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**SUBSTITUTE HOUSE BILL 3103**

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**State of Washington**

**58th Legislature**

**2004 Regular Session**

**By** House Committee on Higher Education (originally sponsored by Representatives Kenney, Cox, Fromhold, Priest, Morrell, Hudgins, McCoy, McDermott, Haigh, G. Simpson and Santos)

READ FIRST TIME 02/10/04.

1 AN ACT Relating to higher education; amending RCW 28B.80.380,  
2 28B.80.400, 28B.80.430, 28B.80.200, 28B.80.345, 28B.80.330, 28B.80.335,  
3 28B.80.280, 28B.80.350, 28B.10.044, 28B.15.070, 28B.15.076, 28B.80.175,  
4 28B.80.360, 28B.10.859, 28B.10.868, 28B.10.873, 28B.10.882, 28B.80.160,  
5 28B.80.245, 28B.80.246, 28B.80.620, 28B.80.626, 28B.04.020, 28B.04.030,  
6 28B.04.080, 28B.04.085, 28B.10.800, 28B.10.802, 28B.10.804, 28B.10.808,  
7 28B.10.8081, 28B.10.810, 28B.10.816, 28B.10.818, 28B.10.820,  
8 28B.10.822, 28B.10.790, 28B.10.650, 28A.600.110, 28B.10.020,  
9 28B.10.050, 28B.15.543, 28B.15.545, 28B.15.910, 28B.20.130, 28B.30.150,  
10 28B.35.120, 28B.38.010, 28B.40.120, 28B.50.090, 28B.50.140, 28B.95.020,  
11 28B.119.010, 28C.04.545, 43.105.825, 43.157.010, 43.79.465, 28B.15.760,  
12 28B.15.820, 28B.101.020, 28B.102.040, 28B.108.010, 28B.115.050,  
13 28B.119.030, 28B.133.010, 28B.133.020, and 28B.133.050; adding a new  
14 section to chapter 28B.45 RCW; adding new chapters to Title 28B RCW;  
15 creating new sections; recodifying RCW 28B.80.300, 28B.80.310,  
16 28B.80.390, 28B.80.400, 28B.80.410, 28B.80.420, 28B.80.110, 28B.80.430,  
17 28B.80.380, 28B.80.200, 28B.80.370, 28B.80.345, 28B.80.330, 28B.80.335,  
18 28B.80.280, 28B.80.350, 28B.10.044, 28B.15.070, 28B.15.076, 28B.80.175,  
19 28B.80.240, 28B.80.210, 28B.80.230, 28B.80.180, 28B.80.360, 28B.10.859,  
20 28B.10.866, 28B.10.867, 28B.10.868, 28B.10.869, 28B.10.870, 28B.10.871,  
21 28B.10.872, 28B.10.873, 28B.10.880, 28B.10.881, 28B.10.882, 28B.10.883,

1 28B.10.884, 28B.10.885, 28B.10.886, 28B.80.150, 28B.80.160, 28B.80.170,  
2 28B.80.245, 28B.80.246, 28B.80.272, 28B.80.805, 28B.80.806, 28B.80.807,  
3 28B.80.620, 28B.80.622, 28B.80.624, 28B.80.626, 28B.80.810, 28B.10.800,  
4 28B.10.801, 28B.10.802, 28B.10.804, 28B.10.806, 28B.10.808,  
5 28B.10.8081, 28B.10.810, 28B.10.812, 28B.10.814, 28B.10.816,  
6 28B.10.818, 28B.10.820, 28B.10.821, 28B.10.822, and 28B.80.510;  
7 repealing RCW 28B.10.210, 28B.10.215, 28B.10.220, 28B.10.824,  
8 28B.10.874, 28B.10.887, 28B.80.255, 28B.80.265, 28B.80.290, 28B.80.320,  
9 28B.80.340, 28B.80.440, 28B.80.442, 28B.80.450, 28B.80.500, 28B.80.520,  
10 28B.80.600, 28B.80.610, 28B.80.612, 28B.80.614, 28B.80.616, 28B.80.910,  
11 28B.80.911, and 28B.80.912; providing an effective date; and providing  
12 an expiration date.

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

14 **PART I**  
15 **GENERAL PROVISIONS**

16 NEW SECTION. **Sec. 1.** The purpose of the board is to:

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

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

23 (3) Administer state and federal financial aid and other education  
24 services programs in a cost-effective manner;

25 (4) Serve as an advocate on behalf of students and the overall  
26 system of higher education to the governor, the legislature, and the  
27 public;

28 (5) Represent the broad public interest above the interests of the  
29 individual colleges and universities; and

30 (6) Coordinate with the governing boards of the two and four-year  
31 institutions of higher education, the state board for community and  
32 technical colleges, the work force training and education coordinating  
33 board, and the superintendent of public instruction to create a  
34 seamless system of public education for the citizens of Washington  
35 state geared toward student success.

1       **Sec. 2.** RCW 28B.80.380 and 1985 c 370 s 9 are each amended to read  
2 as follows:

3       (~~The board shall establish advisory committees composed of members~~  
4 ~~representing faculty, administrators, students, regents and trustees,~~  
5 ~~and staff of the public institutions, the superintendent of public~~  
6 ~~instruction, and the independent institutions.)) The board shall  
7 establish an advisory council consisting of the executive director of  
8 the state board for community and technical colleges, the executive  
9 director of the work force training and education coordinating board,  
10 the chair of the council of presidents, and the superintendent of  
11 public instruction. The advisory council shall also include the  
12 following members who shall serve a two-year term: One faculty member  
13 of a four-year institution appointed by the council of faculty  
14 representatives, one faculty member of a community or technical college  
15 appointed by the state board for community and technical colleges, and  
16 one president of a four-year independent institution appointed by the  
17 board chair based on recommendations from the independent institutions.  
18 The board shall meet with the advisory council at least quarterly and  
19 shall seek advice from the council regarding the board's discharge of  
20 its statutory responsibilities.~~

21       **Sec. 3.** RCW 28B.80.400 and 2002 c 129 s 2 are each amended to read  
22 as follows:

23       The members of the board, except the chair serving on June 13,  
24 2002, and the student member, shall serve for terms of four years, the  
25 terms expiring on June 30th of the fourth year of the term except that  
26 in the case of initial members, two shall be appointed to two-year  
27 terms, three shall be appointed to three-year terms, and three shall be  
28 appointed to four-year terms. The student member shall hold his or her  
29 office for a term of one year from the first day of July. The chair  
30 serving on June 13, 2002, shall serve at the pleasure of the governor.

31       **Sec. 4.** RCW 28B.80.430 and 1987 c 330 s 301 are each amended to  
32 read as follows:

33       The board shall employ a director and may delegate agency  
34 management to the director. The director shall serve at the pleasure  
35 of the board, shall be the executive officer of the board, and shall,  
36 under the board's supervision, administer the provisions of this

1 chapter. The executive director shall, with the approval of the board:  
2 (1) Employ necessary deputy and assistant directors and other exempt  
3 staff under chapter ((28B.16)) 41.06 RCW who shall serve at his or her  
4 pleasure on such terms and conditions as he or she determines and (2)  
5 subject to the provisions of chapter ((28B.16)) 41.06 RCW, appoint and  
6 employ such other employees as may be required for the proper discharge  
7 of the functions of the board. The executive director shall exercise  
8 such additional powers, other than rule making, as may be delegated by  
9 the board by resolution. In fulfilling the duties under this chapter,  
10 the board shall make extensive use of those state agencies with  
11 responsibility for implementing and supporting postsecondary education  
12 plans and policies including but not limited to appropriate legislative  
13 groups, the postsecondary education institutions, the office of  
14 financial management, the ((commission for vocational education)) work  
15 force training and education coordinating board, and the state board  
16 for community ((college education)) and technical colleges. Outside  
17 consulting and service agencies may also be employed. The board may  
18 compensate these groups and consultants in appropriate ways.

19 **Sec. 5.** RCW 28B.80.200 and 1985 c 370 s 20 are each amended to  
20 read as follows:

21 The higher education coordinating board is designated as the state  
22 commission as provided for in Section 1202 of the education amendments  
23 of 1972 (Public Law 92-318), as now or hereafter amended; and shall  
24 perform such functions as is necessary to comply with federal  
25 directives pertaining to the provisions of such law((~~PROVIDED, That~~  
26 ~~notwithstanding the provisions of RCW 28B.80.050, all members of the~~  
27 ~~board shall have full voting powers in taking actions related to~~  
28 ~~federal postsecondary educational planning functions as provided for in~~  
29 ~~this section and RCW 28B.80.210 through 28B.80.240))).~~

30 **PART II**  
31 **POLICY AND PLANNING**

32 **Sec. 6.** RCW 28B.80.345 and 2003 c 130 s 2 are each amended to read  
33 as follows:

34 (1) The board shall develop a statewide strategic master plan for  
35 higher education that proposes a vision and identifies goals and

1 priorities for the system of higher education in Washington state. The  
2 plan shall encompass all sectors of higher education, including the  
3 two-year system, work force training, the four-year institutions, and  
4 financial aid. The board shall also specify strategies for maintaining  
5 and expanding access, affordability, quality, efficiency, and  
6 accountability among the various institutions of higher education.

7 (2) In developing the statewide strategic master plan for higher  
8 education, the board shall collaborate with the four-year institutions  
9 of higher education including the council of presidents, the community  
10 and technical college system, and, when appropriate, the work force  
11 training and education coordinating board, the superintendent of public  
12 instruction, and the independent higher education institutions. The  
13 board shall identify and utilize models of regional planning and  
14 decision making before initiating a statewide planning process. The  
15 board shall also seek input from students, faculty organizations,  
16 community and business leaders in the state, members of the  
17 legislature, and the governor.

18 (3) As a foundation for the statewide strategic master plan for  
19 higher education, the board shall (~~develop and establish~~) review role  
20 and mission statements for each of the four-year institutions of higher  
21 education and the community and technical college system. (~~The board~~  
22 ~~shall determine whether certain major lines of study or types of~~  
23 ~~degrees, including applied degrees or research-oriented degrees, shall~~  
24 ~~be assigned uniquely to some institutions or institutional sectors in~~  
25 ~~order to create centers of excellence that focus resources and~~  
26 ~~expertise~~) The purpose of the review is to ensure institutional roles  
27 and missions are aligned with the overall state vision and priorities  
28 for higher education.

29 (4) In assessing needs of the state's higher education system, the  
30 board may consider and analyze the following information:

31 (a) Demographic, social, economic, and technological trends and  
32 their impact on service delivery;

33 (b) The changing ethnic composition of the population and the  
34 special needs arising from those trends;

35 (c) Business and industrial needs for a skilled work force;

36 (d) College attendance, retention, transfer, and dropout rates;

37 (e) Needs and demands for basic and continuing education and

1 opportunities for lifelong learning by individuals of all age groups;  
2 and

3 (f) Needs and demands for access to higher education by placebound  
4 students and individuals in heavily populated areas underserved by  
5 public institutions.

6 (5) The statewide strategic master plan for higher education shall  
7 include, but not be limited to, the following:

8 (a) Recommendations based on enrollment forecasts and analysis of  
9 data about demand for higher education, and policies and actions to  
10 meet those needs;

11 (b) State or regional priorities for new or expanded degree  
12 programs or off-campus programs, including what models of service  
13 delivery may be most cost-effective;

14 (c) Recommended policies or actions to improve the efficiency of  
15 student transfer and graduation or completion;

16 (d) State or regional priorities for addressing needs in high-  
17 demand fields where enrollment access is limited and employers are  
18 experiencing difficulty finding enough qualified graduates to fill job  
19 openings;

20 (e) Recommended tuition and fees policies and levels; and

21 (f) Priorities and recommendations on financial aid.

22 (6) The board shall present the vision, goals, priorities, and  
23 strategies in the statewide strategic master plan for higher education  
24 in a way that provides guidance for institutions, the governor, and the  
25 legislature to make further decisions regarding institution-level  
26 plans, policies, legislation, and operating and capital funding for  
27 higher education. In the statewide strategic master plan for higher  
28 education, the board shall recommend specific actions to be taken and  
29 identify measurable performance indicators and benchmarks for gauging  
30 progress toward achieving the goals and priorities.

31 (7) Every four years by December 15th, beginning December 15, 2003,  
32 the board shall submit an interim statewide strategic master plan for  
33 higher education to the governor and the legislature. The interim plan  
34 shall reflect the expectations and policy directions of the legislative  
35 higher education and fiscal committees, and shall provide a timely and  
36 relevant framework for the development of future budgets and policy  
37 proposals. The legislature shall, by concurrent resolution, approve or  
38 recommend changes to the interim plan, following public hearings. The

1 board shall submit the final plan, incorporating legislative changes,  
2 to the governor and the legislature by June of the year in which the  
3 legislature approves the concurrent resolution. The plan shall then  
4 become state higher education policy unless legislation is enacted to  
5 alter the policies set forth in the plan. The board shall report  
6 annually to the governor and the legislature on the progress being made  
7 by the institutions of higher education and the state to implement the  
8 strategic master plan.

9 (8) Each four-year institution shall develop an institution-level  
10 strategic plan that implements the vision, goals, priorities, and  
11 strategies within the statewide strategic master plan for higher  
12 education based on the institution's role and mission. Institutional  
13 strategic plans shall also contain measurable performance indicators  
14 and benchmarks for gauging progress toward achieving the goals and  
15 priorities. The board shall review the institution-level plans to  
16 ensure the plans are aligned with and implement the statewide strategic  
17 master plan for higher education and shall periodically monitor  
18 institutions' progress toward achieving the goals and priorities within  
19 their plans.

20 (9) The board shall also review the comprehensive master plan  
21 prepared by the state board for community and technical colleges for  
22 the community and technical college system under RCW 28B.50.090 to  
23 ensure the plan is aligned with and implements the statewide strategic  
24 master plan for higher education.

25 **Sec. 7.** RCW 28B.80.330 and 2003 c 130 s 3 are each amended to read  
26 as follows:

27 (1) The board shall ((perform the following planning duties in  
28 consultation)) collaborate with the four-year institutions including  
29 the council of presidents, the community and technical college system,  
30 and when appropriate the work force training and education coordinating  
31 board, the superintendent of public instruction, and the independent  
32 higher educational institutions((÷

33 (1) Review, evaluate, and make recommendations on operating and  
34 capital budget requests from four year institutions and the community  
35 and technical college system, based on how the budget requests align  
36 with and implement the statewide strategic master plan for higher  
37 education under RCW 28B.80.345;

1       ~~(a))~~ to identify budget priorities and levels of funding for  
2 higher education, including the two and four-year institutions of  
3 higher education and state financial aid programs. It is the intent of  
4 the legislature that recommendations from the board reflect not merely  
5 the sum of budget requests from multiple institutions, but prioritized  
6 funding needs for the overall system of higher education.

7       (2) By December of each odd-numbered year, the board shall  
8 distribute guidelines which outline the board's ~~((fiscal))~~ budget  
9 priorities to the institutions and the state board for community and  
10 technical colleges. The institutions and the state board for community  
11 and technical colleges shall submit ~~((an outline of))~~ their proposed  
12 budgets, identifying major components, to the board no later than  
13 August 1st of each even-numbered year.

14       (3) The board shall review and evaluate the operating and capital  
15 budget requests from four-year institutions and the community and  
16 technical college system based on how the requests align with the  
17 board's budget priorities, the missions of the institutions, and the  
18 statewide strategic master plan for higher education under RCW  
19 28B.80.345 (as recodified by this act).

20       (4) The board shall submit recommendations on the proposed budgets  
21 and on the board's budget priorities to the office of financial  
22 management before November 1st of each even-numbered year, and to the  
23 legislature by January 1st of each odd-numbered year(~~(+~~

24       ~~(b))~~).

25       (5) Institutions and the state board for community and technical  
26 colleges shall submit any supplemental budget requests and revisions to  
27 the board ~~((at the same time they are submitted to the office of~~  
28 ~~financial management))~~ no later than August 1st of each odd-numbered  
29 year. The board shall submit recommendations on the proposed  
30 supplemental budget requests to the office of financial management by  
31 November 1st and to the legislature by January 1st(~~(+~~

32       ~~(2) Recommend legislation affecting higher education;~~

33       ~~(3) Prepare recommendations on merging or closing institutions; and~~

34       ~~(4) Develop criteria for identifying the need for new baccalaureate~~  
35 ~~institutions)).~~

36       **Sec. 8.** RCW 28B.80.335 and 2003 1st sp.s. c 8 s 2 are each amended  
37 to read as follows:



1 (1) Beginning with the 2005-2007 biennial capital budget submittal,  
2 the public four-year institutions, in consultation with the council of  
3 presidents and the higher education coordinating board, shall prepare  
4 a single prioritized individual ranking of the individual projects  
5 proposed by the four-year institutions as provided in subsection (2) of  
6 this section. The public four-year institutions may aggregate minor  
7 works project requests into priority categories without separately  
8 ranking each minor project, provided that these aggregated minor works  
9 requests are ranked within the overall list. For repairs and  
10 improvements to existing facilities and systems, the rating and ranking  
11 of individual projects must be based on criteria or factors that  
12 include, but are not limited to, the age and condition of buildings or  
13 systems, the programmatic suitability of the building or system, and  
14 the activity/occupancy level supported by the building or system. For  
15 projects creating new space or capacity, the ratings and rankings of  
16 projects must be based upon criteria or factors that include, but are  
17 not limited to, measuring existing capacity and progress toward meeting  
18 increased space utilization levels as determined by the higher  
19 education coordinating board.

20 (2) The single prioritized four-year project list shall be approved  
21 by the governing boards of each public four-year institution and shall  
22 be submitted to the office of financial management and the higher  
23 education coordinating board concurrent with the institution's  
24 submittal of their biennial capital budget requests.

25 (3)(a) The higher education coordinating board, in consultation  
26 with the office of financial management and the joint legislative audit  
27 and review committee, shall develop common definitions that public  
28 four-year institutions and the state board for community and technical  
29 colleges shall use in developing their project lists under this  
30 section.

31 (b) As part of its duties under RCW 28B.80.330(~~(+4)~~) (as  
32 recodified by this act), the higher education coordinating board shall,  
33 as part of its biennial budget guidelines, disseminate, by December 1st  
34 of each odd-numbered year, the criteria framework, including general  
35 definitions, categories, and rating system, to be used by the public  
36 four-year institutions in the development of the prioritized four-year  
37 project list. The criteria framework shall specify the general

1 priority order of project types based on criteria determined by the  
2 board, in consultation with the public four-year institutions.

3 (c) Under RCW 28B.80.330(~~(+4)~~) (as recodified by this act), the  
4 public four-year institutions shall submit a preliminary prioritized  
5 four-year project list to the higher education coordinating board by  
6 August 1st of each even-numbered year.

7 (d) The state board for community and technical colleges shall, as  
8 part of its biennial capital budget request, submit a single  
9 prioritized ranking of the individual projects proposed for the  
10 community and technical colleges. The state board for community and  
11 technical colleges shall submit an outline of the prioritized community  
12 and technical college project list to the higher education coordinating  
13 board under RCW 28B.80.330(~~(+4)~~) (as recodified by this act) by August  
14 1st of each even-numbered year.

15 (4) The higher education coordinating board, in consultation with  
16 the public four-year institutions, shall resolve any disputes or  
17 disagreements arising among the four-year institutions concerning the  
18 ranking of particular projects. Further, should one or more governing  
19 boards of the public four-year institutions fail to approve the  
20 prioritized four-year project list as required in this section, or  
21 should a prioritized project list not be submitted by the public four-  
22 year institutions concurrent with the submittal of their respective  
23 biennial capital budget requests as provided in subsection (2) of this  
24 section, the higher education coordinating board shall prepare the  
25 prioritized four-year institution project list itself.

26 (5) In developing any rating and ranking of capital projects  
27 proposed by the two-year and four-year public universities and  
28 colleges, the board:

29 (a) Shall be provided with available information by the public two-  
30 year and four-year institutions as deemed necessary by the board;

31 (b) May utilize independent services to verify, sample, or evaluate  
32 information provided to the board by the two-year and four-year  
33 institutions; and

34 (c) Shall have full access to all data maintained by the office of  
35 financial management and the joint legislative audit and review  
36 committee concerning the condition of higher education facilities.

37 (6) Beginning with the 2005-2007 biennial capital budget submittal,  
38 the higher education coordinating board shall, in consultation with the

1 state board for community and technical colleges and four-year colleges  
2 and universities, submit its capital budget recommendations and the  
3 separate two-year and four-year prioritized project lists.

4 NEW SECTION. **Sec. 9.** (1) The board shall develop a comprehensive  
5 and ongoing assessment process to analyze the need for additional  
6 degrees and programs, additional off-campus centers and locations for  
7 degree programs, and consolidation or elimination of programs by the  
8 four-year institutions.

9 (2) As part of the needs assessment process, the board shall  
10 examine:

11 (a) Projections of student, employer, and community demand for  
12 education and degrees, including liberal arts degrees, on a regional  
13 and statewide basis;

14 (b) Current and projected degree programs and enrollment at public  
15 and private institutions of higher education, by location and mode of  
16 service delivery; and

17 (c) Data from the work force training and education coordinating  
18 board and the state board for community and technical colleges on the  
19 supply and demand for work force education and certificates and  
20 associate degrees.

21 (3) Every two years the board shall produce, jointly with the state  
22 board for community and technical colleges and the work force training  
23 and education coordinating board, an assessment of the number and type  
24 of higher education and training credentials required to match employer  
25 demand for a skilled and educated work force. The assessment shall  
26 include the number of forecasted net job openings at each level of  
27 higher education and training and the number of credentials needed to  
28 match the forecast of net job openings.

29 (4) The board shall determine whether certain major lines of study  
30 or types of degrees, including applied degrees or research-oriented  
31 degrees, shall be assigned uniquely to some institutions or  
32 institutional sectors in order to create centers of excellence that  
33 focus resources and expertise.

34 (5) The following activities are subject to approval by the board:

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

36 (b) Creation of any off-campus program by a four-year institution;

1 (c) Purchase or lease of major off-campus facilities by a four-year  
2 institution or a community or technical college;

3 (d) Creation of higher education centers and consortia; and

4 (e) New degree programs and creation of off-campus programs by an  
5 independent college or university in collaboration with a community or  
6 technical college.

7 (6) Institutions seeking board approval under this section must  
8 demonstrate that the proposal is justified by the needs assessment  
9 developed under this section. Institutions must also demonstrate how  
10 the proposals align with or implement the statewide strategic master  
11 plan for higher education under RCW 28B.80.345 (as recodified by this  
12 act).

13 (7) The board shall develop clear guidelines and objective  
14 decision-making criteria regarding approval of proposals under this  
15 section, which must include review and consultation with the  
16 institution and other interested agencies and individuals.

17 (8) The board shall periodically recommend consolidation or  
18 elimination of programs at the four-year institutions, based on the  
19 needs assessment analysis.

20 **Sec. 10.** RCW 28B.80.280 and 1998 c 245 s 23 are each amended to  
21 read as follows:

22 The board shall(~~(, in cooperation with the state institutions of~~  
23 ~~higher education and the state board for community and technical~~  
24 ~~colleges, establish and maintain a statewide transfer of credit policy~~  
25 ~~and agreement. The policy and agreement shall, where feasible, include~~  
26 ~~course and program descriptions consistent with statewide~~  
27 ~~interinstitutional guidelines)) adopt statewide transfer and  
28 articulation policies that ensure efficient transfer of credits and  
29 courses across public two and four-year institutions of higher  
30 education. The intent of the policies is to create a statewide system  
31 of articulation and alignment between two and four-year institutions.  
32 Policies may address but are not limited to creation of a statewide  
33 system of course equivalency, creation of transfer associate degrees,  
34 statewide articulation agreements, applicability of technical courses  
35 toward baccalaureate degrees, and other issues. The institutions of  
36 higher education and the state board for community and technical  
37 colleges shall cooperate with the board in developing the statewide~~

1 policies and shall provide support and staff resources as necessary to  
2 assist in ~~((developing and))~~ maintaining ~~((this policy and agreement.~~  
3 ~~The statewide transfer of credit policy and agreement shall be~~  
4 ~~effective beginning with the 1985-86 academic year))~~ 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 NEW SECTION. Sec. 11. (1) The board shall establish an  
10 accountability monitoring and reporting system as part of a continuing  
11 effort to make meaningful and substantial progress towards the  
12 achievement of long-term performance goals in higher education.

13 (2) Based on guidelines prepared by the board, each four-year  
14 institution and the state board for community and technical colleges  
15 shall submit a biennial plan to achieve measurable and specific  
16 improvements each academic year on statewide and institution-specific  
17 performance measures. Plans shall be submitted to the board along with  
18 the biennial budget requests from the institutions and the state board  
19 for community and technical colleges. Performance measures established  
20 for the community and technical colleges shall reflect the role and  
21 mission of the colleges.

22 (3) The board shall approve biennial performance targets for each  
23 four-year institution and for the community and technical college  
24 system and shall review actual achievements annually. The state board  
25 for community and technical colleges shall set biennial performance  
26 targets for each college or district, where appropriate.

27 (4) The board shall submit a report on progress towards the  
28 statewide goals, with recommendations for the ensuing biennium, to the  
29 fiscal and higher education committees of the legislature along with  
30 the board's biennial budget recommendations.

31 (5) The board, in collaboration with the four-year institutions and  
32 the state board for community and technical colleges, shall  
33 periodically review and update the accountability monitoring and  
34 reporting system.

35 (6) The board shall develop measurable indicators and benchmarks  
36 for its own performance regarding cost, quantity, quality, and  
37 timeliness and including the performance of committees and advisory

1 groups convened under this chapter to accomplish such tasks as  
2 improving transfer and articulation, improving articulation with the K-  
3 12 education system, measuring educational costs, or developing data  
4 protocols. The board shall submit its accountability plan to the  
5 legislature concurrently with the biennial report on institution  
6 progress.

7 NEW SECTION. **Sec. 12.** (1) In consultation with the institutions  
8 of higher education and state education agencies, the board shall  
9 identify the data needed to carry out its responsibilities for policy  
10 analysis, accountability, program improvements, and public information.  
11 The primary goals of the board's data collection and research are to  
12 describe how students and other beneficiaries of higher education are  
13 being served; to support higher education accountability; and to assist  
14 state policymakers and institutions in making policy decisions.

15 (2) The board shall convene a research advisory group and shall  
16 collaborate with the group to identify the most cost-effective manner  
17 for the board to collect data or access existing data. The board shall  
18 work with the advisory group to develop research priorities, policies,  
19 and common definitions to maximize the reliability and consistency of  
20 data across institutions. The advisory group shall include  
21 representatives of public and independent higher education institutions  
22 and other state agencies, including the state board for community and  
23 technical colleges, the office of the superintendent of public  
24 instruction, the office of financial management, the employment  
25 security department, the work force training and education coordinating  
26 board, and other agencies as appropriate.

27 (3) Specific protocols shall be developed by the board and the  
28 advisory group to protect the privacy of individual student records  
29 while ensuring the availability of student data for legitimate research  
30 purposes.

31 **Sec. 13.** RCW 28B.80.350 and 1993 c 77 s 2 are each amended to read  
32 as follows:

33 The board shall ~~((coordinate educational activities among all~~  
34 ~~segments of higher education taking into account the educational~~  
35 ~~programs, facilities, and other resources of both public and~~  
36 ~~independent two and four year colleges and universities. The four year~~

1 ~~institutions and the state board for community and technical colleges~~  
2 ~~shall coordinate information and activities with the board. The board~~  
3 ~~shall)) have the following additional policy responsibilities:~~

4 (1) ~~((Promote interinstitutional cooperation))~~ Perform periodic  
5 analyses of tuition, financial aid, faculty compensation, institution  
6 funding levels, enrollment, and other policy issues and provide reports  
7 to the governor and the legislature;

8 (2) Establish minimum admission standards for four-year  
9 institutions, including a requirement that coursework in American sign  
10 language or an American Indian language shall satisfy any requirement  
11 for instruction in a language other than English that the board or the  
12 institutions may establish as a general undergraduate admissions  
13 requirement;

14 (3) ~~((Establish transfer policies;~~

15 ~~(4))~~ Adopt rules implementing statutory residency requirements;

16 ~~((5) Develop and administer reciprocity agreements with bordering~~  
17 ~~states and the province of British Columbia;~~

18 ~~(6) Review and recommend compensation practices and levels for~~  
19 ~~administrative employees, exempt under chapter 28B.16 RCW, and faculty~~  
20 ~~using comparative data from peer institutions;~~

21 ~~(7) Monitor higher education activities for compliance with all~~  
22 ~~relevant state policies for higher education;~~

23 ~~(8) Arbitrate disputes between and among four-year institutions or~~  
24 ~~between and among four-year institutions and community colleges at the~~  
25 ~~request of one or more of the institutions involved, or at the request~~  
26 ~~of the governor, or from a resolution adopted by the legislature. The~~  
27 ~~decision of the board shall be binding on the participants in the~~  
28 ~~dispute;~~

29 ~~(9) Establish and implement a state system for collecting,~~  
30 ~~analyzing, and distributing information;~~

31 ~~(10) Recommend to the governor and the legislature ways to remove~~  
32 ~~any economic incentives to use off-campus program funds for on-campus~~  
33 ~~activities; and~~

34 ~~(11))~~ (4) Make recommendations to increase minority participation,  
35 and monitor and report on the progress of minority participation in  
36 higher education;

37 (5) In cooperation with the institutions of higher education,

1 highlight and promote innovative programs to improve the quality of  
2 instruction, promote local and regional economic development, and  
3 enhance efficiency in higher education; and  
4 (6) Recommend legislation affecting higher education.

5 **Sec. 14.** RCW 28B.10.044 and 1997 c 48 s 1 are each amended to read  
6 as follows:

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

22 (2) Beginning July 30, 1993, the board shall annually provide  
23 information appropriate to each institution's student body to each  
24 state-supported four-year institution of higher education and to the  
25 state board for community and technical colleges for distribution to  
26 community colleges and technical colleges.

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

31 (4) Beginning with the 1997 fall academic term, each institution of  
32 higher education described in subsection (2) or (3) of this section  
33 shall provide to students at the institution information on the  
34 approximate amount that the state is contributing to the support of  
35 their education. Information provided to students at each state-  
36 supported college and university shall include the approximate amount  
37 of state support received by students in each tuition category at that



1 institution. The amount of state support shall be based on the  
2 information provided by the (~~higher education coordinating~~) board  
3 under subsections (1) through (3) of this section. The information  
4 shall be provided to students at the beginning of each academic term  
5 through one or more of the following: Registration materials, class  
6 schedules, tuition and fee billing packets, student newspapers, or via  
7 e-mail or kiosk.

8 **Sec. 15.** RCW 28B.15.070 and 1995 1st sp.s. c 9 s 7 are each  
9 amended to read as follows:

10 (1) The (~~higher education coordinating~~) board, in consultation  
11 with the house of representatives and senate committees responsible for  
12 higher education, the respective fiscal committees of the house of  
13 representatives and senate, the office of financial management, the  
14 state board for community and technical colleges, and the state  
15 institutions of higher education, shall develop (~~by December of every~~  
16 ~~fourth year beginning in 1989, definitions, criteria, and procedures~~  
17 ~~for determining~~) standardized methods and protocols for measuring the  
18 undergraduate and graduate educational costs for the state  
19 universities, regional universities, and community colleges, including  
20 but not limited to the costs of instruction, costs to provide degrees  
21 in specific fields, and costs for precollege remediation.

22 (2) (~~Every four years, the state institutions of higher education~~  
23 ~~in cooperation with the higher education coordinating board shall~~  
24 ~~perform an educational cost study pursuant to subsection (1) of this~~  
25 ~~section. The study shall be conducted based on every fourth academic~~  
26 ~~year beginning with 1989-90. Institutions shall complete the studies~~  
27 ~~within one year of the end of the study year and report the results to~~  
28 ~~the higher education coordinating board for consolidation, review, and~~  
29 ~~distribution.)) By December 1, 2004, the board must propose a schedule  
30 of regular cost study reports intended to meet the information needs of  
31 the governor's office and the legislature and the requirements of RCW  
32 28B.10.044 and submit the proposed schedule to the higher education and  
33 fiscal committees of the house of representatives and the senate for  
34 their review.~~

35 (3) (~~In order to conduct the study required by subsection (2) of~~  
36 ~~this section, the higher education coordinating board, in cooperation~~  
37 ~~with)) The institutions of higher education(, shall develop a~~

1 methodology that requires the collection of comparable educational cost  
2 data, which utilizes a faculty activity analysis or similar  
3 instrument)) shall participate in the development of cost study methods  
4 and shall provide all necessary data in a timely fashion consistent  
5 with the protocols developed.

6 **Sec. 16.** RCW 28B.15.076 and 1995 1st sp.s. c 9 s 6 are each  
7 amended to read as follows:

8 The (~~higher education coordinating~~) board shall determine and  
9 transmit amounts constituting approved undergraduate and graduate  
10 educational costs to the several boards of regents and trustees of the  
11 state institutions of higher education by November 10 of each even-  
12 numbered year (~~except the year 1990 for which the transmittal shall be~~  
13 ~~made by December 17~~)).

14 **Sec. 17.** RCW 28B.80.175 and 1994 c 222 s 3 are each amended to  
15 read as follows:

16 The higher education coordinating board shall work with the state  
17 board of education (~~to establish the task force under RCW~~  
18 ~~28A.305.285~~), the superintendent of public instruction, the state  
19 board for community and technical colleges, the work force training and  
20 education coordinating board, two and four-year institutions of higher  
21 education, and school districts to improve coordination, articulation,  
22 and transitions among the state's systems of education. The goal of  
23 improved coordination is increased student success. Topics to address  
24 include: Expansion of dual enrollment options for students;  
25 articulation agreements between institutions of higher education and  
26 high schools; improved alignment of high school preparatory curriculum  
27 and college readiness. The board, in conjunction with the other  
28 education agencies, shall submit a biennial update on the work  
29 accomplished and planned under this section to the education and higher  
30 education committees of the legislature, beginning January 15, 2005.

31 **PART III**

32 **EDUCATION SERVICES ADMINISTRATION**

33 **Sec. 18.** RCW 28B.80.360 and 1998 c 245 s 24 are each amended to  
34 read as follows:

1       (~~The board shall perform the following administrative~~  
2 ~~responsibilities:~~

3       ~~(1))~~ In addition to administrative responsibilities assigned in  
4 this chapter, the board shall administer the programs set forth in the  
5 following statutes: RCW 28A.600.100 through 28A.600.150 (Washington  
6 scholars); (~~chapter 28B.04 RCW (displaced homemakers);~~) chapter  
7 28B.85 RCW (degree-granting institutions); (~~RCW 28B.10.210 through~~  
8 ~~28B.10.220 (blind students subsidy); RCW 28B.10.800 through 28B.10.824~~  
9 ~~(student financial aid program))~~ chapter 28B.-- RCW (as created in  
10 section 78 of this act) (state need grant); chapter 28B.12 RCW (work  
11 study); (~~RCW 28B.15.067 (establishing tuition and fees);~~) RCW  
12 28B.15.543 (tuition waivers for Washington scholars); RCW 28B.15.760  
13 through 28B.15.766 (math and science loans); (~~RCW 28B.80.150 through~~  
14 ~~28B.80.170 (student exchange compact); RCW 28B.80.240 (student aid~~  
15 ~~programs); and RCW 28B.80.210 (federal programs).~~

16       ~~(2) Study the delegation of the administration of the following:~~  
17 ~~RCW 28B.65.040 through 28B.65.060 (high technology board); chapter~~  
18 ~~28B.85 RCW (degree-granting institutions); RCW 28B.80.150 through~~  
19 ~~28B.80.170 (student exchange compact programs); RCW 28B.80.200 (state~~  
20 ~~commission for federal law purposes); RCW 28B.80.210 (enumerated~~  
21 ~~federal programs); RCW 28B.80.230 (receipt of federal funds); RCW~~  
22 ~~28B.80.240 (student financial aid programs); RCW 28A.600.120 through~~  
23 ~~28A.600.150 (Washington scholars); RCW 28B.15.543 (Washington~~  
24 ~~scholars); RCW 28B.04.020 through 28B.04.110 (displaced homemakers);~~  
25 ~~RCW 28B.10.215 and 28B.10.220 (blind students); RCW 28B.10.790,~~  
26 ~~28B.10.792, and 28B.10.802 through 28B.10.844 (student financial aid);~~  
27 ~~RCW 28B.12.040 through 28B.12.070 (student work study);)~~ RCW  
28 28B.15.100 (reciprocity agreement); RCW 28B.15.730 through 28B.15.736  
29 (Oregon reciprocity); RCW 28B.15.750 through 28B.15.754 (Idaho  
30 reciprocity); RCW 28B.15.756 and 28B.15.758 (British Columbia  
31 reciprocity); (~~and RCW 28B.15.760 through 28B.15.764 (math/science~~  
32 ~~loans)) chapter 28B.101 RCW (educational opportunity grant); chapter  
33 28B.102 RCW (future teachers conditional scholarship); chapter 28B.108  
34 RCW (American Indian endowed scholarship); chapter 28B.109 RCW  
35 (Washington international exchange scholarship); chapter 28B.115 RCW  
36 (health professional conditional scholarship); chapter 28B.119 RCW  
37 (Washington promise scholarship); and chapter 28B.133 RCW (gaining  
38 independence for students with dependents).~~

1       **Sec. 19.** RCW 28B.10.859 and 1989 c 187 s 1 are each amended to  
2 read as follows:

3       For the purposes of RCW 28B.10.866 through 28B.10.873 (as  
4 recodified by this act), "private donation" includes assessments by  
5 commodity commissions authorized to conduct research activities  
6 including but not limited to research studies authorized under RCW  
7 15.66.030 and 15.65.040.

8       **Sec. 20.** RCW 28B.10.868 and 1991 sp.s. c 13 s 99 are each amended  
9 to read as follows:

10       Funds appropriated by the legislature for the distinguished  
11 professorship program shall be deposited in the distinguished  
12 professorship trust fund. At the request of the higher education  
13 coordinating board under RCW 28B.10.870 (as recodified by this act),  
14 the treasurer shall release the state matching funds to the designated  
15 institution's local endowment fund. No appropriation is required for  
16 expenditures from the fund.

17       **Sec. 21.** RCW 28B.10.873 and 1987 c 8 s 8 are each amended to read  
18 as follows:

19       A distinguished professorship program established under chapter  
20 343, Laws of 1985 shall continue to operate under RCW 28B.10.866  
21 through 28B.10.872 (as recodified by this act) and the requirements of  
22 RCW 28B.10.866 through 28B.10.872 (as recodified by this act) shall  
23 apply.

24       **Sec. 22.** RCW 28B.10.882 and 1991 sp.s. c 13 s 88 are each amended  
25 to read as follows:

26       Funds appropriated by the legislature for the graduate fellowship  
27 program shall be deposited in the graduate fellowship trust fund. At  
28 the request of the higher education coordinating board under RCW  
29 28B.10.884 (as recodified by this act), the treasurer shall release the  
30 state matching funds to the designated institution's local endowment  
31 fund. No appropriation is required for expenditures from the fund.

32       **Sec. 23.** RCW 28B.80.160 and 1995 c 217 s 1 are each amended to  
33 read as follows:

1 In the development of any such plans as called for within RCW  
2 28B.80.150 (as recodified by this act), the board shall use at least  
3 the following criteria:

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

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

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

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

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

33 **Sec. 24.** RCW 28B.80.245 and 1999 c 159 s 3 are each amended to  
34 read as follows:

35 (1) Recipients of the Washington scholars award or the Washington  
36 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who  
37 choose to attend an independent college or university in this state, as

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

16 (2) The higher education coordinating board shall establish rules  
17 that provide for the annual awarding of grants, if moneys are  
18 available, to three Washington scholars per legislative district; and,  
19 if not used by an original recipient, to the Washington scholars-  
20 alternate from the same legislative district.

21 Beginning with scholars selected in the year 2000, if the  
22 recipients of grants fail to demonstrate in a timely manner that they  
23 will enroll in a Washington institution of higher education in the fall  
24 term of the academic year following the award of the grant or are  
25 deemed by the higher education coordinating board to have withdrawn  
26 from college during the first academic year following the award, then  
27 the grant shall be considered relinquished. The higher education  
28 coordinating board may then award any remaining grant amounts to the  
29 Washington scholars-alternate from the same legislative district if the  
30 grants are awarded within one calendar year of the recipient being  
31 named a Washington scholars-alternate. Washington scholars-alternates  
32 named as recipients of the grant must also demonstrate in a timely  
33 manner that they will enroll in a Washington institution of higher  
34 education during the next available term, as determined by the higher  
35 education coordinating board. The board may accept appeals and grant  
36 waivers to the enrollment requirements of this section based on  
37 exceptional mitigating circumstances of individual grant recipients.

1 To maintain eligibility for the grants, recipients must maintain a  
2 minimum grade point average at the college or university equivalent to  
3 3.30. Students shall be eligible to receive a maximum of twelve  
4 quarters or eight semesters of grants for undergraduate study and may  
5 transfer among in-state public and independent colleges and  
6 universities during that period and continue to receive the grant as  
7 provided under RCW 28B.80.246 (as recodified by this act). If the  
8 student's cumulative grade point average falls below 3.30 during the  
9 first three quarters or two semesters, that student may petition the  
10 higher education coordinating board which shall have the authority to  
11 establish a probationary period until such time as the student's grade  
12 point average meets required standards.

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

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

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

26 **Sec. 25.** RCW 28B.80.246 and 1995 1st sp.s. c 5 s 4 are each  
27 amended to read as follows:

28 Students receiving grants under RCW 28B.80.245 (as recodified by  
29 this act) or waivers under RCW 28B.15.543 are entitled to transfer  
30 among in-state public and independent colleges or universities and to  
31 continue to receive award benefits, as provided in this section, in the  
32 form of a grant or waiver of tuition and services and activities fees  
33 while enrolled at such institutions during the period of eligibility.  
34 The total grants or waivers for any one student shall not exceed twelve  
35 quarters or eight semesters of undergraduate study.

36 (1) Scholars named to the award on or before June 30, 1994, may  
37 transfer between in-state public institutions, or from an eligible

1 independent college or university to an in-state public institution of  
2 higher education, and are entitled to receive the waiver of tuition and  
3 services and activities fees.

4 (2) Scholars named to the award on or before June 30, 1994, may  
5 transfer from an in-state public institution to an eligible independent  
6 college or university, or between eligible independent colleges or  
7 universities, and continue to receive a grant contingent upon available  
8 funding.

9 (3) Scholars named to the award after June 30, 1994, may transfer  
10 among in-state public or private colleges and universities and continue  
11 to receive the grant contingent upon available funding.

12 (4) In addition, scholars who transfer to an eligible independent  
13 institution may receive the grant contingent upon the agreement of the  
14 school to match on at least a dollar-for-dollar basis, either with  
15 actual money or by a waiver of fees, the amount of the grant received  
16 by the student from the state.

17 **Sec. 26.** RCW 28B.80.620 and 1999 c 177 s 2 are each amended to  
18 read as follows:

19 (1) The higher education coordinating board, in consultation with  
20 the state board of education has the following powers and duties in  
21 administering the pilot program established in RCW 28B.80.622 (as  
22 recodified by this act):

23 (a) To adopt rules necessary to carry out the program;

24 (b) To establish one or more review committees to assist in the  
25 evaluation of proposals for funding. The review committee shall  
26 include individuals with significant experience in higher education in  
27 areas relevant to one or more of the funding period priorities and  
28 shall include representatives from elementary, two-year, and four-year  
29 sectors of education;

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

32 (d) To establish each biennium specific guidelines for submitting  
33 grant proposals consistent with the overall goals of the program.  
34 During the 1999-2001 biennium, the guidelines shall be consistent with  
35 the following desired outcomes of:

36 (i) Designing a college-level course for enrollment of selected



1 high school seniors interested in teaching careers and students  
2 enrolled in a school-based future teachers academy;

3 (ii) Designing discipline-based lower division courses that are  
4 thematically linked to state student learning goals, essential academic  
5 learning requirements, and upper division courses in the  
6 interdisciplinary arts and science curriculum and supportive of  
7 teaching areas appropriate for prospective teachers;

8 (iii) Designing a preprofessional educational studies minor that  
9 would be pursued by prospective kindergarten through eighth grade  
10 teachers in conjunction with an interdisciplinary arts and science  
11 major;

12 (iv) Designing mentoring and service learning activities at the  
13 community college level that would provide prospective teachers with an  
14 orientation to professional education; and

15 (v) Designing a process for satisfying certification requirements  
16 that encompasses pedagogical coursework and school-based internships  
17 cognizant of the financial constraints of working students.

18 (2) The pilot project in this section shall conclude no later than  
19 January 1, 2005.

20 (3) Beginning on December 31, 2001, the higher education  
21 coordinating board shall submit an annual written report to the  
22 education and higher education committees of the legislature, the state  
23 board of education, and the office of the superintendent of public  
24 instruction on the status of the pilot project.

25 **Sec. 27.** RCW 28B.80.626 and 1999 c 177 s 5 are each amended to  
26 read as follows:

27 The higher education coordinating board teacher training pilot  
28 account is established in the custody of the state treasurer. The  
29 higher education coordinating board shall deposit in the account all  
30 moneys received under RCW 28B.80.624 (as recodified by this act).  
31 Moneys in the account may be spent only for the purposes of RCW  
32 28B.80.622 (as recodified by this act). Disbursements from the account  
33 shall be on the authorization of the higher education coordinating  
34 board. The account is subject to the allotment procedure provided  
35 under chapter 43.88 RCW, but no appropriation is required for  
36 disbursements.

1 PART IV

2 TRANSFER DISPLACED HOMEMAKER PROGRAM

3 NEW SECTION. **Sec. 28.** (1) The powers, duties, and functions of  
4 administering the displaced homemaker program under chapter 28B.04 RCW  
5 are hereby transferred from the higher education coordinating board to  
6 the state board for community and technical colleges.

7 (2)(a) All reports, documents, surveys, books, records, files,  
8 papers, or written material in the possession of the higher education  
9 coordinating board related to the displaced homemaker program shall be  
10 delivered to the custody of the state board for community and technical  
11 colleges. All cabinets, furniture, office equipment, motor vehicles,  
12 and other tangible property employed by the higher education  
13 coordinating board for the displaced homemaker program shall be made  
14 available to the state board for community and technical colleges. All  
15 funds, credits, or other assets held by the higher education  
16 coordinating board for the displaced homemaker program shall be  
17 assigned to the state board for community and technical colleges.

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

24 (c) Any appropriations made in connection with the powers, duties,  
25 and functions transferred by this act shall, on the effective date of  
26 this section, be transferred and credited to the state board for  
27 community and technical colleges.

28 (3) All employees of the higher education coordinating board  
29 related to the displaced homemaker program are transferred to the  
30 jurisdiction of the state board for community and technical colleges.  
31 All employees classified under chapter 41.06 RCW, the state civil  
32 service law, are assigned to the state board for community and  
33 technical colleges to perform their usual duties upon the same terms as  
34 formerly, without any loss of rights, subject to any action that may be  
35 appropriate thereafter in accordance with the laws and rules governing  
36 state civil service.

37 (4) All rules and all pending business before the higher education  
38 coordinating board related to the displaced homemaker program shall be

1 continued and acted upon by the state board for community and technical  
2 colleges. All existing contracts and obligations shall remain in full  
3 force and shall be performed by the state board for community and  
4 technical colleges.

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

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

15 **Sec. 29.** RCW 28B.04.020 and 1985 c 370 s 36 are each amended to  
16 read as follows:

17 The legislature finds that homemakers are an unrecognized part of  
18 the work force who make an invaluable contribution to the strength,  
19 durability, and purpose of our state.

20 The legislature further finds that there is an increasing number of  
21 persons in this state who, having fulfilled a role as homemaker, find  
22 themselves "displaced" in their middle years through divorce, death of  
23 spouse, disability of spouse, or other loss of family income of a  
24 spouse. As a consequence, displaced homemakers are very often left  
25 with little or no income; they are ineligible for categorical welfare  
26 assistance; they are subject to the highest rate of unemployment of any  
27 sector of the work force; they face continuing discrimination in  
28 employment because of their age and lack of recent paid work  
29 experience; they are ineligible for unemployment insurance because they  
30 have been engaged in unpaid labor in the home; they are ineligible for  
31 social security benefits because they are too young, and many never  
32 qualify because they have been divorced from the family wage earner;  
33 they may have lost beneficiaries' rights under employer's pension and  
34 health plans through divorce or death of spouse; and they are often  
35 unacceptable to private health insurance plans because of their age.

36 It is the purpose of this chapter to establish guidelines under  
37 which the ((higher education coordinating board)) state board for

1 community and technical colleges shall contract to establish  
2 multipurpose service centers and programs to provide necessary training  
3 opportunities, counseling, and services for displaced homemakers so  
4 that they may enjoy the independence and economic security vital to a  
5 productive life.

6 **Sec. 30.** RCW 28B.04.030 and 1985 c 370 s 37 are each amended to  
7 read as follows:

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

10 (1) "Board" means the (~~higher education coordinating board~~) state  
11 board for community and technical colleges.

12 (2) "Center" means a multipurpose service center for displaced  
13 homemakers as described in RCW 28B.04.040.

14 (3) "Program" means those programs described in RCW 28B.04.050  
15 which provide direct, outreach, and information and training services  
16 which serve the needs of displaced homemakers.

17 (4) "Displaced homemaker" means an individual who:

18 (a) Has worked in the home for ten or more years providing  
19 unsalaried household services for family members on a full-time basis;  
20 and

21 (b) Is not gainfully employed;

22 (c) Needs assistance in securing employment; and

23 (d) Has been dependent on the income of another family member but  
24 is no longer supported by that income, or has been dependent on federal  
25 assistance but is no longer eligible for that assistance, or is  
26 supported as the parent of minor children by public assistance or  
27 spousal support but whose children are within two years of reaching  
28 their majority.

29 **Sec. 31.** RCW 28B.04.080 and 1985 c 370 s 42 are each amended to  
30 read as follows:

31 (1) The board shall consult and cooperate with the department of  
32 social and health services; the (~~state board for community college~~  
33 ~~education~~) higher education coordinating board; the superintendent of  
34 public instruction; the (~~commission for vocational education~~) work  
35 force training and education coordinating board; the employment  
36 security department; the department of labor and industries; sponsoring

1 agencies under the federal comprehensive employment and training act  
2 (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.), and any other persons or  
3 agencies as the board deems appropriate to facilitate the coordination  
4 of centers established under this chapter with existing programs of a  
5 similar nature.

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

10 (3) The board shall serve as a clearinghouse for displaced  
11 homemaker information and resources and shall compile and disseminate  
12 statewide information to the centers, related agencies, and interested  
13 persons upon request.

14 **Sec. 32.** RCW 28B.04.085 and 1987 c 230 s 2 are each amended to  
15 read as follows:

16 (1) The executive coordinator of the (~~higher—education~~  
17 ~~coordinating~~) board shall establish an advisory committee, to be known  
18 as the displaced homemaker program advisory committee.

19 (2) The advisory committee shall be advisory to the executive  
20 coordinator and staff of the board.

21 (3) Committee membership shall not exceed twenty-two persons and  
22 shall be geographically and generally representative of the state. At  
23 least one member of the advisory committee shall either be or recently  
24 have been a displaced homemaker.

25 (4) Functions of the advisory committee shall be:

26 (a) To provide advice on all aspects of administration of the  
27 displaced homemaker program, including content of program rules,  
28 guidelines, and application procedures;

29 (b) To assist in coordination of activities under the displaced  
30 homemaker program with related activities of other state and federal  
31 agencies, with particular emphasis on facilitation of coordinated  
32 funding.

33 NEW SECTION. **Sec. 33.** Sections 28 through 32 of this act take  
34 effect July 1, 2005.

PART V  
STATE NEED GRANT

**Sec. 34.** RCW 28B.10.800 and 1999 c 345 s 2 are each amended to read as follows:

The purposes of (~~RCW 28B.10.800 through 28B.10.824~~) this chapter are to establish the principles upon which the state financial aid programs will be based and to establish the state of Washington state need grant program, thus assisting financially needy or disadvantaged students domiciled in Washington to obtain the opportunity of attending an accredited institution of higher education(~~, as defined in RCW 28B.10.802(1)~~). State need grants under (~~RCW 28B.10.800 through 28B.10.824~~) this chapter are available only to students who are resident students as defined in RCW 28B.15.012(2) (a) through (d).

**Sec. 35.** RCW 28B.10.802 and 2002 c 187 s 1 are each amended to read as follows:

As used in (~~RCW 28B.10.800 through 28B.10.824~~) this chapter:

(1) "Institution or institutions of higher education" (~~shall mean (1) [(a)]~~) means:

(a) Any public university, college, community college, or (~~vocational technical institute~~) technical college operated by the state of Washington or any political subdivision thereof; or

(~~(2) [(b)]~~) (b) Any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level which is a member institution of an accrediting association recognized by rule of the board for the purposes of this section: PROVIDED, That any institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of any such accrediting association, or a branch of a member institution of an accrediting association recognized by rule of the board for purposes of this section, that is eligible for federal student financial aid assistance and has operated as a nonprofit college or university delivering on-site classroom instruction for a minimum of twenty consecutive years within the state of Washington, and has an annual enrollment of at least seven hundred full-time equivalent students: PROVIDED FURTHER, That no institution of higher education

1 shall be eligible to participate in a student financial aid program  
2 unless it agrees to and complies with program rules and regulations  
3 adopted pursuant to RCW 28B.10.822 (as recodified by this act).

4 (2) (~~The term~~) "Financial aid" (~~shall mean~~) means loans and/or  
5 grants to needy students enrolled or accepted for enrollment as a  
6 student at institutions of higher education.

7 (3) (~~The term~~) "Needy student" (~~shall mean~~) means a post high  
8 school student of an institution of higher (~~learning as defined in~~  
9 ~~subsection (1) of this section~~) education who demonstrates to the  
10 board the financial inability, either through the student's parents,  
11 family and/or personally, to meet the total cost of board, room, books,  
12 and tuition and incidental fees for any semester or quarter.

13 (4) (~~The term~~) "Disadvantaged student" (~~shall mean~~) means a  
14 post high school student who by reason of adverse cultural,  
15 educational, environmental, experiential, familial or other  
16 circumstances is unable to qualify for enrollment as a full time  
17 student in an institution of higher (~~learning~~) education, who would  
18 otherwise qualify as a needy student, and who is attending an  
19 institution of higher (~~learning~~) education under an established  
20 program designed to qualify the student for enrollment as a full time  
21 student.

22 (5) (~~"Commission" or~~) "Board" (~~shall mean~~) means the higher  
23 education coordinating board.

24 **Sec. 36.** RCW 28B.10.804 and 1999 c 345 s 3 are each amended to  
25 read as follows:

26 The board shall be cognizant of the following guidelines in the  
27 performance of its duties:

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

30 (2) The board shall coordinate all existing programs of financial  
31 aid except those specifically dedicated to a particular institution by  
32 the donor.

33 (3) The board shall take the initiative and responsibility for  
34 coordinating all federal student financial aid programs to ensure that  
35 the state recognizes the maximum potential effect of these programs,  
36 and shall design state programs that complement existing federal,  
37 state, and institutional programs. The board shall ensure that state

1 programs continue to follow the principle that state financial aid  
2 funding follows the student to the student's choice of institution of  
3 higher education.

4 (4) Counseling is a paramount function of the state need grant and  
5 other state student financial aid programs, and in most cases could  
6 only be properly implemented at the institutional levels; therefore,  
7 state student financial aid programs shall be concerned with the  
8 attainment of those goals which, in the judgment of the board, are the  
9 reasons for the existence of a student financial aid program, and not  
10 solely with administration of the program on an individual basis.

11 (5) The "package" approach of combining loans, grants and  
12 employment for student financial aid shall be the conceptual element of  
13 the state's involvement.

14 (6) The board shall ensure that allocations of state appropriations  
15 for financial aid are made to individuals and institutions in a timely  
16 manner and shall closely monitor expenditures to avoid under or  
17 overexpenditure of appropriated funds.

18 **Sec. 37.** RCW 28B.10.808 and 1999 c 345 s 5 are each amended to  
19 read as follows:

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

25 (1) The board shall annually select the financial aid award  
26 recipients from among Washington residents applying for student  
27 financial aid who have been ranked according to financial need as  
28 determined by the amount of the family contribution and other  
29 considerations brought to the board's attention.

30 (2) The financial need of the highest ranked students shall be met  
31 by grants depending upon the evaluation of financial need until the  
32 total allocation has been disbursed. Funds from grants which are  
33 declined, forfeited or otherwise unused shall be reawarded until  
34 dispersed.

35 (3) A student shall be eligible to receive a state need grant for  
36 up to five years, or the credit or clock hour equivalent of five years,  
37 or up to one hundred twenty-five percent of the published length of



1 time of the student's program. A student may not start a new associate  
2 degree program as a state need grant recipient until at least five  
3 years have elapsed since earning an associate degree as a need grant  
4 recipient, except that a student may earn two associate degrees  
5 concurrently. Qualifications for renewal will include maintaining  
6 satisfactory academic progress toward completion of an eligible program  
7 as determined by the board. Should the recipient terminate his or her  
8 enrollment for any reason during the academic year, the unused portion  
9 of the grant shall be returned to the state educational grant fund by  
10 the institution according to the institution's own policy for issuing  
11 refunds, except as provided in RCW 28B.10.8081 (as recodified by this  
12 act).

13 (4) In computing financial need, the board shall determine a  
14 maximum student expense budget allowance, not to exceed an amount equal  
15 to the total maximum student expense budget at the public institutions  
16 plus the current average state appropriation per student for operating  
17 expense in the public institutions.

18 **Sec. 38.** RCW 28B.10.8081 and 1991 c 164 s 3 are each amended to  
19 read as follows:

20 Under rules adopted by the board, the provisions of RCW  
21 28B.10.808(3) (as recodified by this act) shall not apply to eligible  
22 students, as defined in RCW 28B.10.017, and eligible students shall not  
23 be required to repay the unused portions of grants received under the  
24 state student financial aid program.

25 **Sec. 39.** RCW 28B.10.810 and 1999 c 345 s 6 are each amended to  
26 read as follows:

27 For a student to be eligible for a state need grant a student must:

28 (1) Be a "needy student" or "disadvantaged student" as determined  
29 by the board in accordance with RCW 28B.10.802 (3) and (4) (as  
30 recodified by this act).

31 (2) Have been domiciled within the state of Washington for at least  
32 one year.

33 (3) Be enrolled or accepted for enrollment on at least a half-time  
34 basis at an institution of higher education in Washington as defined in  
35 RCW 28B.10.802(1) (as recodified by this act).

1 (4) Have complied with all the rules and regulations adopted by the  
2 board for the administration of (~~RCW 28B.10.800 through 28B.10.824~~)  
3 this chapter.

4 **Sec. 40.** RCW 28B.10.816 and 1969 ex.s. c 222 s 16 are each amended  
5 to read as follows:

6 A state financial aid recipient under (~~RCW 28B.10.800 through~~  
7 ~~28B.10.824~~) this chapter shall apply the award toward the cost of  
8 tuition, room, board, books and fees at the institution of higher  
9 education attended.

10 **Sec. 41.** RCW 28B.10.818 and 1969 ex.s. c 222 s 17 are each amended  
11 to read as follows:

12 Funds appropriated for student financial assistance to be granted  
13 pursuant to (~~RCW 28B.10.800 through 28B.10.824~~) this chapter shall be  
14 disbursed as determined by the (~~commission~~) board.

15 **Sec. 42.** RCW 28B.10.820 and 1969 ex.s. c 222 s 18 are each amended  
16 to read as follows:

17 The (~~commission~~) board shall be authorized to accept grants,  
18 gifts, bequests, and devises of real and personal property from any  
19 source for the purpose of granting financial aid in addition to that  
20 funded by the state.

21 **Sec. 43.** RCW 28B.10.822 and 1999 c 345 s 7 are each amended to  
22 read as follows:

23 The board shall adopt rules as may be necessary or appropriate for  
24 effecting the provisions of (~~RCW 28B.10.800 through 28B.10.824 and~~  
25 ~~28B.10.801, and not in conflict with RCW 28B.10.800 through~~  
26 ~~28B.10.824~~) this chapter, in accordance with the provisions of chapter  
27 34.05 RCW, the administrative procedure act.

28 **Sec. 44.** RCW 28B.10.790 and 1985 c 370 s 54 are each amended to  
29 read as follows:

30 Washington residents attending any nonprofit college or university  
31 in another state which has a reciprocity agreement with the state of  
32 Washington shall be eligible for the student financial aid program  
33 outlined in (~~RCW 28B.10.800 through 28B.10.824~~) chapter 28B.-- RCW

1 (as created in section 78 of this act) if (1) they qualify as a "needy  
2 student" under RCW 28B.10.802(3) (as recodified by this act), and (2)  
3 the institution attended is a member institution of an accrediting  
4 association recognized by rule of the higher education coordinating  
5 board for the purposes of this section and is specifically encompassed  
6 within or directly affected by such reciprocity agreement and agrees to  
7 and complies with program rules and regulations pertaining to such  
8 students and institutions adopted pursuant to RCW 28B.10.822 (as  
9 recodified by this act).

10 **PART VI**  
11 **MISCELLANEOUS**

12 **Sec. 45.** RCW 28B.10.650 and 1985 c 370 s 53 are each amended to  
13 read as follows:

14 It is the intent of the legislature that when the state and  
15 regional universities, The Evergreen State College, and community  
16 colleges grant professional leaves to faculty and exempt staff, such  
17 leaves be for the purpose of providing opportunities for study,  
18 research, and creative activities for the enhancement of the  
19 institution's instructional and research programs.

20 The boards of regents of the state universities, the boards of  
21 trustees of the regional universities and of The Evergreen State  
22 College and the board of trustees of each community college district  
23 may grant remunerated professional leaves to faculty members and exempt  
24 staff, as defined in RCW (~~28B.16.040~~) 41.06.070, in accordance with  
25 regulations adopted by the respective governing boards for periods not  
26 to exceed twelve consecutive months in accordance with the following  
27 provisions:

28 (1) The remuneration from state general funds and general local  
29 funds for any such leave granted for any academic year shall not exceed  
30 the average of the highest quartile of a rank order of salaries of all  
31 full time teaching faculty holding academic year contracts or  
32 appointments at the institution or in the district.

33 (2) Remunerated professional leaves for a period of more or less  
34 than an academic year shall be compensated at rates not to exceed a  
35 proportional amount of the average salary as otherwise calculated for  
36 the purposes of subsection (1) of this section.

1 (3) The grant of any such professional leave shall be contingent  
2 upon a signed contractual agreement between the respective governing  
3 board and the recipient providing that the recipient shall return to  
4 the granting institution or district following his or her completion of  
5 such leave and serve in a professional status for a period commensurate  
6 with the amount of leave so granted. Failure to comply with the  
7 provisions of such signed agreement shall constitute an obligation of  
8 the recipient to repay to the institution any remuneration received  
9 from the institution during the leave.

10 (4) The aggregate cost of remunerated professional leaves awarded  
11 at the institution or district during any year, including the cost of  
12 replacement personnel, shall not exceed the cost of salaries which  
13 otherwise would have been paid to personnel on leaves: PROVIDED, That  
14 for community college districts the aggregate cost shall not exceed one  
15 hundred fifty percent of the cost of salaries which would have  
16 otherwise been paid to personnel on leaves: PROVIDED FURTHER, That  
17 this subsection shall not apply to any community college district with  
18 fewer than seventy-five full time faculty members and granting fewer  
19 than three individuals such leaves in any given year.

20 (5) The average number of annual remunerated professional leaves  
21 awarded at any such institution or district shall not exceed four  
22 percent of the total number of full time equivalent faculty, as defined  
23 by the office of financial management, who are engaged in instruction,  
24 and exempt staff as defined in RCW ((28B.16.040)) 41.06.070.

25 (6) Negotiated agreements made in accordance with chapter 28B.52  
26 RCW and entered into after July 1, 1977, shall be in conformance with  
27 the provisions of this section.

28 (7) The respective institutions and districts shall maintain such  
29 information which will ensure compliance with the provisions of this  
30 section. ((The higher education coordinating board shall periodically  
31 request such information as to ensure institutions are in compliance.))

32 **Sec. 46.** RCW 28A.600.110 and 1994 c 234 s 4 are each amended to  
33 read as follows:

34 There is established by the legislature of the state of Washington  
35 the Washington state scholars program. The purposes of this program  
36 annually are to:

1 (1) Provide for the selection of three seniors residing in each  
2 legislative district in the state graduating from high schools who have  
3 distinguished themselves academically among their peers.

4 (2) Maximize public awareness of the academic achievement,  
5 leadership ability, and community contribution of Washington state  
6 public and private high school seniors through appropriate recognition  
7 ceremonies and events at both the local and state level.

8 (3) Provide a listing of the Washington scholars to all Washington  
9 state public and private colleges and universities to facilitate  
10 communication regarding academic programs and scholarship availability.

11 (4) Make available a state level mechanism for utilization of  
12 private funds for scholarship awards to outstanding high school  
13 seniors.

14 (5) Provide, on written request and with student permission, a  
15 listing of the Washington scholars to private scholarship selection  
16 committees for notification of scholarship availability.

17 (6) Permit a waiver of tuition and services and activities fees as  
18 provided for in RCW 28B.15.543 and grants under RCW 28B.80.245 (as  
19 recodified by this act).

20 **Sec. 47.** RCW 28B.10.020 and 1985 c 370 s 50 are each amended to  
21 read as follows:

22 The boards of regents of the University of Washington and  
23 Washington State University, respectively, and the boards of trustees  
24 of Central Washington University, Eastern Washington University,  
25 Western Washington University, and The Evergreen State College,  
26 respectively, shall have the power and authority to acquire by  
27 exchange, gift, purchase, lease, or condemnation in the manner provided  
28 by chapter 8.04 RCW for condemnation of property for public use, such  
29 lands, real estate and other property, and interests therein as they  
30 may deem necessary for the use of said institutions respectively.  
31 However, the purchase or lease of major off-campus facilities is  
32 subject to the approval of the higher education coordinating board  
33 under (~~RCW 28B.80.340~~) section 9 of this act.

34 **Sec. 48.** RCW 28B.10.050 and 1985 c 370 s 91 are each amended to  
35 read as follows:

36 Except as the legislature shall otherwise specifically direct, the

1 boards of regents and the boards of trustees for the state  
2 universities, the regional universities, and The Evergreen State  
3 College may establish entrance requirements for their respective  
4 institutions of higher education which meet or exceed the minimum  
5 entrance requirements established under RCW 28B.80.350(2) (as  
6 recodified by this act).

7 **Sec. 49.** RCW 28B.15.543 and 1995 1st sp.s. c 5 s 2 are each  
8 amended to read as follows:

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

29 (2) Students named by the higher education coordinating board after  
30 June 30, 1994, as recipients of the Washington scholars award under RCW  
31 28A.600.100 through 28A.600.150 shall be eligible to receive a grant  
32 for undergraduate course work as authorized under RCW 28B.80.245 (as  
33 recodified by this act).

34 **Sec. 50.** RCW 28B.15.545 and 1995 1st sp.s. c 7 s 7 are each  
35 amended to read as follows:

36 (1) Subject to the limitations of RCW 28B.15.910, the governing

1 boards of the state universities, the regional universities, The  
2 Evergreen State College, and the community colleges shall waive tuition  
3 and services and activities fees for a maximum of two years for those  
4 recipients of the Washington award for vocational excellence  
5 established under RCW 28C.04.520 through 28C.04.540 who received their  
6 awards before June 30, 1994. Each recipient shall not receive a  
7 waiver for more than six quarters or four semesters. To qualify for  
8 the waiver, recipients shall enter the college or university within  
9 three years of receiving the award. A minimum grade point average at  
10 the college or university equivalent to 3.00, or an above-average  
11 rating at a technical college, shall be required in the first year to  
12 qualify for the second-year waiver. The tuition waiver shall be  
13 granted for undergraduate studies only.

14 (2) Students named by the work force training and education  
15 coordinating board after June 30, 1994, as recipients of the Washington  
16 award for vocational excellence under RCW 28C.04.520 through 28C.04.550  
17 shall be eligible to receive a grant for undergraduate course work as  
18 authorized under RCW 28B.80.272 (as recodified by this act).

19 **Sec. 51.** RCW 28B.15.910 and 2000 c 152 s 3 are each amended to  
20 read as follows:

21 (1) For the purpose of providing state general fund support to  
22 public institutions of higher education, except for revenue waived  
23 under programs listed in subsections (3) and (4) of this section, and  
24 unless otherwise expressly provided in the omnibus state appropriations  
25 act, the total amount of operating fees revenue waived, exempted, or  
26 reduced by a state university, a regional university, The Evergreen  
27 State College, or the community colleges as a whole, shall not exceed  
28 the percentage of total gross authorized operating fees revenue in this  
29 subsection. As used in this section, "gross authorized operating fees  
30 revenue" means the estimated gross operating fees revenue as estimated  
31 under RCW 82.33.020 or as revised by the office of financial  
32 management, before granting any waivers. This limitation applies to  
33 all tuition waiver programs established before or after July 1, 1992.

- |    |                                   |            |
|----|-----------------------------------|------------|
| 34 | (a) University of Washington      | 21 percent |
| 35 | (b) Washington State University   | 20 percent |
| 36 | (c) Eastern Washington University | 11 percent |
| 37 | (d) Central Washington University | 8 percent  |

- 1 (e) Western Washington University 10 percent
- 2 (f) The Evergreen State College 6 percent
- 3 (g) Community colleges as a whole 35 percent

4 (2) The limitations in subsection (1) of this section apply to  
5 waivers, exemptions, or reductions in operating fees contained in the  
6 following:

- 7 (a) RCW 28B.10.265;
- 8 (b) RCW 28B.15.014;
- 9 (c) RCW 28B.15.100;
- 10 (d) RCW 28B.15.225;
- 11 (e) RCW 28B.15.380;
- 12 (f) RCW 28B.15.520;
- 13 (g) RCW 28B.15.526;
- 14 (h) RCW 28B.15.527;
- 15 (i) RCW 28B.15.543;
- 16 (j) RCW 28B.15.545;
- 17 (k) RCW 28B.15.555;
- 18 (l) RCW 28B.15.556;
- 19 (m) RCW 28B.15.615;
- 20 (n) RCW 28B.15.620;
- 21 (o) RCW 28B.15.628;
- 22 (p) RCW 28B.15.730;
- 23 (q) RCW 28B.15.740;
- 24 (r) RCW 28B.15.750;
- 25 (s) RCW 28B.15.756;
- 26 (t) RCW 28B.50.259;
- 27 (u) RCW 28B.70.050; and
- 28 (v) ((~~RCW 28B.80.580~~; and

29 ~~(w)~~)) During the 1997-99 fiscal biennium, the western interstate  
30 commission for higher education undergraduate exchange program for  
31 students attending Eastern Washington University.

32 (3) The limitations in subsection (1) of this section do not apply  
33 to waivers, exemptions, or reductions in services and activities fees  
34 contained in the following:

- 35 (a) RCW 28B.15.522;
- 36 (b) RCW 28B.15.540; and
- 37 (c) RCW 28B.15.558.



1 (4) The total amount of operating fees revenue waived, exempted, or  
2 reduced by institutions of higher education participating in the  
3 western interstate commission for higher education western  
4 undergraduate exchange program under RCW 28B.15.544 shall not exceed  
5 the percentage of total gross authorized operating fees revenue in this  
6 subsection.

- 7 (a) Washington State University 1 percent
- 8 (b) Eastern Washington University 3 percent
- 9 (c) Central Washington University 3 percent

10 **Sec. 52.** RCW 28B.20.130 and 1998 c 245 s 16 are each amended to  
11 read as follows:

12 General powers and duties of the board of regents are as follows:

13 (1) To have full control of the university and its property of  
14 various kinds, except as otherwise provided by law.

15 (2) To employ the president of the university, his or her  
16 assistants, members of the faculty, and employees of the institution,  
17 who except as otherwise provided by law, shall hold their positions  
18 during the pleasure of said board of regents.

19 (3) Establish entrance requirements for students seeking admission  
20 to the university which meet or exceed the standards specified under  
21 RCW 28B.80.350(2) (as recodified by this act). Completion of  
22 examinations satisfactory to the university may be a prerequisite for  
23 entrance by any applicant at the university's discretion. Evidence of  
24 completion of public high schools and other educational institutions  
25 whose courses of study meet the approval of the university may be  
26 acceptable for entrance.

27 (4) Establish such colleges, schools, or departments necessary to  
28 carry out the purpose of the university and not otherwise proscribed by  
29 law.

30 (5) With the assistance of the faculty of the university, prescribe  
31 the course of study in the various colleges, schools, and departments  
32 of the institution and publish the necessary catalogues thereof.

33 (6) Grant to students such certificates or degrees as recommended  
34 for such students by the faculty. The board, upon recommendation of  
35 the faculty, may also confer honorary degrees upon persons other than  
36 graduates of this university in recognition of their learning or

1 devotion to literature, art, or science: PROVIDED, That no degree  
2 shall ever be conferred in consideration of the payment of money or the  
3 giving of property of whatsoever kind.

4 (7) Accept such gifts, grants, conveyances, bequests, and devises,  
5 whether real or personal property, or both, in trust or otherwise, for  
6 the use or benefit of the university, its colleges, schools,  
7 departments, or agencies; and sell, lease or exchange, invest or expend  
8 the same or the proceeds, rents, profits, and income thereof except as  
9 limited by the terms of said gifts, grants, conveyances, bequests, and  
10 devises. The board shall adopt proper rules to govern and protect the  
11 receipt and expenditure of the proceeds of all fees, and the proceeds,  
12 rents, profits, and income of all gifts, grants, conveyances, bequests,  
13 and devises above-mentioned.

14 (8) Except as otherwise provided by law, to enter into such  
15 contracts as the regents deem essential to university purposes.

16 (9) To submit upon request such reports as will be helpful to the  
17 governor and to the legislature in providing for the institution.

18 (10) Subject to the approval of the higher education coordinating  
19 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new  
20 degree programs, offer off-campus programs, participate in consortia or  
21 centers, contract for off-campus educational programs, and purchase or  
22 lease major off-campus facilities.

23 **Sec. 53.** RCW 28B.30.150 and 1998 c 245 s 19 are each amended to  
24 read as follows:

25 The regents of Washington State University, in addition to other  
26 duties prescribed by law, shall:

27 (1) Have full control of the university and its property of various  
28 kinds, except as otherwise provided by law.

29 (2) Employ the president of the university, his or her assistants,  
30 members of the faculty, and employees of the university, who, except as  
31 otherwise provided by law, shall hold their positions during the  
32 pleasure of said board of regents.

33 (3) Establish entrance requirements for students seeking admission  
34 to the university which meet or exceed the standards specified under  
35 RCW 28B.80.350(2) (as recodified by this act). Completion of  
36 examinations satisfactory to the university may be a prerequisite for  
37 entrance by any applicant, at the university's discretion. Evidence of

1 completion of public high schools and other educational institutions  
2 whose courses of study meet the approval of the university may be  
3 acceptable for entrance.

4 (4) Establish such colleges, schools, or departments necessary to  
5 carry out the purpose of the university and not otherwise proscribed by  
6 law.

7 (5) Subject to the approval of the higher education coordinating  
8 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new  
9 degree programs, offer off-campus programs, participate in consortia or  
10 centers, contract for off-campus educational programs, and purchase or  
11 lease major off-campus facilities.

12 (6) With the assistance of the faculty of the university, prescribe  
13 the courses of instruction in the various colleges, schools, and  
14 departments of the institution and publish the necessary catalogues  
15 thereof.

16 (7) Collect such information as the board deems desirable as to the  
17 schemes of technical instruction adopted in other parts of the United  
18 States and foreign countries.

19 (8) Provide for holding agricultural institutes including farm  
20 marketing forums.

21 (9) Provide that instruction given in the university, as far as  
22 practicable, be conveyed by means of laboratory work and provide in  
23 connection with the university one or more physical, chemical, and  
24 biological laboratories, and suitably furnish and equip the same.

25 (10) Provide training in military tactics for those students  
26 electing to participate therein.

27 (11) Establish a department of elementary science and in connection  
28 therewith provide instruction in elementary mathematics, including  
29 elementary trigonometry, elementary mechanics, elementary and  
30 mechanical drawing, and land surveying.

31 (12) Establish a department of agriculture and in connection  
32 therewith provide instruction in physics with special application of  
33 its principles to agriculture, chemistry with special application of  
34 its principles to agriculture, morphology and physiology of plants with  
35 special reference to common grown crops and fungus enemies, morphology  
36 and physiology of the lower forms of animal life, with special  
37 reference to insect pests, morphology and physiology of the higher  
38 forms of animal life and in particular of the horse, cow, sheep, and

1 swine, agriculture with special reference to the breeding and feeding  
2 of livestock and the best mode of cultivation of farm produce, and  
3 mining and metallurgy, appointing demonstrators in each of these  
4 subjects to superintend the equipment of a laboratory and to give  
5 practical instruction therein.

6 (13) Establish agricultural experiment stations in connection with  
7 the department of agriculture, including at least one in the western  
8 portion of the state, and appoint the officers and prescribe  
9 regulations for their management.

10 (14) Grant to students such certificates or degrees, as recommended  
11 for such students by the faculty.

12 (15) Confer honorary degrees upon persons other than graduates of  
13 the university in recognition of their learning or devotion to  
14 literature, art, or science when recommended thereto by the faculty:  
15 PROVIDED, That no degree shall ever be conferred in consideration of  
16 the payment of money or the giving of property of whatsoever kind.

17 (16) Adopt plans and specifications for university buildings and  
18 facilities or improvements thereto and employ skilled architects and  
19 engineers to prepare such plans and specifications and supervise the  
20 construction of buildings or facilities which the board is authorized  
21 to erect, and fix the compensation for such services. The board shall  
22 enter into contracts with one or more contractors for such suitable  
23 buildings, facilities, or improvements as the available funds will  
24 warrant, upon the most advantageous terms offered at a public  
25 competitive letting, pursuant to public notice under rules established  
26 by the board. The board shall require of all persons with whom they  
27 contract for construction and improvements a good and sufficient bond  
28 for the faithful performance of the work and full protection against  
29 all liens.

30 (17) Except as otherwise provided by law, direct the disposition of  
31 all money appropriated to or belonging to the state university.

32 (18) Receive and expend the money appropriated under the act of  
33 congress approved May 8, 1914, entitled "An Act to provide for  
34 cooperative agricultural extension work between the agricultural  
35 colleges in the several States receiving the benefits of the Act of  
36 Congress approved July 2, 1862, and Acts supplemental thereto and the  
37 United States Department of Agriculture" and organize and conduct

1 agricultural extension work in connection with the state university in  
2 accordance with the terms and conditions expressed in the acts of  
3 congress.

4 (19) Except as otherwise provided by law, to enter into such  
5 contracts as the regents deem essential to university purposes.

6 (20) Acquire by lease, gift, or otherwise, lands necessary to  
7 further the work of the university or for experimental or  
8 demonstrational purposes.

9 (21) Establish and maintain at least one agricultural experiment  
10 station in an irrigation district to conduct investigational work upon  
11 the principles and practices of irrigational agriculture including the  
12 utilization of water and its relation to soil types, crops, climatic  
13 conditions, ditch and drain construction, fertility investigations,  
14 plant disease, insect pests, marketing, farm management, utilization of  
15 fruit byproducts, and general development of agriculture under  
16 irrigation conditions.

17 (22) Supervise and control the agricultural experiment station at  
18 Puyallup.

19 (23) Establish and maintain at Wenatchee an agricultural experiment  
20 substation for the purpose of conducting investigational work upon the  
21 principles and practices of orchard culture, spraying, fertilization,  
22 pollenization, new fruit varieties, fruit diseases and pests,  
23 byproducts, marketing, management, and general horticultural problems.

24 (24) Accept such gifts, grants, conveyances, devises, and bequests,  
25 whether real or personal property, in trust or otherwise, for the use  
26 or benefit of the university, its colleges, schools, or departments;  
27 and sell, lease or exchange, invest or expend the same or the proceeds,  
28 rents, profits, and income thereof except as limited by the terms of  
29 said gifts, grants, conveyances, bequests, and devises; and adopt  
30 proper rules to govern and protect the receipt and expenditure of the  
31 proceeds of all fees, and the proceeds, rents, profits, and income of  
32 all gifts, grants, conveyances, bequests, and devises.

33 (25) Construct when the board so determines a new foundry and a  
34 mining, physical, technological building, and fabrication shop at the  
35 university, or add to the present foundry and other buildings, in order  
36 that both instruction and research be expanded to include permanent  
37 molding and die casting with a section for new fabricating techniques,  
38 especially for light metals, including magnesium and aluminum; purchase

1 equipment for the shops and laboratories in mechanical, electrical, and  
2 civil engineering; establish a pilot plant for the extraction of  
3 alumina from native clays and other possible light metal research;  
4 purchase equipment for a research laboratory for technological research  
5 generally; and purchase equipment for research in electronics,  
6 instrumentation, energy sources, plastics, food technology, mechanics  
7 of materials, hydraulics, and similar fields.

8 (26) Make and transmit to the governor and members of the  
9 legislature upon request such reports as will be helpful in providing  
10 for the institution.

11 **Sec. 54.** RCW 28B.35.120 and 1985 c 370 s 94 are each amended to  
12 read as follows:

13 In addition to any other powers and duties prescribed by law, each  
14 board of trustees of the respective regional universities:

15 (1) Shall have full control of the regional university and its  
16 property of various kinds, except as otherwise provided by law.

17 (2) Shall employ the president of the regional university, his  
18 assistants, members of the faculty, and other employees of the  
19 institution, who, except as otherwise provided by law, shall hold their  
20 positions, until discharged therefrom by the board for good and lawful  
21 reason.

22 (3) With the assistance of the faculty of the regional university,  
23 shall prescribe the course of study in the various schools and  
24 departments thereof and publish such catalogues thereof as the board  
25 deems necessary: PROVIDED, That the state board of education shall  
26 determine the requisites for and give program approval of all courses  
27 leading to teacher certification by such board.

28 (4) Establish such divisions, schools or departments necessary to  
29 carry out the purposes of the regional university and not otherwise  
30 proscribed by law.

31 (5) Except as otherwise provided by law, may establish and erect  
32 such new facilities as determined by the board to be necessary for the  
33 regional university.

34 (6) May acquire real and other property as provided in RCW  
35 28B.10.020, as now or hereafter amended.

36 (7) Except as otherwise provided by law, may purchase all supplies

1 and purchase or lease equipment and other personal property needed for  
2 the operation or maintenance of the regional university.

3 (8) May establish, lease, operate, equip and maintain self-  
4 supporting facilities in the manner provided in RCW 28B.10.300 through  
5 28B.10.330, as now or hereafter amended.

6 (9) Except as otherwise provided by law, to enter into such  
7 contracts as the trustees deem essential to regional university  
8 purposes.

9 (10) May receive such gifts, grants, conveyances, devises and  
10 bequests of real or personal property from whatsoever source, as may be  
11 made from time to time, in trust or otherwise, whenever the terms and  
12 conditions thereof will aid in carrying out the regional university  
13 programs; sell, lease or exchange, invest or expend the same or the  
14 proceeds, rents, profits and income thereof except as limited by the  
15 terms and conditions thereof; and adopt regulations to govern the  
16 receipt and expenditure of the proceeds, rents, profits and income  
17 thereof.

18 (11) Subject to the approval of the higher education coordinating  
19 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new  
20 degree programs, offer off-campus programs, participate in consortia or  
21 centers, contract for off-campus educational programs, and purchase or  
22 lease major off-campus facilities.

23 (12) May promulgate such rules and regulations, and perform all  
24 other acts not forbidden by law, as the board of trustees may in its  
25 discretion deem necessary or appropriate to the administration of the  
26 regional university.

27 **Sec. 55.** RCW 28B.38.010 and 1998 c 344 s 9 are each amended to  
28 read as follows:

29 (1) The Spokane intercollegiate research and technology institute  
30 is created.

31 (2) The institute shall be operated and administered as a multi-  
32 institutional education and research center, housing appropriate  
33 programs conducted in Spokane under the authority of institutions of  
34 higher education as defined in RCW 28B.10.016. Washington independent  
35 and private institutions of higher education may participate as full  
36 partners in any academic and research activities of the institute.

1 (3) The institute shall house education and research programs  
2 specifically designed to meet the needs of eastern Washington.

3 (4) The establishment of any education program at the institute and  
4 the lease, purchase, or construction of any site or facility for the  
5 institute is subject to the approval of the higher education  
6 coordinating board under (~~RCW 28B.80.340~~) section 9 of this act.

7 (5) The institute shall be headquartered in Spokane.

8 (6) The mission of the institute is to perform and commercialize  
9 research that benefits the intermediate and long-term economic vitality  
10 of eastern Washington and to develop and strengthen university-industry  
11 relationships through the conduct of research that is primarily of  
12 interest to eastern Washington-based companies or state economic  
13 development programs. The institute shall:

14 (a) Perform and facilitate research supportive of state science and  
15 technology objectives, particularly as they relate to eastern  
16 Washington industries;

17 (b) Provide leading edge collaborative research and technology  
18 transfer opportunities primarily to eastern Washington industries;

19 (c) Provide substantial opportunities for training undergraduate  
20 and graduate students through direct involvement in research and  
21 industry interactions;

22 (d) Emphasize and develop nonstate support of the institute's  
23 research activities; and

24 (e) Provide a forum for effective interaction between the state's  
25 technology-based industries and its academic institutions through  
26 promotion of faculty collaboration with industry, particularly within  
27 eastern Washington.

28 **Sec. 56.** RCW 28B.40.120 and 1985 c 370 s 95 are each amended to  
29 read as follows:

30 In addition to any other powers and duties prescribed by law, the  
31 board of trustees of The Evergreen State College:

32 (1) Shall have full control of the state college and its property  
33 of various kinds, except as otherwise provided by law.

34 (2) Shall employ the president of the state college, his  
35 assistants, members of the faculty, and other employees of the  
36 institution, who, except as otherwise provided by law, shall hold their



1 positions, until discharged therefrom by the board for good and lawful  
2 reason.

3 (3) With the assistance of the faculty of the state college, shall  
4 prescribe the course of study in the various schools and departments  
5 thereof and publish such catalogues thereof as the board deems  
6 necessary: PROVIDED, That the state board of education shall determine  
7 the requisites for and give program approval of all courses leading to  
8 teacher certification by such board.

9 (4) Establish such divisions, schools or departments necessary to  
10 carry out the purposes of the college and not otherwise proscribed by  
11 law.

12 (5) Except as otherwise provided by law, may establish and erect  
13 such new facilities as determined by the board to be necessary for the  
14 college.

15 (6) May acquire real and other property as provided in RCW  
16 28B.10.020, as now or hereafter amended.

17 (7) Except as otherwise provided by law, may purchase all supplies  
18 and purchase or lease equipment and other personal property needed for  
19 the operation or maintenance of the college.

20 (8) May establish, lease, operate, equip and maintain self-  
21 supporting facilities in the manner provided in RCW 28B.10.300 through  
22 28B.10.330, as now or hereafter amended.

23 (9) Except as otherwise provided by law, to enter into such  
24 contracts as the trustees deem essential to college purposes.

25 (10) May receive such gifts, grants, conveyances, devises and  
26 bequests of real or personal property from whatsoever source, as may be  
27 made from time to time, in trust or otherwise, whenever the terms and  
28 conditions thereof will aid in carrying out the college programs; sell,  
29 lease or exchange, invest or expend the same or the proceeds, rents,  
30 profits and income thereof except as limited by the terms and  
31 conditions thereof; and adopt regulations to govern the receipt and  
32 expenditure of the proceeds, rents, profits and income thereof.

33 (11) Subject to the approval of the higher education coordinating  
34 board pursuant to (~~RCW 28B.80.340~~) section 9 of this act, offer new  
35 degree programs, offer off-campus programs, participate in consortia or  
36 centers, contract for off-campus educational programs, and purchase or  
37 lease major off-campus facilities.

1 (12) May promulgate such rules and regulations, and perform all  
2 other acts not forbidden by law, as the board of trustees may in its  
3 discretion deem necessary or appropriate to the administration of the  
4 college.

5 **Sec. 57.** RCW 28B.50.090 and 2003 c 130 s 6 are each amended to  
6 read as follows:

7 The college board shall have general supervision and control over  
8 the state system of community and technical colleges. In addition to  
9 the other powers and duties imposed upon the college board by this  
10 chapter, the college board shall be charged with the following powers,  
11 duties and responsibilities:

12 (1) Review the budgets prepared by the boards of trustees, prepare  
13 a single budget for the support of the state system of community and  
14 technical colleges and adult education, and submit this budget to the  
15 governor as provided in RCW 43.88.090;

16 (2) Establish guidelines for the disbursement of funds; and receive  
17 and disburse such funds for adult education and maintenance and  
18 operation and capital support of the college districts in conformance  
19 with the state and district budgets, and in conformance with chapter  
20 43.88 RCW;

21 (3) Ensure, through the full use of its authority:

22 (a) That each college district shall offer thoroughly comprehensive  
23 educational, training and service programs to meet the needs of both  
24 the communities and students served by combining high standards of  
25 excellence in academic transfer courses; realistic and practical  
26 courses in occupational education, both graded and ungraded; and  
27 community services of an educational, cultural, and recreational  
28 nature; and adult education, including basic skills and general,  
29 family, and work force literacy programs and services. However,  
30 technical colleges, and college districts containing only technical  
31 colleges, shall maintain programs solely for occupational education,  
32 basic skills, and literacy purposes. For as long as a need exists,  
33 technical colleges may continue those programs, activities, and  
34 services they offered during the twelve-month period preceding May 17,  
35 1991;

36 (b) That each college district shall maintain an open-door policy,  
37 to the end that no student will be denied admission because of the

1 location of the student's residence or because of the student's  
2 educational background or ability; that, insofar as is practical in the  
3 judgment of the college board, curriculum offerings will be provided to  
4 meet the educational and training needs of the community generally and  
5 the students thereof; and that all students, regardless of their  
6 differing courses of study, will be considered, known and recognized  
7 equally as members of the student body: PROVIDED, That the  
8 administrative officers of a community or technical college may deny  
9 admission to a prospective student or attendance to an enrolled student  
10 if, in their judgment, the student would not be competent to profit  
11 from the curriculum offerings of the college, or would, by his or her  
12 presence or conduct, create a disruptive atmosphere within the college  
13 not consistent with the purposes of the institution. This subsection  
14 (3)(b) shall not apply to competency, conduct, or presence associated  
15 with a disability in a person twenty-one years of age or younger  
16 attending a technical college;

17 (4) Prepare a comprehensive master plan for the development of  
18 community and technical college education and training in the state;  
19 and assist the office of financial management in the preparation of  
20 enrollment projections to support plans for providing adequate college  
21 facilities in all areas of the state. The master plan shall include  
22 implementation of the vision, goals, priorities, and strategies in the  
23 statewide strategic master plan for higher education under RCW  
24 28B.80.345 (as recodified by this act) based on the community and  
25 technical college system's role and mission. The master plan shall  
26 also contain measurable performance indicators and benchmarks for  
27 gauging progress toward achieving the goals and priorities;

28 (5) Define and administer criteria and guidelines for the  
29 establishment of new community and technical colleges or campuses  
30 within the existing districts;

31 (6) Establish criteria and procedures for modifying district  
32 boundary lines consistent with the purposes set forth in RCW 28B.50.020  
33 as now or hereafter amended and in accordance therewith make such  
34 changes as it deems advisable;

35 (7) Establish minimum standards to govern the operation of the  
36 community and technical colleges with respect to:

37 (a) Qualifications and credentials of instructional and key

1 administrative personnel, except as otherwise provided in the state  
2 plan for vocational education,

3 (b) Internal budgeting, accounting, auditing, and financial  
4 procedures as necessary to supplement the general requirements  
5 prescribed pursuant to chapter 43.88 RCW,

6 (c) The content of the curriculums and other educational and  
7 training programs, and the requirement for degrees and certificates  
8 awarded by the colleges,

9 (d) Standard admission policies,

10 (e) Eligibility of courses to receive state fund support;

11 (8) Establish and administer criteria and procedures for all  
12 capital construction including the establishment, installation, and  
13 expansion of facilities within the various college districts;

14 (9) Encourage innovation in the development of new educational and  
15 training programs and instructional methods; coordinate research  
16 efforts to this end; and disseminate the findings thereof;

17 (10) Exercise any other powers, duties and responsibilities  
18 necessary to carry out the purposes of this chapter;

19 (11) Authorize the various community and technical colleges to  
20 offer programs and courses in other districts when it determines that  
21 such action is consistent with the purposes set forth in RCW 28B.50.020  
22 as now or hereafter amended;

23 (12) Notwithstanding any other law or statute regarding the sale of  
24 state property, sell or exchange and convey any or all interest in any  
25 community and technical college real and personal property, except such  
26 property as is received by a college district in accordance with RCW  
27 28B.50.140(8), when it determines that such property is surplus or that  
28 such a sale or exchange is in the best interests of the community and  
29 technical college system;

30 (13) In order that the treasurer for the state board for community  
31 and technical colleges appointed in accordance with RCW 28B.50.085 may  
32 make vendor payments, the state treasurer will honor warrants drawn by  
33 the state board providing for an initial advance on July 1, 1982, of  
34 the current biennium and on July 1 of each succeeding biennium from the  
35 state general fund in an amount equal to twenty-four percent of the  
36 average monthly allotment for such budgeted biennium expenditures for  
37 the state board for community and technical colleges as certified by  
38 the office of financial management; and at the conclusion of such

1 initial month and for each succeeding month of any biennium, the state  
2 treasurer will reimburse expenditures incurred and reported monthly by  
3 the state board treasurer in accordance with chapter 43.88 RCW:  
4 PROVIDED, That the reimbursement to the state board for actual  
5 expenditures incurred in the final month of each biennium shall be less  
6 the initial advance made in such biennium;

7 (14) Notwithstanding the provisions of subsection (12) of this  
8 section, may receive such gifts, grants, conveyances, devises, and  
9 bequests of real or personal property from private sources as may be  
10 made from time to time, in trust or otherwise, whenever the terms and  
11 conditions thereof will aid in carrying out the community and technical  
12 college programs and may sell, lease or exchange, invest or expend the  
13 same or the proceeds, rents, profits and income thereof according to  
14 the terms and conditions thereof; and adopt regulations to govern the  
15 receipt and expenditure of the proceeds, rents, profits and income  
16 thereof;

17 (15) The college board shall have the power of eminent domain;

18 (16) Provide general supervision over the state's technical  
19 colleges. The president of each technical college shall report  
20 directly to the director of the state board for community and technical  
21 colleges, or the director's designee, until local control is assumed by  
22 a new or existing board of trustees as appropriate, except that a  
23 college president shall have authority over program decisions of his or  
24 her college until the establishment of a board of trustees for that  
25 college. The directors of the vocational-technical institutes on March  
26 1, 1991, shall be designated as the presidents of the new technical  
27 colleges.

28 **Sec. 58.** RCW 28B.50.140 and 1997 c 281 s 1 are each amended to  
29 read as follows:

30 Each board of trustees:

31 (1) Shall operate all existing community and technical colleges in  
32 its district;

33 (2) Shall create comprehensive programs of community and technical  
34 college education and training and maintain an open-door policy in  
35 accordance with the provisions of RCW 28B.50.090(3). However,  
36 technical colleges, and college districts containing only technical  
37 colleges, shall maintain programs solely for occupational education,

1 basic skills, and literacy purposes. For as long as a need exists,  
2 technical colleges may continue those programs, activities, and  
3 services they offered during the twelve-month period preceding  
4 September 1, 1991;

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

21 (4) May establish, under the approval and direction of the college  
22 board, new facilities as community needs and interests demand.  
23 However, the authority of boards of trustees to purchase or lease major  
24 off-campus facilities shall be subject to the approval of the higher  
25 education coordinating board pursuant to ((~~RCW 28B.80.340(5)~~)) section  
26 9 of this act;

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

31 (6) May, with the approval of the college board, borrow money and  
32 issue and sell revenue bonds or other evidences of indebtedness for the  
33 construction, reconstruction, erection, equipping with permanent  
34 fixtures, demolition and major alteration of buildings or other capital  
35 assets, and the acquisition of sites, rights-of-way, easements,  
36 improvements or appurtenances, for dormitories, food service  
37 facilities, and other self-supporting facilities connected with the

1 operation of the community and technical college in accordance with the  
2 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

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

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

13 (b) Employ necessary employees to govern, manage and operate the  
14 same;

15 (8) May receive such gifts, grants, conveyances, devises and  
16 bequests of real or personal property from private sources, 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 community and technical  
19 college programs as specified by law and the regulations of the state  
20 college board; sell, lease or exchange, invest or expend the same or  
21 the proceeds, rents, profits and income thereof according to the terms  
22 and conditions thereof; and adopt regulations to govern the receipt and  
23 expenditure of the proceeds, rents, profits and income thereof;

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

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

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

36 (12) May grant to every student, upon graduation or completion of  
37 a course of study, a suitable diploma, nonbaccalaureate degree or  
38 certificate. Technical colleges shall offer only nonbaccalaureate

1 technical degrees under the rules of the state board for community and  
2 technical colleges that are appropriate to their work force education  
3 and training mission. The primary purpose of this degree is to lead  
4 the individual directly to employment in a specific occupation.  
5 Technical colleges may not offer transfer degrees. The board, upon  
6 recommendation of the faculty, may also confer honorary associate of  
7 arts degrees upon persons other than graduates of the community  
8 college, in recognition of their learning or devotion to education,  
9 literature, art, or science. No degree may be conferred in  
10 consideration of the payment of money or the donation of any kind of  
11 property;

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

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

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

31 (16) Notwithstanding any other provision of law, may offer  
32 educational services on a contractual basis other than the tuition and  
33 fee basis set forth in chapter 28B.15 RCW for a special fee to private  
34 or governmental entities, consistent with rules and regulations adopted  
35 by the state board for community and technical colleges: PROVIDED,  
36 That the whole of such special fee shall go to the college district and  
37 be not less than the full instructional costs of such services  
38 including any salary increases authorized by the legislature for



1 community and technical college employees during the term of the  
2 agreement: PROVIDED FURTHER, That enrollments generated hereunder  
3 shall not be counted toward the official enrollment level of the  
4 college district for state funding purposes;

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

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

25 (19) (~~Subject to the approval of the higher education coordinating~~  
26 ~~board pursuant to RCW 28B.80.340(4),~~) May participate in higher  
27 education centers and consortia that involve any four-year public or  
28 independent college or university: PROVIDED, That new degree programs  
29 or off-campus programs offered by a four-year public or independent  
30 college or university in collaboration with a community or technical  
31 college are subject to approval by the higher education coordinating  
32 board under section 9 of this act; and

33 (20) Shall perform any other duties and responsibilities imposed by  
34 law or rule and regulation of the state board.

35 **Sec. 59.** RCW 28B.95.020 and 2001 c 184 s 1 are each amended to  
36 read as follows:

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

3 (1) "Academic year" means the regular nine-month, three-quarter, or  
4 two-semester period annually occurring between July 1st and June 30th.

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

12 (3) "Board" means the higher education coordinating board as  
13 defined in chapter ~~((28B.80))~~ 28B.-- RCW (as created in section 76 of  
14 this act).

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

22 (5) "Governing body" means the committee empowered by the  
23 legislature to administer the Washington advanced college tuition  
24 payment program.

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

30 (7) "Eligible beneficiary" means the person for whom the tuition  
31 unit will be redeemed for attendance at an institution of higher  
32 education. The beneficiary is that person named by the purchaser at  
33 the time that a tuition unit contract is accepted by the governing  
34 body. With the exception of tuition unit contracts purchased by  
35 qualified organizations as future scholarships, the beneficiary must  
36 reside in the state of Washington or otherwise be a resident of the  
37 state of Washington at the time the tuition unit contract is accepted  
38 by the governing body.

1 (8) "Eligible purchaser" means an individual or organization that  
2 has entered into a tuition unit contract with the governing body for  
3 the purchase of tuition units for an eligible beneficiary.

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

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

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

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

15 (13) "Tuition and fees" means undergraduate tuition and services  
16 and activities fees as defined in RCW 28B.15.020 and 28B.15.041 rounded  
17 to the nearest whole dollar. The maximum tuition and fees charges  
18 recognized for beneficiaries enrolled in a state technical college  
19 shall be equal to the tuition and fees for the community college  
20 system.

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

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

36 (16) "Weighted average tuition" shall be calculated as the sum of  
37 the undergraduate tuition and services and activities fees for each  
38 four-year state institution of higher education, multiplied by the

1 respective full-time equivalent student enrollment at each institution  
2 divided by the sum total of undergraduate full-time equivalent student  
3 enrollments of all four-year state institutions of higher education,  
4 rounded to the nearest whole dollar.

5 (17) "Weighted average tuition unit" is the value of the weighted  
6 average tuition and fees divided by one hundred. The weighted average  
7 is the basis upon which tuition benefits may be calculated as the basis  
8 for any refunds provided from the program.

9 **Sec. 60.** RCW 28B.119.010 and 2003 c 233 s 5 are each amended to  
10 read as follows:

11 The higher education coordinating board shall design the Washington  
12 promise scholarship program based on the following parameters:

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

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

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

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

33 (b) To meet the financial eligibility criteria, a student's family  
34 income shall not exceed one hundred thirty-five percent of the state  
35 median family income adjusted for family size, as determined by the  
36 higher education coordinating board for each graduating class.  
37 Students not meeting the eligibility requirements for the first year of

1 scholarship benefits may reapply for the second year of benefits, but  
2 must still meet the income standard set by the board for the student's  
3 graduating class.

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

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

16 (4) By October 15th of each year, the board shall determine the  
17 award amount of the scholarships, after taking into consideration the  
18 availability of funds.

19 (5) The scholarships may only be used for undergraduate coursework  
20 at accredited institutions of higher education in the state of  
21 Washington.

22 (6) The scholarships may be used for undergraduate coursework at  
23 Oregon institutions of higher education that are part of the border  
24 county higher education opportunity project in RCW 28B.80.806 (as  
25 recodified by this act) when those institutions offer programs not  
26 available at accredited institutions of higher education in Washington  
27 state.

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

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

33 (9) The higher education coordinating board may establish  
34 satisfactory progress standards for the continued receipt of the  
35 promise scholarship.

36 (10) The higher education coordinating board shall establish the  
37 time frame within which the student must use the scholarship.

1           **Sec. 61.** RCW 28C.04.545 and 1999 c 28 s 1 are each amended to read  
2 as follows:

3           (1) The respective governing boards of the public technical  
4 colleges shall provide fee waivers for a maximum of two years for those  
5 recipients of the Washington award for vocational excellence  
6 established under RCW 28C.04.520 through 28C.04.540 who received the  
7 award before June 30, 1994. To qualify for the waiver, recipients  
8 shall enter the public technical college within three years of  
9 receiving the award. An above average rating at the technical college  
10 in the first year shall be required to qualify for the second-year  
11 waiver.

12           (2) Students named by the work force training and education  
13 coordinating board after June 30, 1994, as recipients of the Washington  
14 award for vocational excellence under RCW 28C.04.520 through 28C.04.550  
15 shall be eligible to receive a grant for undergraduate course work as  
16 authorized under RCW 28B.80.272 (as recodified by this act).

17           (3)(a) Beginning with awards made during the 1998-99 academic year,  
18 recipients must complete using the award before the fall term in the  
19 sixth year following the date of the award. For these recipients,  
20 eligibility for the award is forfeited after this period.

21           (b) All persons awarded a Washington award for vocational  
22 excellence before the 1995-96 academic year and who have remaining  
23 eligibility on April 19, 1999, must complete using the award before  
24 September 2002. For these recipients, eligibility for the award is  
25 forfeited after this period.

26           (c) All persons awarded a Washington award for vocational  
27 excellence during the 1995-96, 1996-97, and 1997-98 academic years must  
28 complete using the award before September 2005. For these recipients,  
29 eligibility for the award is forfeited after this period.

30           **Sec. 62.** RCW 43.105.825 and 1999 c 285 s 7 are each amended to  
31 read as follows:

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

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

3 ~~((The coordination of telecommunications planning for  
4 institutions of higher education as defined in RCW 28B.10.016 remains  
5 the responsibility of the higher education coordinating board under RCW  
6 28B.80.600. The board may recommend, but not require, revisions to the  
7 higher education coordinating board's telecommunications plan.~~

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

11 ~~((5))~~ (4) The coordination of telecommunications planning for the  
12 common schools remains the responsibility of the superintendent of  
13 public instruction. Except as set forth in RCW 43.105.041(1)(d), the  
14 board may recommend, but not require, revisions to the superintendent's  
15 telecommunications plans.

16 **Sec. 63.** RCW 43.157.010 and 2003 c 54 s 1 are each amended to read  
17 as follows:

18 (1) For purposes of this chapter and RCW 28A.525.166, 28B.80.330  
19 (as recodified by this act), 28C.18.080, 43.21A.350, 47.06.030, and  
20 90.58.100 and an industrial project of statewide significance is a  
21 border crossing project that involves both private and public  
22 investments carried out in conjunction with adjacent states or  
23 provinces or a private industrial development with private capital  
24 investment in manufacturing or research and development. To qualify as  
25 an industrial project of statewide significance: (a) The project must  
26 be completed after January 1, 1997; (b) the applicant must submit an  
27 application for designation as an industrial project of statewide  
28 significance to the department of community, trade, and economic  
29 development; and (c) the project must have:

30 (i) In counties with a population of less than or equal to twenty  
31 thousand, a capital investment of twenty million dollars;

32 (ii) In counties with a population of greater than twenty thousand  
33 but no more than fifty thousand, a capital investment of fifty million  
34 dollars;

35 (iii) In counties with a population of greater than fifty thousand  
36 but no more than one hundred thousand, a capital investment of one  
37 hundred million dollars;

1 (iv) In counties with a population of greater than one hundred  
2 thousand but no more than two hundred thousand, a capital investment of  
3 two hundred million dollars;

4 (v) In counties with a population of greater than two hundred  
5 thousand but no more than four hundred thousand, a capital investment  
6 of four hundred million dollars;

7 (vi) In counties with a population of greater than four hundred  
8 thousand but no more than one million, a capital investment of six  
9 hundred million dollars;

10 (vii) In counties with a population of greater than one million, a  
11 capital investment of one billion dollars;

12 (viii) In counties with fewer than one hundred persons per square  
13 mile as determined annually by the office of financial management and  
14 published by the department of revenue effective for the period July  
15 1st through June 30th, projected full-time employment positions after  
16 completion of construction of fifty or greater;

17 (ix) In counties with one hundred or more persons per square mile  
18 as determined annually by the office of financial management and  
19 published by the department of revenue effective for the period July  
20 1st through June 30th, projected full-time employment positions after  
21 completion of construction of one hundred or greater; or

22 (x) Been designated by the director of community, trade, and  
23 economic development as an industrial project of statewide significance  
24 either: (A) Because the county in which the project is to be located  
25 is a distressed county and the economic circumstances of the county  
26 merit the additional assistance such designation will bring; or (B)  
27 because the impact on a region due to the size and complexity of the  
28 project merits such designation.

29 (2) The term manufacturing shall have the meaning assigned it in  
30 RCW 82.61.010.

31 (3) The term research and development shall have the meaning  
32 assigned it in RCW 82.61.010.

33 (4) The term applicant means a person applying to the department of  
34 community, trade, and economic development for designation of a  
35 development project as an industrial project of statewide significance.

36 **Sec. 64.** RCW 43.79.465 and 2001 2nd sp.s. c 7 s 917 are each  
37 amended to read as follows:



1 The education savings account is created in the state treasury.  
2 The account shall consist of all moneys appropriated to the account by  
3 the legislature.

4 (1) Ten percent of legislative appropriations to the education  
5 savings account shall be distributed as follows: (a) Fifty percent to  
6 the distinguished professorship trust fund under RCW 28B.10.868 (as  
7 recodified by this act); (b) seventeen percent to the graduate  
8 fellowship trust fund under RCW 28B.10.882 (as recodified by this act);  
9 and (c) thirty-three percent to the college faculty awards trust fund  
10 under RCW 28B.50.837.

11 (2) The remaining moneys in the education savings account may be  
12 appropriated solely for (a) common school construction projects that  
13 are eligible for funding from the common school construction account,  
14 (b) technology improvements in the common schools, and (c) during the  
15 2001-03 fiscal biennium, technology improvements in public higher  
16 education institutions.

17 **Sec. 65.** RCW 28B.15.760 and 1985 c 370 s 79 are each amended to  
18 read as follows:

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

21 (1) "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.

25 (2) "Board" means the higher education coordinating board.

26 (3) "Eligible student" means a student registered for at least ten  
27 credit hours or the equivalent and demonstrates achievement of a 3.00  
28 grade point average for each academic year, who is a resident student  
29 as defined by RCW 28B.15.012 through 28B.15.015, who is a "needy  
30 student" as defined in RCW 28B.10.802 (as recodified by this act), and  
31 who has a declared major in a program leading to a degree in teacher  
32 education in a field of science or mathematics, or a certificated  
33 teacher who meets the same credit hour and "needy student" requirements  
34 and is seeking an additional degree in science or mathematics.

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

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

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

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

7 **Sec. 66.** RCW 28B.15.820 and 1995 1st sp.s. c 9 s 10 are each  
8 amended to read as follows:

9 (1) Each institution of higher education, including technical  
10 colleges, shall deposit a minimum of three and one-half percent of  
11 revenues collected from tuition and services and activities fees in an  
12 institutional financial aid fund that is hereby created and which shall  
13 be held locally. Moneys in the fund shall be used only for the  
14 following purposes: (a) To make guaranteed long-term loans to eligible  
15 students as provided in subsections (3) through (8) of this section;  
16 (b) to make short-term loans as provided in subsection (9) of this  
17 section; or (c) to provide financial aid to needy students as provided  
18 in subsection (10) of this section.

19 (2) An "eligible student" for the purposes of subsections (3)  
20 through (8) and (10) of this section is a student registered for at  
21 least six credit hours or the equivalent, who is eligible for resident  
22 tuition and fee rates as defined in RCW 28B.15.012 (~~((through [and]))~~)  
23 and 28B.15.013, and who is a "needy student" as defined in RCW  
24 28B.10.802 (as recodified by this act).

25 (3) The amount of the guaranteed long-term loans made under this  
26 section shall not exceed the demonstrated financial need of the  
27 student. Each institution shall establish loan terms and conditions  
28 which shall be consistent with the terms of the guaranteed loan program  
29 established by 20 U.S. Code Section 1071 et seq., as now or hereafter  
30 amended. All loans made shall be guaranteed by the Washington student  
31 loan guaranty association or its successor agency. Institutions are  
32 hereby granted full authority to operate as an eligible lender under  
33 the guaranteed loan program.

34 (4) Before approving a guaranteed long-term loan, each institution  
35 shall analyze the ability of the student to repay the loan based on  
36 factors which include, but are not limited to, the student's  
37 accumulated total education loan burdens and the employment

1 opportunities and average starting salary characteristics of the  
2 student's chosen fields of study. The institution shall counsel the  
3 student on the advisability of acquiring additional debt, and on the  
4 availability of other forms of financial aid.

5 (5) Each institution is responsible for collection of guaranteed  
6 long-term loans made under this section and shall exercise due  
7 diligence in such collection, maintaining all necessary records to  
8 insure that maximum repayments are made. Institutions shall cooperate  
9 with other lenders and the Washington student loan guaranty  
10 association, or its successor agency, in the coordinated collection of  
11 guaranteed loans, and shall assure that the guarantability of the loans  
12 is not violated. Collection and servicing of guaranteed long-term  
13 loans under this section shall be performed by entities approved for  
14 such servicing by the Washington student loan guaranty association or  
15 its successor agency: PROVIDED, That institutions be permitted to  
16 perform such servicing if specifically recognized to do so by the  
17 Washington student loan guaranty association or its successor agency.  
18 Collection and servicing of guaranteed long-term loans made by  
19 community colleges under subsection (1) of this section shall be  
20 coordinated by the state board for community and technical colleges and  
21 shall be conducted under procedures adopted by the state board.

22 (6) Receipts from payment of interest or principal or any other  
23 subsidies to which institutions as lenders are entitled, that are paid  
24 by or on behalf of borrowers of funds under subsections (3) through (8)  
25 of this section, shall be deposited in each institution's financial aid  
26 fund and shall be used to cover the costs of making the guaranteed  
27 long-term loans under this section and maintaining necessary records  
28 and making collections under subsection (5) of this section: PROVIDED,  
29 That such costs shall not exceed five percent of aggregate outstanding  
30 loan principal. Institutions shall maintain accurate records of such  
31 costs, and all receipts beyond those necessary to pay such costs, shall  
32 be deposited in the institution's financial aid fund.

33 (7) The governing boards of the state universities, the regional  
34 universities, and The Evergreen State College, and the state board for  
35 community and technical colleges, on behalf of the community colleges  
36 and technical colleges, shall each adopt necessary rules and  
37 regulations to implement this section.

1 (8) First priority for any guaranteed long-term loans made under  
2 this section shall be directed toward students who would not normally  
3 have access to educational loans from private financial institutions in  
4 Washington state, and maximum use shall be made of secondary markets in  
5 the support of loan consolidation.

6 (9) Short-term loans, not to exceed one year, may be made from the  
7 institutional financial aid fund to students enrolled in the  
8 institution. No such loan shall be made to any student who is known by  
9 the institution to be in default or delinquent in the payment of any  
10 outstanding student loan. A short-term loan may be made only if the  
11 institution has ample evidence that the student has the capability of  
12 repaying the loan within the time frame specified by the institution  
13 for repayment.

14 (10) Any moneys deposited in the institutional financial aid fund  
15 that are not used in making long-term or short-term loans may be used  
16 by the institution for locally-administered financial aid programs for  
17 needy students, such as need-based institutional employment programs or  
18 need-based tuition and fee scholarship or grant programs. These funds  
19 shall be used in addition to and not to replace institutional funds  
20 that would otherwise support these locally-administered financial aid  
21 programs. First priority in the use of these funds shall be given to  
22 needy students who have accumulated excessive educational loan burdens.  
23 An excessive educational loan burden is a burden that will be difficult  
24 to repay given employment opportunities and average starting salaries  
25 in the student's chosen fields of study. Second priority in the use of  
26 these funds shall be given to needy single parents, to assist these  
27 students with their educational expenses, including expenses associated  
28 with child care and transportation.

29 **Sec. 67.** RCW 28B.101.020 and 2003 c 233 s 3 are each amended to  
30 read as follows:

31 (1) For the purposes of this chapter, "placebound" means unable to  
32 complete a college program because of family or employment commitments,  
33 health concerns, monetary inability, or other similar factors.

34 (2) To be eligible for an educational opportunity grant, applicants  
35 must be placebound residents of the state of Washington as defined in  
36 RCW 28B.15.012(2) (a) through (d), who: (a) Are needy students as  
37 defined in RCW 28B.10.802(3) (as recodified by this act); and (b) have

1 completed the associate of arts or associate of science degree or the  
2 equivalent. A placebound resident is one who may be influenced by the  
3 receipt of an enhanced student financial aid award to complete a  
4 baccalaureate degree at an eligible institution. An eligible  
5 placebound applicant is further defined as a person who would be unable  
6 to complete a baccalaureate course of study but for receipt of an  
7 educational opportunity grant.

8 **Sec. 68.** RCW 28B.102.040 and 1987 c 437 s 4 are each amended to  
9 read as follows:

10 The higher education coordinating board shall establish a planning  
11 committee to develop criteria for the screening and selection of  
12 recipients of the conditional scholarships. These criteria shall  
13 emphasize factors demonstrating excellence including but not limited to  
14 superior scholastic achievement, leadership ability, community  
15 contributions, and an ability to act as a role model for targeted  
16 ethnic minority students. These criteria also may include, for  
17 approximately half of the recipients, requirements that those  
18 recipients meet the definition of "needy student" under RCW 28B.10.802  
19 (as recodified by this act).

20 **Sec. 69.** RCW 28B.108.010 and 1991 c 228 s 10 are each amended to  
21 read as follows:

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

24 (1) "Institution of higher education" or "institution" means a  
25 college or university in the state of Washington which is accredited by  
26 an accrediting association recognized as such by rule of the higher  
27 education coordinating board.

28 (2) "Board" means the higher education coordinating board.

29 (3) "Eligible student" or "student" means an American Indian who is  
30 a financially needy student, as defined in RCW 28B.10.802 (as  
31 recodified by this act), who is a resident student, as defined by RCW  
32 28B.15.012(2), who is a full-time student at an institution of higher  
33 education, and who promises to use his or her education to benefit  
34 other American Indians.

1       **Sec. 70.** RCW 28B.115.050 and 1991 c 332 s 18 are each amended to  
2 read as follows:

3       The board shall establish a planning committee to assist it in  
4 developing criteria for the selection of participants. The board shall  
5 include on the planning committee representatives of the department,  
6 the department of social and health services, appropriate  
7 representatives from health care facilities, provider groups,  
8 consumers, the state board (~~(of community college education)~~) for  
9 community and technical colleges, the superintendent of public  
10 instruction, and other appropriate public and private agencies and  
11 organizations. The criteria may require that some of the participants  
12 meet the definition of "needy student" under RCW 28B.10.802 (as  
13 recodified by this act).

14       **Sec. 71.** RCW 28B.119.030 and 2002 c 204 s 4 are each amended to  
15 read as follows:

16       The Washington promise scholarship program shall not be funded at  
17 the expense of the state need grant program as defined in (~~RCW~~  
18 ~~28B.10.800 through 28B.10.824~~) chapter 28B.-- RCW (as created in  
19 section 78 of this act). In administering the state need grant and  
20 promise scholarship programs, the higher education coordinating board  
21 shall first ensure that eligibility for state need grant recipients is  
22 at least fifty-five percent of state median family income.

23       **Sec. 72.** RCW 28B.133.010 and 2003 c 19 s 2 are each amended to  
24 read as follows:

25       The educational assistance grant program for students with  
26 dependents is hereby created, subject to the availability of receipts  
27 of gifts, grants, or endowments from private sources. The program is  
28 created to serve financially needy students with dependents eighteen  
29 years of age or younger, by assisting them directly through a grant  
30 program to pursue a degree or certificate at public or private  
31 institutions of higher education, as defined in RCW 28B.10.802 (as  
32 recodified by this act), that participate in the state need grant  
33 program.

34       **Sec. 73.** RCW 28B.133.020 and 2003 c 19 s 3 are each amended to  
35 read as follows:

1 To be eligible for the educational assistance grant program for  
2 students with dependents, applicants shall: (1) Be residents of the  
3 state of Washington; (2) be needy students as defined in RCW  
4 28B.10.802(3) (as recodified by this act); (3) be eligible to  
5 participate in the state need grant program as set forth under RCW  
6 28B.10.810 (as recodified by this act); and (4) have dependents  
7 eighteen years of age or younger who are under their care.

8 **Sec. 74.** RCW 28B.133.050 and 2003 c 19 s 6 are each amended to  
9 read as follows:

10 The educational assistance grant program for students with  
11 dependents grants may be used by eligible participants to attend any  
12 public or private college or university in the state of Washington as  
13 defined in RCW 28B.10.802 (as recodified by this act). Each  
14 participating student may receive an amount to be determined by the  
15 higher education coordinating board, with a minimum amount of one  
16 thousand dollars per academic year, not to exceed the student's  
17 documented financial need for the course of study as determined by the  
18 institution.

19 Educational assistance grants for students with dependents are not  
20 intended to supplant any grant scholarship or tax program related to  
21 postsecondary education. If the higher education coordinating board  
22 finds that the educational assistance grants for students with  
23 dependents supplant or reduce any grant, scholarship, or tax program  
24 for categories of students, then the higher education coordinating  
25 board shall adjust the financial eligibility criteria or the amount of  
26 the grant to the level necessary to avoid supplanting.

27 NEW SECTION. **Sec. 75.** The following acts or parts of acts are  
28 each repealed:

29 (1) RCW 28B.10.210 (Blind students, assistance to--"Blind student"  
30 defined) and 1969 ex.s. c 223 s 28B.10.210;

31 (2) RCW 28B.10.215 (Blind students, assistance to--Allocation of  
32 funds) and 1985 c 370 s 51, 1982 1st ex.s. c 37 s 6, 1974 ex.s. c 68 s  
33 1, & 1969 ex.s. c 223 s 28B.10.215;

34 (3) RCW 28B.10.220 (Blind students, assistance to--Administration  
35 of funds) and 1985 c 370 s 52, 1982 1st ex.s. c 37 s 7, 1974 ex.s. c 68  
36 s 2, & 1969 ex.s. c 223 s 28B.10.220;

1 (4) RCW 28B.10.824 (State student financial aid program--  
2 Commission, executive director, employees--Appointment--Salaries) and  
3 1973 c 62 s 5 & 1969 ex.s. c 222 s 20;  
4 (5) RCW 28B.10.874 (Distinguished professorship trust fund  
5 program--Transfer of administration--Recommendations to governor and  
6 legislature) and 1987 c 8 s 9;  
7 (6) RCW 28B.10.887 (Graduate fellowship trust fund program--  
8 Transfer of administration) and 1998 c 245 s 14 & 1987 c 147 s 8;  
9 (7) RCW 28B.80.255 (Washington award for excellence--Use of  
10 academic grant) and 1992 c 83 s 3, 1992 c 50 s 2, & 1991 c 255 s 6;  
11 (8) RCW 28B.80.265 (Washington award for excellence--Rules) and  
12 1992 c 83 s 4 & 1991 c 255 s 7;  
13 (9) RCW 28B.80.290 (Statewide transfer of credit policy and  
14 agreement--Requirements) and 1983 c 304 s 2;  
15 (10) RCW 28B.80.320 (Purpose) and 1985 c 370 s 3;  
16 (11) RCW 28B.80.340 (Program responsibilities) and 2003 c 130 s 4  
17 & 1985 c 370 s 5;  
18 (12) RCW 28B.80.440 (Interstate discussions and agreements about  
19 standards and programs for teachers, administrators, and educational  
20 staff associates) and 1987 c 40 s 1;  
21 (13) RCW 28B.80.442 (Interstate discussions--Support and services  
22 of western interstate commission on higher education) and 1987 c 40 s  
23 2;  
24 (14) RCW 28B.80.450 (Placebound students--Study of needs) and 1990  
25 c 288 s 1;  
26 (15) RCW 28B.80.500 (Branch campuses--Adjustment of enrollment  
27 lids) and 1989 1st ex.s. c 7 s 2;  
28 (16) RCW 28B.80.520 (Branch campuses--Facilities acquisition) and  
29 1989 1st ex.s. c 7 s 9;  
30 (17) RCW 28B.80.600 (Coordination of telecommunications planning)  
31 and 1996 c 137 s 9 & 1990 c 208 s 9;  
32 (18) RCW 28B.80.610 (Higher education institutional  
33 responsibilities) and 2003 c 130 s 5 & 1993 c 363 s 2;  
34 (19) RCW 28B.80.612 (Identification of methods to reduce  
35 administrative barriers) and 1998 c 245 s 25 & 1993 c 363 s 3;  
36 (20) RCW 28B.80.614 (Study of higher education system operations)  
37 and 1993 c 363 s 4;



1 (21) RCW 28B.80.616 (Reports to legislature and citizens on  
2 postsecondary educational system--Reports to board from state board for  
3 community and technical colleges and state institutions of higher  
4 education--Cooperation with independent colleges and universities) and  
5 1993 c 363 s 5;

6 (22) RCW 28B.80.910 (Severability--1969 ex.s. c 277) and 1969 ex.s.  
7 c 277 s 15;

8 (23) RCW 28B.80.911 (Severability--1985 c 370) and 1985 c 370 s  
9 107; and

10 (24) RCW 28B.80.912 (Effective dates--1985 c 370) and 1985 c 370 s  
11 108.

12 NEW SECTION. **Sec. 76.** Sections 1, 9, 11, and 12 of this act  
13 constitute a new chapter in Title 28B RCW.

14 NEW SECTION. **Sec. 77.** (1) The following sections are codified or  
15 recodified in the order shown in Part I, General Provisions, of the  
16 chapter created in section 76 of this act:

- 17 (a) RCW 28B.80.300;
- 18 (b) RCW 28B.80.310;
- 19 (c) Section 1 of this act;
- 20 (d) RCW 28B.80.390;
- 21 (e) RCW 28B.80.400;
- 22 (f) RCW 28B.80.410;
- 23 (g) RCW 28B.80.420;
- 24 (h) RCW 28B.80.110;
- 25 (i) RCW 28B.80.430;
- 26 (j) RCW 28B.80.380;
- 27 (k) RCW 28B.80.200; and
- 28 (l) RCW 28B.80.370.

29 (2) The following sections are codified or recodified in the order  
30 shown in Part II, Policy and Planning, of the chapter created in  
31 section 76 of this act:

- 32 (a) RCW 28B.80.345;
- 33 (b) RCW 28B.80.330;
- 34 (c) RCW 28B.80.335;
- 35 (d) Section 9 of this act;
- 36 (e) RCW 28B.80.280;

- 1 (f) Section 11 of this act;
- 2 (g) Section 12 of this act;
- 3 (h) RCW 28B.80.350;
- 4 (i) RCW 28B.10.044;
- 5 (j) RCW 28B.15.070;
- 6 (k) RCW 28B.15.076; and
- 7 (l) RCW 28B.80.175.

8 (3) The following sections are recodified in the order shown in  
9 Part III, Education Services Administration, of the chapter created in  
10 section 76 of this act:

- 11 (a) RCW 28B.80.240;
- 12 (b) RCW 28B.80.210;
- 13 (c) RCW 28B.80.230;
- 14 (d) RCW 28B.80.180;
- 15 (e) RCW 28B.80.360;
- 16 (f) RCW 28B.10.859;
- 17 (g) RCW 28B.10.866;
- 18 (h) RCW 28B.10.867;
- 19 (i) RCW 28B.10.868;
- 20 (j) RCW 28B.10.869;
- 21 (k) RCW 28B.10.870;
- 22 (l) RCW 28B.10.871;
- 23 (m) RCW 28B.10.872;
- 24 (n) RCW 28B.10.873;
- 25 (o) RCW 28B.10.880;
- 26 (p) RCW 28B.10.881;
- 27 (q) RCW 28B.10.882;
- 28 (r) RCW 28B.10.883;
- 29 (s) RCW 28B.10.884;
- 30 (t) RCW 28B.10.885;
- 31 (u) RCW 28B.10.886;
- 32 (v) RCW 28B.80.150;
- 33 (w) RCW 28B.80.160;
- 34 (x) RCW 28B.80.170;
- 35 (y) RCW 28B.80.245;
- 36 (z) RCW 28B.80.246;
- 37 (aa) RCW 28B.80.272;
- 38 (bb) RCW 28B.80.805;

- 1 (cc) RCW 28B.80.806;
- 2 (dd) RCW 28B.80.807;
- 3 (ee) RCW 28B.80.620;
- 4 (ff) RCW 28B.80.622;
- 5 (gg) RCW 28B.80.624;
- 6 (hh) RCW 28B.80.626; and
- 7 (ii) RCW 28B.80.810.

8 NEW SECTION. **Sec. 78.** The following sections are recodified in a  
9 new chapter in Title 28B RCW:

- 10 (1) RCW 28B.10.800;
- 11 (2) RCW 28B.10.801;
- 12 (3) RCW 28B.10.802;
- 13 (4) RCW 28B.10.804;
- 14 (5) RCW 28B.10.806;
- 15 (6) RCW 28B.10.808;
- 16 (7) RCW 28B.10.8081;
- 17 (8) RCW 28B.10.810;
- 18 (9) RCW 28B.10.812;
- 19 (10) RCW 28B.10.814;
- 20 (11) RCW 28B.10.816;
- 21 (12) RCW 28B.10.818;
- 22 (13) RCW 28B.10.820;
- 23 (14) RCW 28B.10.821; and
- 24 (15) RCW 28B.10.822.

25 NEW SECTION. **Sec. 79.** RCW 28B.80.510 is recodified as a new  
26 section in chapter 28B.45 RCW.

27 NEW SECTION. **Sec. 80.** Part headings used in this act are not part  
28 of the law.

29 NEW SECTION. **Sec. 81.** Sections 26 and 27 of this act expire  
30 January 30, 2005.

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