proposed by the ((board)) council, any public  
34 institution of higher education, or by a state or 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~~)) council shall produce, jointly  
23 with the state board for community and technical colleges and the  
24 workforce training and education coordinating board, an assessment of  
25 the number and type of higher education and training credentials  
26 required to match employer demand for a skilled and educated workforce.  
27 The assessment shall include the number of forecasted net job openings  
28 at each level of higher education and training and the number of  
29 credentials needed 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) The following activities are subject to approval by the  
36 ((~~board~~)) council:

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

- 1       ~~(b)~~) Creation of any off-campus program by a four-year  
2 institution;
- 3       ~~((e))~~ (b) Purchase or lease of major off-campus facilities by a  
4 four-year institution or a community or technical college;
- 5       ~~((d))~~ (c) Creation of higher education centers and consortia; and  
6       ~~((e))~~ (d) New degree programs and creation of off-campus programs  
7 by an independent college or university in collaboration with a  
8 community or technical college(~~;~~~~and~~
- 9       ~~(f) Applied baccalaureate degree programs developed by colleges~~  
10 ~~under RCW 28B.50.810~~)).
- 11       (6) Institutions seeking (~~board~~) council approval under this  
12 section must demonstrate that the proposal is justified by the needs  
13 assessment developed under this section. Institutions must also  
14 demonstrate how the proposals align with or implement the ten-year  
15 statewide (~~strategic master~~) plan for higher education under (~~RCW~~  
16 ~~28B.76.200~~) section 110 of this act.
- 17       (7) The (~~board~~) council shall develop clear guidelines and  
18 objective decision-making criteria regarding approval of proposals  
19 under this section, which must include review and consultation with the  
20 institution and other interested agencies and individuals.
- 21       (8) The (~~board~~) council shall periodically recommend  
22 consolidation or elimination of programs at the four-year institutions  
23 of higher education, based on the needs assessment analysis.
- 24       (9) In the case of a proposed major expansion or mission change,  
25 the needs assessment process under subsection (2) of this section  
26 constitutes a threshold inquiry. If the (~~board~~) council determines  
27 that the need for the proposed major expansion or mission change has  
28 not been justified, the inquiry is concluded. If the (~~board~~) council  
29 determines that the need for the proposed major expansion or mission  
30 change has been sufficiently established, the (~~board~~) council, in  
31 consultation with any directly involved institutions and other  
32 interested agencies and individuals, shall proceed to examine the  
33 viability of the proposal using criteria including, but not limited to:
- 34       (a) The specific scope of the project including the capital  
35 investment requirements, the number of full-time equivalent students  
36 anticipated, and the number of academic programs planned;
- 37       (b) The existence of an efficient and sustainable financial plan;
- 38       (c) The extent to which existing resources can be leveraged;

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

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

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

8 (g) The feasibility of any proposed innovations to accelerate  
9 degree production.

10 (10) After the ((~~board~~)) council completes its evaluation of the  
11 proposed major expansion or mission change using the needs assessment  
12 under subsection (2) of this section and viability determination under  
13 subsection (9) of this section, the ((~~board~~)) council shall make a  
14 recommendation to either proceed, modify, or not proceed with the  
15 proposed major expansion or mission change. The ((~~board's~~)) council's  
16 recommendation shall be presented to the governor and the legislature.

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

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

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

28 The ((~~board~~)) council shall adopt statewide transfer and  
29 articulation policies that ensure efficient transfer of credits and  
30 courses across public two and four-year institutions of higher  
31 education. The intent of the policies is to create a statewide system  
32 of articulation and alignment between two and four-year institutions of  
33 higher education. Policies may address but are not limited to creation  
34 of a statewide system of course equivalency, creation of transfer  
35 associate degrees, statewide articulation agreements, applicability of  
36 technical courses toward baccalaureate degrees, and other issues. The

1 institutions of higher education and the state board for community and  
2 technical colleges shall cooperate with the ((board)) council in  
3 developing the statewide policies and shall provide support and staff  
4 resources as necessary to assist in maintaining the policies. ((The  
5 board shall submit a progress report to the higher education committees  
6 of the senate and house of representatives by December 1, 2006, by  
7 which time the legislature expects measurable improvement in alignment  
8 and transfer efficiency.))

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

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

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

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

30       (2) To provide consistent, easily understood data among the public  
31 four-year institutions of higher education within Washington and in  
32 other states, the following data must be reported to the education data  
33 center annually by December 1st, and at a minimum include data  
34 recommended by a national organization representing state chief  
35 executives. The ((board)) council may change the data requirements to  
36 be consistent with best practices across the country. This data must,

1 to the maximum extent possible, be disaggregated by race and ethnicity,  
2 gender, state and county of origin, age, and socioeconomic status, and  
3 include the following for the four-year institutions of higher  
4 education:

5 (a) Bachelor's degrees awarded;

6 (b) Graduate and professional degrees awarded;

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

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

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

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

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

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

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

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

31 (k) Program participation and degree completion rates in bachelor  
32 and advanced degree programs in the sciences, which includes  
33 agriculture and natural resources, biology and biomedical sciences,  
34 computer and information sciences, engineering and engineering  
35 technologies, health professions and clinical sciences, mathematics and  
36 statistics, and physical sciences and science technologies, including  
37 participation and degree completion rates for students from  
38 traditionally underrepresented populations;

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

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

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

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

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

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

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

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

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

25 (r) Yearly percentage increases in the average cost of  
26 undergraduate instruction.

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

29 ~~(4) ((Based on guidelines prepared by the board, each four-year  
30 institution and the state board for community and technical colleges  
31 shall submit a biennial plan to achieve measurable and specific  
32 improvements each academic year on statewide and institution-specific  
33 performance measures. Plans shall be submitted to the board along with  
34 the biennial budget requests from the institutions and the state board  
35 for community and technical colleges. Performance measures established  
36 for the community and technical colleges shall reflect the role and  
37 mission of the colleges.~~

1       ~~(5) The board shall approve biennial performance targets for each~~  
2 ~~four-year institution and for the community and technical college~~  
3 ~~system and shall review actual achievements annually. The state board~~  
4 ~~for community and technical colleges shall set biennial performance~~  
5 ~~targets for each college or district, where appropriate.~~

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

10       ~~(7) The board, in collaboration with the four-year institutions and~~  
11 ~~the state board for community and technical colleges, shall~~  
12 ~~periodically review and update the accountability monitoring and~~  
13 ~~reporting system.~~

14       ~~(8) The board shall develop measurable indicators and benchmarks~~  
15 ~~for its own performance regarding cost, quantity, quality, and~~  
16 ~~timeliness and including the performance of committees and advisory~~  
17 ~~groups convened under this chapter to accomplish such tasks as~~  
18 ~~improving transfer and articulation, improving articulation with the K-~~  
19 ~~12 education system, measuring educational costs, or developing data~~  
20 ~~protocols. The board shall submit its accountability plan to the~~  
21 ~~legislature concurrently with the biennial report on institution~~  
22 ~~progress.~~

23       (9)) In conjunction with the office of financial management, all  
24 four-year institutions of higher education must display the data  
25 described in subsection (2) of this section in a uniform dashboard  
26 format on the office of financial management's web site no later than  
27 December 1, 2011, and updated thereafter annually by December 1st. To  
28 the maximum extent possible, the information must be viewable by race  
29 and ethnicity, gender, state and county of origin, age, and  
30 socioeconomic status. The information may be tailored to meet the  
31 needs of various target audiences such as students, researchers, and  
32 the general public.

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

35       (1) The ((board)) council, the state board for community and  
36 technical colleges, the council of presidents, the four-year

1 institutions of higher education, the private independent higher  
2 education institutions, and the private career schools shall  
3 collaborate to carry out the following goals:

4 (a) Increase the number of students who receive academic credit for  
5 prior learning and the number of students who receive credit for prior  
6 learning that counts towards their major or towards earning their  
7 degree, certificate, or credential, while ensuring that credit is  
8 awarded only for high quality, course-level competencies;

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

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

14 (d) Improve prior learning assessment practices across the  
15 institutions of higher education;

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

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

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

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

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

26 (i) One representative from the (~~higher education coordinating~~  
27 ~~board~~) council;

28 (ii) One representative from the state board for community and  
29 technical colleges;

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

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

33 (v) Two representatives from private career schools;

34 (vi) Two representatives from business; and

35 (vii) Two representatives from labor.

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

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

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

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

10 The (~~office shall~~) council may administer any federal act  
11 pertaining to higher education which is not administered by another  
12 state agency.

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

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

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

18 (b) Work to eliminate unnecessary barriers to the delivery of  
19 online competency-based education by Western Governors University -  
20 Washington; and

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

24 (2) The (~~board~~) council shall work with Western Governors  
25 University - Washington to create data-sharing processes to assess the  
26 institution's performance and determine the extent to which it helps  
27 the state achieve the goals of the current (~~statewide strategic~~  
28 ~~master~~) ten-year plan for higher education.

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

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

34 (b) Changes or modifications in the nonprofit status of the  
35 institution of higher education.

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

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

6           (1) All powers, duties, and functions of the higher education  
7 coordinating board except for matters pertaining to student financial  
8 aid are transferred to the student achievement council. All references  
9 to the executive director or the higher education coordinating board in  
10 the Revised Code of Washington shall be construed to mean the executive  
11 director or the student achievement council when referring to the  
12 functions transferred in this section.

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

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

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

34           (3) All employees of the higher education coordinating board  
35 necessary to the assigned functions of the student achievement council  
36 are transferred to the jurisdiction of the student achievement council.  
37 All employees classified under chapter 41.06 RCW, the state civil

1 service law, are assigned to the student achievement council to perform  
2 their usual duties upon the same terms as formerly, without any loss of  
3 rights, subject to any action that may be appropriate thereafter in  
4 accordance with the laws and rules governing state civil service.

5 (4) All rules and all pending business before the higher education  
6 coordinating board pertaining to the powers, functions, and duties  
7 transferred shall be continued and acted upon by the student  
8 achievement council. All existing contracts and obligations shall  
9 remain in full force and shall be performed by the student achievement  
10 council.

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

14 (6) If apportionments of budgeted funds are required because of the  
15 transfers directed by this section, the director of financial  
16 management shall certify the apportionments to the agencies affected,  
17 the state auditor, and the state treasurer. Each of these shall make  
18 the appropriate transfer and adjustments in funds and appropriation  
19 accounts and equipment records in accordance with the certification.

20 (7) All classified employees of the higher education coordinating  
21 board assigned to the student achievement council under this section  
22 whose positions are within an existing bargaining unit description at  
23 the student achievement council shall become a part of the existing  
24 bargaining unit at the student achievement council and shall be  
25 considered an appropriate inclusion or modification of the existing  
26 bargaining unit under the provisions of chapter 41.80 RCW.

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

29 (1) All powers, duties, and functions of the higher education  
30 coordinating board pertaining to student financial aid are transferred  
31 to the office of student financial assistance. All references to the  
32 executive director or the higher education coordinating board in the  
33 Revised Code of Washington shall be construed to mean the director or  
34 the office of student financial assistance when referring to the  
35 functions transferred in this section.

36 (2)(a) All reports, documents, surveys, books, records, files,  
37 papers, or written material in the possession of the higher education

1 coordinating board pertaining to the powers, functions, and duties  
2 transferred shall be delivered to the custody of the office of student  
3 financial assistance. All cabinets, furniture, office equipment, motor  
4 vehicles, and other tangible property employed by the higher education  
5 coordinating board in carrying out the powers, functions, and duties  
6 transferred shall be made available to the office of student financial  
7 assistance. All funds, credits, or other assets held in connection  
8 with the powers, functions, and duties transferred shall be assigned to  
9 the office of student financial assistance.

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

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

20 (3) All employees of the higher education coordinating board  
21 engaged in performing the powers, functions, and duties transferred are  
22 transferred to the jurisdiction of the office of student financial  
23 assistance. All employees classified under chapter 41.06 RCW, the  
24 state civil service law, are assigned to the office of student  
25 financial assistance to perform their usual duties upon the same terms  
26 as formerly, without any loss of rights, subject to any action that may  
27 be appropriate thereafter in accordance with the laws and rules  
28 governing state civil service.

29 (4) All rules and all pending business before the higher education  
30 coordinating board pertaining to the powers, functions, and duties  
31 transferred shall be continued and acted upon by the office of student  
32 financial assistance. All existing contracts and obligations shall  
33 remain in full force and shall be performed by the office of student  
34 financial assistance.

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

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

7 (7) All classified employees of the higher education coordinating  
8 board assigned to the office of student financial assistance under this  
9 section whose positions are within an existing bargaining unit  
10 description at the office of student financial assistance shall become  
11 a part of the existing bargaining unit at the office of student  
12 financial assistance and shall be considered an appropriate inclusion  
13 or modification of the existing bargaining unit under the provisions of  
14 chapter 41.80 RCW.

15 **PART II**  
16 **JOINT HIGHER EDUCATION COMMITTEE**

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

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

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

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

23 (b) Engage with the student achievement council and the higher  
24 education community to create greater communication, coordination, and  
25 alignment between the higher education system and the expectations of  
26 the legislature; and

27 (c) Provide recommendations for higher education policy, including  
28 proposed legislation, to the higher education and fiscal committees of  
29 the legislature.

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

32 (1) The joint higher education committee shall consist of the  
33 following members:

34 (a) Four members of the house of representatives, two each  
35 appointed by the leadership of the two largest caucuses, with at least

1 one member from each caucus who is a member of the house of  
2 representatives ways and means committee and at least one member from  
3 each caucus who is a member of the house of representatives higher  
4 education committee; and

5 (b) Four members of the senate, two each appointed by the  
6 leadership of the two largest caucuses, with at least one member from  
7 each caucus who is a member of the senate ways and means committee and  
8 at least one member from each caucus who is a member of the senate  
9 higher education and workforce development committee.

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

12 (3) Vacancies on the joint higher education committee shall be  
13 filled by appointment by either the president of the senate or the  
14 speaker of the house of representatives. All such vacancies shall be  
15 filled from the same political party and from the same house as the  
16 member whose seat was vacated.

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

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

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

25 (2) The members of the joint higher education committee shall serve  
26 without additional compensation, but shall be reimbursed in accordance  
27 with RCW 44.04.120 while attending meetings of the joint higher  
28 education committee.

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

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

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

36 Members of the joint higher education committee must recommend to

1 their respective caucuses nominees for possible appointment and  
2 reappointment to the student achievement council as provided in section  
3 105 of this act.

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

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

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

25 For the purposes of this chapter, the statute law committee, the  
26 joint legislative audit and review committee, the joint transportation  
27 committee, the legislative evaluation and accountability program  
28 committee, the joint higher education committee, the office of state  
29 actuary, and all legislative standing committees of both houses shall  
30 be deemed a part of the legislative branch of state government.

### 31 PART III

#### 32 EDUCATION DATA CENTER

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

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

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

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

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

34 (2) One of the goals of the education data center's data collection  
35 and research for higher education is to support higher education  
36 accountability. For the education data center, assistance to state

1 policymakers and institutions of higher education in making policy  
2 decisions includes but is not limited to regular completion of:

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

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

8 (3) The ((board)) council shall identify the most cost-effective  
9 manner for the ((board)) council to collect data or access existing  
10 data. The ((board)) council shall develop research priorities,  
11 policies, and common definitions to maximize the reliability and  
12 consistency of data across institutions.

13 ((+3)) (4) Specific protocols shall be developed by the ((board))  
14 council to protect the privacy of individual student records while  
15 ensuring the availability of student data for legitimate research  
16 purposes.

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

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

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

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



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

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

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

8 (2) A person is guilty of knowingly using a false academic  
9 credential if the person knowingly uses a false academic credential or  
10 falsely claims to have a credential issued by an institution of higher  
11 education that is accredited by an accrediting association recognized  
12 as such by rule of the (~~higher education coordinating board~~) student  
13 achievement council:

14 (a) In a written or oral advertisement or other promotion of a  
15 business; or

16 (b) With the intent to:

17 (i) Obtain employment;

18 (ii) Obtain a license or certificate to practice a trade,  
19 profession, or occupation;

20 (iii) Obtain a promotion, compensation or other benefit, or an  
21 increase in compensation or other benefit, in employment or in the  
22 practice of a trade, profession, or occupation;

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

24 (v) Gain a position in government with authority over another  
25 person, regardless of whether the person receives compensation for the  
26 position.

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

29 (a) "False academic credential" means a document that provides  
30 evidence or demonstrates completion of an academic or professional  
31 course of instruction beyond the secondary level that results in the  
32 attainment of an academic certificate, degree, or rank, and that is not  
33 issued by a person or entity that: (i) Is an entity accredited by an  
34 agency recognized as such by rule of the (~~higher education~~  
35 ~~coordinating board~~) student achievement council or has the  
36 international equivalents of such accreditation; or (ii) is an entity  
37 authorized as a degree-granting institution by the (~~higher education~~  
38 ~~coordinating board~~) student achievement council; or (iii) is an entity

1 exempt from the requirements of authorization as a degree-granting  
2 institution by the (~~higher education coordinating board~~) student  
3 achievement council; or (iv) is an entity that has been granted a  
4 waiver by the (~~higher education coordinating board~~) student  
5 achievement council from the requirements of authorization by the  
6 (~~board~~) council. Such documents include, but are not limited to,  
7 academic certificates, degrees, coursework, degree credits,  
8 transcripts, or certification of completion of a degree.

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

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

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

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

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

16 (iii) Maintaining or advertising a Washington location, mailing  
17 address, computer server, or telephone number, for any purpose, other  
18 than for contact with the institution's former students for any  
19 legitimate purpose related to the students having attended the  
20 institution.

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

22 (5) Knowingly using a false academic credential is a gross  
23 misdemeanor.

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

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

27 (1) The practice of a dental assistant in the discharge of official  
28 duties by dental assistants in the United States federal services on  
29 federal reservations, including but not limited to the armed services,  
30 coast guard, public health service, veterans' bureau, or bureau of  
31 Indian affairs;

32 (2) Expanded function dental auxiliary education and training  
33 programs approved by the commission and the practice as an expanded  
34 function dental auxiliary by students in expanded function dental  
35 auxiliary education and training programs approved by the commission,  
36 when acting under the direction and supervision of persons licensed  
37 under chapter 18.29 or 18.32 RCW;

1 (3) Dental assistant education and training programs, and the  
2 practice of dental assisting by students in dental assistant education  
3 and training programs approved by the commission or offered at a school  
4 approved or licensed by the workforce training and education  
5 coordinating board, (~~higher education coordinating board~~) student  
6 achievement council, state board for community and technical colleges,  
7 or Washington state skill centers certified by the office of the  
8 superintendent of public instruction, when acting under the direction  
9 and supervision of persons registered or licensed under this chapter or  
10 chapter 18.29 or 18.32 RCW; or

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

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

16 The superintendent of public instruction, in consultation with the  
17 (~~higher education coordinating board~~) student achievement council,  
18 the state board for community and technical colleges, and the workforce  
19 training and education coordinating board, shall adopt rules pursuant  
20 to chapter 34.05 RCW, to implement the course requirements set forth in  
21 RCW 28A.230.090. The rules shall include, as the superintendent deems  
22 necessary, granting equivalencies for and temporary exemptions from the  
23 course requirements in RCW 28A.230.090 and special alterations of the  
24 course requirements in RCW 28A.230.090. In developing such rules the  
25 superintendent shall recognize the relevance of vocational and applied  
26 courses and allow such courses to fulfill in whole or in part the  
27 courses required for graduation in RCW 28A.230.090, as determined by  
28 the high school or school district in accordance with RCW 28A.230.097.  
29 The rules may include provisions for competency testing in lieu of such  
30 courses required for graduation in RCW 28A.230.090 or demonstration of  
31 specific skill proficiency or understanding of concepts through work or  
32 experience.

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

35 (1) The office of the superintendent of public instruction, in  
36 collaboration with the state board for community and technical

1 colleges, the Washington state apprenticeship and training council, the  
2 workforce training and education coordinating board, the (~~higher~~  
3 ~~education coordinating board~~) student achievement council, (~~and~~) the  
4 public baccalaureate institutions, and the education data center, shall  
5 report by September 1, 2010, and annually thereafter to the education  
6 and higher education committees of the legislature regarding  
7 participation in dual credit programs. The report shall include:

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

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

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

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

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

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

28 **Sec. 506.** 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 rules in accordance with chapter 34.05 RCW;

36 (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~~)  
13 student achievement council to determine project priorities under the  
14 purposes of this chapter; and

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

17 In the exercise of any of these powers, the authority shall incur  
18 no expense or liability which shall be an obligation, either general or  
19 special, of the state, or a general obligation of the authority, and  
20 shall pay no expense or liability from funds other than funds of the  
21 authority. Funds of the state shall not be used for such purpose.

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

24 The boards of regents of the University of Washington and  
25 Washington State University, respectively, and the boards of trustees  
26 of Central Washington University, Eastern Washington University,  
27 Western Washington University, and The Evergreen State College,  
28 respectively, shall have the power and authority to acquire by  
29 exchange, gift, purchase, lease, or condemnation in the manner provided  
30 by chapter 8.04 RCW for condemnation of property for public use, such  
31 lands, real estate and other property, and interests therein as they  
32 may deem necessary for the use of said institutions respectively.  
33 However, the purchase or lease of major off-campus facilities is  
34 subject to the approval of the (~~higher education coordinating board~~)  
35 student achievement council under RCW 28B.76.230 (as recodified by this  
36 act).

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

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

28           (2) To the maximum extent possible, institutions of higher  
29 education shall agree on examination qualifying scores and demonstrated  
30 competencies for the credits or courses under subsection (3) of this  
31 section, with scores equivalent to qualified or well-qualified.  
32 Nothing in this subsection shall prevent an institution of higher  
33 education from adopting policies using higher scores for additional  
34 purposes.

35           (3) Each institution of higher education, in designing its  
36 certificate, technical degree program, two-year academic transfer  
37 program, or freshman and sophomore courses of a baccalaureate program  
38 or baccalaureate degree, must recognize the equivalencies of at least

1 one year of course credit and maximize the application of the credits  
2 toward lower division general education requirements that can be earned  
3 through successfully demonstrating proficiency on examinations,  
4 including but not limited to advanced placement and international  
5 baccalaureate examinations. The successful completion of the  
6 examination and the award of credit shall be noted on the student's  
7 college transcript.

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

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

20 (1) State universities, regional universities, and The Evergreen  
21 State College may develop accelerated baccalaureate degree programs  
22 that will allow academically qualified students to obtain a  
23 baccalaureate degree in three years without attending summer classes or  
24 enrolling in more than a full-time class load during the regular  
25 academic year. The programs must allow academically qualified students  
26 to begin coursework within their academic field during their first term  
27 or semester of enrollment.

28 (2) The state universities, regional universities, and The  
29 Evergreen State College shall report on their plans for the accelerated  
30 baccalaureate degree programs to the ((higher education coordinating  
31 board)) student achievement council for approval.

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

34 (1) The boards of regents of the state universities, the boards of  
35 trustees of the regional universities and of The Evergreen State

1 College, the state board for community and technical colleges, and the  
2 (~~higher education coordinating board~~) student achievement council are  
3 authorized and empowered:

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

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

28 (c) To pay only to those persons who participate in an annuity or  
29 retirement income plan under (a) of this subsection prior to July 1,  
30 2011, or to his or her designated beneficiary(s), each year after his  
31 or her retirement, a supplemental amount which, when added to the  
32 amount of such annuity or retirement income plan, or retirement income  
33 benefit pursuant to RCW 28B.10.415, received by the retired person or  
34 the retired person's designated beneficiary(s) in such year, will not  
35 exceed fifty percent of the average annual salary paid to such retired  
36 person for his or her highest two consecutive years of full-time  
37 service under an annuity or retirement income plan established pursuant  
38 to (a) of this subsection at an institution of higher education:

1 PROVIDED, HOWEVER, That if such retired person prior to retirement  
2 elected a supplemental payment survivors option, any such supplemental  
3 payments to such retired person or the retired person's designated  
4 beneficiary(s) shall be at actuarially reduced rates: PROVIDED  
5 FURTHER, That if a faculty member or other employee of an institution  
6 of higher education who is a participant in a retirement plan  
7 authorized by this section dies, or has died before retirement but  
8 after becoming eligible for retirement on account of age, the  
9 designated beneficiary(s) shall be entitled to receive the supplemental  
10 payment authorized by this subsection to which such designated  
11 beneficiary(s) would have been entitled had said deceased faculty  
12 member or other employee retired on the date of death after electing a  
13 supplemental payment survivors option: PROVIDED FURTHER, That for the  
14 purpose of this subsection, the designated beneficiary(s) shall be (i)  
15 the surviving spouse of the retiree; or, (ii) with the written consent  
16 of such spouse, if any, such other person or persons as shall have an  
17 insurable interest in the retiree's life and shall have been nominated  
18 by written designation duly executed and filed with the retiree's  
19 institution of higher education.

20 (2) Boards are prohibited from offering a purchased annuity or  
21 retirement income plan authorized under this section to employees hired  
22 on or after July 1, 2011, who have retired or are eligible to retire  
23 from a public employees' retirement system described in RCW 41.50.030.  
24 The (~~higher education coordinating board~~) student achievement council  
25 shall only offer participation in a purchased annuity or retirement  
26 income plan authorized under this section to employees who have  
27 previously contributed premiums to a similar qualified plan.

28 (3) During the 2011 legislative interim, the select committee on  
29 pension policy shall evaluate the suitability and necessity of the  
30 annuity and retirement plans authorized under this chapter for  
31 employees in various positions within higher education institutions.  
32 The select committee shall report its findings, including any  
33 recommendations for restrictions on future plan membership, to the ways  
34 and means committees of the house of representatives and the senate no  
35 later than December 31, 2011.

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

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

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

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

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

30 The boards of regents of the state universities, the boards of  
31 trustees of the regional universities and of The Evergreen State  
32 College, the ((~~higher education coordinating board~~)) student  
33 achievement council, or the state board for community and technical  
34 colleges shall not pay any amount to be added to the annuity or  
35 retirement income plan of any retired person who was first hired on or  
36 after July 1, 2011, or who has served for less than ten years in one or

1 more of the state institutions of higher education. In the case of  
2 persons who have served more than ten years but less than twenty-five  
3 years no amount shall be paid in excess of four percent of the amount  
4 authorized in RCW 28B.10.400(1)(c), multiplied by the number of years  
5 of full-time service rendered by such person: PROVIDED, That credit  
6 for years of service at an institution of higher education shall be  
7 limited to those years in which contributions were made by a faculty  
8 member or other employee designated pursuant to RCW 28B.10.400(1)(a)  
9 and the institution or the state as a result of which a benefit is  
10 being received by a retired person from any Washington state public  
11 retirement plan: PROVIDED FURTHER, That all such benefits that a  
12 retired person is eligible to receive shall reduce any supplementation  
13 payments provided for in RCW 28B.10.400.

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

16 (1) For employees who are first employed by an institution of  
17 higher education in a position eligible for participation in an old age  
18 annuities or retirement income plan under this chapter prior to July 1,  
19 2011, it is the intent of RCW 28B.10.400, 28B.10.405, 28B.10.410,  
20 28B.10.415, 28B.10.420, and 28B.10.423 that the retirement income  
21 resulting from the contributions described herein from the state of  
22 Washington and the employee shall be projected actuarially so that it  
23 shall not exceed sixty percent of the average of the highest two  
24 consecutive years salary. Periodic review of the retirement systems  
25 established pursuant to RCW 28B.10.400, 28B.10.405, 28B.10.410,  
26 28B.10.415, 28B.10.420, and 28B.10.423 will be undertaken at such time  
27 and in such manner as determined by the committees on ways and means of  
28 the senate and of the house of representatives, the select committee on  
29 pension policy, and the pension funding council, and joint contribution  
30 rates will be adjusted if necessary to accomplish this intent.

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

36 (3) By June 30, 2013, and every two years thereafter, each  
37 institution of higher education that is responsible for payment of

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

21 (4)(a) A higher education retirement plan supplemental benefit fund  
22 is created in the custody of the state treasurer for the purpose of  
23 funding future benefit obligations of higher education retirement plan  
24 supplemental benefits. The state investment board has the full power  
25 to invest, reinvest, manage, contract, sell, or exchange investment  
26 money in the fund.

27 (b) From January 1, 2012, through June 30, 2013, an employer  
28 contribution rate of one-quarter of one percent of salary is  
29 established to begin prefunding the unfunded future obligations of the  
30 supplemental benefit established in RCW 28B.10.400.

31 (c) Beginning July 1, 2013, an employer contribution rate of one-  
32 half of one percent of salary is established to prefund the unfunded  
33 future obligations of the supplemental benefit established in RCW  
34 28B.10.400.

35 (d) Consistent with chapter 41.50 RCW, the department of retirement  
36 systems shall collect the employer contribution rates established in  
37 this section from each state institution of higher education, and  
38 deposit those contributions into the higher education retirement plan

1 supplemental benefit fund. The contributions made by each employer  
2 into the higher education retirement plan supplemental benefit fund and  
3 the earnings on those contributions shall be accounted for separately  
4 within the fund.

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

8 (i) Adopt and make changes to the employer contribution rates  
9 established in this subsection consistent with the procedures  
10 established in chapter 41.45 RCW. If the actuarial valuations of the  
11 higher education retirement plans of each institution contributing to  
12 the higher education retirement plan supplemental benefit fund suggest  
13 that different contribution rates are appropriate for each institution,  
14 different rates may be adopted. Rates adopted by the pension funding  
15 council are subject to revision by the legislature;

16 (ii) Recommend legislation that will, upon accumulation of  
17 sufficient funding in the higher education retirement plan supplemental  
18 benefit fund, transfer the responsibility for making supplemental  
19 benefit payments to the department of retirement systems, and adjust  
20 employer contribution rates to reflect the transfer of responsibility.

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

23 The participation rate used to calculate enrollment levels under  
24 RCW 28B.10.776 and 28B.10.782 shall be based on fall enrollment  
25 reported in the higher education enrollment report as maintained by the  
26 office of financial management, fall enrollment as reported in the  
27 management information system of the state board for community and  
28 technical colleges, and the corresponding fall population forecast by  
29 the office of financial management. Formal estimates of the state  
30 participation rates and enrollment levels necessary to fulfill the  
31 requirements of RCW 28B.10.776 and 28B.10.782 shall be determined by  
32 the office of financial management as part of its responsibility to  
33 develop and maintain student enrollment forecasts for colleges and  
34 universities under RCW 43.62.050. Formal estimates of the state  
35 participation rates and enrollment levels required by this section  
36 shall be based on procedures and standards established by a technical  
37 work group consisting of staff from the (~~higher education coordinating~~

1 ~~board~~) student achievement council, the public four-year institutions  
2 of higher education, the state board for community and technical  
3 colleges, the fiscal and higher education committees of the house of  
4 representatives and the senate, and the office of financial management.  
5 Formal estimates of the state participation rates and enrollment levels  
6 required by this section shall be submitted to the fiscal committees of  
7 the house of representatives and senate on or before November 15th of  
8 each even-numbered year. The (~~higher education coordinating board~~)  
9 student achievement council shall periodically review the enrollment  
10 goals set forth in RCW 28B.10.776 and 28B.10.782 and submit  
11 recommendations concerning modification of these goals to the governor  
12 and to the higher education committees of the house of representatives  
13 and the senate.

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

16 Washington residents attending any nonprofit college or university  
17 in another state which has a reciprocity agreement with the state of  
18 Washington shall be eligible for the student financial aid program  
19 outlined in chapter 28B.92 RCW if (1) they qualify as a "needy student"  
20 under RCW 28B.92.030(~~(+5)~~) (4), and (2) the institution attended is a  
21 member institution of an accrediting association recognized by rule of  
22 the (~~office of student financial assistance~~) student achievement  
23 council for the purposes of this section and is specifically  
24 encompassed within or directly affected by such reciprocity agreement  
25 and agrees to and complies with program rules and regulations  
26 pertaining to such students and institutions adopted pursuant to RCW  
27 28B.92.150.

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

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

33 (1) The term "needy student" shall mean a student enrolled or  
34 accepted for enrollment at a postsecondary institution who, according  
35 to a system of need analysis approved by the office of student

1 financial assistance, demonstrates a financial inability, either  
2 parental, familial, or personal, to bear the total cost of education  
3 for any semester or quarter.

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

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

15 (1) By September 1st of each year beginning in 2011, the office of  
16 financial management shall report to the governor, the (~~higher~~  
17 ~~education—coordinating—board~~) student achievement council, and  
18 appropriate committees of the legislature with updated estimates of:

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

22 (b) The tuition that represents the sixtieth percentile of resident  
23 undergraduate tuition for similar institutions of higher education in  
24 the global challenge states.

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

33 (3) Institutions of higher education, in collaboration with  
34 relevant student associations, shall aim to have all students who can  
35 benefit from available tax credits that mitigate the costs of higher  
36 education take advantage of these opportunities. These tax credits

1 include the American opportunity tax credit provided in the American  
2 recovery and reinvestment act of 2009, the lifetime learning credit,  
3 and other relevant tax credits for as long as they are available.

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

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

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

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

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

26 (b) Report to the governor and the relevant committees of the  
27 legislature on their plans to adjust their tuition mitigation plans no  
28 later than ninety days after any such change to the American  
29 opportunity tax credit.

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

32 (1) Beginning with the 2007-08 academic year and ending with the  
33 2016-17 academic year, tuition fees charged to full-time resident  
34 undergraduate students, except in academic years 2009-10 and 2010-11,  
35 may increase no greater than seven percent over the previous academic  
36 year in any institution of higher education. Annual reductions or  
37 increases in full-time tuition fees for resident undergraduate students

1 shall be as provided in the omnibus appropriations act, within the  
2 seven percent increase limit established in this section. For academic  
3 years 2009-10 and 2010-11 the omnibus appropriations act may provide  
4 tuition increases greater than seven percent. To the extent that state  
5 appropriations combined with tuition and fee revenues are insufficient  
6 to achieve the total per-student funding goals established in  
7 subsection (2) of this section, the legislature may revisit state  
8 appropriations, authorized enrollment levels, and changes in tuition  
9 fees for any given fiscal year. In order to facilitate the full  
10 implementation of chapter 10, Laws of 2011 1st sp. sess. for the  
11 2011-12 academic year and thereafter, the institutions of higher  
12 education are authorized to adopt tuition levels that are less than,  
13 equal to, or greater than the tuition levels assumed in the omnibus  
14 appropriations act, subject to the conditions and limitations in this  
15 chapter and the omnibus appropriations act.

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~~) student achievement council, and  
4 appropriate committees of the legislature with updated estimates of the  
5 total per-student funding level that represents the sixtieth percentile  
6 of funding for comparable institutions of higher education in the  
7 global challenge states, and the progress toward that goal that was  
8 made for each of the public 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. 520.** RCW 28B.15.102 and 2011 1st sp.s. c 10 s 6 are each  
23 amended to read as follows:

24 (1) Beginning with the 2011-12 academic year, any four-year  
25 institution of higher education that increases tuition beyond levels  
26 assumed in the omnibus appropriations act is subject to the financial  
27 aid requirements included in this section and shall remain subject to  
28 these requirements through the 2018-19 academic year.

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

35 (a) Subtract from the full-time tuition fees an amount that is  
36 equal to the maximum amount of a state need grant award that would be  
37 given to an eligible student with a family income at or below fifty

1 percent of the state's median family income as determined by the  
2 (~~higher education coordinating board~~) student achievement council;  
3 and

4 (b) Offset the remainder as follows:

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

12 (ii) Students with demonstrated need whose family incomes are  
13 greater than fifty percent and no more than seventy percent of the  
14 state's median family income shall receive financial aid equal to  
15 seventy-five percent of the remainder if an institution's full-time  
16 tuition fees for resident undergraduate students is ten percent or  
17 greater of the state's median family income for a family of four as  
18 provided by the (~~higher education coordinating board~~) student  
19 achievement council;

20 (iii) Students with demonstrated need whose family incomes exceed  
21 seventy percent and are less than one hundred percent of the state's  
22 median family income shall receive financial aid equal to fifty percent  
23 of the remainder if an institution's full-time tuition fees for  
24 resident undergraduate students is fifteen percent or greater of the  
25 state's median family income for a family of four as provided by the  
26 (~~higher education coordinating board~~) student achievement council;  
27 and

28 (iv) Students with demonstrated need whose family incomes are at or  
29 exceed one hundred percent and are no more than one hundred twenty-five  
30 percent of the state's median family income shall receive financial aid  
31 equal to twenty-five percent of the remainder if an institution's  
32 full-time tuition fees for resident undergraduate students is twenty  
33 percent or greater of the state's median family income for a family of  
34 four as provided by the (~~higher education coordinating board~~) student  
35 achievement council.

36 (3) The financial aid required in subsection (2) of this section  
37 shall:

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

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

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

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

6 (a) Tuition revenue or locally held funds;

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

10 (c) Local financial aid programs.

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

14 (6) By August 15, 2012, and August 15th every year thereafter,  
15 four-year institutions of higher education shall report to the governor  
16 and relevant committees of the legislature on the effectiveness of the  
17 various sources and methods of financial aid in mitigating tuition  
18 increases. A key purpose of these reports is to provide information  
19 regarding the results of the decision to grant tuition-setting  
20 authority to the four-year institutions of higher education and whether  
21 tuition setting authority should continue to be granted to the  
22 institutions or revert back to the legislature after consideration of  
23 the impacts on students, including educational access, affordability,  
24 and quality. These reports shall include:

25 (a) The amount of additional financial aid provided to middle-  
26 income and low-income students with demonstrated need in the aggregate  
27 and per student;

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

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

35 (d) In cases where tuition increases are greater than those assumed  
36 in the omnibus appropriations act at any four-year institution of  
37 higher education, the institution must include an explanation in its

1 report of why this increase was necessary and how the institution will  
2 mitigate the effects of the increase. The institution must include in  
3 this section of its report a plan and specific timelines; and

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

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

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

13 (iii) Above one hundred twenty-five percent of the median family  
14 income.

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

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

23 (1) An institution of higher education shall not grant any waivers  
24 for the purpose of achieving gender equity until the 1991-92 academic  
25 year, and may grant waivers for the purpose of achieving gender equity  
26 in intercollegiate athletic programs as authorized in RCW 28B.15.740,  
27 for the 1991-92 academic year only if the institution's governing board  
28 has adopted a plan for complying with the provisions of RCW 28B.15.455  
29 and submitted the plan to the (~~higher education coordinating board~~)  
30 student achievement council.

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

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

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

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

15 (a) For any institution with an historically underrepresented  
16 gender class described in subsection (2)(b) of this section, provisions  
17 that ensure that by July 1, 2000, the institution shall provide  
18 athletic opportunities for the underrepresented gender class at a rate  
19 that meets or exceeds the current rate at which that class participates  
20 in high school interscholastic athletics in Washington state not to  
21 exceed the point at which the underrepresented gender class is no  
22 longer underrepresented;

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

27 (c) Activities to be undertaken by the institution to increase  
28 participation rates of any underrepresented gender class in  
29 interscholastic and intercollegiate athletics. These activities may  
30 include, but are not limited to: Sponsoring equity conferences,  
31 coaches clinics and sports clinics; and taking a leadership role in  
32 working with athletic conferences to reduce barriers to participation  
33 by those gender classes in interscholastic and intercollegiate  
34 athletics;

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

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

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

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

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

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

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

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

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

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

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

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

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

32       (1) The legislature finds that access to baccalaureate and graduate  
33 degree programs continues to be limited for residents of north  
34 Snohomish, Island, and Skagit counties. Studies conducted by the state  
35 board for community and technical colleges, the higher education  
36 coordinating board, and the council of presidents confirm that

1 enrollment in higher education compared to demand in this geographic  
2 region lags behind enrollment in other parts of the state, particularly  
3 for upper-division courses leading to advanced degrees.

4 (2) The legislature also finds that access to high employer demand  
5 programs of study is imperative for the state's global competitiveness  
6 and economic prosperity, particularly those degrees in the science,  
7 technology, engineering, and mathematics (STEM) fields that align with  
8 the workforce skill demands of the regional economy, that support the  
9 aerospace industry, and provide skilled undergraduate and  
10 graduate-degree engineers required by the largest employers in the  
11 aerospace industry cluster.

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

17 (4) Management and leadership of the University Center of North  
18 Puget Sound is assigned to Washington State University to meet the  
19 needs of the Everett metropolitan area and the north Snohomish, Island,  
20 and Skagit county region and the state of Washington for baccalaureate  
21 and graduate degrees offered by a state university. The chief  
22 executive officer of the University Center of North Puget Sound is the  
23 director who reports to the president of Washington State University.  
24 The director shall manage the activities and logistics of operating the  
25 center, make policy and planning recommendations to the council in  
26 subsection (5) of this section, and implement decisions of the council.

27 (5)(a) Washington State University and Everett Community College  
28 must collaborate with community leaders, and other four-year  
29 institutions of higher education that offer programs at the University  
30 Center of North Puget Sound to serve the varied interests of students  
31 in the region. To this end, a coordinating and planning council must  
32 be established to be responsible for long-range and strategic planning,  
33 interinstitutional collaboration, collaboration with the community  
34 served, and dispute resolution for the center. The following  
35 individuals shall comprise the coordinating and planning council:

36 (i) The president of Washington State University, or his or her  
37 designee;

1 (ii) The provost of Washington State University, or his or her  
2 designee;

3 (iii) The president of Everett Community College;

4 (iv) Two representatives of two other institutions of higher  
5 education that offer baccalaureate or graduate degree programs at the  
6 center;

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

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

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

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

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

16 (6)(a) Washington State University shall assume leadership of the  
17 center upon completion and approval by the legislature as provided  
18 under (d) of this subsection of a strategic plan for meeting the  
19 academic needs of the region and successful establishment of an  
20 engineering degree program. The strategic plan must build on the  
21 strengths of the institutions, reflecting each institution's mission,  
22 in order to provide the region with the highest standard of educational  
23 programs, research, and service to the community. The strategic plan  
24 must include a multibiennium budget that addresses both operating and  
25 capital expenses required to effectively implement the plan. The  
26 strategic plan shall be developed with the collaboration of the  
27 University Center at Everett Community College and all the institutions  
28 of higher education that provide baccalaureate degrees at the  
29 University Center, and community leaders.

30 (b) Center partners must implement the strategic plan with careful  
31 attention to the academic and professional standards established and  
32 maintained by each institution and by the appropriate accrediting  
33 bodies, and to the historic role of each institution's governing board  
34 in setting policy.

35 (c) The strategic plan must address expansion of the range and  
36 depth of educational opportunities in the region and include strategies  
37 that:

1 (i) Build upon baccalaureate and graduate degree offerings at the  
2 center;

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

5 (iii) Meet employers' needs for skilled workers by expanding high  
6 employer demand programs of study as defined in RCW 28B.50.030, with an  
7 initial and ongoing emphasis by Washington State University on  
8 undergraduate and graduate science, technology, mathematics, and  
9 engineering degree programs, including a variety of engineering  
10 disciplines such as civil, mechanical, aeronautical, and aerospace  
11 manufacturing;

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

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

16 (d) The strategic plan must be completed by December 1, 2012, and  
17 submitted to the legislature for review. The strategic plan shall be  
18 considered approved if the legislature does not take further action on  
19 the strategic plan during the 2013 legislative session. The transfer  
20 of the responsibility for the management and operation of the  
21 University Center of North Puget Sound to Washington State University  
22 must occur by July 1, 2014.

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

27 (b) Each institution shall abide by the guidelines for university  
28 centers adopted by the (~~higher education coordinating board~~) student  
29 achievement council.

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

32 (d) The coordinating council described in subsection (5) of this  
33 section shall establish a process for prioritizing new programs and  
34 revising existing programs that facilitates timeliness of new  
35 offerings, recognizes the internal processes of the proposing  
36 institutions, and addresses each proposal's fit with the needs of the  
37 region.

1 (8)(a) Washington State University shall review center expansion  
2 needs and consider capital facilities funding at least annually.  
3 Washington State University and Everett Community College must  
4 cooperate in preparing funding requests and bond financing for  
5 submission to the legislature on behalf of development at the center,  
6 in accordance with each institution's process and priorities for  
7 advancing legislative requests.

8 (b) Washington State University shall design, construct, and manage  
9 any facility developed at the center. Any facility developed at the  
10 center with Everett Community College capital funding must be designed  
11 by Everett Community College in consultation with Washington State  
12 University. Building construction may be managed by Washington State  
13 University via an interagency agreement which details responsibility  
14 and associated costs. Building operations and management for all  
15 facilities at the center must be governed by the infrastructure and  
16 operating cost allocation method described in subsection (9) of this  
17 section.

18 (9) Washington State University has responsibility for  
19 infrastructure development and maintenance for the center. All  
20 infrastructure operating and maintenance costs are to be shared in what  
21 is deemed to be an equitable and fair manner based on space allocation,  
22 special cost, and other relevant considerations. Washington State  
23 University may make infrastructure development and maintenance  
24 decisions in consultation with the council described in subsection (5)  
25 of this section.

26 (10) In the event that conflict cannot be resolved through the  
27 coordinating council described in subsection (5) of this section the  
28 (~~higher education coordinating board~~) student achievement council  
29 dispute resolution must be employed.

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

32 (1) The primary mission of the higher education branch campuses  
33 created under this chapter remains to expand access to baccalaureate  
34 and graduate education in underserved urban areas of the state in  
35 collaboration with community and technical colleges. The top priority  
36 for each of the campuses is to expand courses and degree programs for  
37 transfer and graduate students. New degree programs should be driven

1 by the educational needs and demands of students and the community, as  
2 well as the economic development needs of local businesses and  
3 employers.

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

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

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

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

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

35 The (~~higher education coordinating board~~) student achievement  
36 council shall monitor and evaluate growth of the branch campuses and  
37 periodically report and make recommendations to the higher education

1 committees of the legislature to ensure the campuses continue to follow  
2 the priorities established under this chapter.

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

5 (1) The University of Washington is responsible for ensuring the  
6 expansion of baccalaureate and graduate educational programs in the  
7 central Puget Sound area under rules or guidelines adopted by the  
8 (~~higher education coordinating board~~) student achievement council and  
9 in accordance with proportionality agreements emphasizing access for  
10 transfer students developed with the state board for community and  
11 technical colleges. The University of Washington shall meet that  
12 responsibility through the operation of at least two branch campuses.  
13 One branch campus shall be located in the Tacoma area. Another branch  
14 campus shall be collocated with Cascadia Community College in the  
15 Bothell-Woodinville area.

16 (2) At the University of Washington Tacoma, a top priority is  
17 expansion of upper division capacity for transfer students and graduate  
18 capacity and programs. 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 shall 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 (~~gradually and deliberately in accordance with the campus  
27 plan submitted to the higher education coordinating board in 2004~~)).

28 (3) At the University of Washington Bothell, a top priority is  
29 expansion of upper division capacity for transfer students and graduate  
30 capacity and programs. The campus shall also seek additional  
31 opportunities to collaborate with and maximize its (~~collocation  
32 [collocation]~~) colocation with Cascadia Community College. Beginning  
33 in the fall of 2006, the campus may offer lower division courses linked  
34 to specific majors in fields not addressed at local community colleges.  
35 The campus may admit lower division students through coadmission or  
36 coenrollment agreements with a community college, or through direct  
37 transfer for students who have accumulated approximately one year of

1 transferable college credits. In addition to offering lower division  
2 courses linked to specific majors as addressed above, the campus may  
3 also directly admit freshmen and sophomores (~~(gradually—and~~  
4 ~~deliberately in accordance with the campus plan submitted to the higher~~  
5 ~~education coordinating board in 2004)~~).

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

8 (1) Washington State University is responsible for providing  
9 baccalaureate and graduate level higher education programs to the  
10 citizens of the Tri-Cities area, under rules or guidelines adopted by  
11 the (~~(higher education coordinating board)~~) student achievement council  
12 and in accordance with proportionality agreements emphasizing access  
13 for transfer students developed with the state board for community and  
14 technical colleges. Washington State University shall meet that  
15 responsibility through the operation of a branch campus in the Tri-  
16 Cities area. The branch campus shall replace and supersede the Tri-  
17 Cities university center. All land, facilities, equipment, and  
18 personnel of the Tri-Cities university center shall be transferred from  
19 the University of Washington to Washington State University.

20 (2) (~~(In 2005, the legislature authorized the expansion on a~~  
21 ~~limited basis of Washington State University's branch campus in the~~  
22 ~~Tri-Cities area. The legislature authorized the Tri-Cities branch~~  
23 ~~campus to continue providing innovative coadmission and coenrollment~~  
24 ~~options with Columbia Basin College, and to expand its upper division~~  
25 ~~capacity for transfer students and graduate capacity and programs. The~~  
26 ~~branch campus was given authority beginning in fall 2006 to offer~~  
27 ~~lower division courses linked to specific majors in fields not~~  
28 ~~addressed at the local community colleges. The campus was also~~  
29 ~~authorized to directly admit freshmen and sophomores for a bachelor's~~  
30 ~~degree program in biotechnology subject to approval by the higher~~  
31 ~~education coordinating board. The legislature finds that the Tri-~~  
32 ~~Cities community is very engaged in and committed to exploring the~~  
33 ~~further expansion of Washington State University Tri-Cities branch~~  
34 ~~campus into a four-year institution and considers this issue to be a~~  
35 ~~top priority for the larger Tri-Cities region.~~

36 (3) ~~Washington State University Tri-Cities shall continue providing~~  
37 ~~innovative coadmission and coenrollment options with Columbia Basin~~

1 College, and expand its upper division capacity for transfer students  
2 and graduate capacity and programs. The campus shall also seek  
3 additional opportunities to collaborate with the Pacific Northwest  
4 national laboratory. Beginning in the fall of 2006, the campus may  
5 offer lower division courses linked to specific majors in fields not  
6 addressed at local community colleges. The campus may admit lower  
7 division students through coadmission or coenrollment agreements with  
8 a community college, or through direct transfer for students who have  
9 accumulated approximately one year of transferable college credits. In  
10 addition to offering lower division courses linked to specific majors  
11 as addressed above, the campus may also directly admit freshmen and  
12 sophomores for a bachelor's degree program in biotechnology subject to  
13 approval by the higher education coordinating board.

14 (4) The Washington State University Tri-Cities branch campus shall  
15 develop a plan for expanding into a four-year institution and shall  
16 identify new degree programs and course offerings focused on areas of  
17 specific need in higher education that exist in southeastern  
18 Washington. The branch campus's plan should examine the resources and  
19 talent available in the Tri-Cities area, including but not limited to  
20 resources and talent available at the Pacific Northwest national  
21 laboratory, and how these resources and talent may best be used by the  
22 Tri-Cities branch campus to expand into a four-year institution. The  
23 branch campus shall submit its plan to the legislature and the higher  
24 education coordinating board by November 30, 2006.

25 (5)) Beginning in the fall of 2007, the Washington State  
26 University Tri-Cities branch campus may ((begin, subject to approval by  
27 the higher education coordinating board, admitting lower division  
28 students directly into programs beyond the biotechnology field that are  
29 identified in its plan as being in high need in southeastern  
30 Washington. Such fields may include but need not be limited to  
31 science, engineering and technology, biomedical sciences, alternative  
32 energy, and computational and information sciences. By gradually and  
33 deliberately admitting freshmen and sophomores in accordance with its  
34 plan, increasing transfer enrollment, and coadmitting transfer  
35 students, the campus shall develop into a four-year institution serving  
36 the southeastern Washington region)) directly admit freshman and  
37 sophomore students.

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

3       (1) Washington State University is responsible for providing  
4 baccalaureate and graduate level higher education programs to the  
5 citizens of the southwest Washington area, under rules or guidelines  
6 adopted by the (~~higher education coordinating board~~) student  
7 achievement council and in accordance with proportionality agreements  
8 emphasizing access for transfer students developed with the state board  
9 for community and technical colleges. Washington State University  
10 shall meet that responsibility through the operation of a branch campus  
11 in the southwest Washington area.

12       (2) Washington State University Vancouver shall expand upper  
13 division capacity for transfer students and graduate capacity and  
14 programs and continue to collaborate with local community colleges on  
15 coadmission and coenrollment programs. In addition, beginning in the  
16 fall of 2006, the campus may admit lower division students directly.  
17 By simultaneously admitting freshmen and sophomores, increasing  
18 transfer enrollment, coadmitting transfer students, and expanding  
19 graduate and professional programs, the campus shall develop into a  
20 four-year institution serving the southwest Washington region.

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

23       The (~~higher education coordinating board~~) state board for  
24 community and technical colleges and the student achievement council  
25 shall adopt performance measures to ensure a collaborative partnership  
26 between the community and technical colleges and the branch campuses.  
27 The partnership shall be one in which the community and technical  
28 colleges prepare students for transfer to the upper-division programs  
29 of the branch campuses and the branch campuses work with community and  
30 technical colleges to enable students to transfer and obtain degrees  
31 efficiently.

32       **Sec. 529.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and  
33 2009 c 64 s 3 are each reenacted and amended to read as follows:

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

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

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

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

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

22 (3) "Board" means the workforce training and education coordinating  
23 board.

24 (4) "Board of trustees" means the local community and technical  
25 college board of trustees established for each college district within  
26 the state.

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

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

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

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

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

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

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

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

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

35 (14) "High employer demand program of study" means an  
36 apprenticeship, or an undergraduate or graduate certificate or degree  
37 program in which the number of students prepared for employment per

1 year from in-state institutions is substantially less than the number  
2 of projected job openings per year in that field, statewide or in a  
3 substate region.

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

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

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

12 (a) Washington public community and technical colleges;

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

17 (c) Washington state apprenticeship and training council-approved  
18 apprenticeship programs.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

33 Each board of trustees:

34 (1) Shall operate all existing community and technical colleges in  
35 its district;

36 (2) Shall create comprehensive programs of community and technical

1 college education and training and maintain an open-door policy in  
2 accordance with the provisions of RCW 28B.50.090(3);

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

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

25 (5) May establish or lease, operate, equip and maintain  
26 dormitories, food service facilities, bookstores and other self-  
27 supporting facilities connected with the operation of the community and  
28 technical college;

29 (6) May, with the approval of the college board, borrow money and  
30 issue and sell revenue bonds or other evidences of indebtedness for the  
31 construction, reconstruction, erection, equipping with permanent  
32 fixtures, demolition and major alteration of buildings or other capital  
33 assets, and the acquisition of sites, rights-of-way, easements,  
34 improvements or appurtenances, for dormitories, food service  
35 facilities, and other self-supporting facilities connected with the  
36 operation of the community and technical college in accordance with the  
37 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

1 (7) May establish fees and charges for the facilities authorized  
2 hereunder, including reasonable rules and regulations for the  
3 government thereof, not inconsistent with the rules of the college  
4 board; each board of trustees operating a community and technical  
5 college may enter into agreements, subject to rules of the college  
6 board, with owners of facilities to be used for housing regarding the  
7 management, operation, and government of such facilities, and any board  
8 entering into such an agreement may:

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

11 (b) Employ necessary employees to govern, manage and operate the  
12 same;

13 (8) May receive such gifts, grants, conveyances, devises and  
14 bequests of real or personal property from private sources, as may be  
15 made from time to time, in trust or otherwise, whenever the terms and  
16 conditions thereof will aid in carrying out the community and technical  
17 college programs as specified by law and the rules of the state college  
18 board; sell, lease or exchange, invest or expend the same or the  
19 proceeds, rents, profits and income thereof according to the terms and  
20 conditions thereof; and adopt rules to govern the receipt and  
21 expenditure of the proceeds, rents, profits and income thereof;

22 (9) May establish and maintain night schools whenever in the  
23 discretion of the board of trustees it is deemed advisable, and  
24 authorize classrooms and other facilities to be used for summer or  
25 night schools, or for public meetings and for any other uses consistent  
26 with the use of such classrooms or facilities for community and  
27 technical college purposes;

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

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

34 (12) May grant to every student, upon graduation or completion of  
35 a course of study, a suitable diploma, degree, or certificate under the  
36 rules of the state board for community and technical colleges that are  
37 appropriate to their mission. The purposes of these diplomas,  
38 certificates, and degrees are to lead individuals directly to

1 employment in a specific occupation or prepare individuals for a  
2 bachelor's degree or beyond. Technical colleges may only offer  
3 transfer degrees that prepare students for bachelor's degrees in  
4 professional fields, subject to rules adopted by the college board. In  
5 adopting rules, the college board, where possible, shall create  
6 consistency between community and technical colleges and may address  
7 issues related to tuition and fee rates; tuition waivers; enrollment  
8 counting, including the use of credits instead of clock hours; degree  
9 granting authority; or any other rules necessary to offer the associate  
10 degrees that prepare students for transfer to bachelor's degrees in  
11 professional areas. Only ((pilot)) colleges under RCW 28B.50.810 may  
12 award baccalaureate degrees. The board, upon recommendation of the  
13 faculty, may also confer honorary associate of arts degrees upon  
14 persons other than graduates of the community college, in recognition  
15 of their learning or devotion to education, literature, art, or  
16 science. No degree may be conferred in consideration of the payment of  
17 money or the donation of any kind of property;

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

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

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

36 (16) Notwithstanding any other provision of law, may offer  
37 educational services on a contractual basis other than the tuition and  
38 fee basis set forth in chapter 28B.15 RCW for a special fee to private

1 or governmental entities, consistent with rules adopted by the state  
2 board for community and technical colleges: PROVIDED, That the whole  
3 of such special fee shall go to the college district and be not less  
4 than the full instructional costs of such services including any salary  
5 increases authorized by the legislature for community and technical  
6 college employees during the term of the agreement: PROVIDED FURTHER,  
7 That enrollments generated hereunder shall not be counted toward the  
8 official enrollment level of the college district for state funding  
9 purposes;

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

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

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

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

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

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

11 (1) The college board may select community or technical colleges to  
12 develop and offer programs of study leading to applied baccalaureate  
13 degrees. Colleges may submit applications to the college board. The  
14 college board and the (~~higher education coordinating board~~) student  
15 achievement council shall review the applications and select the  
16 colleges using objective criteria, including, but not limited to:

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

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

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

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

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

31 (2) A college selected under this section may develop the  
32 curriculum for and design and deliver courses leading to an applied  
33 baccalaureate degree. However, degree programs developed under this  
34 section are subject to approval by the college board under RCW  
35 28B.50.090 (~~and by the higher education coordinating board under RCW~~  
36 ~~28B.76.230 before a college may enroll students in upper division~~  
37 ~~courses~~)).

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

3           (1) One strategy to accomplish expansion of baccalaureate capacity  
4 in underserved regions of the state is to allocate state funds for  
5 student enrollment to a community and technical college and authorize  
6 the college to enter into agreements with a state university, regional  
7 university, or state college as defined in RCW 28B.10.016 (~~(or a branch~~  
8 ~~campus under chapter 28B.45 RCW)~~), to offer baccalaureate degree  
9 programs.

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

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

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

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

27           (1) The Washington high-technology coordinating board is hereby  
28 created.

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

30           (a) Eleven shall be citizen members appointed by the governor, with  
31 the consent of the senate, for four-year terms. In making the  
32 appointments the governor shall ensure that a balanced geographic  
33 representation of the state is achieved and shall attempt to choose  
34 persons experienced in high-technology fields, including at least one  
35 representative of labor. Any person appointed to fill a vacancy  
36 occurring before a term expires shall be appointed only for the  
37 remainder of that term; and

1 (b) Seven of the members shall be as follows: One representative  
2 from each of the state's two research universities, one representative  
3 of the state college and regional universities, the director for the  
4 state system of community and technical colleges or the director's  
5 designee, the superintendent of public instruction or the  
6 superintendent's designee, (~~a representative of the higher education~~  
7 ~~coordinating board~~) the executive director of the student achievement  
8 council, or the executive director's designee, and the director of the  
9 department of (~~community, trade, and economic development~~) commerce  
10 or the director's designee.

11 (3) Members of the board shall not receive any salary for their  
12 services, but shall be reimbursed for travel expenses under RCW  
13 43.03.050 and 43.03.060 for each day actually spent in attending to  
14 duties as a member of the board.

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

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

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

22 (2) The board shall:

23 (a) Determine the specific high-technology occupational fields in  
24 which technical training is needed and advise the institutions of  
25 higher education and the (~~higher education coordinating board~~)  
26 student achievement council on their findings;

27 (b) Identify economic areas and high-technology industries in need  
28 of technical training and research and development critical to economic  
29 development and advise the institutions of higher education and the  
30 (~~higher education coordinating board~~) student achievement council on  
31 their findings;

32 (c) Oversee and coordinate the Washington high-technology education  
33 and training program to ensure high standards, efficiency, and  
34 effectiveness;

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

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

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

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

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

16           (~~i~~) (h) Establish and maintain a plan, including priorities, to  
17 guide high-technology program development in public institutions of  
18 higher education, which plan shall include an assessment of current  
19 high-technology programs, steps to increase existing programs, new  
20 initiatives and programs necessary to promote high technology, and  
21 methods to coordinate and target high-technology programs to changing  
22 market opportunities in business and industry.

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

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

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

29           (1) The (~~higher education coordinating board~~) council must  
30 convene work groups to develop transfer associate degrees that will  
31 satisfy lower division requirements at public four-year institutions of  
32 higher education for specific academic majors. Work groups must  
33 include representatives from the state board for community and  
34 technical colleges and the council of presidents, as well as faculty  
35 from two and four-year institutions. Work groups may include  
36 representatives from independent four-year institutions.

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

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

11 (4) During the 2004-05 academic year, the work groups must develop  
12 transfer degrees for elementary education, engineering, and nursing.  
13 (~~Each year thereafter, the higher education coordinating board~~) As  
14 necessary based on demand or identified need, the council must convene  
15 additional groups to identify and develop additional transfer degrees.  
16 The (~~board~~) council must give priority to majors in high demand by  
17 transfer students and majors that the general direct transfer agreement  
18 associate degree does not adequately prepare students to enter  
19 automatically upon transfer.

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

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

29 (7) Beginning January 10, 2005, the (~~higher education coordinating~~  
30 ~~board~~) council must submit a progress report on the development of  
31 transfer associate degrees to the higher education committees of the  
32 house of representatives and the senate. The first progress report  
33 must include measurable benchmark indicators to monitor the  
34 effectiveness of the initiatives in improving transfer and baseline  
35 data for those indicators before the implementation of the initiatives.  
36 Subsequent reports must be submitted by January 10 of each odd-numbered  
37 year and must monitor progress on the indicators, describe development

1 of additional transfer associate degrees, and provide other data on  
2 improvements in transfer efficiency.

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

5 Unless the context clearly requires otherwise, the definitions in  
6 this section apply throughout this chapter:

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

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

14 (3) "Degree-granting institution" means an entity that offers  
15 educational credentials, instruction, or services prerequisite to or  
16 indicative of an academic or professional degree beyond the secondary  
17 level.

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

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

21 (a) Shall adopt by rule, in accordance with chapter 34.05 RCW,  
22 minimum standards for degree-granting institutions concerning granting  
23 of degrees, quality of education, unfair business practices, financial  
24 stability, and other necessary measures to protect citizens of this  
25 state against substandard, fraudulent, or deceptive practices. The  
26 rules shall require that an institution operating in Washington:

27 (i) Be accredited;

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

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

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

34 (b) May investigate any entity the (~~(board)~~) council reasonably  
35 believes to be subject to the jurisdiction of this chapter. In  
36 connection with the investigation, the (~~(board)~~) council may administer

1 oaths and affirmations, issue subpoenas and compel attendance, take  
2 evidence, and require the production of any books, papers,  
3 correspondence, memorandums, or other records which the ((~~board~~))  
4 council deems relevant or material to the investigation. The ((~~board~~))  
5 council, including its staff and any other authorized persons, may  
6 conduct site inspections, the cost of which shall be borne by the  
7 institution, and examine records of all institutions subject to this  
8 chapter;

9 (c) Shall develop an interagency agreement with the workforce  
10 training and education coordinating board to regulate degree-granting  
11 private vocational schools with respect to degree and nondegree  
12 programs; and

13 (d) Shall develop and disseminate information to the public about  
14 entities that sell or award degrees without requiring appropriate  
15 academic achievement at the postsecondary level, including but not  
16 limited to, a description of the substandard and potentially fraudulent  
17 practices of these entities, and advice about how the public can  
18 recognize and avoid the entities. To the extent feasible, the  
19 information shall include links to additional resources that may assist  
20 the public in identifying specific institutions offering substandard or  
21 fraudulent degree programs.

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

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

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

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

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

3       (1) An institution or person shall not advertise, offer, sell, or  
4 award a degree or any other type of educational credential unless the  
5 student has enrolled in and successfully completed a prescribed program  
6 of study, as outlined in the institution's publications. This  
7 prohibition shall not apply to honorary credentials clearly designated  
8 as such on the front side of the diploma or certificate and awarded by  
9 institutions offering other educational credentials in compliance with  
10 state law.

11       (2) No exemption or waiver granted under this chapter is permanent.  
12 The ((~~board~~)) council shall periodically review exempted degree-  
13 granting institutions and degree-granting institutions granted a  
14 waiver, and continue exemptions or waivers only if an institution meets  
15 the statutory or ((~~board~~)) council requirements for exemption or waiver  
16 in effect on the date of the review.

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

19       (a) Any public college, university, community college, technical  
20 college, or institute operating as part of the public higher  
21 educational system of this state;

22       (b) Institutions that have been accredited by an accrediting  
23 association recognized by the ((~~agency~~)) council for the purposes of  
24 this chapter: PROVIDED, That those institutions meet minimum exemption  
25 standards adopted by the ((~~agency~~)) council; and PROVIDED FURTHER, That  
26 an institution, branch, extension, or facility operating within the  
27 state of Washington which is affiliated with an institution operating  
28 in another state must be a separately accredited member institution of  
29 any such accrediting association to qualify for this exemption;

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

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

37       (e) Institutions not otherwise exempt which offer only workshops or

1 seminars and institutions offering only credit-bearing workshops or  
2 seminars lasting no longer than three calendar days.

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

5 All degree-granting institutions subject to this chapter shall file  
6 information with the ((~~board~~)) council as the ((~~board~~)) council may  
7 require.

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

10 The ((~~board~~)) council shall impose fees on any degree-granting  
11 institution authorized to operate under this chapter. Fees shall be  
12 set and revised by the ((~~board~~)) council by rule at the level necessary  
13 to approximately recover the staffing costs incurred in administering  
14 this chapter. Fees shall be deposited in the general fund.

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

17 (1) The ((~~board~~)) council may require any degree-granting  
18 institution to have on file with the ((~~board~~)) council an approved  
19 surety bond or other security in lieu of a bond in an amount determined  
20 by the ((~~board~~)) council.

21 (2) In lieu of a surety bond, an institution may deposit with the  
22 ((~~board~~)) council a cash deposit or other negotiable security  
23 acceptable to the ((~~board~~)) council. The security deposited with the  
24 ((~~board~~)) council in lieu of the surety bond shall be returned to the  
25 institution one year after the institution's authorization has expired  
26 or been revoked if legal action has not been instituted against the  
27 institution or the security deposit at the expiration of the year. The  
28 obligations and remedies relating to surety bonds authorized by this  
29 section, including but not limited to the settlement of claims  
30 procedure in subsection (5) of this section, shall apply to deposits  
31 filed with the ((~~board~~)) council, as applicable.

32 (3) Each bond shall:

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

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

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

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

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

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

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

22 (a) The ((~~board~~)) council shall attempt to notify all potential  
23 claimants. If the absence of records or other circumstances makes it  
24 impossible or unreasonable for the ((~~board~~)) council to ascertain the  
25 names and addresses of all the claimants, the ((~~board~~)) council after  
26 exerting due diligence and making reasonable inquiry to secure that  
27 information from all reasonable and available sources, may make a  
28 demand on a bond on the basis of information in the ((~~board's~~))  
29 council's possession. The ((~~board~~)) council is not liable or  
30 responsible for claims or the handling of claims that may subsequently  
31 appear or be discovered.

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

36 (c) After reviewing the claims, the ((~~board~~)) council may make  
37 demands upon the bond on behalf of those claimants whose claims have

1 been filed. The ((~~board~~)) council may settle or compromise the claims  
2 with the surety and may execute and deliver a release and discharge of  
3 the bond.

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

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

11 (6) The liability of the surety shall not exceed the amount of the  
12 bond.

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

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

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

20 (2) The education to be offered addresses a substantial,  
21 demonstrated need among residents of the state or that literal  
22 application of this chapter would cause a manifestly unreasonable  
23 hardship.

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

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

32 (2) The ((~~board~~)) council shall investigate any complaint under  
33 this section and may attempt to bring about a settlement. The  
34 ((~~board~~)) council may hold a hearing pursuant to the Administrative  
35 Procedure Act, chapter 34.05 RCW, in order to determine whether a

1 violation has occurred. If the ((~~board~~)) council prevails, the degree-  
2 granting institution shall pay the costs of the administrative hearing.

3 (3) If, after the hearing, the ((~~board~~)) council finds that the  
4 institution or its agent engaged in or is engaging in any unfair  
5 business practice, the ((~~board~~)) council shall issue and cause to be  
6 served upon the violator an order requiring the violator to cease and  
7 desist from the act or practice and may impose the penalties under RCW  
8 28B.85.100. If the ((~~board~~)) council finds that the complainant has  
9 suffered loss as a result of the act or practice, the ((~~board~~)) council  
10 may order full or partial restitution for the loss. The complainant is  
11 not bound by the ((~~board's~~)) council's determination of restitution and  
12 may pursue any other legal remedy.

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

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

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

24 If any degree-granting institution discontinues its operation, the  
25 chief administrative officer of the institution shall file with the  
26 ((~~board~~)) council the original or legible true copies of all  
27 educational records required by the ((~~board~~)) council. If the  
28 ((~~board~~)) council determines that any educational records are in danger  
29 of being made unavailable to the ((~~board~~)) council, the ((~~board~~))  
30 council may seek a court order to protect and if necessary take  
31 possession of the records. The ((~~board~~)) council shall cause to be  
32 maintained a permanent file of educational records coming into its  
33 possession.

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

1       The ((~~board~~)) council may seek injunctive relief, after giving  
2 notice to the affected party, in a court of competent jurisdiction for  
3 a violation of this chapter or the rules adopted under this chapter.  
4 The ((~~board~~)) council need not allege or prove that the ((~~board~~))  
5 council has no adequate remedy at law. The right of injunction  
6 provided in this section is in addition to any other legal remedy which  
7 the ((~~board~~)) council has and is in addition to any right of criminal  
8 prosecution provided by law. The existence of ((~~board~~)) council action  
9 with respect to alleged violations of this chapter and rules adopted  
10 under this chapter does not operate as a bar to an action for  
11 injunctive relief under this section.

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

14       Unless the context clearly requires otherwise, the definitions in  
15 this section apply throughout this chapter.

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

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

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

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

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

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

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

35       (a) Is either owned and operated directly by a foreign degree-  
36 granting institution or indirectly through a Washington profit or

1 nonprofit corporation in which the foreign degree-granting institution  
2 is the sole or controlling shareholder or member; and

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

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

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

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

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

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

18 A foreign degree-granting institution that submits evidence  
19 satisfactory to the (~~(board)~~) council of its authorized status in its  
20 country of domicile and its intent to establish an educational facility  
21 in the state is entitled to operate a branch campus as defined in RCW  
22 28B.90.010. Upon receipt of the satisfactory evidence, the (~~(board)~~)  
23 council may certify that the branch campus of the foreign degree-  
24 granting institution is approved to operate in the state under this  
25 chapter, for as long as the foreign degree-granting institution retains  
26 its authorized status in its country of domicile.

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

29 A branch campus of a foreign degree-granting institution previously  
30 found by the (~~(board)~~) council to be exempt from chapter 28B.85 RCW may  
31 continue to operate in the state. However, within one year of July 25,  
32 1993, the institution shall provide evidence of authorization as  
33 required under RCW 28B.90.020. Upon receipt of the satisfactory  
34 evidence, the (~~(board)~~) council shall certify that the branch campus of  
35 the foreign degree-granting institution is approved to operate in the  
36 state under this chapter.

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

3       As used in this chapter:

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

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

12       ((+2)) (3) "Financial aid" means loans and/or grants to needy  
13 students enrolled or accepted for enrollment as a student at  
14 institutions of higher education.

15       ((+3)) (4) "Institution" or "institutions of higher education"  
16 means:

17       (a) Any public university, college, community college, or technical  
18 college operated by the state of Washington or any political  
19 subdivision thereof; or

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

1 ((+4)) (5) "Needy student" means a posthigh school student of an  
2 institution of higher education who demonstrates to the ((board))  
3 office the financial inability, either through the student's parents,  
4 family and/or personally, to meet the total cost of board, room, books,  
5 and tuition and incidental fees for any semester or quarter. "Needy  
6 student" also means an opportunity internship graduate as defined by  
7 RCW 28C.18.162 who enrolls in a postsecondary program of study as  
8 defined in RCW 28C.18.162 within one year of high school graduation.

9 ((+5)) (6) "Office" means the office of student financial  
10 assistance.

11 ((+6)) (7) "Placebound student" means a student who (a) is unable  
12 to complete a college program because of family or employment  
13 commitments, health concerns, monetary inability, or other similar  
14 factors; and (b) may be influenced by the receipt of an enhanced  
15 student financial aid award to complete a baccalaureate degree at an  
16 eligible institution.

17 **Sec. 552.** RCW 28B.92.060 and 2011 1st sp.s. c 11 s 162 and 2011  
18 1st sp.s. c 10 s 9 are each reenacted and amended to read as follows:

19 In awarding need grants, the office shall proceed substantially as  
20 follows: PROVIDED, That nothing contained herein shall be construed to  
21 prevent the office, in the exercise of its sound discretion, from  
22 following another procedure when the best interest of the program so  
23 dictates:

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

27 (a) Financial need as determined by the amount of the family  
28 contribution; and

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

32 (2) The financial need of the highest ranked students shall be met  
33 by grants depending upon the evaluation of financial need until the  
34 total allocation has been disbursed. Funds from grants which are  
35 declined, forfeited or otherwise unused shall be reawarded until  
36 disbursed, except that eligible former foster youth shall be assured  
37 receipt of a grant. The ((board)) office, in consultation with four-

1 year institutions of higher education, the council, and the state board  
2 for community and technical colleges, shall develop award criteria and  
3 methods of disbursement based on level of need, and not solely rely on  
4 a first-come, first-served basis.

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

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

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

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

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

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

1 (ii) The student completes the required free application for  
2 federal student aid;

3 (iii) The institution has reviewed the student's financial  
4 condition, and the financial condition of the student's family if the  
5 student is a dependent student, and has determined that the student is  
6 likely eligible for a state need grant; and

7 (iv) The student has signed a document attesting to the fact that  
8 the financial information provided on the free application for federal  
9 student aid and any additional financial information provided directly  
10 to the institution is accurate and complete, and that the student  
11 agrees to repay the institution for the grant amount if the student  
12 submitted false or incomplete information.

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

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

19 Under rules adopted by the (~~board~~) council, the provisions of RCW  
20 28B.92.060(3) shall not apply to eligible students, as defined in RCW  
21 28B.10.017, and eligible students shall not be required to repay the  
22 unused portions of grants received under the state student financial  
23 aid program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27       (3) "Eligible student" means a student who is registered for at  
28 least six credit hours or the equivalent, demonstrates high academic  
29 achievement, is a resident student as defined by RCW 28B.15.012 and  
30 28B.15.013, and has a declared intention to complete an approved  
31 preparation program leading to initial teacher certification or  
32 required for earning an additional endorsement, and commits to teaching  
33 service in the state of Washington.

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

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

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

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

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

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

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

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

18 (12) "Teacher shortage area" means a shortage of elementary or  
19 secondary school teachers in a specific subject area, discipline,  
20 classification, or geographic area as defined by the office of the  
21 superintendent of public instruction.

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

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

26 (1) "Eligible participant" means an international student whose  
27 country of residence has a trade relationship with the state of  
28 Washington.

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

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

34 (4) "Service obligation" means volunteering for a minimum number of  
35 hours as established by the (~~board~~) student achievement council based  
36 on the amount of scholarship award, to speak to or teach groups of

1 Washington citizens, including but not limited to elementary, middle,  
2 and high schools, service clubs, and universities.

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

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

10 In consultation with institutions of higher education, the (~~higher~~  
11 ~~education coordinating board~~) student achievement council shall  
12 develop rules and guidelines to eliminate possible gender  
13 discrimination to students, including sexual harassment, at  
14 institutions of higher education as defined in RCW 28B.10.016. The  
15 rules and guidelines shall include but not be limited to access to  
16 academic programs, student employment, counseling and guidance  
17 services, financial aid, recreational activities including club sports,  
18 and intercollegiate athletics.

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

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

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

25 (c) Provide the same opportunities for advancement to males and  
26 females; and

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

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

32 (3) Counseling and guidance services for students shall be made  
33 available to all students without regard to gender. All academic and  
34 counseling personnel shall be required to stress access to all career  
35 and vocational opportunities to students without regard to gender.

36 (4) All academic programs shall be available to students without  
37 regard to gender.

1 (5) With respect to recreational activities, recreational  
2 activities shall be offered to meet the interests of students.  
3 Institutions which provide the following shall do so with no  
4 disparities based on gender: Equipment and supplies; medical care;  
5 services and insurance; transportation and per diem allowances;  
6 opportunities to receive coaching and instruction; laundry services;  
7 assignment of game officials; opportunities for competition, publicity,  
8 and awards; and scheduling of games and practice times, including use  
9 of courts, gyms, and pools. Each institution which provides showers,  
10 toilets, lockers, or training room facilities for recreational purposes  
11 shall provide comparable facilities for both males and females.

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

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

16 (a) Benefits and services including, but not limited to, equipment  
17 and supplies; medical services; services and insurance; transportation  
18 and per diem allowances; opportunities to receive coaching and  
19 instruction; scholarships and other forms of financial aid;  
20 conditioning programs; laundry services; assignment of game officials;  
21 opportunities for competition, publicity, and awards; and scheduling of  
22 games and practice times, including use of courts, gyms, and pools.  
23 Each institution which provides showers, toilets, lockers, or training  
24 room facilities for athletic purposes shall provide comparable  
25 facilities for both males and females.

26 (b) Opportunities to participate in intercollegiate athletics.  
27 Institutions shall provide equitable opportunities to male and female  
28 students.

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

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

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

36 The executive director of the (~~higher education coordinating~~  
37 ~~board~~) student achievement council, in consultation with the council

1 of presidents and the state board for community and technical colleges,  
2 shall monitor the compliance by institutions of higher education with  
3 this chapter.

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

6 (2) By November 30, 1990, each institution shall submit to the  
7 ((~~board~~)) council for approval a plan to comply with the requirements  
8 of RCW 28B.110.030. The plan shall contain measures to ensure  
9 institutional compliance with the provisions of this chapter by  
10 September 30, 1994. If participation in activities, such as  
11 intercollegiate athletics and matriculation in academic programs is not  
12 proportionate to the percentages of male and female enrollment, the  
13 plan should outline efforts to identify barriers to equal participation  
14 and to encourage gender equity in all aspects of college and university  
15 life.

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

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

21 Unless the context clearly requires otherwise, the definitions in  
22 this section apply throughout this chapter.

23 (1) "Cost of attendance" means the cost associated with the  
24 attendance of the institution of higher education as determined by the  
25 office of student financial assistance, including but not limited to  
26 tuition, room, board, and books.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 **Sec. 562.** RCW 28B.120.010 and 2010 c 245 s 7 are each amended to  
21 read as follows:

22 The Washington fund for innovation and quality in higher education  
23 program is established. The (~~higher education coordinating board~~)  
24 student achievement council shall administer the program and shall work  
25 in close collaboration with the state board for community and technical  
26 colleges and other local and regional entities. Through this program  
27 the (~~higher education coordinating board~~) student achievement council  
28 may award on a competitive basis incentive grants to state public or  
29 private nonprofit institutions of higher education or consortia of  
30 institutions to encourage programs designed to address specific system  
31 problems. Each institution or consortia of institutions receiving the  
32 award shall contribute some financial support, either by covering part  
33 of the costs for the program during its implementation, or by assuming  
34 continuing support at the end of the grant period. Strong priority  
35 will be given to proposals that involve more than one sector of  
36 education. Institutions are encouraged to solicit nonstate funds to  
37 support these cooperative programs.

1           **Sec. 563.** RCW 28B.120.020 and 2011 1st sp.s. c 11 s 235 are each  
2 amended to read as follows:

3           The (~~higher education coordinating board~~) student achievement  
4 council shall have the following powers and duties in administering the  
5 program for those proposals in which a four-year institution of higher  
6 education is named as the lead institution and fiscal agent:

7           (1) To adopt rules necessary to carry out the program;

8           (2) To award grants no later than September 1st in those years when  
9 funding is available by June 30th;

10           (3) To establish each biennium specific guidelines for submitting  
11 grant proposals consistent with RCW 28B.120.005 and consistent with the  
12 (~~strategic master~~) ten-year statewide plan for higher education, the  
13 system design plan, the overall goals of the program and the guidelines  
14 established by the state board for community and technical colleges  
15 under RCW 28B.120.025.

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

23           (4) To solicit grant proposals and provide information to the  
24 institutions of higher education about the program; and

25           (5) To establish reporting, evaluation, accountability, monitoring,  
26 and dissemination requirements for the recipients of the grants awarded  
27 by the office of financial management.

28           **Sec. 564.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to  
29 read as follows:

30           The state board for community and technical colleges has the  
31 following powers and duties in administering the program for those  
32 proposals in which a community or technical college is named as the  
33 lead institution and fiscal agent:

34           (1) To adopt rules necessary to carry out the program;

35           (2) To establish one or more review committees to assist in the  
36 evaluation of proposals for funding. The review committee shall  
37 include individuals with significant experience in higher education in

1 areas relevant to one or more of the funding period priorities and  
2 shall include representatives from both the four-year and two-year  
3 sectors of higher education;

4 (3) To award grants no later than September 1st in those years when  
5 funding is available by June 30th;

6 (4) To establish each biennium specific guidelines for submitting  
7 grant proposals consistent with the overall goals of the program and  
8 consistent with the guidelines established by the (~~higher education~~  
9 ~~coordinating board~~) student achievement council under RCW 28B.120.020.  
10 During the 1999-01 biennium the guidelines shall be consistent with the  
11 following desired outcomes of:

12 (a) Minority and diversity initiatives that encourage the  
13 participation of minorities in higher education, including students  
14 with disabilities;

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

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

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

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

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

29 (g) Projects that further the development of competency-based  
30 measurements of student achievement to be used as the basis for  
31 awarding degrees and certificates;

32 (5) To solicit grant proposals and provide information to the  
33 community and technical colleges and private career schools; and

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

1           **Sec. 565.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to  
2 read as follows:

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

10           **Sec. 566.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to  
11 read as follows:

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

22           **Sec. 567.** RCW 28C.10.030 and 1994 sp.s. c 9 s 723 are each amended  
23 to read as follows:

24           This chapter does not apply to:

25           (1) Bona fide trade, business, professional, or fraternal  
26 organizations sponsoring educational programs primarily for that  
27 organization's membership or offered by that organization on a no-fee  
28 basis;

29           (2) Entities offering education that is exclusively avocational or  
30 recreational;

31           (3) Education not requiring payment of money or other consideration  
32 if this education is not advertised or promoted as leading toward  
33 educational credentials;

34           (4) Entities that are established, operated, and governed by this  
35 state or its political subdivisions under Title 28A, 28B, or 28C RCW;

1 (5) Degree-granting programs in compliance with the rules of the  
2 (~~higher education coordinating board~~) student achievement council;

3 (6) Any other entity to the extent that it has been exempted from  
4 some or all of the provisions of this chapter under RCW 28C.10.100;

5 (7) Entities not otherwise exempt that are of a religious  
6 character, but only as to those educational programs exclusively  
7 devoted to religious or theological objectives and represented  
8 accurately in institutional catalogs or other official publications;

9 (8) Entities offering only courses certified by the federal  
10 aviation administration;

11 (9) Barber and cosmetology schools licensed under chapter 18.16  
12 RCW;

13 (10) Entities which only offer courses approved to meet the  
14 continuing education requirements for licensure under chapter 18.04,  
15 18.79, or 48.17 RCW; and

16 (11) Entities not otherwise exempt offering only workshops or  
17 seminars lasting no longer than three calendar days.

18 **Sec. 568.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to  
19 read as follows:

20 The agency:

21 (1) Shall maintain a list of private vocational schools licensed  
22 under this chapter;

23 (2) Shall adopt rules in accordance with chapter 34.05 RCW to carry  
24 out this chapter;

25 (3) May investigate any entity the agency reasonably believes to be  
26 subject to the jurisdiction of this chapter. In connection with the  
27 investigation, the agency may administer oaths and affirmations, issue  
28 subpoenas and compel attendance, take evidence, and require the  
29 production of any books, papers, correspondence, memorandums, or other  
30 records which the agency deems relevant or material to the  
31 investigation. The agency, including its staff and any other  
32 authorized persons, may conduct site inspections and examine records of  
33 all schools subject to this chapter;

34 (4) Shall develop an interagency agreement with the (~~higher  
35 education coordinating board~~) student achievement council to regulate  
36 degree-granting private vocational schools with respect to degree and  
37 nondegree programs.

1       **Sec. 569.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to  
2 read as follows:

3       The purpose of the board is to provide planning, coordination,  
4 evaluation, monitoring, and policy analysis for the state training  
5 system as a whole, and advice to the governor and legislature  
6 concerning the state training system, in cooperation with the state  
7 training system and the (~~higher education coordinating board~~) student  
8 achievement council.

9       **Sec. 570.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to  
10 read as follows:

11       The board, in cooperation with the operating agencies of the state  
12 training system and private career schools and colleges, shall:

13       (1) Concentrate its major efforts on planning, coordination  
14 evaluation, policy analysis, and recommending improvements to the  
15 state's training system;

16       (2) Advocate for the state training system and for meeting the  
17 needs of employers and the workforce for workforce education and  
18 training;

19       (3) Establish and maintain an inventory of the programs of the  
20 state training system, and related state programs, and perform a  
21 biennial assessment of the vocational education, training, and adult  
22 basic education and literacy needs of the state; identify ongoing and  
23 strategic education needs; and assess the extent to which employment,  
24 training, vocational and basic education, rehabilitation services, and  
25 public assistance services represent a consistent, integrated approach  
26 to meet such needs;

27       (4) Develop and maintain a state comprehensive plan for workforce  
28 training and education, including but not limited to, goals,  
29 objectives, and priorities for the state training system, and review  
30 the state training system for consistency with the state comprehensive  
31 plan. In developing the state comprehensive plan for workforce  
32 training and education, the board shall use, but shall not be limited  
33 to: Economic, labor market, and populations trends reports in office  
34 of financial management forecasts; joint office of financial management  
35 and employment security department labor force, industry employment,  
36 and occupational forecasts; the results of scientifically based  
37 outcome, net-impact and cost-benefit evaluations; the needs of

1 employers as evidenced in formal employer surveys and other employer  
2 input; and the needs of program participants and workers as evidenced  
3 in formal surveys and other input from program participants and the  
4 labor community;

5 (5) In consultation with the (~~higher education coordinating~~  
6 ~~board~~) student achievement council, review and make recommendations to  
7 the office of financial management and the legislature on operating and  
8 capital facilities budget requests for operating agencies of the state  
9 training system for purposes of consistency with the state  
10 comprehensive plan for workforce training and education;

11 (6) Provide for coordination among the different operating agencies  
12 and components of the state training system at the state level and at  
13 the regional level;

14 (7) Develop a consistent and reliable database on vocational  
15 education enrollments, costs, program activities, and job placements  
16 from publicly funded vocational education programs in this state;

17 (8)(a) Establish standards for data collection and maintenance for  
18 the operating agencies of the state training system in a format that is  
19 accessible to use by the board. The board shall require a minimum of  
20 common core data to be collected by each operating agency of the state  
21 training system;

22 (b) Develop requirements for minimum common core data in  
23 consultation with the office of financial management and the operating  
24 agencies of the training system;

25 (9) Establish minimum standards for program evaluation for the  
26 operating agencies of the state training system, including, but not  
27 limited to, the use of common survey instruments and procedures for  
28 measuring perceptions of program participants and employers of program  
29 participants, and monitor such program evaluation;

30 (10) Every two years administer scientifically based outcome  
31 evaluations of the state training system, including, but not limited  
32 to, surveys of program participants, surveys of employers of program  
33 participants, and matches with employment security department payroll  
34 and wage files. Every five years administer scientifically based net-  
35 impact and cost-benefit evaluations of the state training system;

36 (11) In cooperation with the employment security department,  
37 provide for the improvement and maintenance of quality and utility in  
38 occupational information and forecasts for use in training system

1 planning and evaluation. Improvements shall include, but not be  
2 limited to, development of state-based occupational change factors  
3 involving input by employers and employees, and delineation of skill  
4 and training requirements by education level associated with current  
5 and forecasted occupations;

6 (12) Provide for the development of common course description  
7 formats, common reporting requirements, and common definitions for  
8 operating agencies of the training system;

9 (13) Provide for effectiveness and efficiency reviews of the state  
10 training system;

11 (14) In cooperation with the (~~higher education coordinating~~  
12 ~~board~~) student achievement council, facilitate transfer of credit  
13 policies and agreements between institutions of the state training  
14 system, and encourage articulation agreements for programs encompassing  
15 two years of secondary workforce education and two years of  
16 postsecondary workforce education;

17 (15) In cooperation with the (~~higher education coordinating~~  
18 ~~board~~) student achievement council, facilitate transfer of credit  
19 policies and agreements between private training institutions and  
20 institutions of the state training system;

21 (16) Develop policy objectives for the workforce investment act,  
22 P.L. 105-220, or its successor; develop coordination criteria for  
23 activities under the act with related programs and services provided by  
24 state and local education and training agencies; and ensure that  
25 entrepreneurial training opportunities are available through programs  
26 of each local workforce investment board in the state;

27 (17) Make recommendations to the commission of student assessment,  
28 the state board of education, and the superintendent of public  
29 instruction, concerning basic skill competencies and essential core  
30 competencies for K-12 education. Basic skills for this purpose shall  
31 be reading, writing, computation, speaking, and critical thinking,  
32 essential core competencies for this purpose shall be English, math,  
33 science/technology, history, geography, and critical thinking. The  
34 board shall monitor the development of and provide advice concerning  
35 secondary curriculum which integrates vocational and academic  
36 education;

37 (18) Establish and administer programs for marketing and outreach  
38 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~~) commerce and the economic development commission to  
34 ensure coordination among workforce training priorities, the long-term  
35 economic development strategy of the economic development commission,  
36 and economic development and entrepreneurial development efforts,  
37 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. 571.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to  
20 read as follows:

21 The definitions in this section apply throughout this chapter  
22 unless the context clearly requires otherwise.

23 (1) "Authority" means a health sciences and services authority  
24 created pursuant to this chapter.

25 (2) "Board" means the governing board of trustees of an authority.

26 (3) "Director" means (~~{the director of}~~) the executive director  
27 of the (~~{higher education coordinating board}~~) student achievement  
28 council.

29 (4) "Health sciences and services" means biosciences that advance  
30 new therapies and procedures to combat disease and promote public  
31 health.

32 (5) "Local government" means a city, town, or county.

33 (6) "Sponsoring local government" means a city, town, or county  
34 that creates a health sciences and services authority.

35 **Sec. 572.** RCW 35.104.040 and 2011 c 155 s 1 are each amended to  
36 read as follows:

1           (1) The (~~higher education coordinating board~~) student achievement  
2 council may approve applications submitted by local governments for an  
3 area's designation as a health sciences and services authority under  
4 this chapter. The director must determine the division to review  
5 applications submitted by local governments under this chapter. The  
6 application for designation must be in the form and manner and contain  
7 such information as the (~~higher education coordinating board~~) student  
8 achievement council may prescribe, provided the application:

9           (a) Contains sufficient information to enable the director to  
10 determine the viability of the proposal;

11           (b) Demonstrates that an ordinance or resolution has been passed by  
12 the legislative authority of a local government that delineates the  
13 boundaries of an area that may be designated an authority;

14           (c) Is submitted on behalf of the local government, or, if that  
15 office does not exist, by the legislative body of the local government;

16           (d) Demonstrates that the public funds directed to programs or  
17 facilities in the authority will leverage private sector resources and  
18 contributions to activities to be performed;

19           (e) Provides a plan or plans for the development of the authority  
20 as an entity to advance as a cluster for health sciences education,  
21 health sciences research, biotechnology development, biotechnology  
22 product commercialization, and/or health care services; and

23           (f) Demonstrates that the state has previously provided funds to  
24 health sciences and services programs or facilities in the applicant  
25 city, town, or county.

26           (2) The director must determine the division to develop criteria to  
27 evaluate the application. The criteria must include:

28           (a) The presence of infrastructure capable of spurring development  
29 of the area as a center of health sciences and services;

30           (b) The presence of higher education facilities where undergraduate  
31 or graduate coursework or research is conducted; and

32           (c) The presence of facilities in which health services are  
33 provided.

34           (3) There may be no more than two authorities statewide.

35           (4) An authority may only be created in a county with a population  
36 of less than one million persons and located east of the crest of the  
37 Cascade mountains.

1 (5) The director may reject or approve an application. When  
2 denying an application, the director must specify the application's  
3 deficiencies. The decision regarding such designation as it relates to  
4 a specific local government is final; however, a rejected application  
5 may be resubmitted.

6 (6) Applications are due by December 31, 2010, and must be  
7 processed within sixty days of submission.

8 (7) The director may, at his or her discretion, amend the  
9 boundaries of an authority upon the request of the local government.

10 (8) The (~~higher education coordinating board~~) student achievement  
11 council may adopt any rules necessary to implement this chapter.

12 (9) The (~~higher education coordinating board~~) student achievement  
13 council must develop evaluation criteria that enables the local  
14 governments to measure the effectiveness of the program.

15 **Sec. 573.** RCW 42.17A.705 and 2011 1st sp.s. c 43 s 109 are each  
16 amended to read as follows:

17 For the purposes of RCW 42.17A.700, "executive state officer"  
18 includes:

19 (1) The chief administrative law judge, the director of  
20 agriculture, the director of the department of services for the blind,  
21 the chief information officer of the office of chief information  
22 officer, the director of the state system of community and technical  
23 colleges, the director of commerce, the director of the consolidated  
24 technology services agency, the secretary of corrections, the director  
25 of early learning, the director of ecology, the commissioner of  
26 employment security, the chair of the energy facility site evaluation  
27 council, the director of enterprise services, the secretary of the  
28 state finance committee, the director of financial management, the  
29 director of fish and wildlife, the executive secretary of the forest  
30 practices appeals board, the director of the gambling commission, the  
31 secretary of health, the administrator of the Washington state health  
32 care authority, the executive secretary of the health care facilities  
33 authority, the executive secretary of the higher education facilities  
34 authority, the executive secretary of the horse racing commission, the  
35 human resources director, the executive secretary of the human rights  
36 commission, the executive secretary of the indeterminate sentence  
37 review board, the executive director of the state investment board, the

1 director of labor and industries, the director of licensing, the  
2 director of the lottery commission, the director of the office of  
3 minority and women's business enterprises, the director of parks and  
4 recreation, the executive director of the public disclosure commission,  
5 the executive director of the Puget Sound partnership, the director of  
6 the recreation and conservation office, the director of retirement  
7 systems, the director of revenue, the secretary of social and health  
8 services, the chief of the Washington state patrol, the executive  
9 secretary of the board of tax appeals, the secretary of transportation,  
10 the secretary of the utilities and transportation commission, the  
11 director of veterans affairs, the president of each of the regional and  
12 state universities and the president of The Evergreen State College,  
13 and each district and each campus president of each state community  
14 college;

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

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

17 (4) Central Washington University board of trustees, the boards of  
18 trustees of each community college and each technical college, each  
19 member of the state board for community and technical colleges, state  
20 convention and trade center board of directors, Eastern Washington  
21 University board of trustees, Washington economic development finance  
22 authority, Washington energy northwest executive board, The Evergreen  
23 State College board of trustees, executive ethics board, fish and  
24 wildlife commission, forest practices appeals board, forest practices  
25 board, gambling commission, Washington health care facilities  
26 authority, (~~higher education coordinating board~~) student achievement  
27 council, higher education facilities authority, horse racing  
28 commission, state housing finance commission, human rights commission,  
29 indeterminate sentence review board, board of industrial insurance  
30 appeals, state investment board, commission on judicial conduct,  
31 legislative ethics board, life sciences discovery fund authority board  
32 of trustees, liquor control board, lottery commission, Pacific  
33 Northwest electric power and conservation planning council, parks and  
34 recreation commission, Washington personnel resources board, board of  
35 pilotage commissioners, pollution control hearings board, public  
36 disclosure commission, public employees' benefits board, recreation and  
37 conservation funding board, salmon recovery funding board, shorelines  
38 hearings board, board of tax appeals, transportation commission,

1 University of Washington board of regents, utilities and transportation  
2 commission, Washington State University board of regents, and Western  
3 Washington University board of trustees.

4 **Sec. 574.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to  
5 read as follows:

6 (1) The governor may, by executive order, after consultation with  
7 or notification of the executive-legislative committee on economic  
8 development created by chapter . . . (Senate Bill No. 5300), Laws of  
9 1993, declare a community to be a "military impacted area." A  
10 "military impacted area" means a community or communities, as  
11 identified in the executive order, that experience serious social and  
12 economic hardships because of a change in defense spending by the  
13 federal government in that community or communities.

14 (2) If the governor executes an order under subsection (1) of this  
15 section, the governor shall establish a response team to coordinate  
16 state efforts to assist the military impacted community. The response  
17 team may include, but not be limited to, one member from each of the  
18 following agencies: (a) The department of (~~community, trade, and~~  
19 ~~economic development~~) commerce; (b) the department of social and  
20 health services; (c) the employment security department; (d) the state  
21 board for community and technical colleges; (e) the (~~higher education~~  
22 ~~coordinating board~~) student achievement council; and (f) the  
23 department of transportation. The governor may appoint a response team  
24 coordinator. The governor shall seek to actively involve the impacted  
25 community or communities in planning and implementing a response to the  
26 crisis. The governor may seek input or assistance from the community  
27 diversification advisory committee, and the governor may establish task  
28 forces in the community or communities to assist in the coordination  
29 and delivery of services to the local community. The state and  
30 community response shall consider economic development, human service,  
31 and training needs of the community or communities impacted.

32 **Sec. 575.** RCW 43.19.797 and 2011 1st sp.s. c 43 s 734 are each  
33 amended to read as follows:

34 (1) State agencies that are purchasing wireless devices or services  
35 must make such purchases through the state master contract, unless the  
36 state agency provides to the office of the chief information officer

1 evidence that the state agency is securing its wireless devices or  
2 services from another source for a lower cost than through  
3 participation in the state master contract.

4 (2) For the purposes of this section, "state agency" means any  
5 office, department, board, commission, or other unit of state  
6 government, but does not include a unit of state government headed by  
7 a statewide elected official, an institution of higher education as  
8 defined in RCW 28B.10.016, the (~~higher education coordinating board~~)  
9 student achievement council, the state board for community and  
10 technical colleges, or agencies of the legislative or judicial branches  
11 of state government.

12 **Sec. 576.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to  
13 read as follows:

14 (1) An education data center shall be established in the office of  
15 financial management. The education data center shall jointly, with  
16 the legislative evaluation and accountability program committee,  
17 conduct collaborative analyses of early learning, K-12, and higher  
18 education programs and education issues across the P-20 system, which  
19 includes the department of early learning, the superintendent of public  
20 instruction, the professional educator standards board, the state board  
21 of education, the state board for community and technical colleges, the  
22 workforce training and education coordinating board, the (~~higher  
23 education coordinating board~~) student achievement council, public and  
24 private nonprofit four-year institutions of higher education, and the  
25 employment security department. The education data center shall  
26 conduct collaborative analyses under this section with the legislative  
27 evaluation and accountability program committee and provide data  
28 electronically to the legislative evaluation and accountability program  
29 committee, to the extent permitted by state and federal confidentiality  
30 requirements. The education data center shall be considered an  
31 authorized representative of the state educational agencies in this  
32 section under applicable federal and state statutes for purposes of  
33 accessing and compiling student record data for research purposes.

34 (2) The education data center shall:  
35 (a) In consultation with the legislative evaluation and  
36 accountability program committee and the agencies and organizations

1 participating in the education data center, identify the critical  
2 research and policy questions that are intended to be addressed by the  
3 education data center and the data needed to address the questions;

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

8 (c) Collaborate with the legislative evaluation and accountability  
9 program committee and the education and fiscal committees of the  
10 legislature in identifying the data to be compiled and analyzed to  
11 ensure that legislative interests are served;

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

24 (e) Monitor and evaluate the education data collection systems of  
25 the organizations and agencies represented in the education data center  
26 ensuring that data systems are flexible, able to adapt to evolving  
27 needs for information, and to the extent feasible and necessary,  
28 include data that are needed to conduct the analyses and provide  
29 answers to the research and policy questions identified in (a) of this  
30 subsection;

31 (f) Track enrollment and outcomes through the public centralized  
32 higher education enrollment system;

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

36 (h) Provide research that focuses on student transitions within and  
37 among the early learning, K-12, and higher education sectors in the P-  
38 20 system; and

1 (i) Make recommendations to the legislature as necessary to help  
2 ensure the goals and objectives of this section and RCW 28A.655.210 and  
3 28A.300.507 are met.

4 (3) The department of early learning, superintendent of public  
5 instruction, professional educator standards board, state board of  
6 education, state board for community and technical colleges, workforce  
7 training and education coordinating board, (~~higher education~~  
8 ~~coordinating board~~) student achievement council, public four-year  
9 institutions of higher education, and employment security department  
10 shall work with the education data center to develop data-sharing and  
11 research agreements, consistent with applicable security and  
12 confidentiality requirements, to facilitate the work of the center.  
13 Private, nonprofit institutions of higher education that provide  
14 programs of education beyond the high school level leading at least to  
15 the baccalaureate degree and are accredited by the Northwest  
16 association of schools and colleges or their peer accreditation bodies  
17 may also develop data-sharing and research agreements with the  
18 education data center, consistent with applicable security and  
19 confidentiality requirements. The education data center shall make  
20 data from collaborative analyses available to the education agencies  
21 and institutions that contribute data to the education data center to  
22 the extent allowed by federal and state security and confidentiality  
23 requirements applicable to the data of each contributing agency or  
24 institution.

25 **Sec. 577.** RCW 43.41A.100 and 2011 1st sp.s. c 43 s 721 are each  
26 amended to read as follows:

27 (1) In overseeing the technical aspects of the K-20 network, the  
28 office is not intended to duplicate the statutory responsibilities of  
29 the (~~higher education coordinating board~~) student achievement  
30 council, the superintendent of public instruction, the state librarian,  
31 or the governing boards of the institutions of higher education.

32 (2) The office may not interfere in any curriculum or legally  
33 offered programming offered over the K-20 network.

34 (3) The responsibility to review and approve standards and common  
35 specifications for the K-20 network remains the responsibility of the  
36 office under RCW 43.41A.025.

1 (4) The coordination of telecommunications planning for the common  
2 schools remains the responsibility of the superintendent of public  
3 instruction. Except as set forth in RCW 43.41A.025(2)(f), the office  
4 may recommend, but not require, revisions to the superintendent's  
5 telecommunications plans.

6 **Sec. 578.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to  
7 read as follows:

8 (1) For purposes of developing budget proposals to the legislature,  
9 the governor shall have the power, and it shall be the governor's duty,  
10 to require from proper agency officials such detailed estimates and  
11 other information in such form and at such times as the governor shall  
12 direct. The governor shall communicate statewide priorities to  
13 agencies for use in developing biennial budget recommendations for  
14 their agency and shall seek public involvement and input on these  
15 priorities. The estimates for the legislature and the judiciary shall  
16 be transmitted to the governor and shall be included in the budget  
17 without revision. The estimates for state pension contributions shall  
18 be based on the rates provided in chapter 41.45 RCW. Copies of all  
19 such estimates shall be transmitted to the standing committees on ways  
20 and means of the house and senate at the same time as they are filed  
21 with the governor and the office of financial management.

22 The estimates shall include statements or tables which indicate, by  
23 agency, the state funds which are required for the receipt of federal  
24 matching revenues. The estimates shall be revised as necessary to  
25 reflect legislative enactments and adopted appropriations and shall be  
26 included with the initial biennial allotment submitted under RCW  
27 43.88.110. The estimates must reflect that the agency considered any  
28 alternatives to reduce costs or improve service delivery identified in  
29 the findings of a performance audit of the agency by the joint  
30 legislative audit and review committee. Nothing in this subsection  
31 requires performance audit findings to be published as part of the  
32 budget.

33 (2) Each state agency shall define its mission and establish  
34 measurable goals for achieving desirable results for those who receive  
35 its services and the taxpayers who pay for those services. Each agency  
36 shall also develop clear strategies and timelines to achieve its goals.  
37 This section does not require an agency to develop a new mission or

1 goals in place of identifiable missions or goals that meet the intent  
2 of this section. The mission and goals of each agency must conform to  
3 statutory direction and limitations.

4 (3) For the purpose of assessing activity performance, each state  
5 agency shall establish quality and productivity objectives for each  
6 major activity in its budget. The objectives must be consistent with  
7 the missions and goals developed under this section. The objectives  
8 must be expressed to the extent practicable in outcome-based,  
9 objective, and measurable form unless an exception to adopt a different  
10 standard is granted by the office of financial management and approved  
11 by the legislative committee on performance review. Objectives must  
12 specifically address the statutory purpose or intent of the program or  
13 activity and focus on data that measure whether the agency is achieving  
14 or making progress toward the purpose of the activity and toward  
15 statewide priorities. The office of financial management shall provide  
16 necessary professional and technical assistance to assist state  
17 agencies in the development of strategic plans that include the mission  
18 of the agency and its programs, measurable goals, strategies, and  
19 performance measurement systems.

20 (4) Each state agency shall adopt procedures for and perform  
21 continuous self-assessment of each activity, using the mission, goals,  
22 objectives, and measurements required under subsections (2) and (3) of  
23 this section. The assessment of the activity must also include an  
24 evaluation of major information technology systems or projects that may  
25 assist the agency in achieving or making progress toward the activity  
26 purpose and statewide priorities. The evaluation of proposed major  
27 information technology systems or projects shall be in accordance with  
28 the standards and policies established by the information services  
29 board. Agencies' progress toward the mission, goals, objectives, and  
30 measurements required by subsections (2) and (3) of this section is  
31 subject to review as set forth in this subsection.

32 (a) The office of financial management shall regularly conduct  
33 reviews of selected activities to analyze whether the objectives and  
34 measurements submitted by agencies demonstrate progress toward  
35 statewide results.

36 (b) The office of financial management shall consult with the  
37 (~~higher education coordinating board~~) four-year institutions of

1 higher education, the student achievement council, and the state board  
2 for community and technical colleges in those reviews that involve two-  
3 year institutions of higher education.

4 (c) The goal is for all major activities to receive at least one  
5 review each year.

6 (d) The office of financial management shall consult with the  
7 information services board when conducting reviews of major information  
8 technology systems in use by state agencies. The goal is that reviews  
9 of these information technology systems occur periodically.

10 (5) It is the policy of the legislature that each agency's budget  
11 recommendations must be directly linked to the agency's stated mission  
12 and program, quality, and productivity goals and objectives.  
13 Consistent with this policy, agency budget proposals must include  
14 integration of performance measures that allow objective determination  
15 of an activity's success in achieving its goals. When a review under  
16 subsection (4) of this section or other analysis determines that the  
17 agency's objectives demonstrate that the agency is making insufficient  
18 progress toward the goals of any particular program or is otherwise  
19 underachieving or inefficient, the agency's budget request shall  
20 contain proposals to remedy or improve the selected programs. The  
21 office of financial management shall develop a plan to merge the budget  
22 development process with agency performance assessment procedures. The  
23 plan must include a schedule to integrate agency strategic plans and  
24 performance measures into agency budget requests and the governor's  
25 budget proposal over three fiscal biennia. The plan must identify  
26 those agencies that will implement the revised budget process in the  
27 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.  
28 In consultation with the legislative fiscal committees, the office of  
29 financial management shall recommend statutory and procedural  
30 modifications to the state's budget, accounting, and reporting systems  
31 to facilitate the performance assessment procedures and the merger of  
32 those procedures with the state budget process. The plan and  
33 recommended statutory and procedural modifications must be submitted to  
34 the legislative fiscal committees by September 30, 1996.

35 (6) In reviewing agency budget requests in order to prepare the  
36 governor's biennial budget request, the office of financial management  
37 shall consider the extent to which the agency's activities demonstrate

1 progress toward the statewide budgeting priorities, along with any  
2 specific review conducted under subsection (4) of this section.

3 (7) In the year of the gubernatorial election, the governor shall  
4 invite the governor-elect or the governor-elect's designee to attend  
5 all hearings provided in RCW 43.88.100; and the governor shall furnish  
6 the governor-elect or the governor-elect's designee with such  
7 information as will enable the governor-elect or the governor-elect's  
8 designee to gain an understanding of the state's budget requirements.  
9 The governor-elect or the governor-elect's designee may ask such  
10 questions during the hearings and require such information as the  
11 governor-elect or the governor-elect's designee deems necessary and may  
12 make recommendations in connection with any item of the budget which,  
13 with the governor-elect's reasons therefor, shall be presented to the  
14 legislature in writing with the budget document. Copies of all such  
15 estimates and other required information shall also be submitted to the  
16 standing committees on ways and means of the house and senate.

17 **Sec. 579.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to  
18 read as follows:

19 (1) In overseeing the technical aspects of the K-20 network, the  
20 information services board is not intended to duplicate the statutory  
21 responsibilities of the (~~higher education coordinating board~~) student  
22 achievement council, the superintendent of public instruction, the  
23 information services board, the state librarian, or the governing  
24 boards of the institutions of higher education.

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

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

30 (4) The coordination of telecommunications planning for the common  
31 schools remains the responsibility of the superintendent of public  
32 instruction. Except as set forth in RCW 43.105.041(1)(d), the board  
33 may recommend, but not require, revisions to the superintendent's  
34 telecommunications plans.

35 **Sec. 580.** RCW 43.215.090 and 2011 c 177 s 2 are each amended to  
36 read as follows:

1 (1) The early learning advisory council is established to advise  
2 the department on statewide early learning issues that would build a  
3 comprehensive system of quality early learning programs and services  
4 for Washington's children and families by assessing needs and the  
5 availability of services, aligning resources, developing plans for data  
6 collection and professional development of early childhood educators,  
7 and establishing key performance measures.

8 (2) The council shall work in conjunction with the department to  
9 develop a statewide early learning plan that guides the department in  
10 promoting alignment of private and public sector actions, objectives,  
11 and resources, and ensuring school readiness.

12 (3) The council shall include diverse, statewide representation  
13 from public, nonprofit, and for-profit entities. Its membership shall  
14 reflect regional, racial, and cultural diversity to adequately  
15 represent the needs of all children and families in the state.

16 (4) Councilmembers shall serve two-year terms. However, to stagger  
17 the terms of the council, the initial appointments for twelve of the  
18 members shall be for one year. Once the initial one-year to two-year  
19 terms expire, all subsequent terms shall be for two years, with the  
20 terms expiring on June 30th of the applicable year. The terms shall be  
21 staggered in such a way that, where possible, the terms of members  
22 representing a specific group do not expire simultaneously.

23 (5) The council shall consist of not more than twenty-three  
24 members, as follows:

25 (a) The governor shall appoint at least one representative from  
26 each of the following: The department, the office of financial  
27 management, the department of social and health services, the  
28 department of health, the (~~higher education coordinating board~~)  
29 student achievement council, and the state board for community and  
30 technical colleges;

31 (b) One representative from the office of the superintendent of  
32 public instruction, to be appointed by the superintendent of public  
33 instruction;

34 (c) The governor shall appoint seven leaders in early childhood  
35 education, with at least one representative with experience or  
36 expertise in one or more of the areas such as the following: The K-12  
37 system, family day care providers, and child care centers with four of  
38 the seven governor's appointees made as follows:

1 (i) The head start state collaboration office director or the  
2 director's designee;

3 (ii) A representative of a head start, early head start,  
4 migrant/seasonal head start, or tribal head start program;

5 (iii) A representative of a local education agency; and

6 (iv) A representative of the state agency responsible for programs  
7 under section 619 or part C of the federal individuals with  
8 disabilities education act;

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 group, 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. 581.** RCW 43.330.310 and 2010 c 187 s 2 are each amended to  
33 read as follows:

34 (1) The legislature establishes a comprehensive green economy jobs  
35 growth initiative based on the goal of, by 2020, increasing the number  
36 of green economy jobs to twenty-five thousand from the eight thousand  
37 four hundred green economy jobs the state had in 2004.

1 (2) The department, in consultation with the employment security  
2 department, the state workforce training and education coordinating  
3 board, the state board for community and technical colleges, and the  
4 (~~higher education coordinating board~~) student achievement council,  
5 shall develop a defined list of terms, consistent with current  
6 workforce and economic development terms, associated with green economy  
7 industries and jobs.

8 (3)(a) The employment security department, in consultation with the  
9 department, the state workforce training and education coordinating  
10 board, the state board for community and technical colleges, the  
11 (~~higher education coordinating board~~) student achievement council,  
12 Washington State University small business development center, and the  
13 Washington State University extension energy program, shall conduct  
14 labor market research to analyze the current labor market and projected  
15 job growth in the green economy, the current and projected recruitment  
16 and skill requirement of green economy industry employers, the wage and  
17 benefits ranges of jobs within green economy industries, and the  
18 education and training requirements of entry-level and incumbent  
19 workers in those industries.

20 (i) The employment security department shall conduct an analysis of  
21 occupations in the forest products industry to: (A) Determine key  
22 growth factors and employment projections in the industry; and (B)  
23 define the education and skill standards required for current and  
24 emerging green occupations in the industry.

25 (ii) The term "forest products industry" must be given a broad  
26 interpretation when implementing (a)(i) of this subsection and  
27 includes, but is not limited to, businesses that grow, manage, harvest,  
28 transport, and process forest, wood, and paper products.

29 (b) The University of Washington business and economic development  
30 center shall: Analyze the current opportunities for and participation  
31 in the green economy by minority and women-owned business enterprises  
32 in Washington; identify existing barriers to their successful  
33 participation in the green economy; and develop strategies with  
34 specific policy recommendations to improve their successful  
35 participation in the green economy. The research may be informed by  
36 the research of the Puget Sound regional council prosperity  
37 partnership, as well as other entities. The University of Washington

1 business and economic development center shall report to the  
2 appropriate committees of the house of representatives and the senate  
3 on their research, analysis, and recommendations by December 1, 2008.

4 (4) Based on the findings from subsection (3) of this section, the  
5 employment security department, in consultation with the department and  
6 taking into account the requirements and goals of chapter 14, Laws of  
7 2008 and other state clean energy and energy efficiency policies, shall  
8 propose which industries will be considered high-demand green  
9 industries, based on current and projected job creation and their  
10 strategic importance to the development of the state's green economy.  
11 The employment security department and the department shall take into  
12 account which jobs within green economy industries will be considered  
13 high-wage occupations and occupations that are part of career pathways  
14 to the same, based on family-sustaining wage and benefits ranges.  
15 These designations, and the results of the employment security  
16 department's broader labor market research, shall inform the planning  
17 and strategic direction of the department, the state workforce training  
18 and education coordinating board, the state board for community and  
19 technical colleges, and the (~~higher education coordinating board~~)  
20 student achievement council.

21 (5) The department shall identify emerging technologies and  
22 innovations that are likely to contribute to advancements in the green  
23 economy, including the activities in designated innovation partnership  
24 zones established in RCW 43.330.270.

25 (6) The department, consistent with the priorities established by  
26 the state economic development commission, shall:

27 (a) Develop targeting criteria for existing investments, and make  
28 recommendations for new or expanded financial incentives and  
29 comprehensive strategies, to recruit, retain, and expand green economy  
30 industries and small businesses; and

31 (b) Make recommendations for new or expanded financial incentives  
32 and comprehensive strategies to stimulate research and development of  
33 green technology and innovation, including designating innovation  
34 partnership zones linked to the green economy.

35 (7) For the purposes of this section, "target populations" means

36 (a) entry-level or incumbent workers in high-demand green industries  
37 who are in, or are preparing for, high-wage occupations; (b) dislocated  
38 workers in declining industries who may be retrained for high-wage

1 occupations in high-demand green industries; (c) dislocated  
2 agriculture, timber, or energy sector workers who may be retrained for  
3 high-wage occupations in high-demand green industries; (d) eligible  
4 veterans or national guard members; (e) disadvantaged populations; or  
5 (f) anyone eligible to participate in the state opportunity grant  
6 program under RCW 28B.50.271.

7 (8) The legislature directs the state workforce training and  
8 education coordinating board to create and pilot green industry skill  
9 panels. These panels shall consist of business representatives from:  
10 Green industry sectors, including but not limited to forest product  
11 companies, companies engaged in energy efficiency and renewable energy  
12 production, companies engaged in pollution prevention, reduction, and  
13 mitigation, and companies engaged in green building work and green  
14 transportation; labor unions representing workers in those industries  
15 or labor affiliates administering state-approved, joint apprenticeship  
16 programs or labor-management partnership programs that train workers  
17 for these industries; state and local veterans agencies; employer  
18 associations; educational institutions; and local workforce development  
19 councils within the region that the panels propose to operate; and  
20 other key stakeholders as determined by the applicant. Any of these  
21 stakeholder organizations are eligible to receive grants under this  
22 section and serve as the intermediary that convenes and leads the  
23 panel. Panel applicants must provide labor market and industry  
24 analysis that demonstrates high demand, or demand of strategic  
25 importance to the development of the state's clean energy economy as  
26 identified in this section, for high-wage occupations, or occupations  
27 that are part of career pathways to the same, within the relevant  
28 industry sector. The panel shall:

29 (a) Conduct labor market and industry analyses, in consultation  
30 with the employment security department, and drawing on the findings of  
31 its research when available;

32 (b) Plan strategies to meet the recruitment and training needs of  
33 the industry and small businesses; and

34 (c) Leverage and align other public and private funding sources.

35 (9) The green industries jobs training account is created in the  
36 state treasury. Moneys from the account must be utilized to supplement  
37 the state opportunity grant program established under RCW 28B.50.271.  
38 All receipts from appropriations directed to the account must be

1 deposited into the account. Expenditures from the account may be used  
2 only for the activities identified in this subsection. The state board  
3 for community and technical colleges, in consultation with the state  
4 workforce training and education coordinating board, informed by the  
5 research of the employment security department and the strategies  
6 developed in this section, may authorize expenditures from the account.  
7 The state board for community and technical colleges must distribute  
8 grants from the account on a competitive basis.

9 (a)(i) Allowable uses of these grant funds, which should be used  
10 when other public or private funds are insufficient or unavailable, may  
11 include:

- 12 (A) Curriculum development;
- 13 (B) Transitional jobs strategies for dislocated workers in  
14 declining industries who may be retrained for high-wage occupations in  
15 green industries;
- 16 (C) Workforce education to target populations; and
- 17 (D) Adult basic and remedial education as necessary linked to  
18 occupation skills training.

19 (ii) Allowable uses of these grant funds do not include student  
20 assistance and support services available through the state opportunity  
21 grant program under RCW 28B.50.271.

22 (b) Applicants eligible to receive these grants may be any  
23 organization or a partnership of organizations that has demonstrated  
24 expertise in:

- 25 (i) Implementing effective education and training programs that  
26 meet industry demand; and
- 27 (ii) Recruiting and supporting, to successful completion of those  
28 training programs carried out under these grants, the target  
29 populations of workers.

30 (c) In awarding grants from the green industries jobs training  
31 account, the state board for community and technical colleges shall  
32 give priority to applicants that demonstrate the ability to:

- 33 (i) Use labor market and industry analysis developed by the  
34 employment security department and green industry skill panels in the  
35 design and delivery of the relevant education and training program, and  
36 otherwise utilize strategies developed by green industry skill panels;
- 37 (ii) Leverage and align existing public programs and resources and

1 private resources toward the goal of recruiting, supporting, educating,  
2 and training target populations of workers;

3 (iii) Work collaboratively with other relevant stakeholders in the  
4 regional economy;

5 (iv) Link adult basic and remedial education, where necessary, with  
6 occupation skills training;

7 (v) Involve employers and, where applicable, labor unions in the  
8 determination of relevant skills and competencies and, where relevant,  
9 the validation of career pathways; and

10 (vi) Ensure that supportive services, where necessary, are  
11 integrated with education and training and are delivered by  
12 organizations with direct access to and experience with the targeted  
13 population of workers.

14 **Sec. 582.** RCW 43.330.375 and 2010 c 187 s 3 are each amended to  
15 read as follows:

16 (1) The department and the workforce board must:

17 (a) Coordinate efforts across the state to ensure that federal  
18 training and education funds are captured and deployed in a focused and  
19 effective manner in order to support green economy projects and  
20 accomplish the goals of the evergreen jobs initiative;

21 (b) Accelerate and coordinate efforts by state and local  
22 organizations to identify, apply for, and secure all sources of funds,  
23 particularly those created by the 2009 American recovery and  
24 reinvestment act, and to ensure that distributions of funding to local  
25 organizations are allocated in a manner that is time-efficient and  
26 user-friendly for the local organizations. Local organizations  
27 eligible to receive support include but are not limited to:

28 (i) Associate development organizations;

29 (ii) Workforce development councils;

30 (iii) Public utility districts; and

31 (iv) Community action agencies;

32 (c) Support green economy projects at both the state and local  
33 level by developing a process and a framework to provide, at a minimum:

34 (i) Administrative and technical assistance;

35 (ii) Assistance with and expediting of permit processes; and

36 (iii) Priority consideration of opportunities leading to exportable

1 green economy goods and services, including renewable energy  
2 technology;

3 (d) Coordinate local and state implementation of projects using  
4 federal funds to ensure implementation is time-efficient and user-  
5 friendly for local organizations;

6 (e) Emphasize through both support and outreach efforts, projects  
7 that:

8 (i) Have a strong and lasting economic or environmental impact;

9 (ii) Lead to a domestically or internationally exportable good or  
10 service, including renewable energy technology;

11 (iii) Create training programs leading to a credential,  
12 certificate, or degree in a green economy field;

13 (iv) Strengthen the state's competitiveness in a particular sector  
14 or cluster of the green economy;

15 (v) Create employment opportunities for veterans, members of the  
16 national guard, and low-income and disadvantaged populations;

17 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;

18 (vii) Ensure at least fifteen percent of labor hours are performed  
19 by apprentices;

20 (f) Identify emerging technologies and innovations that are likely  
21 to contribute to advancements in the green economy, including the  
22 activities in designated innovation partnership zones established in  
23 RCW 43.330.270;

24 (g) Identify barriers to the growth of green jobs in traditional  
25 industries such as the forest products industry;

26 (h) Identify statewide performance metrics for projects receiving  
27 agency assistance. Such metrics may include:

28 (i) The number of new green jobs created each year, their wage  
29 levels, and, to the extent determinable, the percentage of new green  
30 jobs filled by veterans, members of the national guard, and low-income  
31 and disadvantaged populations;

32 (ii) The total amount of new federal funding secured, the  
33 respective amounts allocated to the state and local levels, and the  
34 timeliness of deployment of new funding by state agencies to the local  
35 level;

36 (iii) The timeliness of state deployment of funds and support to  
37 local organizations; and

1 (iv) If available, the completion rates, time to completion, and  
2 training-related placement rates for green economy postsecondary  
3 training programs;

4 (i) Identify strategies to allocate existing and new funding  
5 streams for green economy workforce training programs and education to  
6 emphasize those leading to a credential, certificate, or degree in a  
7 green economy field;

8 (j) Identify and implement strategies to allocate existing and new  
9 funding streams for workforce development councils and associate  
10 development organizations to increase their effectiveness and  
11 efficiency and increase local capacity to respond rapidly and  
12 comprehensively to opportunities to attract green jobs to local  
13 communities;

14 (k) Develop targeting criteria for existing investments that are  
15 consistent with the economic development commission's economic  
16 development strategy and the goals of this section and RCW 28C.18.170,  
17 28B.50.281, and 49.04.200; and

18 (l) Make and support outreach efforts so that residents of  
19 Washington, particularly members of target populations, become aware of  
20 educational and employment opportunities identified and funded through  
21 the evergreen jobs act.

22 (2) The department and the workforce board must provide semiannual  
23 performance reports to the governor and appropriate committees of the  
24 legislature on:

25 (a) Actual statewide performance based on the performance measures  
26 identified in subsection (1)(h) of this section;

27 (b) How the state is emphasizing and supporting projects that lead  
28 to a domestically or internationally exportable good or service,  
29 including renewable energy technology;

30 (c) A list of projects supported, created, or funded in furtherance  
31 of the goals of the evergreen jobs initiative and the actions taken by  
32 state and local organizations, including the effectiveness of state  
33 agency support provided to local organizations as directed in  
34 subsection (1)(b) and (c) of this section;

35 (d) Recommendations for new or expanded financial incentives and  
36 comprehensive strategies to:

37 (i) Recruit, retain, and expand green economy industries and small  
38 businesses; and

1 (ii) Stimulate research and development of green technology and  
2 innovation, which may include designating innovation partnership zones  
3 linked to the green economy;

4 (e) Any information that associate development organizations and  
5 workforce development councils choose to provide to appropriate  
6 legislative committees regarding the effectiveness, timeliness, and  
7 coordination of support provided by state agencies under this section  
8 and RCW 28C.18.170, 28B.50.281, and 49.04.200; and

9 (f) Any recommended statutory changes necessary to increase the  
10 effectiveness of the evergreen jobs initiative and state responsiveness  
11 to local agencies and organizations.

12 (3) The definitions, designations, and results of the employment  
13 security department's broader labor market research under RCW  
14 43.330.010 shall inform the planning and strategic direction of the  
15 department, the state workforce training and education coordinating  
16 board, the state board for community and technical colleges, and the  
17 (~~higher education coordinating board~~) student achievement council.

18 **Sec. 583.** RCW 47.80.090 and 2009 c 459 s 2 are each amended to  
19 read as follows:

20 (1) A regional transportation planning organization containing any  
21 county with a population in excess of one million in collaboration with  
22 representatives from the department of ecology, the department of  
23 (~~community, trade, and economic development~~) commerce, local  
24 governments, and the office of regulatory assistance must seek federal  
25 or private funding for the planning for, deployment of, or regulations  
26 concerning electric vehicle infrastructure. These efforts should  
27 include:

28 (a) Development of short-term and long-term plans outlining how  
29 state, regional, and local government construction may include electric  
30 vehicle infrastructure in publicly available off-street parking and  
31 government fleet vehicle parking, including what ratios of charge spots  
32 to parking may be appropriate based on location or type of facility or  
33 building;

34 (b) Consultations with the state building code council and the  
35 department of labor and industries to coordinate the plans with state  
36 standards for new residential, commercial, and industrial buildings to

1 ensure that the appropriate electric circuitry is installed to support  
2 electric vehicle infrastructure;

3 (c) Consultation with the workforce development council and the  
4 (~~higher education coordinating board~~) student achievement council to  
5 ensure the development of appropriate educational and training  
6 opportunities for citizens of the state in support of the transition of  
7 some portion of vehicular transportation from combustion to electric  
8 vehicles;

9 (d) Development of an implementation plan for counties with a  
10 population greater than five hundred thousand with the goal of having  
11 public and private parking spaces, in the aggregate, be ten percent  
12 electric vehicle ready by December 31, 2018; and

13 (e) Development of model ordinances and guidance for local  
14 governments for siting and installing electric vehicle infrastructure,  
15 in particular battery charging stations, and appropriate handling,  
16 recycling, and storage of electric vehicle batteries and equipment.

17 (2) These plans and any recommendations developed as a result of  
18 the consultations required by this section must be submitted to the  
19 legislature by December 31, 2010, or as soon as reasonably practicable  
20 after the securing of any federal or private funding. Priority will be  
21 given to the activities in subsection (1)(e) of this section and any  
22 ordinances or guidance that is developed will be submitted to the  
23 legislature, the department of (~~community, trade, and economic~~  
24 ~~development~~) commerce, and affected local governments prior to  
25 December 31, 2010, if completed.

26 (3) The definitions in this subsection apply (~~through~~  
27 ~~[throughout]~~) throughout this section unless the context clearly  
28 requires otherwise.

29 (a) "Battery charging station" means an electrical component  
30 assembly or cluster of component assemblies designed specifically to  
31 charge batteries within electric vehicles, which meet or exceed any  
32 standards, codes, and regulations set forth by chapter 19.28 RCW and  
33 consistent with rules adopted under RCW 19.27.540.

34 (b) "Battery exchange station" means a fully automated facility  
35 that will enable an electric vehicle with a swappable battery to enter  
36 a drive lane and exchange the depleted battery with a fully charged  
37 battery through a fully automated process, which meets or exceeds any

1 standards, codes, and regulations set forth by chapter 19.28 RCW and  
2 consistent with rules adopted under RCW 19.27.540.

3 (c) "Electric vehicle infrastructure" means structures, machinery,  
4 and equipment necessary and integral to support an electric vehicle,  
5 including battery charging stations, rapid charging stations, and  
6 battery exchange stations.

7 (d) "Rapid charging station" means an industrial grade electrical  
8 outlet that allows for faster recharging of electric vehicle batteries  
9 through higher power levels, which meets or exceeds any standards,  
10 codes, and regulations set forth by chapter 19.28 RCW and consistent  
11 with rules adopted under RCW 19.27.540.

12 **Sec. 584.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to  
13 read as follows:

14 (1) The department, in consultation with at least the (~~higher~~  
15 ~~education coordinating board~~) student achievement council, the state  
16 board for community and technical colleges, the superintendent of  
17 public instruction, and state-supported education programs in medicine,  
18 pharmacy, and nursing, shall develop a plan for increasing rural  
19 training opportunities for students in medicine, pharmacy, and nursing.  
20 The plan shall provide for direct exposure to rural health professional  
21 practice conditions for students planning careers in medicine,  
22 pharmacy, and nursing.

23 (2) The department and the medical, pharmacy, and nurse education  
24 programs shall:

25 (a) Inventory existing rural-based clinical experience programs,  
26 including internships, clerkships, residencies, and other training  
27 opportunities available to students pursuing degrees in nursing,  
28 pharmacy, and medicine;

29 (b) Identify where training opportunities do not currently exist  
30 and are needed;

31 (c) Develop recommendations for improving the availability of rural  
32 training opportunities;

33 (d) Develop recommendations on establishing agreements between  
34 education programs to assure that all students in medical, pharmacist,  
35 and nurse education programs in the state have access to rural training  
36 opportunities; and

1 (e) Review private and public funding sources to finance rural-  
2 based training opportunities.

3 **Sec. 585.** RCW 74.13.570 and 2005 c 93 s 2 are each amended to read  
4 as follows:

5 (1) The department shall establish an oversight committee composed  
6 of staff from the children's administration of the department, the  
7 office of the superintendent of public instruction, the (~~higher~~  
8 ~~education coordinating board~~) student achievement council, foster  
9 youth, former foster youth, foster parents, and advocacy agencies to  
10 develop strategies for maintaining foster children in the schools they  
11 were attending at the time they entered foster care and to promote  
12 opportunities for foster youth to participate in postsecondary  
13 education or training.

14 (2) The duties of the oversight committee shall include, but are  
15 not limited to:

16 (a) Developing strategies for school-based recruitment of foster  
17 homes;

18 (b) Monitoring the progress of current pilot projects that assist  
19 foster children to continue attending the schools they were attending  
20 at the time they entered foster care;

21 (c) Overseeing the expansion of the number of pilot projects;

22 (d) Promoting the use of best practices, throughout the state,  
23 demonstrated by the pilot projects and other programs relating to  
24 maintaining foster children in the schools they were attending at the  
25 time they entered foster care;

26 (e) Informing the legislature of the status of efforts to maintain  
27 foster children in the schools they were attending at the time they  
28 entered foster care;

29 (f) Assessing the scope and nature of statewide need among current  
30 and former foster youth for assistance to pursue and participate in  
31 postsecondary education or training opportunities;

32 (g) Identifying available sources of funding available in the state  
33 for services to former foster youth to pursue and participate in  
34 postsecondary education or training opportunities;

35 (h) Reviewing the effectiveness of activities in the state to  
36 support former foster youth to pursue and participate in postsecondary  
37 education or training opportunities;

1 (i) Identifying new activities, or existing activities that should  
2 be modified or expanded, to best meet statewide needs; and

3 (j) Reviewing on an ongoing basis the progress toward improving  
4 educational and vocational outcomes for foster youth.

5 **PART VI**

6 **REFERENCES TO THE OFFICE OF STUDENT FINANCIAL ASSISTANCE**

7 **Sec. 601.** RCW 28A.175.135 and 2011 c 288 s 3 are each amended to  
8 read as follows:

9 Subject to funds appropriated for this purpose, funds shall be  
10 allocated as specified in the omnibus appropriations act to support the  
11 PASS program through the following programs:

12 (1) The opportunity internship program under RCW 28C.18.160 through  
13 28C.18.168;

14 (2) The jobs for America's graduates program administered through  
15 the office of the superintendent of public instruction;

16 (3) The building bridges program under RCW 28A.175.025, to be used  
17 to expand programs that have been implemented by building bridges  
18 partnerships and determined by the building bridges work group to be  
19 successful in reducing dropout rates, or to replicate such programs in  
20 new partnerships; and

21 (4) Individualized student support services provided by a college  
22 scholarship organization with expertise in managing scholarships for  
23 low-income, high potential students and foster care youth under  
24 contract with the (~~higher education coordinating board~~) office of  
25 student financial assistance, including but not limited to college and  
26 career advising, counseling, tutoring, community mentor programs, and  
27 leadership development.

28 **Sec. 602.** RCW 28A.660.050 and 2011 1st sp.s. c 11 s 134 are each  
29 amended to read as follows:

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

33 (1) The programs shall be administered by the office of student  
34 financial assistance. In administering the programs, the office has  
35 the following powers and duties:

1 (a) To adopt necessary rules and develop guidelines to administer  
2 the programs;

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

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

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

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

15 (i) Be accepted and maintain enrollment in alternative  
16 certification routes through a professional educator standards board-  
17 approved program;

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (5) Recipients who fail to fulfill the required teaching obligation  
2 are required to repay the remaining loan principal with interest and  
3 any other applicable fees. The office of student financial assistance  
4 shall adopt rules to define the terms for repayment, including  
5 applicable interest rates, fees, and deferments.

6 (6) The office of student financial assistance may deposit all  
7 appropriations, collections, and any other funds received for the  
8 program in this chapter in the future teachers conditional scholarship  
9 account authorized in RCW 28B.102.080.

10 **Sec. 603.** RCW 28B.12.040 and 2011 1st sp.s. c 11 s 143 are each  
11 amended to read as follows:

12 The office of student financial assistance shall develop and  
13 administer the state work-study program. The ((~~board~~)) office shall be  
14 authorized to enter into agreements with employers and eligible  
15 institutions for the operation of the program. These agreements shall  
16 include such provisions as the office may deem necessary or appropriate  
17 to carry out the purposes of this chapter.

18 With the exception of off-campus community service placements, the  
19 share from moneys disbursed under the state work-study program of the  
20 compensation of students employed under such program in accordance with  
21 such agreements shall not exceed eighty percent of the total such  
22 compensation paid such students.

23 By rule, the office shall define community service placements and  
24 may determine any salary matching requirements for any community  
25 service employers.

26 **Sec. 604.** RCW 28B.12.070 and 2011 1st sp.s. c 11 s 147 are each  
27 amended to read as follows:

28 Each eligible institution shall submit to the office of student  
29 financial assistance an annual report in accordance with such  
30 requirements as are adopted by the ((~~board~~)) office.

31 **Sec. 605.** RCW 28B.15.012 and 2011 1st sp.s. c 11 s 148 are each  
32 amended to read as follows:

33 Whenever used in this chapter:

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

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

2 (a) A financially independent student who has had a domicile in the  
3 state of Washington for the period of one year immediately prior to the  
4 time of commencement of the first day of the semester or quarter for  
5 which the student has registered at any institution and has in fact  
6 established a bona fide domicile in this state primarily for purposes  
7 other than educational;

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

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

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

26 (e) Any person who has completed the full senior year of high  
27 school and obtained a high school diploma, both at a Washington public  
28 high school or private high school approved under chapter 28A.195 RCW,  
29 or a person who has received the equivalent of a diploma; who has lived  
30 in Washington for at least three years immediately prior to receiving  
31 the diploma or its equivalent; who has continuously lived in the state  
32 of Washington after receiving the diploma or its equivalent and until  
33 such time as the individual is admitted to an institution of higher  
34 education under subsection (1) of this section; and who provides to the  
35 institution an affidavit indicating that the individual will file an  
36 application to become a permanent resident at the earliest opportunity  
37 the individual is eligible to do so and a willingness to engage in any

1 other activities necessary to acquire citizenship, including but not  
2 limited to citizenship or civics review courses;

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

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

14 (h) A student who is the spouse or a dependent of a person who is  
15 on active military duty stationed in the state. If the person on  
16 active military duty is reassigned out-of-state, the student maintains  
17 the status as a resident student so long as the student is continuously  
18 enrolled in a degree program;

19 (i) A student who resides in the state of Washington and is the  
20 spouse or a dependent of a person who is a member of the Washington  
21 national guard;

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

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

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

37 (m) A student who resides in Washington and is the spouse or a  
38 dependent of a person who resides in Washington and is on active

1 military duty stationed in the Oregon counties of Columbia, Gilliam,  
2 Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla,  
3 Union, Wallowa, Wasco, or Washington. If the person on active military  
4 duty moves from Washington or is reassigned out of the Oregon counties  
5 of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas,  
6 Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the  
7 student maintains the status as a resident student so long as the  
8 student resides in Washington and is continuously enrolled in a degree  
9 program.

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

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

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

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

33 (5) The term "dependent" shall mean a person who is not financially  
34 independent. Factors to be considered in determining whether a person  
35 is financially independent shall be set forth in rules adopted by the  
36 office of student financial assistance and shall include, but not be  
37 limited to, the state and federal income tax returns of the person

1 and/or the student's parents or legal guardian filed for the calendar  
2 year prior to the year in which application is made and such other  
3 evidence as the ((board)) office of financial assistance may require.

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

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

7 (b) The Washington national guard; or

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

11 **Sec. 606.** RCW 28B.15.762 and 2011 1st sp.s. c 11 s 156 are each  
12 amended to read as follows:

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

34 (2) The office is responsible for collection of loans made under  
35 subsection (1) of this section and shall exercise due diligence in such  
36 collection, maintaining all necessary records to insure that maximum  
37 repayments are made. Collection and servicing of loans under

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

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

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

20 (5) The office shall adopt necessary rules to implement this  
21 section.

22 **Sec. 607.** RCW 28B.15.764 and 1985 c 370 s 81 are each amended to  
23 read as follows:

24 The ((board)) office and institutions of higher education shall  
25 work cooperatively to implement RCW 28B.15.762 and to publicize this  
26 program to eligible students.

27 **Sec. 608.** RCW 28B.76.505 and 2011 1st sp.s. c 11 s 107 are each  
28 amended to read as follows:

29 (1) The investment of funds from all scholarship endowment programs  
30 administered by the office shall be managed by the state investment  
31 board.

32 (2) The state investment board has the full power to invest,  
33 reinvest, manage, contract, sell, or exchange investment money in  
34 scholarship endowment funds. All investment and operating costs  
35 associated with the investment of a scholarship endowment fund shall be

1 paid pursuant to RCW 43.33A.160 and 43.84.160. With the exception of  
2 these expenses, the earnings from the investments of the fund belong to  
3 the fund.

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

6 (4) All investments made by the state investment board shall be  
7 made with the exercise of that degree of judgment and care pursuant to  
8 RCW 43.33A.140 and the investment policies established by the state  
9 investment board.

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

13 (6) The authority to establish all policies relating to scholarship  
14 endowment funds, other than the investment policies in subsections (2)  
15 through (5) of this section, resides with the office.

16 (7) The office may request and accept moneys from the state  
17 investment board. With the exception of expenses of the state  
18 investment board in subsection (2) of this section, disbursements from  
19 the fund shall be made only on the authorization of the office and  
20 money in the fund may be spent only for the purposes of the endowment  
21 programs as specified in the authorizing chapter of each program.

22 (8) The state investment board shall routinely consult and  
23 communicate with the office on the investment policy, earnings of the  
24 scholarship endowment funds, and related needs of the programs.

25 **Sec. 609.** RCW 28B.92.080 and 2009 c 238 s 9 are each amended to  
26 read as follows:

27 Except for opportunity internship graduates whose eligibility is  
28 provided under RCW 28B.92.084, for a student to be eligible for a state  
29 need grant a student must:

30 (1) Be a "needy student" or "disadvantaged student" as determined  
31 by the ((board)) office in accordance with RCW 28B.92.030 ((+3)) (1)  
32 and (4);

33 (2) Have been domiciled within the state of Washington for at least  
34 one year;

35 (3) Be enrolled or accepted for enrollment on at least a half-time  
36 basis at an institution of higher education in Washington as defined in  
37 RCW 28B.92.030((+1)) (3);

1 (4) Until June 30, 2011, to the extent funds are specifically  
2 appropriated for this purpose, and subject to any terms and conditions  
3 specified in the omnibus appropriations act, be enrolled or accepted  
4 for enrollment for at least three quarter credits or the equivalent  
5 semester credits at an institution of higher education in Washington as  
6 defined in RCW 28B.92.030(~~(+1)~~) (3); and

7 (5) Have complied with all the rules adopted by the (~~board~~)  
8 council for the administration of this chapter.

9 **Sec. 610.** RCW 28B.95.020 and 2011 1st sp.s. c 11 s 168 are each  
10 amended to read as follows:

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

13 (1) "Academic year" means the regular nine-month, three-quarter, or  
14 two-semester period annually occurring between August 1st and July  
15 31st.

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

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

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

35 (5) "Eligible beneficiary" means the person for whom the tuition  
36 unit will be redeemed for attendance at an institution of higher  
37 education. The beneficiary is that person named by the purchaser at

1 the time that a tuition unit contract is accepted by the governing  
2 body. Qualified organizations, as allowed under section 529 of the  
3 federal internal revenue code, purchasing tuition unit contracts as  
4 future scholarships need not designate a beneficiary at the time of  
5 purchase.

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

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

15 (8) "Governing body" means the committee empowered by the  
16 legislature to administer the Washington advanced college tuition  
17 payment program.

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

22 (10) "Investment board" means the state investment board as defined  
23 in chapter 43.33A RCW.

24 (11) "Office" means the office of student financial assistance as  
25 defined in chapter 28B.76 RCW.

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

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

35 (14) "Tuition unit contract" means a contract between an eligible  
36 purchaser and the governing body, or a successor agency appointed for  
37 administration of this chapter, for the purchase of tuition units for

1 a specified beneficiary that may be redeemed at a later date for an  
2 equal number of tuition units.

3 (15) "Unit purchase price" means the minimum cost to purchase one  
4 tuition unit for an eligible beneficiary. Generally, the minimum  
5 purchase price is one percent of the undergraduate tuition and fees for  
6 the current year, rounded to the nearest whole dollar, adjusted for the  
7 costs of administration and adjusted to ensure the actuarial soundness  
8 of the account. The analysis for price setting shall also include, but  
9 not be limited to consideration of past and projected patterns of  
10 tuition increases, program liability, past and projected investment  
11 returns, and the need for a prudent stabilization reserve.

12 **Sec. 611.** RCW 28B.102.030 and 2011 1st sp.s. c 11 s 177 are each  
13 amended to read as follows:

14 The future teachers conditional scholarship and loan repayment  
15 program is established. The program shall be administered by the  
16 office. In administering the program, the ((board)) office shall have  
17 the following powers and duties:

18 (1) Select students to receive conditional scholarships or loan  
19 repayments;

20 (2) Adopt necessary rules and guidelines;

21 (3) Publicize the program;

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

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

26 **Sec. 612.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to  
27 read as follows:

28 (1) Participants in the conditional scholarship program incur an  
29 obligation to repay the conditional scholarship, with interest, unless  
30 they serve in the Washington national guard for one additional year for  
31 each year of conditional scholarship received, under rules adopted by  
32 the office.

33 (2) The entire principal and interest of each yearly repayment  
34 shall be forgiven for each additional year in which a participant  
35 serves in the Washington national guard, under rules adopted by the  
36 office.

1 (3) If a participant elects to repay the conditional scholarship,  
2 the period of repayment shall be four years, with payments accruing  
3 quarterly commencing nine months from the date that the participant  
4 leaves the Washington national guard or withdraws from the institution  
5 of higher education, whichever comes first. The interest rate on the  
6 repayments shall be eight percent per year. Provisions for deferral  
7 and forgiveness shall be determined by the office.

8 (4) The office is responsible for collection of repayments made  
9 under this section. The office shall exercise due diligence in such  
10 collection, maintaining all necessary records to ensure that maximum  
11 repayments are made. Collection and servicing of repayments under this  
12 section shall be pursued using the full extent of law, including wage  
13 garnishment if necessary. The office is responsible to forgive all or  
14 parts of such repayments under the criteria established in this  
15 section, and shall maintain all necessary records of forgiven payments.  
16 The office may contract with the (~~higher education coordinating~~  
17 ~~board~~) office of student financial assistance for collection of  
18 repayments under this section.

19 (5) Receipts from the payment of principal or interest paid by or  
20 on behalf of participants shall be deposited with the office and shall  
21 be used to cover the costs of granting the conditional scholarships,  
22 maintaining necessary records, and making collections under subsection  
23 (4) of this section. The office shall maintain accurate records of  
24 these costs, and all receipts beyond those necessary to pay such costs  
25 shall be used to grant conditional scholarships to eligible students.

26 **Sec. 613.** RCW 28B.108.020 and 2011 1st sp.s. c 11 s 192 are each  
27 amended to read as follows:

28 (1) The American Indian endowed scholarship program is created.  
29 The program shall be administered by the office. In administering the  
30 program, the (~~board's~~) office's powers and duties shall include but  
31 not be limited to:

32 (~~(1)~~) (a) Selecting students to receive scholarships, with the  
33 assistance of a screening committee composed of persons involved in  
34 helping American Indian students to obtain a higher education. The  
35 membership of the committee may include, but is not limited to  
36 representatives of: Indian tribes, urban Indians, the governor's

1 office of Indian affairs, the Washington state Indian education  
2 association, and institutions of higher education;  
3 ~~((2) Adopting necessary rules and guidelines;~~  
4 ~~(3))~~ (b) Publicizing the program;  
5 ~~((4))~~ (c) Accepting and depositing donations into the endowment  
6 fund created in RCW 28B.108.060;  
7 ~~((5))~~ (d) Requesting from the state investment board and  
8 accepting from the state treasurer moneys earned from the endowment  
9 fund created in RCW 28B.108.060;  
10 ~~((6))~~ (e) Soliciting and accepting grants and donations from  
11 public and private sources for the program; and  
12 ~~((7))~~ (f) Naming scholarships in honor of those American Indians  
13 from Washington who have acted as role models.  
14 (2) The student achievement council shall adopt necessary rules and  
15 guidelines for the American Indian endowed scholarship program.

16 **Sec. 614.** RCW 28B.108.040 and 1990 c 287 s 5 are each amended to  
17 read as follows:

18 The ~~((board))~~ office may award scholarships to eligible students  
19 from moneys earned from the endowment fund created in RCW 28B.108.060,  
20 or from funds appropriated to the ~~((board))~~ office for this purpose, or  
21 from any private donations, or from any other funds given to the  
22 ~~((board))~~ office for this program. For an undergraduate student, the  
23 amount of the scholarship shall not exceed the student's demonstrated  
24 financial need. For a graduate student, the amount of the scholarship  
25 shall not exceed the student's demonstrated need; or the stipend of a  
26 teaching assistant, including tuition, at the University of Washington;  
27 whichever is higher. In calculating a student's need, the ~~((board))~~  
28 office shall consider the student's costs for tuition, fees, books,  
29 supplies, transportation, room, board, personal expenses, and child  
30 care. The student's scholarship awarded under this chapter shall not  
31 exceed the amount received by a student attending a state research  
32 university. A student is eligible to receive a scholarship for a  
33 maximum of five years. However, the length of the scholarship shall be  
34 determined at the discretion of the ~~((board))~~ office.

35 **Sec. 615.** RCW 28B.116.030 and 2011 1st sp.s. c 11 s 216 are each  
36 amended to read as follows:

1 (1) The office may award scholarships to eligible students from the  
2 foster care scholarship endowment fund in RCW 28B.116.060, from funds  
3 appropriated to the ((~~board~~)) office for this purpose, from any private  
4 donations, or from any other funds given to the office for the program.

5 (2) The office may award scholarships to eligible students from  
6 moneys earned from the foster care scholarship endowment fund created  
7 in RCW 28B.116.060, or from funds appropriated to the ((~~board~~)) office  
8 for this purpose, or from any private donations, or from any other  
9 funds given to the office for this program. For an undergraduate  
10 student, the amount of the scholarship shall not exceed the student's  
11 demonstrated financial need. For a graduate student, the amount of the  
12 scholarship shall not exceed the student's demonstrated need; or the  
13 stipend of a teaching assistant, including tuition, at the University  
14 of Washington; whichever is higher. In calculating a student's need,  
15 the office shall consider the student's costs for tuition, fees, books,  
16 supplies, transportation, room, board, personal expenses, and child  
17 care. The student's scholarship awarded under this chapter shall not  
18 exceed the amount received by a student attending a state research  
19 university. A student is eligible to receive a scholarship for a  
20 maximum of five years. However, the length of the scholarship shall be  
21 determined at the discretion of the office.

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

24 **Sec. 616.** RCW 28B.117.030 and 2011 1st sp.s. c 11 s 221 are each  
25 amended to read as follows:

26 (1) The office shall design and, to the extent funds are  
27 appropriated for this purpose, implement, a program of supplemental  
28 scholarship and student assistance for students who have emancipated  
29 from the state foster care system after having spent at least one year  
30 in care.

31 (2) The office shall convene and consult with an advisory committee  
32 to assist with program design and implementation. The committee shall  
33 include but not be limited to former foster care youth and their  
34 advocates; representatives from the state board for community and  
35 technical colleges, and from public and private agencies that assist  
36 current and former foster care recipients in their transition to

1 adulthood; and student support specialists from public and private  
2 colleges and universities.

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

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

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

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

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

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

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

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

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

21 (b) Shall not exceed the student's financial need, less a  
22 reasonable self-help amount defined by the (~~board~~) office, when  
23 combined with all other public and private grant, scholarship, and  
24 waiver assistance the student receives.

25 (5) An eligible student may receive a passport to college  
26 scholarship under this section for a maximum of five years after the  
27 student first enrolls with an institution of higher education or until  
28 the student turns age twenty-six, whichever occurs first. If a student  
29 turns age twenty-six during an academic year, and would otherwise be  
30 eligible for a scholarship under this section, the student shall  
31 continue to be eligible for a scholarship for the remainder of the  
32 academic year.

33 (6) The office, in consultation with and with assistance from the  
34 state board for community and technical colleges, shall perform an  
35 annual analysis to verify that those institutions of higher education  
36 at which students have received a scholarship under this section have  
37 awarded the student all available need-based and merit-based grant and  
38 scholarship aid for which the student qualifies.

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

5 (a) Has a viable plan for identifying students eligible for  
6 assistance under this section, for tracking and enhancing their  
7 academic progress, for addressing their unique needs for assistance  
8 during school vacations and academic interims, and for linking them to  
9 appropriate sources of assistance in their transition to adulthood;

10 (b) Receives financial and other incentives for achieving  
11 measurable progress in the recruitment, retention, and graduation of  
12 eligible students.

13 **PART VII**

14 **MISCELLANEOUS REFERENCES**

15 **Sec. 701.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to  
16 read as follows:

17 (1) The building fee for each academic year shall be a percentage  
18 of total tuition fees. This percentage shall be calculated by the  
19 (~~higher education coordinating board~~) office of financial management  
20 and be based on the actual percentage the building fee is of total  
21 tuition for each tuition category in the 1994-95 academic year, rounded  
22 up to the nearest half percent.

23 (2) The governing boards of each institution of higher education,  
24 except for the technical colleges, shall charge to and collect from  
25 each student a services and activities fee. A governing board may  
26 increase the existing fee annually, consistent with budgeting  
27 procedures set forth in RCW 28B.15.045, by a percentage not to exceed  
28 the annual percentage increase in student tuition fees for resident  
29 undergraduate students: PROVIDED, That such percentage increase shall  
30 not apply to that portion of the services and activities fee previously  
31 committed to the repayment of bonded debt. These rate adjustments may  
32 exceed the fiscal growth factor. For the 2003-04 academic year, the  
33 services and activities fee shall be based upon the resident  
34 undergraduate services and activities fee in 2002-03. The services and  
35 activities fee committee provided for in RCW 28B.15.045 may initiate a  
36 request to the governing board for a fee increase.

1 (3) Tuition and services and activities fees consistent with  
2 subsection (2) of this section shall be set by the state board for  
3 community and technical colleges for community college summer school  
4 students unless the community college charges fees in accordance with  
5 RCW 28B.15.515.

6 (4) Subject to the limitations of RCW 28B.15.910, each governing  
7 board of a community college may charge such fees for ungraded courses,  
8 noncredit courses, community services courses, and self-supporting  
9 courses as it, in its discretion, may determine, consistent with the  
10 rules of the state board for community and technical colleges.

11 (5) The governing board of a college offering an applied  
12 baccalaureate degree program under RCW 28B.50.810 may charge tuition  
13 fees for those courses above the associate degree level at rates  
14 consistent with rules adopted by the state board for community and  
15 technical colleges, not to exceed tuition fee rates at the regional  
16 universities.

17 **Sec. 702.** RCW 28A.600.310 and 2011 1st sp.s. c 10 s 10 are each  
18 amended to read as follows:

19 (1) Eleventh and twelfth grade students or students who have not  
20 yet received the credits required for the award of a high school  
21 diploma and are eligible to be in the eleventh or twelfth grades may  
22 apply to a participating institution of higher education to enroll in  
23 courses or programs offered by the institution of higher education. A  
24 student receiving home-based instruction enrolling in a public high  
25 school for the sole purpose of participating in courses or programs  
26 offered by institutions of higher education shall not be counted by the  
27 school district in any required state or federal accountability  
28 reporting if the student's parents or guardians filed a declaration of  
29 intent to provide home-based instruction and the student received home-  
30 based instruction during the school year before the school year in  
31 which the student intends to participate in courses or programs offered  
32 by the institution of higher education. Students receiving home-based  
33 instruction under chapter 28A.200 RCW and students attending private  
34 schools approved under chapter 28A.195 RCW shall not be required to  
35 meet the student learning goals, obtain a certificate of academic  
36 achievement or a certificate of individual achievement to graduate from  
37 high school, or to master the essential academic learning requirements.

1 However, students are eligible to enroll in courses or programs in  
2 participating universities only if the board of directors of the  
3 student's school district has decided to participate in the program.  
4 Participating institutions of higher education, in consultation with  
5 school districts, may establish admission standards for these students.  
6 If the institution of higher education accepts a secondary school pupil  
7 for enrollment under this section, the institution of higher education  
8 shall send written notice to the pupil and the pupil's school district  
9 within ten days of acceptance. The notice shall indicate the course  
10 and hours of enrollment for that pupil.

11 (2)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020  
12 and 28B.15.041:

13 (i) Running start students shall pay to the community or technical  
14 college all other mandatory fees as established by each community or  
15 technical college and, in addition, the state board for community and  
16 technical colleges may authorize a fee of up to ten percent of tuition  
17 and fees as defined in RCW 28B.15.020 and 28B.15.041; and

18 (ii) All other institutions of higher education operating a running  
19 start program may charge running start students a fee of up to ten  
20 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041  
21 in addition to technology fees.

22 (b) The fees charged under this subsection (2) shall be prorated  
23 based on credit load.

24 (3)(a) The institutions of higher education must make available fee  
25 waivers for low-income running start students. Each institution must  
26 establish a written policy for the determination of low-income students  
27 before offering the fee waiver. A student shall be considered low  
28 income and eligible for a fee waiver upon proof that the student is  
29 currently qualified to receive free or reduced-price lunch. Acceptable  
30 documentation of low-income status may also include, but is not limited  
31 to, documentation that a student has been deemed eligible for free or  
32 reduced-price lunches in the last five years, or other criteria  
33 established in the institution's policy.

34 (b) Institutions of higher education, in collaboration with  
35 relevant student associations, shall aim to have students who can  
36 benefit from fee waivers take advantage of these waivers. Institutions  
37 shall make every effort to communicate to students and their families  
38 the benefits of the waivers and provide assistance to students and

1 their families on how to apply. Information about waivers shall, to  
2 the greatest extent possible, be incorporated into financial aid  
3 counseling, admission information, and individual billing statements.  
4 Institutions also shall, to the greatest extent possible, use all means  
5 of communication, including but not limited to web sites, online  
6 catalogues, admission and registration forms, mass e-mail messaging,  
7 social media, and outside marketing to ensure that information about  
8 waivers is visible, compelling, and reaches the maximum number of  
9 students and families that can benefit.

10 (4) The pupil's school district shall transmit to the institution  
11 of higher education an amount per each full-time equivalent college  
12 student at statewide uniform rates for vocational and nonvocational  
13 students. The superintendent of public instruction shall separately  
14 calculate and allocate moneys appropriated for basic education under  
15 RCW 28A.150.260 to school districts for purposes of making such  
16 payments and for granting school districts seven percent thereof to  
17 offset program related costs. The calculations and allocations shall  
18 be based upon the estimated statewide annual average per full-time  
19 equivalent high school student allocations under RCW 28A.150.260,  
20 excluding small high school enhancements, and applicable rules adopted  
21 under chapter 34.05 RCW. The superintendent of public instruction,  
22 (~~the higher education coordinating board~~) participating institutions  
23 of higher education, and the state board for community and technical  
24 colleges shall consult on the calculation and distribution of the  
25 funds. The funds received by the institution of higher education from  
26 the school district shall not be deemed tuition or operating fees and  
27 may be retained by the institution of higher education. A student  
28 enrolled under this subsection shall be counted for the purpose of  
29 meeting enrollment targets in accordance with terms and conditions  
30 specified in the omnibus appropriations act.

31 (5) The state board for community and technical colleges, in  
32 collaboration with the other institutions of higher education that  
33 participate in the running start program and the office of the  
34 superintendent of public instruction, shall identify, assess, and  
35 report on alternatives for providing ongoing and adequate financial  
36 support for the program. Such alternatives shall include but are not  
37 limited to student tuition, increased support from local school  
38 districts, and reallocation of existing state financial support among

1 the community and technical college system to account for differential  
2 running start enrollment levels and impacts. The state board for  
3 community and technical colleges shall report the assessment of  
4 alternatives to the governor and to the appropriate fiscal and policy  
5 committees of the legislature by September 1, 2010.

6 **Sec. 703.** RCW 28B.15.380 and 2010 c 261 s 4 are each amended to  
7 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 shall exempt the following students from the payment of  
11 all tuition fees and services and activities fees:

12 (1) Children of any law enforcement officer as defined in chapter  
13 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or  
14 Washington state patrol officer who lost his or her life or became  
15 totally disabled in the line of duty while employed by any public law  
16 enforcement agency or full time or volunteer fire department in this  
17 state: PROVIDED, That such persons may receive the exemption only if  
18 they begin their course of study at a state-supported college or  
19 university within ten years of their graduation from high school; and

20 (2) Surviving spouses of any law enforcement officer as defined in  
21 chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24  
22 RCW, or Washington state patrol officer who lost his or her life or  
23 became totally disabled in the line of duty while employed by any  
24 public law enforcement agency or full time or volunteer fire department  
25 in this state.

26 (3) The governing boards of the state universities, the regional  
27 universities, and The Evergreen State College shall report to the  
28 (~~higher education coordinating board~~) education data center on the  
29 annual cost of tuition fees and services and activities fees waived for  
30 surviving spouses and children under this section. The (~~higher  
31 education coordinating board~~) education data center shall consolidate  
32 the reports of the waived fees and annually report to the appropriate  
33 fiscal and policy committees of the legislature.

34 **Sec. 704.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended  
35 to read as follows:

36 Subject to the limitations of RCW 28B.15.910, the state board for

1 community and technical colleges and the governing boards of the state  
2 universities, the regional universities, the community colleges, and  
3 The Evergreen State College may waive all or a portion of the  
4 nonresident tuition fees differential for residents of Oregon, upon  
5 completion of and to the extent permitted by an agreement between the  
6 governing boards of the respective individual institutions of higher  
7 education (~~coordinating board~~) and appropriate officials and agencies  
8 in Oregon granting similar waivers for residents of the state of  
9 Washington.

10 **Sec. 705.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to  
11 read as follows:

12 The (~~higher education coordinating board~~) governing boards of the  
13 state universities, the regional universities, The Evergreen State  
14 College, and the community and technical colleges may enter into an  
15 agreement with appropriate officials or agencies in Oregon to implement  
16 the provisions of RCW 28B.15.730 through 28B.15.734.

17 **Sec. 706.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended  
18 to read as follows:

19 Subject to the limitations of RCW 28B.15.910, the governing boards  
20 of the state universities, the regional universities, and The Evergreen  
21 State College and the state board for community and technical colleges  
22 may waive all or a portion of the nonresident tuition fees differential  
23 for residents of Idaho, upon completion of and to the extent permitted  
24 by an agreement between the governing boards of the individual  
25 institutions of higher education (~~coordinating board~~) and appropriate  
26 officials and agencies in Idaho granting similar waivers for residents  
27 of the state of Washington.

28 **Sec. 707.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended  
29 to read as follows:

30 Subject to the limitations of RCW 28B.15.910, the governing boards  
31 of the state universities, the regional universities, and The Evergreen  
32 State College and the state board for community and technical colleges  
33 may waive all or a portion of the nonresident tuition fees differential  
34 for residents of the Canadian province of British Columbia, upon  
35 completion of and to the extent permitted by an agreement between the

1 governing boards of the individual institutions of higher education  
2 ~~((coordinating board))~~ and appropriate officials and agencies in the  
3 Canadian province of British Columbia providing for enrollment  
4 opportunities for residents of the state of Washington without payment  
5 of tuition or fees in excess of those charged to residents of British  
6 Columbia.

7 **Sec. 708.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are  
8 each reenacted and amended to read as follows:

9 (1) The Washington state economic development commission shall,  
10 with the advice of an innovation partnership advisory group selected by  
11 the commission:

12 (a) Provide information and advice to the department of commerce to  
13 assist in the implementation of the innovation partnership zone  
14 program, including criteria to be used in the selection of grant  
15 applicants for funding;

16 (b) Document clusters of companies throughout the state that have  
17 comparative competitive advantage or the potential for comparative  
18 competitive advantage, using the process and criteria for identifying  
19 strategic clusters developed by the working group specified in  
20 subsection (2) of this section;

21 (c) Conduct an innovation opportunity analysis to identify (i) the  
22 strongest current intellectual assets and research teams in the state  
23 focused on emerging technologies and their commercialization, and (ii)  
24 faculty and researchers that could increase their focus on  
25 commercialization of technology if provided the appropriate technical  
26 assistance and resources;

27 (d) Based on its findings and analysis, and in conjunction with the  
28 ~~((higher education coordinating board and))~~ research institutions:

29 (i) Develop a plan to build on existing, and develop new,  
30 intellectual assets and innovation research teams in the state in  
31 research areas where there is a high potential to commercialize  
32 technologies. The commission shall present the plan to the governor  
33 and legislature by December 31, 2009. The ~~((higher education  
34 coordinating board))~~ publicly funded research institutions in the state  
35 shall be responsible for implementing the plan ~~((in conjunction with  
36 the publicly funded research institutions in the state))~~. The plan

1 shall address the following elements and such other elements as the  
2 commission deems important:

3 (A) Specific mechanisms to support, enhance, or develop innovation  
4 research teams and strengthen their research and commercialization  
5 capacity in areas identified as useful to strategic clusters and  
6 innovative firms in the state;

7 (B) Identification of the funding necessary for laboratory  
8 infrastructure needed to house innovation research teams;

9 (C) Specification of the most promising research areas meriting  
10 enhanced resources and recruitment of significant entrepreneurial  
11 researchers to join or lead innovation research teams;

12 (D) The most productive approaches to take in the recruitment, in  
13 the identified promising research areas, of a minimum of ten  
14 significant entrepreneurial researchers over the next ten years to join  
15 or lead innovation research teams;

16 (E) Steps to take in solicitation of private sector support for the  
17 recruitment of entrepreneurial researchers and the commercialization  
18 activity of innovation research teams; and

19 (F) Mechanisms for ensuring the location of innovation research  
20 teams in innovation partnership zones;

21 (ii) Provide direction for the development of comprehensive  
22 entrepreneurial assistance programs at research institutions. The  
23 programs may involve multidisciplinary students, faculty,  
24 entrepreneurial researchers, entrepreneurs, and investors in building  
25 business models and evolving business plans around innovative ideas.  
26 The programs may provide technical assistance and the support of an  
27 entrepreneur-in-residence to innovation research teams and offer  
28 entrepreneurial training to faculty, researchers, undergraduates, and  
29 graduate students. Curriculum leading to a certificate in  
30 entrepreneurship may also be offered;

31 (e) Develop performance measures to be used in evaluating the  
32 performance of innovation research teams, the implementation of the  
33 plan and programs under (d)(i) and (ii) of this subsection, and the  
34 performance of innovation partnership zone grant recipients, including  
35 but not limited to private investment measures, business initiation  
36 measures, job creation measures, and measures of innovation such as  
37 licensing of ideas in research institutions, patents, or other  
38 recognized measures of innovation. The performance measures developed

1 shall be consistent with the economic development commission's  
2 comprehensive plan for economic development and its standards and  
3 metrics for program evaluation. The commission shall report to the  
4 legislature and the governor by June 30, 2009, on the measures  
5 developed; and

6 (f) Using the performance measures developed, perform a biennial  
7 assessment and report, the first of which shall be due December 31,  
8 2012, on:

9 (i) Commercialization of technologies developed at state  
10 universities, found at other research institutions in the state, and  
11 facilitated with public assistance at existing companies;

12 (ii) Outcomes of the funding of innovation research teams and  
13 recruitment of significant entrepreneurial researchers;

14 (iii) Comparison with other states of Washington's outcomes from  
15 the innovation research teams and efforts to recruit significant  
16 entrepreneurial researchers; and

17 (iv) Outcomes of the grants for innovation partnership zones.  
18 The report shall include recommendations for modifications of chapter  
19 227, Laws of 2007 and of state commercialization efforts that would  
20 enhance the state's economic competitiveness.

21 (2) The economic development commission and the workforce training  
22 and education coordinating board shall jointly convene a working group  
23 to:

24 (a) Specify the process and criteria for identification of substate  
25 geographic concentrations of firms or employment in an industry and the  
26 industry's customers, suppliers, supporting businesses, and  
27 institutions, which process will include the use of labor market  
28 information from the employment security department and local labor  
29 markets; and

30 (b) Establish criteria for identifying strategic clusters which are  
31 important to economic prosperity in the state, considering cluster  
32 size, growth rate, and wage levels among other factors.

33 **PART VIII**  
34 **DELETED REFERENCES**

35 **Sec. 801.** RCW 28A.175.130 and 2011 c 288 s 2 are each amended to  
36 read as follows:

1 (1) The pay for actual student success (PASS) program is created  
2 under this section and RCW 28A.175.135 through 28A.175.160 to invest in  
3 proven dropout prevention and intervention programs as provided in RCW  
4 28A.175.135 and provide a financial award for high schools that  
5 demonstrate improvement in the dropout prevention indicators  
6 established under RCW 28A.175.140. The legislature finds that  
7 increased accumulation of credits and reductions in incidents of  
8 student discipline lead to improved graduation rates.

9 (2) The office of the superintendent of public instruction, the  
10 workforce training and education coordinating board, the building  
11 bridges working group, the (~~higher education coordinating board,~~) and  
12 the college scholarship organization under RCW 28A.175.135(4) shall  
13 collaborate to assure that the programs under RCW 28A.175.135 operate  
14 systematically and are expanded to include as many additional students  
15 and schools as possible.

16 **Sec. 802.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to  
17 read as follows:

18 (1) The superintendent of public instruction, the state board for  
19 community and technical colleges, (~~the higher education coordinating~~  
20 ~~board,~~) and the public baccalaureate institutions shall jointly  
21 develop and each adopt rules governing the college in the high school  
22 program. The association of Washington school principals shall be  
23 consulted during the rules development. The rules shall be written to  
24 encourage the maximum use of the program and may not narrow or limit  
25 the enrollment options.

26 (2) College in the high school programs shall each be governed by  
27 a local contract between the district and the institution of higher  
28 education, in compliance with the guidelines adopted by the  
29 superintendent of public instruction, the state board for community and  
30 technical colleges, and the public baccalaureate institutions.

31 (3) The college in the high school program must include the  
32 provisions in this subsection.

33 (a) The high school and institution of higher education together  
34 shall define the criteria for student eligibility. The institution of  
35 higher education may charge tuition fees to participating students.

36 (b) School districts shall report no student for more than one  
37 full-time equivalent including college in the high school courses.

1 (c) The funds received by the institution of higher education may  
2 not be deemed tuition or operating fees and may be retained by the  
3 institution of higher education.

4 (d) Enrollment information on persons registered under this section  
5 must be maintained by the institution of higher education separately  
6 from other enrollment information and may not be included in official  
7 enrollment reports, nor may such persons be considered in any  
8 enrollment statistics that would affect higher education budgetary  
9 determinations.

10 (e) A school district must grant high school credit to a student  
11 enrolled in a program course if the student successfully completes the  
12 course. If no comparable course is offered by the school district, the  
13 school district superintendent shall determine how many credits to  
14 award for the course. The determination shall be made in writing  
15 before the student enrolls in the course. The credits shall be applied  
16 toward graduation requirements and subject area requirements. Evidence  
17 of successful completion of each program course shall be included in  
18 the student's secondary school records and transcript.

19 (f) An institution of higher education must grant college credit to  
20 a student enrolled in a program course if the student successfully  
21 completes the course. The college credit shall be applied toward  
22 general education requirements or major requirements. If no comparable  
23 course is offered by the college, the institution of higher education  
24 at which the teacher of the program course is employed shall determine  
25 how many credits to award for the course and whether the course  
26 fulfills general education or major requirements. Evidence of  
27 successful completion of each program course must be included in the  
28 student's college transcript.

29 (g) Eleventh and twelfth grade students or students who have not  
30 yet received a high school diploma or its equivalent and are eligible  
31 to be in the eleventh or twelfth grades may participate in the college  
32 in the high school program.

33 (h) Participating school districts must provide general information  
34 about the college in the high school program to all students in grades  
35 ten, eleven, and twelve and to the parents and guardians of those  
36 students.

37 (i) Full-time and part-time faculty at institutions of higher

1 education, including adjunct faculty, are eligible to teach program  
2 courses.

3 (4) The definitions in this subsection apply throughout this  
4 section.

5 (a) "Institution of higher education" has the meaning in RCW  
6 28B.10.016 and also includes a public tribal college located in  
7 Washington and accredited by the Northwest commission on colleges and  
8 universities or another accrediting association recognized by the  
9 United States department of education.

10 (b) "Program course" means a college course offered in a high  
11 school under the college in the high school program.

12 **Sec. 803.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to  
13 read as follows:

14 (1) The office of the superintendent of public instruction, in  
15 consultation with the workforce training and education coordinating  
16 board, the Washington state apprenticeship and training council, and  
17 the state board for community and technical colleges, shall develop a  
18 list of statewide high-demand programs for secondary career and  
19 technical education. The list shall be developed using the high-demand  
20 list maintained by workforce development councils in consultation with  
21 the employment security department, and the high employer demand  
22 programs of study identified by the workforce training and education  
23 coordinating board(~~(, and the high employer demand programs of study~~  
24 ~~identified by the higher education coordinating board)~~). Local school  
25 districts may recommend additional high-demand programs in consultation  
26 with local career and technical education advisory committees by  
27 submitting evidence of local high demand.

28 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,  
29 and 28A.700.060, and section 307 of this act:

30 (a) "High-demand program" means a career and technical education  
31 program that prepares students for either a high employer demand  
32 program of study or a high-demand occupation, or both.

33 (b) "High employer demand program of study" means an apprenticeship  
34 or an undergraduate or graduate certificate or degree program in which  
35 the number of students per year prepared for employment from in-state  
36 programs is substantially fewer than the number of projected job

1 openings per year in that field, either statewide or in a substate  
2 region.

3 (c) "High-demand occupation" means an occupation with a substantial  
4 number of current or projected employment opportunities.

5 **Sec. 804.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to  
6 read as follows:

7 (1) The office of the superintendent of public instruction, the  
8 workforce training and education coordinating board, the state board  
9 for community and technical colleges, (~~the higher education~~  
10 ~~coordinating board,~~) and the council of presidents shall work with  
11 local school districts, workforce education programs in colleges, tech  
12 prep consortia, and four-year institutions of higher education to  
13 develop model career and technical education programs of study as  
14 described by this section.

15 (2) Career and technical education programs of study:

16 (a) Incorporate secondary and postsecondary education elements;

17 (b) Include coherent and rigorous academic content aligned with  
18 state learning standards and relevant career and technical content in  
19 a coordinated, nonduplicative progression of courses that are aligned  
20 with postsecondary education in a related field;

21 (c) Include opportunities for students to earn dual high school and  
22 college credit; and

23 (d) Lead to an industry-recognized credential or certificate at the  
24 postsecondary level, or an associate or baccalaureate degree.

25 (3) During the 2008-09 school year, model career and technical  
26 education programs of study shall be developed for the following  
27 high-demand programs: Construction, health care, and information  
28 technology. Each school year thereafter, the office of the  
29 superintendent of public instruction, the state board for community and  
30 technical colleges, (~~the higher education coordinating board,~~) and  
31 the workforce training and education coordinating board shall select  
32 additional programs of study to develop, with a priority on high-demand  
33 programs as identified under RCW 28A.700.020.

34 **Sec. 805.** RCW 28B.20.130 and 2010 c 51 s 1 are each amended to  
35 read as follows:

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

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

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

7 (3) Establish entrance requirements for students seeking admission  
8 to the university (~~(which meet or exceed the standards specified under~~  
9 ~~RCW 28B.76.290(2))~~). Completion of examinations satisfactory to the  
10 university may be a prerequisite for entrance by any applicant at the  
11 university's discretion. Evidence of completion of public high schools  
12 and other educational institutions whose courses of study meet the  
13 approval of the university may be acceptable for entrance.

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

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

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

27 (7) Accept such gifts, grants, conveyances, bequests, and devises,  
28 whether real or personal property, or both, in trust or otherwise, for  
29 the use or benefit of the university, its colleges, schools,  
30 departments, or agencies; and sell, lease or exchange, invest or expend  
31 the same or the proceeds, rents, profits, and income thereof except as  
32 limited by the terms of said gifts, grants, conveyances, bequests, and  
33 devises. The board shall adopt proper rules to govern and protect the  
34 receipt and expenditure of the proceeds of all fees, and the proceeds,  
35 rents, profits, and income of all gifts, grants, conveyances, bequests,  
36 and devises above-mentioned.

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

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

3 ~~(10) ((Subject to the approval of the higher education coordinating~~  
4 ~~board pursuant to RCW 28B.76.230,))~~ To offer new degree programs, offer  
5 off-campus programs, participate in consortia or centers, contract for  
6 off-campus educational programs, and purchase or lease major off-campus  
7 facilities.

8 (11) To confer honorary degrees upon persons who request an  
9 honorary degree if they were students at the university in 1942 and did  
10 not graduate because they were ordered into an internment camp. The  
11 honorary degree may also be requested by a representative of deceased  
12 persons who meet these requirements. For the purposes of this  
13 subsection, "internment camp" means a relocation center to which  
14 persons were ordered evacuated by Presidential Executive Order 9066,  
15 signed February 19, 1942.

16 **Sec. 806.** RCW 28B.30.150 and 2010 c 51 s 2 are each amended to  
17 read as follows:

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

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

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

26 (3) Establish entrance requirements for students seeking admission  
27 to the university ~~((which meet or exceed the standards specified under~~  
28 ~~RCW 28B.76.290(2))~~). Completion of examinations satisfactory to the  
29 university may be a prerequisite for entrance by any applicant, at the  
30 university's discretion. Evidence of completion of public high schools  
31 and other educational institutions whose courses of study meet the  
32 approval of the university may be acceptable for entrance.

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

36 ~~(5) ((Subject to the approval of the higher education coordinating~~  
37 ~~board pursuant to RCW 28B.76.230,))~~ Offer new degree programs, offer

1 off-campus programs, participate in consortia or centers, contract for  
2 off-campus educational programs, and purchase or lease major off-campus  
3 facilities.

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

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

11 (8) Provide for holding agricultural institutes including farm  
12 marketing forums.

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

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

19 (11) Establish a department of elementary science and in connection  
20 therewith provide instruction in elementary mathematics, including  
21 elementary trigonometry, elementary mechanics, elementary and  
22 mechanical drawing, and land surveying.

23 (12) Establish a department of agriculture and in connection  
24 therewith provide instruction in physics with special application of  
25 its principles to agriculture, chemistry with special application of  
26 its principles to agriculture, morphology and physiology of plants with  
27 special reference to common grown crops and fungus enemies, morphology  
28 and physiology of the lower forms of animal life, with special  
29 reference to insect pests, morphology and physiology of the higher  
30 forms of animal life and in particular of the horse, cow, sheep, and  
31 swine, agriculture with special reference to the breeding and feeding  
32 of livestock and the best mode of cultivation of farm produce, and  
33 mining and metallurgy, appointing demonstrators in each of these  
34 subjects to superintend the equipment of a laboratory and to give  
35 practical instruction therein.

36 (13) Establish agricultural experiment stations in connection with  
37 the department of agriculture, including at least one in the western

1 portion of the state, and appoint the officers and prescribe  
2 regulations for their management.

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

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

10 (16) Adopt plans and specifications for university buildings and  
11 facilities or improvements thereto and employ skilled architects and  
12 engineers to prepare such plans and specifications and supervise the  
13 construction of buildings or facilities which the board is authorized  
14 to erect, and fix the compensation for such services. The board shall  
15 enter into contracts with one or more contractors for such suitable  
16 buildings, facilities, or improvements as the available funds will  
17 warrant, upon the most advantageous terms offered at a public  
18 competitive letting, pursuant to public notice under rules established  
19 by the board. The board shall require of all persons with whom they  
20 contract for construction and improvements a good and sufficient bond  
21 for the faithful performance of the work and full protection against  
22 all liens.

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

25 (18) Receive and expend the money appropriated under the act of  
26 congress approved May 8, 1914, entitled "An Act to provide for  
27 cooperative agricultural extension work between the agricultural  
28 colleges in the several States receiving the benefits of the Act of  
29 Congress approved July 2, 1862, and Acts supplemental thereto and the  
30 United States Department of Agriculture" and organize and conduct  
31 agricultural extension work in connection with the state university in  
32 accordance with the terms and conditions expressed in the acts of  
33 congress.

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

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

1 (21) Establish and maintain at least one agricultural experiment  
2 station in an irrigation district to conduct investigational work upon  
3 the principles and practices of irrigational agriculture including the  
4 utilization of water and its relation to soil types, crops, climatic  
5 conditions, ditch and drain construction, fertility investigations,  
6 plant disease, insect pests, marketing, farm management, utilization of  
7 fruit by-products, and general development of agriculture under  
8 irrigation conditions.

9 (22) Supervise and control the agricultural experiment station at  
10 Puyallup.

11 (23) Establish and maintain at Wenatchee an agricultural experiment  
12 substation for the purpose of conducting investigational work upon the  
13 principles and practices of orchard culture, spraying, fertilization,  
14 pollenization, new fruit varieties, fruit diseases and pests, by-  
15 products, marketing, management, and general horticultural problems.

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

25 (25) Construct when the board so determines a new foundry and a  
26 mining, physical, technological building, and fabrication shop at the  
27 university, or add to the present foundry and other buildings, in order  
28 that both instruction and research be expanded to include permanent  
29 molding and die casting with a section for new fabricating techniques,  
30 especially for light metals, including magnesium and aluminum; purchase  
31 equipment for the shops and laboratories in mechanical, electrical, and  
32 civil engineering; establish a pilot plant for the extraction of  
33 alumina from native clays and other possible light metal research;  
34 purchase equipment for a research laboratory for technological research  
35 generally; and purchase equipment for research in electronics,  
36 instrumentation, energy sources, plastics, food technology, mechanics  
37 of materials, hydraulics, and similar fields.

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

4 (27) Confer honorary degrees upon persons who request an honorary  
5 degree if they were students at the university in 1942 and did not  
6 graduate because they were ordered into an internment camp. The  
7 honorary degree may also be requested by a representative of deceased  
8 persons who meet these requirements. For the purposes of this  
9 subsection, "internment camp" means a relocation center to which  
10 persons were ordered evacuated by Presidential Executive Order 9066,  
11 signed February 19, 1942.

12 **Sec. 807.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to  
13 read as follows:

14 (1) A global Asia institute is created within the Henry M. Jackson  
15 School of International Studies. The mission of the institute is to  
16 promote the understanding of Asia and its interactions with Washington  
17 state and the world. The institute shall host visiting scholars and  
18 policymakers, sponsor programs and learning initiatives, engage in  
19 collaborative research projects, and facilitate broader understanding  
20 and cooperation between the state of Washington and Asia through  
21 general public programs and targeted collaborations with specific  
22 communities in the state.

23 (2) Within existing resources, a global Asia institute advisory  
24 board is established. The director of the Henry M. Jackson School of  
25 International Studies shall appoint members of the advisory board and  
26 determine the advisory board's roles and responsibilities. The board  
27 shall include members representing academia, business, and government.

28 ~~((3) The higher education coordinating board may solicit, accept,  
29 receive, and administer federal funds or private funds, in trust or  
30 otherwise, and contract with foundations or with for-profit or  
31 nonprofit organizations to support the purposes of this section.))~~

32 **Sec. 808.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to  
33 read as follows:

34 ~~((1))~~ A University of Washington center for human rights is  
35 created. The mission of the center is to expand opportunities for  
36 Washington residents to receive a world-class education in human

1 rights, generate research data and expert knowledge to enhance public  
2 and private policymaking, and become an academic center for human  
3 rights teaching and research in the nation. The center shall align  
4 with the founding principles and philosophies of the United States of  
5 America and engage faculty, staff, and students in service to enhance  
6 the promise of life and liberty as outlined in the Preamble of the  
7 United States Constitution. Key substantive issues for the center  
8 include: The rights of all persons to security against violence; the  
9 rights of immigrants, native Americans, and ethnic or religious  
10 minorities; human rights and the environment; health as a human right;  
11 human rights and trade; the human rights of working people; and women's  
12 rights as human rights. State funds may not be used to support the  
13 center for human rights created in this section.

14 ~~((2) The higher education coordinating board and the University of  
15 Washington may solicit, accept, receive, and administer federal funds  
16 or private funds, in trust or otherwise, and contract with foundations  
17 or with for-profit or nonprofit organizations to support the purposes  
18 of this section.))~~

19 **Sec. 809.** RCW 28B.30.530 and 2010 c 165 s 3 are each amended to  
20 read as follows:

21 (1) The board of regents of Washington State University shall  
22 establish the Washington State University small business development  
23 center.

24 (2) The center shall provide management and technical assistance  
25 including but not limited to training, counseling, and research  
26 services to small businesses throughout the state. The center shall  
27 work with the department of commerce, the state board for community and  
28 technical colleges, ~~((the higher education coordinating board,))~~ the  
29 workforce training and education coordinating board, the employment  
30 security department, the Washington state economic development  
31 commission, associate development organizations, and workforce  
32 development councils to:

33 (a) Integrate small business development centers with other state  
34 and local economic development and workforce development programs;

35 (b) Target the centers' services to small businesses;

36 (c) Tailor outreach and services at each center to the needs and

1 demographics of entrepreneurs and small businesses located within the  
2 service area;

3 (d) Establish and expand small business development center  
4 satellite offices when financially feasible; and

5 (e) Coordinate delivery of services to avoid duplication.

6 (3) The administrator of the center may contract with other public  
7 or private entities for the provision of specialized services.

8 (4) The small business development center may accept and disburse  
9 federal grants or federal matching funds or other funds or donations  
10 from any source when made, granted, or donated to carry out the  
11 center's purposes. When drawing on funds from the business assistance  
12 account created in RCW 28B.30.531, the center must first use the funds  
13 to make increased management and technical assistance available to  
14 existing small businesses and start-up businesses at satellite offices.  
15 The funds may also be used to develop and expand assistance programs  
16 such as small business planning workshops and small business  
17 counseling.

18 (5) By December 1, 2010, the center shall provide a written  
19 progress report and a final report to the appropriate committees of the  
20 legislature with respect to the requirements in subsection (2) of this  
21 section and the amount and use of funding received through the business  
22 assistance account. The reports must also include data on the number,  
23 location, staffing, and budget levels of satellite offices;  
24 affiliations with community colleges, associate development  
25 organizations or other local organizations; the number, size, and type  
26 of small businesses assisted; and the types of services provided. The  
27 reports must also include information on the outcomes achieved, such as  
28 jobs created or retained, private capital invested, and return on the  
29 investment of state and federal dollars.

30 (6)(a) Subject to the availability of amounts appropriated for this  
31 specific purpose, by December 1, 2010, the center, in conjunction with  
32 the department of commerce, must prepare and present to the governor  
33 and appropriate legislative committees a specific, actionable plan to  
34 increase access to capital and technical assistance to small businesses  
35 and entrepreneurs beginning with the 2011-2013 biennium. In developing  
36 the plan, the center and the department may consult with the Washington  
37 state microenterprise association, and with other government,

1 nonprofit, and private organizations as necessary. The plan must  
2 identify:

3 (i) Existing sources of capital and technical assistance for small  
4 businesses and entrepreneurs;

5 (ii) Critical gaps and barriers to availability of capital and  
6 delivery of technical assistance to small businesses and entrepreneurs;

7 (iii) Workable solutions to filling the gaps and removing barriers  
8 identified in (a)(ii) of this subsection; and

9 (iv) The financial resources and statutory changes necessary to put  
10 the plan into effect beginning with the 2011-2013 biennium.

11 (b) With respect to increasing access to capital, the plan must  
12 identify specific, feasible sources of capital and practical mechanisms  
13 for expanding access to it.

14 (c) The center and the department must include, within the analysis  
15 and recommendations in (a) of this subsection, any specific gaps,  
16 barriers, and solutions related to rural and low-income communities and  
17 small manufacturers interested in exporting.

18 **Sec. 810.** RCW 28B.35.120 and 2011 c 336 s 728 are each amended to  
19 read as follows:

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

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

24 (2) Shall employ the president of the regional university, his or  
25 her assistants, members of the faculty, and other employees of the  
26 institution, who, except as otherwise provided by law, shall hold their  
27 positions, until discharged therefrom by the board for good and lawful  
28 reason.

29 (3) With the assistance of the faculty of the regional university,  
30 shall prescribe the course of study in the various schools and  
31 departments thereof and publish such catalogues thereof as the board  
32 deems necessary: PROVIDED, That the Washington professional educator  
33 standards board shall determine the requisites for and give program  
34 approval of all courses leading to teacher certification by such board.

35 (4) May establish such divisions, schools, or departments necessary  
36 to carry out the purposes of the regional university and not otherwise  
37 proscribed by law.

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

4 (6) May acquire real and other property as provided in RCW  
5 28B.10.020, as now or hereafter amended.

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

9 (8) May establish, lease, operate, equip, and maintain self-  
10 supporting facilities in the manner provided in RCW 28B.10.300 through  
11 28B.10.330, as now or hereafter amended.

12 (9) Except as otherwise provided by law, ~~((to))~~ shall enter into  
13 such contracts as the trustees deem essential to regional university  
14 purposes.

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

24 ~~((Subject to the approval of the higher education coordinating  
25 board pursuant to RCW 28B.76.230,))~~ May offer new degree programs,  
26 offer off-campus programs, participate in consortia or centers,  
27 contract for off-campus educational programs, and purchase or lease  
28 major off-campus facilities.

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

33 **Sec. 811.** RCW 28B.35.202 and 2011 c 136 s 1 are each amended to  
34 read as follows:

35 The board of trustees of Eastern Washington University may offer  
36 educational specialist degrees ~~((subject to review and approval by the  
37 higher education coordinating board))~~.

1       **Sec. 812.** RCW 28B.35.205 and 2010 c 51 s 3 are each amended to  
2 read as follows:

3       (1) In addition to all other powers and duties given to them by  
4 law, Central Washington University, Eastern Washington University, and  
5 Western Washington University are hereby authorized to grant any degree  
6 through the master's degree to any student who has completed a program  
7 of study and/or research in those areas which are determined by the  
8 faculty and board of trustees of the college to be appropriate for the  
9 granting of such degree(~~(:—PROVIDED, That before any degree is~~  
10 ~~authorized under this section it shall be subject to the review and~~  
11 ~~approval of the higher education coordinating board))).~~

12       (2) The board of trustees, upon recommendation of the faculty, may  
13 also confer honorary bachelor's, master's, or doctorate level degrees  
14 upon persons in recognition of their learning or devotion to education,  
15 literature, art, or science. No degree may be conferred in  
16 consideration of the payment of money or the donation of any kind of  
17 property.

18       (3) The board of trustees may also confer honorary degrees upon  
19 persons who request an honorary degree if they were students at the  
20 university in 1942 and did not graduate because they were ordered into  
21 an internment camp. The honorary degree may also be requested by a  
22 representative of deceased persons who meet these requirements. For  
23 the purposes of this subsection, "internment camp" means a relocation  
24 center to which persons were ordered evacuated by Presidential  
25 Executive Order 9066, signed February 19, 1942.

26       **Sec. 813.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to  
27 read as follows:

28       The board of trustees of Eastern Washington University may offer  
29 applied, but not research, doctorate level degrees in physical therapy  
30 subject to review (~~(and approval by the higher education coordinating~~  
31 ~~board))).~~

32       **Sec. 814.** RCW 28B.40.120 and 2011 c 336 s 734 are each amended to  
33 read as follows:

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

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

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

8 (3) With the assistance of the faculty of the state college, shall  
9 prescribe the course of study in the various schools and departments  
10 thereof and publish such catalogues thereof as the board deems  
11 necessary: PROVIDED, That the Washington professional educator  
12 standards board shall determine the requisites for and give program  
13 approval of all courses leading to teacher certification by such board.

14 (4) May establish such divisions, schools, or departments necessary  
15 to carry out the purposes of the college and not otherwise proscribed  
16 by law.

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

20 (6) May acquire real and other property as provided in RCW  
21 28B.10.020, as now or hereafter amended.

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

25 (8) May establish, lease, operate, equip, and maintain self-  
26 supporting facilities in the manner provided in RCW 28B.10.300 through  
27 28B.10.330, as now or hereafter amended.

28 (9) Except as otherwise provided by law, (~~to~~) shall enter into  
29 such contracts as the trustees deem essential to college purposes.

30 (10) May receive such gifts, grants, conveyances, devises, and  
31 bequests of real or personal property from whatsoever source, as may be  
32 made from time to time, in trust or otherwise, whenever the terms and  
33 conditions thereof will aid in carrying out the college programs; sell,  
34 lease, or exchange, invest or expend the same or the proceeds, rents,  
35 profits, and income thereof except as limited by the terms and  
36 conditions thereof; and adopt regulations to govern the receipt and  
37 expenditure of the proceeds, rents, profits, and income thereof.

1           (11) (~~Subject to the approval of the higher education coordinating~~  
2 ~~board pursuant to RCW 28B.76.230,~~) May offer new degree programs,  
3 offer off-campus programs, participate in consortia or centers,  
4 contract for off-campus educational programs, and purchase or lease  
5 major off-campus facilities.

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

10           **Sec. 815.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to  
11 read as follows:

12           In addition to all other powers and duties given to them by law,  
13 the board of trustees of The Evergreen State College is hereby  
14 authorized to grant any degree through the master's degree to any  
15 student who has completed a program of study and/or research in those  
16 areas which are determined by the faculty and board of trustees of the  
17 college to be appropriate for the granting of such degree(~~(+PROVIDED,~~  
18 ~~That any degree authorized under this section shall be subject to the~~  
19 ~~review and approval of the higher education coordinating board)~~).

20           The board of trustees, upon recommendation of the faculty, may also  
21 confer honorary bachelor's or master's degrees upon persons other than  
22 graduates of the institution, in recognition of their learning or  
23 devotion to education, literature, art, or science. No degree may be  
24 conferred in consideration of the payment of money or the donation of  
25 any kind of property.

26           **Sec. 816.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each  
27 amended to read as follows:

28           Central Washington University is responsible for providing upper-  
29 division and graduate level higher education programs to the citizens  
30 of the Yakima area(~~(, under rules or guidelines adopted by the higher~~  
31 ~~education coordinating board)~~).

32           **Sec. 817.** RCW 43.09.440 and 2005 c 385 s 5 are each amended to  
33 read as follows:

34           (1) The board and the state auditor shall collaborate with the

1 joint legislative audit and review committee regarding performance  
2 audits of state government.

3 (a) The board shall establish criteria for performance audits  
4 consistent with the criteria and standards followed by the joint  
5 legislative audit and review committee. This criteria shall include,  
6 at a minimum, the auditing standards of the United States government  
7 accountability office, as well as legislative mandates and performance  
8 objectives established by state agencies and the legislature. Mandates  
9 include, but are not limited to, agency strategies, timelines, program  
10 objectives, and mission and goals as required in RCW 43.88.090.

11 (b) Using the criteria developed in (a) of this subsection, the  
12 state auditor shall contract for a statewide performance review to be  
13 completed as expeditiously as possible as a preliminary to a draft work  
14 plan for conducting performance audits. The board and the state  
15 auditor shall develop a schedule and common methodology for conducting  
16 these reviews. The purpose of these performance reviews is to identify  
17 those agencies, programs, functions, or activities most likely to  
18 benefit from performance audits and to identify likely areas warranting  
19 early review, taking into account prior performance audits, if any, and  
20 prior fiscal audits.

21 (c) The board and the state auditor shall develop the draft work  
22 plan for performance audits based on input from citizens, state  
23 employees, including front-line employees, state managers, chairs and  
24 ranking members of appropriate legislative committees, the joint  
25 legislative audit and review committee, public officials, and others.  
26 The draft work plan may include a list of agencies, programs, or  
27 systems to be audited on a timeline decided by the board and the state  
28 auditor based on a number of factors including risk, importance, and  
29 citizen concerns. When putting together the draft work plan, there  
30 should be consideration of all audits and reports already required. On  
31 average, audits shall be designed to be completed as expeditiously as  
32 possible.

33 (d) Before adopting the final work plan, the board shall consult  
34 with the legislative auditor and other appropriate oversight and audit  
35 entities to coordinate work plans and avoid duplication of effort in  
36 their planned performance audits of state government agencies. The  
37 board shall defer to the joint legislative audit and review committee

1 work plan if a similar audit is included on both work plans for  
2 auditing.

3 (e) The state auditor shall contract out for performance audits.  
4 In conducting the audits, agency front-line employees and internal  
5 auditors should be involved.

6 (f) All audits must include consideration of reports prepared by  
7 other government oversight entities.

8 (g) The audits may include:

9 (i) Identification of programs and services that can be eliminated,  
10 reduced, consolidated, or enhanced;

11 (ii) Identification of funding sources to the state agency, to  
12 programs, and to services that can be eliminated, reduced,  
13 consolidated, or enhanced;

14 (iii) Analysis of gaps and overlaps in programs and services and  
15 recommendations for improving, dropping, blending, or separating  
16 functions to correct gaps or overlaps;

17 (iv) Analysis and recommendations for pooling information  
18 technology systems used within the state agency, and evaluation of  
19 information processing and telecommunications policy, organization, and  
20 management;

21 (v) Analysis of the roles and functions of the state agency, its  
22 programs, and its services and their compliance with statutory  
23 authority and recommendations for eliminating or changing those roles  
24 and functions and ensuring compliance with statutory authority;

25 (vi) Recommendations for eliminating or changing statutes, rules,  
26 and policy directives as may be necessary to ensure that the agency  
27 carry out reasonably and properly those functions vested in the agency  
28 by statute;

29 (vii) Verification of the reliability and validity of agency  
30 performance data, self-assessments, and performance measurement systems  
31 as required under RCW 43.88.090;

32 (viii) Identification of potential cost savings in the state  
33 agency, its programs, and its services;

34 (ix) Identification and recognition of best practices;

35 (x) Evaluation of planning, budgeting, and program evaluation  
36 policies and practices;

37 (xi) Evaluation of personnel systems operation and management;

1 (xii) Evaluation of state purchasing operations and management  
2 policies and practices; and

3 (xiii) Evaluation of organizational structure and staffing levels,  
4 particularly in terms of the ratio of managers and supervisors to  
5 nonmanagement personnel.

6 (h) The state auditor must solicit comments on preliminary  
7 performance audit reports from the audited state agency, the office of  
8 the governor, the office of financial management, the board, the chairs  
9 and ranking members of appropriate legislative committees, and the  
10 joint legislative audit and review committee for comment. Comments  
11 must be received within thirty days after receipt of the preliminary  
12 performance audit report unless a different time period is approved by  
13 the state auditor. All comments shall be incorporated into the final  
14 performance audit report. The final performance audit report shall  
15 include the objectives, scope, and methodology; the audit results,  
16 including findings and recommendations; conclusions; and identification  
17 of best practices.

18 (i) The board and the state auditor shall jointly release final  
19 performance audit reports to the governor, the citizens of Washington,  
20 the joint legislative audit and review committee, and the appropriate  
21 standing legislative committees. Final performance audit reports shall  
22 be posted on the internet.

23 (j) For institutions of higher education, performance audits shall  
24 not duplicate, and where applicable, shall make maximum use of existing  
25 audit records, accreditation reviews, and performance measures required  
26 by the office of financial management(~~(, the higher education~~  
27 ~~coordinating board,~~) and nationally or regionally recognized  
28 accreditation organizations including accreditation of hospitals  
29 licensed under chapter 70.41 RCW and ambulatory care facilities.

30 (2) The citizen board created under RCW 44.75.030 shall be  
31 responsible for performance audits for transportation related agencies  
32 as defined under RCW 44.75.020.

33 **Sec. 818.** RCW 43.43.934 and 2010 1st sp.s. c 7 s 45 are each  
34 amended to read as follows:

35 The director of fire protection shall:

36 (1)(a)(i) With the state board for community and technical  
37 colleges, provide academic, vocational, and field training programs for

1 the fire service; and (ii) with the (~~higher education coordinating~~  
2 ~~board and the~~) state colleges and universities, provide instructional  
3 programs requiring advanced training, especially in command and  
4 management skills;

5 (b) Cooperate with the common schools, technical and community  
6 colleges, institutions of higher education, and any department or  
7 division of the state, or of any county or municipal corporation in  
8 establishing and maintaining instruction in fire service training and  
9 education in accordance with any act of congress and legislation  
10 enacted by the legislature in pursuance thereof and in establishing,  
11 building, and operating training and education facilities.

12 Industrial fire departments and private fire investigators may  
13 participate in training and education programs under this chapter for  
14 a reasonable fee established by rule;

15 (c) Develop and adopt a master plan for constructing, equipping,  
16 maintaining, and operating necessary fire service training and  
17 education facilities subject to the provisions of chapter 43.19 RCW;

18 (d) Develop and adopt a master plan for the purchase, lease, or  
19 other acquisition of real estate necessary for fire service training  
20 and education facilities in a manner provided by law; and

21 (e) Develop and adopt a plan with a goal of providing firefighter  
22 one and wildland training to all firefighters in the state. Wildland  
23 training reimbursement will be provided if a fire protection district  
24 or a city fire department has and is fulfilling their interior attack  
25 policy or if they do not have an interior attack policy. The plan will  
26 include a reimbursement for fire protection districts and city fire  
27 departments of not less than three dollars for every hour of  
28 firefighter one or wildland training. The Washington state patrol  
29 shall not provide reimbursement for more than two hundred hours of  
30 firefighter one or wildland training for each firefighter trained.

31 (2)(a) Promote mutual aid and disaster planning for fire services  
32 in this state;

33 (b) Assure the dissemination of information concerning the amount  
34 of fire damage including that damage caused by arson, and its causes  
35 and prevention; and

36 (c) Implement any legislation enacted by the legislature to meet  
37 the requirements of any acts of congress that apply to this section.

1 (3) In carrying out its statutory duties, the office of the state  
2 fire marshal shall give particular consideration to the appropriate  
3 roles to be played by the state and by local jurisdictions with fire  
4 protection responsibilities. Any determinations on the division of  
5 responsibility shall be made in consultation with local fire officials  
6 and their representatives.

7 To the extent possible, the office of the state fire marshal shall  
8 encourage development of regional units along compatible geographic,  
9 population, economic, and fire risk dimensions. Such regional units  
10 may serve to: (a) Reinforce coordination among state and local  
11 activities in fire service training, reporting, inspections, and  
12 investigations; (b) identify areas of special need, particularly in  
13 smaller jurisdictions with inadequate resources; (c) assist the state  
14 in its oversight responsibilities; (d) identify funding needs and  
15 options at both the state and local levels; and (e) provide models for  
16 building local capacity in fire protection programs.

17 **Sec. 819.** RCW 43.43.938 and 2010 1st sp.s. c 7 s 46 are each  
18 amended to read as follows:

19 (1) Wherever the term state fire marshal appears in the Revised  
20 Code of Washington or the Washington Administrative Code it shall mean  
21 the director of fire protection.

22 (2) The chief of the Washington state patrol shall appoint an  
23 officer who shall be known as the director of fire protection.

24 (3) The director of fire protection may designate one or more  
25 deputies and may delegate to those deputies his or her duties and  
26 authorities as deemed appropriate.

27 (4) The director of fire protection shall prepare a biennial budget  
28 pertaining to fire protection services. Such biennial budget shall be  
29 submitted as part of the Washington state patrol's budget request.

30 (5) The director of fire protection, shall implement and  
31 administer, within constraints established by budgeted resources, all  
32 duties of the chief of the Washington state patrol that are to be  
33 carried out through the director of fire protection, and all of the  
34 duties of the director of fire protection. Such administration shall  
35 include negotiation of agreements with the state board for community  
36 and technical colleges(~~(, the higher education coordinating board,)~~)  
37 and the state colleges and universities as provided in RCW 43.43.934.

1 Programs covered by such agreements shall include, but not be limited  
2 to, planning curricula, developing and delivering instructional  
3 programs and materials, and using existing instructional personnel and  
4 facilities. Where appropriate, such contracts shall also include  
5 planning and conducting instructional programs at the state fire  
6 service training center.

7 **Sec. 820.** RCW 43.60A.151 and 2007 c 451 s 3 are each amended to  
8 read as follows:

9 (1) The department shall assist veterans enrolled in the veterans  
10 conservation corps with obtaining employment in conservation programs  
11 and projects that restore Washington's natural habitat, maintain and  
12 steward local, state, and federal forest lands and other outdoor lands,  
13 maintain and improve urban and suburban storm water management  
14 facilities and other water management facilities, and other  
15 environmental maintenance, stewardship, and restoration projects. The  
16 department shall consult with the workforce training and education  
17 coordinating board, the state board for community and technical  
18 colleges, (~~the higher education coordinating board,~~) the employment  
19 security department, and other state agencies administering  
20 conservation corps programs, to incorporate training, education, and  
21 certification in environmental restoration and management fields into  
22 the program. The department may enter into agreements with community  
23 colleges, private schools, state or local agencies, or other entities  
24 to provide training and educational courses as part of the enrollee  
25 benefits from the program.

26 (2) The department may receive gifts, grants, federal funds, or  
27 other moneys from public or private sources, for the use and benefit of  
28 the veterans conservation corps program. The funds shall be deposited  
29 to the veterans conservation corps account created in RCW 43.60A.153.

30 (3) The department shall submit a report to the appropriate  
31 committees of the legislature by December 1, 2008, on the status of the  
32 veterans conservation corps program, including the number of enrollees  
33 employed in projects, training provided, certifications earned,  
34 employment placements achieved, program funding provided from all  
35 sources, and the results of the pilot project authorized in section 4,  
36 chapter 451, Laws of 2007.

1           **Sec. 821.** RCW 43.88D.010 and 2010 c 245 s 9 are each amended to  
2 read as follows:

3           (1) By October 1st of each even-numbered year, the office of  
4 financial management shall complete an objective analysis and scoring  
5 of all capital budget projects proposed by the public four-year  
6 institutions of higher education and submit the results of the scoring  
7 process to the legislative fiscal committees(~~(, the higher education~~  
8 ~~coordinating board,~~) and the four-year institutions. Each project  
9 must be reviewed and scored within one of the following categories,  
10 according to the project's principal purpose. Each project may be  
11 scored in only one category. The categories are:

12           (a) Access-related projects to accommodate enrollment growth at  
13 main and branch campuses, at existing or new university centers, or  
14 through distance learning. Growth projects should provide significant  
15 additional student capacity. Proposed projects must demonstrate that  
16 they are based on solid enrollment demand projections, more  
17 cost-effectively provide enrollment access than alternatives such as  
18 university centers and distance learning, and make cost-effective use  
19 of existing and proposed new space;

20           (b) Projects that replace failing permanent buildings. Facilities  
21 that cannot be economically renovated are considered replacement  
22 projects. New space may be programmed for the same or a different use  
23 than the space being replaced and may include additions to improve  
24 access and enhance the relationship of program or support space;

25           (c) Projects that renovate facilities to restore building life and  
26 upgrade space to meet current program requirements. Renovation  
27 projects should represent a complete renovation of a total facility or  
28 an isolated wing of a facility. A reasonable renovation project should  
29 cost between sixty to eighty percent of current replacement value and  
30 restore the renovated area to at least twenty-five years of useful  
31 life. New space may be programmed for the same or a different use than  
32 the space being renovated and may include additions to improve access  
33 and enhance the relationship of program or support space;

34           (d) Major stand-alone campus infrastructure projects;

35           (e) Projects that promote economic growth and innovation through  
36 expanded research activity. The acquisition and installation of  
37 specialized equipment is authorized under this category; and

1 (f) Other project categories as determined by the office of  
2 financial management in consultation with the legislative fiscal  
3 committees.

4 (2) The office of financial management, in consultation with the  
5 legislative fiscal committees, shall establish a scoring system and  
6 process for each four-year project category that is based on the  
7 framework used in the community and technical college system of  
8 prioritization. Staff from the state board for community and technical  
9 colleges(~~(, the higher education coordinating board,)~~) and the four-  
10 year institutions shall provide technical assistance on the development  
11 of a scoring system and process.

12 (3) The office of financial management shall consult with the  
13 legislative fiscal committees in the scoring of four-year institution  
14 project proposals, and may also solicit participation by independent  
15 experts.

16 (a) For each four-year project category, the scoring system must,  
17 at a minimum, include an evaluation of enrollment trends,  
18 reasonableness of cost, the ability of the project to enhance specific  
19 strategic master plan goals, age and condition of the facility if  
20 applicable, and impact on space utilization.

21 (b) Each four-year project category may include projects at the  
22 predesign, design, or construction funding phase.

23 (c) To the extent possible, the objective analysis and scoring  
24 system of all capital budget projects shall occur within the context of  
25 any and all performance agreements between the office of financial  
26 management and the governing board of a public, four-year institution  
27 of higher education that aligns goals, priorities, desired outcomes,  
28 flexibility, institutional mission, accountability, and levels of  
29 resources.

30 (4) In evaluating and scoring four-year institution projects, the  
31 office of financial management shall take into consideration project  
32 schedules that result in realistic, balanced, and predictable  
33 expenditure patterns over the ensuing three biennia.

34 (5) The office of financial management shall distribute common  
35 definitions, the scoring system, and other information required for the  
36 project proposal and scoring process as part of its biennial budget  
37 instructions. The office of financial management, in consultation with

1 the legislative fiscal committees, shall develop common definitions  
2 that four-year institutions must use in developing their project  
3 proposals and lists under this section.

4 (6) In developing any scoring system for capital projects proposed  
5 by the four-year institutions, the office of financial management:

6 (a) Shall be provided with all required information by the four-  
7 year institutions as deemed necessary by the office of financial  
8 management;

9 (b) May utilize independent services to verify, sample, or evaluate  
10 information provided to the office of financial management by the four-  
11 year institutions; and

12 (c) Shall have full access to all data maintained by the (~~higher~~  
13 ~~education coordinating board and the~~) joint legislative audit and  
14 review committee concerning the condition of higher education  
15 facilities.

16 (7) By August 1st of each even-numbered year each public four-year  
17 higher education institution shall prepare and submit prioritized lists  
18 of the individual projects proposed by the institution for the ensuing  
19 six-year period in each category. The lists must be submitted to the  
20 office of financial management and the legislative fiscal committees.  
21 The four-year institutions may aggregate minor works project proposals  
22 by primary purpose for ranking purposes. Proposed minor works projects  
23 must be prioritized within the aggregated proposal, and supporting  
24 documentation, including project descriptions and cost estimates, must  
25 be provided to the office of financial management and the legislative  
26 fiscal committees.

27 **PART IX**

28 **MISCELLANEOUS PROVISIONS**

29 **Sec. 901.** 2011 1st sp.s. c 11 s 244 (uncodified) is amended to  
30 read as follows:

31 The following acts or parts of acts, as now existing or hereafter  
32 amended, are each repealed, effective July 1, 2012:

33 (1) RCW 28B.76.010 (Board created) and 1985 c 370 s 1;

34 (2) RCW 28B.76.030 (Purpose) and 2004 c 275 s 1;

35 (3) RCW 28B.76.040 (Members--Appointment) and 2002 c 348 s 1, 2002  
36 c 129 s 1, & 1985 c 370 s 10;

- 1 (4) RCW 28B.76.050 (Members--Terms) and 2007 c 458 s 101, 2004 c  
2 275 s 3, 2002 c 129 s 2, & 1985 c 370 s 11;
- 3 (5) RCW 28B.76.060 (Members--Vacancies) and 1985 c 370 s 12;
- 4 (6) RCW 28B.76.070 (Bylaws--Meetings) and 1985 c 370 s 13;
- 5 (7) RCW 28B.76.080 (Members--Compensation and travel expenses) and  
6 1985 c 370 s 16, 1984 c 287 s 65, 1975-'76 2nd ex.s. c 34 s 77, & 1969  
7 ex.s. c 277 s 12;
- 8 (8) RCW 28B.76.200 (Statewide strategic master plan for higher  
9 education--Institution-level strategic plans) and 2007 c 458 s 201,  
10 2004 c 275 s 6, & 2003 c 130 s 2;
- 11 (9) RCW 28B.76.260 (Statewide system of course equivalency--Work  
12 group) and 2004 c 55 s 3;
- 13 (10) (~~RCW 28B.76.280 (Data collection and research Privacy~~  
14 ~~protection) and 2010 1st sp.s. c 7 s 58 & 2004 c 275 s 12;~~  
15 ~~(11))~~) RCW 28B.76.330 (Coordination, articulation, and transitions  
16 among systems of education--Biennial updates to legislature) and 2004  
17 c 275 s 17 & 1994 c 222 s 3; and
- 18 ((~~12~~)) (11) RCW 28B.76.530 (Board may develop and administer  
19 demonstration projects) and 1989 c 306 s 2.

20 NEW SECTION. **Sec. 902.** The following acts or parts of acts are  
21 each repealed:

- 22 (1) RCW 28B.10.682 (Precollege coursework--Adoption of definitions)  
23 and 1995 c 310 s 2;
- 24 (2) RCW 28B.15.732 (Washington/Oregon reciprocity tuition and fee  
25 program--Reimbursement when greater net revenue loss) and 2011 1st  
26 sp.s. c 11 s 153, 1985 c 370 s 70, & 1979 c 80 s 2;
- 27 (3) RCW 28B.15.752 (Washington/Idaho reciprocity tuition and fee  
28 program--Reimbursement when greater net revenue loss) and 2011 1st  
29 sp.s. c 11 s 154, 1985 c 370 s 74, & 1983 c 166 s 2;
- 30 (4) RCW 28B.15.796 (Effective communication--Task force to improve  
31 communication and teaching skills of faculty and teaching assistants)  
32 and 1991 c 228 s 4;
- 33 (5) RCW 28B.20.280 (Masters and doctorate level degrees in  
34 technology authorized--Review by higher education coordinating board)  
35 and 1985 c 370 s 82 & 1983 1st ex.s. c 72 s 10;
- 36 (6) RCW 28B.30.500 (Masters and doctorate level degrees in

1 technology authorized--Review by higher education coordinating board)  
2 and 1985 c 370 s 83 & 1983 1st ex.s. c 72 s 12; and  
3 (7) RCW 43.88D.005 (Findings--Intent) and 2008 c 205 s 1.

4 NEW SECTION. **Sec. 903.** Sections 102 through 110 of this act are  
5 each added to chapter 28B.77 RCW.

6 NEW SECTION. **Sec. 904.** RCW 28B.76.110, 28B.76.210, 28B.76.230,  
7 28B.76.235, 28B.76.240, 28B.76.2401, 28B.76.250, 28B.76.270,  
8 28B.76.280, 28B.76.325, 28B.76.510, and 28B.76.695 are each recodified  
9 as sections in chapter 28B.77 RCW.

10 NEW SECTION. **Sec. 905.** RCW 28B.76.310 is recodified as a section  
11 in chapter 43.41 RCW.

12 NEW SECTION. **Sec. 906.** RCW 28B.10.125 is decodified.

13 NEW SECTION. **Sec. 907.** Sections 561 and 616 of this act expire  
14 June 30, 2013.

15 NEW SECTION. **Sec. 908.** Sections 101, 119, 123, 401, 501 through  
16 585, 601 through 616, 701 through 708, 801 through 821, 902, and 904 of  
17 this act take effect July 1, 2012.

18 NEW SECTION. **Sec. 909.** Sections 105 and 901 of this act are  
19 necessary for the immediate preservation of the public peace, health,  
20 or safety, or support of the state government and its existing public  
21 institutions, and take effect immediately.

--- END ---