

1 NEW SECTION. **Sec. 101.** DESIGNATION. The college located and
2 established in Bellevue, King county, shall be designated Bellevue
3 College.

4 NEW SECTION. **Sec. 102.** TRUSTEES--APPOINTMENT--TERMS--QUORUM--
5 VACANCIES. (1) The governance of Bellevue College shall be vested in
6 a board of trustees consisting of eight members, one of whom shall be
7 a student. The governor shall select the student member from a list of
8 candidates, of at least three and not more than five, submitted by the
9 student body. They shall be appointed by the governor with the consent
10 of the senate and, except for the student member, shall hold their
11 offices for a term of six years from the first day of October and until
12 their successors are appointed and qualified. The student member shall
13 hold his or her office for a term of one year from the first day of
14 July and until the first day of July of the following year or until his
15 or her successor is appointed and qualified, whichever is later. The
16 student member shall be a full-time student in good standing at the
17 college at the time of appointment.

18 (2) Five members of the board constitute a quorum for the
19 transaction of business. In case of a vacancy, or when an appointment
20 is made after the date of expiration of the term, the governor shall
21 fill the vacancy for the remainder of the term of the trustee whose
22 office has become vacant or expired.

23 (3) Except for the term of the student member, no more than the
24 terms of two members will expire simultaneously on the last day of
25 September in any one year.

26 (4) A student appointed under this section shall excuse himself or
27 herself from participation or voting on matters relating to the hiring,
28 discipline, or tenure of faculty members and personnel.

29 (5) Beginning October 1, 2010, the members of the board of trustees
30 for the Bellevue community college district shall serve as members of
31 the board of trustees of Bellevue College until the expiration of their
32 terms.

33 NEW SECTION. **Sec. 103.** TRUSTEES--ORGANIZATION AND OFFICERS OF
34 BOARD--QUORUM. The board of trustees of Bellevue College shall elect
35 one of its members chairman, and it shall elect a secretary, who may or
36 may not be a member of the board. The board shall have power to adopt

1 bylaws for its government and for the government of the school, which
2 bylaws shall not be inconsistent with law, and to prescribe the duties
3 of its officers, committees and employees. A majority of the board
4 shall constitute a quorum for the transaction of all business.

5 NEW SECTION. **Sec. 104.** TRUSTEES--MEETINGS OF BOARD. The board of
6 Bellevue College trustees shall hold at least two regular meetings each
7 year, at such times as may be provided by the board. Special meetings
8 shall be held as may be deemed necessary, whenever called by the
9 chairman or by a majority of the board. Public notice of all meetings
10 shall be given in accordance with chapter 42.32 RCW.

11 NEW SECTION. **Sec. 105.** TRUSTEES--GENERAL POWERS AND DUTIES OF
12 BOARD. In addition to any other powers and duties prescribed by law,
13 the board of trustees of Bellevue College:

14 (1) Shall have full control of the college and its property of
15 various kinds, except as otherwise provided by law;

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

21 (3) With the consultation of the faculty of the college, shall
22 prescribe the course of study in the various schools and departments
23 thereof and publish such catalogues thereof as the board deems
24 necessary: PROVIDED, That the Washington professional educator
25 standards board shall determine the requisites for and give program
26 approval of all courses leading to teacher certification by such board;

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

30 (5) Establish such divisions, schools or departments necessary to
31 carry out the purposes of the college and not otherwise proscribed by
32 law;

33 (6) Except as otherwise provided by law, may establish and erect
34 such new facilities as determined by the board to be necessary for the
35 college;

1 (7) May acquire real and other property as provided in RCW
2 28B.10.020;

3 (8) Except as otherwise provided by law, may purchase all supplies
4 and purchase or lease equipment and other personal property needed for
5 the operation or maintenance of the college;

6 (9) May establish, lease, operate, equip and maintain self-
7 supporting facilities in the manner provided in RCW 28B.10.300 through
8 28B.10.330;

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

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

19 (12) Subject to the approval of the higher education coordinating
20 board pursuant to RCW 28B.76.230, offer new degree programs, offer off-
21 campus programs, participate in consortia or centers, contract for off-
22 campus educational programs, and purchase or lease major off-campus
23 facilities;

24 (13) May adopt such rules, and perform all other acts not forbidden
25 by law, as the board of trustees may in its discretion deem necessary
26 or appropriate to the administration of the college; and

27 (14) May participate in higher education centers and consortia that
28 involve any four-year public or independent college or university,
29 however, new degree programs or off-campus programs offered by a four-
30 year public or independent college or university in collaboration with
31 Bellevue College are subject to approval by the higher education
32 coordinating board under RCW 28B.76.230.

33 NEW SECTION. **Sec. 106.** TRUSTEES--FIRE PROTECTION SERVICES. (1)
34 Subject to the provisions of RCW 35.21.779, the board of trustees of
35 Bellevue College may:

36 (a) Contract for such fire protection services as may be necessary

1 for the protection and safety of the students, staff and property of
2 the college;

3 (b) By agreement pursuant to chapter 39.34 RCW, join together with
4 other agencies or political subdivisions of the state or federal
5 government and otherwise share in the accomplishment of any of the
6 purposes of (a) of this subsection.

7 (2) Neither the failure of the trustees to exercise any of its
8 powers under this section nor anything in this section may detract from
9 the lawful and existing powers and duties of political subdivisions of
10 the state to provide the necessary fire protection equipment and
11 services to persons and property within their jurisdiction.

12 NEW SECTION. **Sec. 107.** TREASURER--APPOINTMENT, TERM, DUTIES,
13 BONDS. The board of trustees shall appoint a treasurer who shall be
14 the financial officer of the board and who shall hold office during the
15 pleasure of the board. The treasurer shall render a true and faithful
16 account of all moneys received and paid out by him or her, and shall
17 give bond for the faithful performance of the duties of the office in
18 such amount as the trustees require.

19 NEW SECTION. **Sec. 108.** BACHELOR'S DEGREES AUTHORIZED. The degree
20 of bachelor of arts or the degree of bachelor of science, the degree of
21 bachelor of arts in education, and the degree of bachelor of applied
22 science may be granted to any student who has completed a four-year
23 course of study or the equivalent thereof at Bellevue College.

24 NEW SECTION. **Sec. 109.** DEGREES THROUGH BACHELOR'S DEGREES
25 AUTHORIZED--LIMITATIONS--HONORARY BACHELOR'S DEGREES. In addition to
26 all other powers and duties given to them by law, the board of trustees
27 of Bellevue College may grant any degree through the bachelor's degree
28 to any student who has completed a program of study and/or research in
29 those areas which are determined by the faculty and board of trustees
30 of the college to be appropriate for the granting of such degree:
31 PROVIDED, That any degree authorized under this section shall be
32 subject to the review and approval of the higher education coordinating
33 board.

34 The board of trustees, upon recommendation of the faculty, may also
35 confer honorary bachelor's degrees upon persons other than graduates of

1 the institution, in recognition of their learning or devotion to
2 education, literature, art, or science. No degree may be conferred in
3 consideration of the payment of money or the donation of any kind of
4 property.

5 NEW SECTION. **Sec. 110.** CERTIFICATES, DIPLOMAS--SIGNING--CONTENTS.
6 Every diploma issued by the board of Bellevue College shall be signed
7 by the chairman of the board of trustees and by the president of the
8 college, and sealed with the appropriate seal. In addition to the
9 foregoing, teaching certificates shall be countersigned by the state
10 superintendent of public instruction. Every certificate shall
11 specifically state what course of study the holder has completed and
12 for what length of time such certificate is valid in the schools of the
13 state.

14 NEW SECTION. **Sec. 111.** MODEL SCHOOLS AND TRAINING DEPARTMENTS.
15 (1) A model school or schools or training departments may be provided
16 for Bellevue College, in which students, before graduation, may have
17 actual practice in teaching or courses under the supervision and
18 observation of critic teachers. All schools or departments involved
19 shall organize and direct their work being cognizant of public school
20 needs.

21 (2) The board of trustees of Bellevue College, if having a model
22 school or training department as authorized by this section, shall, on
23 or before the first Monday of September of each year, file with the
24 board of the school district or districts in which the college is
25 situated, a certified statement showing an estimate of the number of
26 public school pupils who will be required to make up such model school
27 and specifying the number required for each grade for which training
28 for students is required.

29 (3) It is the duty of the board of the school district or districts
30 with which a certified statement has been filed, to apportion for
31 attendance to the model school or training department, a sufficient
32 number of pupils from the public schools under the supervision of the
33 board as will furnish to Bellevue College the number of pupils required
34 to maintain the facility: PROVIDED, That the president of Bellevue
35 College may refuse to accept any pupil as in his or her judgment would

1 tend to reduce the efficiency of the model school or training
2 department.

3 (4) Annually, on or before the date for reporting the school
4 attendance of the school district in which the model school or training
5 department is situated, for the purpose of taxation for the support of
6 the common schools, the board of trustees of Bellevue College shall
7 file with the board of the school district or districts in which the
8 model school or training department is situated a report showing the
9 number of common school pupils at each model school or training
10 department during the school last year, and the period of their
11 attendance in the same form that reports of public schools are made.
12 Any superintendent of the school district affected shall, in reporting
13 the attendance in the school district, segregate the attendance at the
14 model school or training department from the attendance in the other
15 schools of said district: PROVIDED, That attendance shall be credited,
16 if credit is given, to the school district in which the pupil resides.

17 NEW SECTION. **Sec. 112.** SUSPENSION AND EXPULSION. Any student may
18 be suspended or expelled from Bellevue College who is found to be
19 guilty of an infraction of the regulations of the institution.

20 NEW SECTION. **Sec. 113.** STATE COLLEGE FEES. (1) Building fees
21 collected from students who are enrolled for the purposes of obtaining
22 a baccalaureate degree are subject to the provisions of RCW 28B.35.370.

23 (2) Building fees collected from students who are enrolled for the
24 purposes of obtaining an associate or technical degree are subject to
25 the provisions of RCW 28B.50.360.

26 (3) The higher education coordinating board, the state board for
27 community and technical colleges, and the board of trustees for
28 Bellevue College shall establish a method for determining the
29 allocation of building fees under this section.

30 NEW SECTION. **Sec. 114.** DUTIES OF PRESIDENT. The president of
31 Bellevue College shall have general supervision of the college and see
32 that all laws and rules of the board of trustees are observed.

33 NEW SECTION. **Sec. 115.** PARTICIPATION IN OPPORTUNITY GRANT

1 PROGRAM. Bellevue College shall participate in the opportunity grant
2 program pursuant to RCW 28B.50.271 through 28B.50.274.

3 **PART II**

4 **OTHER COLLEGE PROVISIONS**

5 **Sec. 201.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to
6 read as follows:

7 The boards of regents of the University of Washington and
8 Washington State University, respectively, and the boards of trustees
9 of Central Washington University, Eastern Washington University,
10 Western Washington University, (~~and~~) The Evergreen State College, and
11 Bellevue College, respectively, shall have the power and authority to
12 acquire by exchange, gift, purchase, lease, or condemnation in the
13 manner provided by chapter 8.04 RCW for condemnation of property for
14 public use, such lands, real estate and other property, and interests
15 therein as they may deem necessary for the use of said institutions
16 respectively. However, the purchase or lease of major off-campus
17 facilities is subject to the approval of the higher education
18 coordinating board under RCW 28B.76.230.

19 **Sec. 202.** RCW 28B.10.022 and 2003 c 6 s 1 are each amended to read
20 as follows:

21 (1) The boards of regents of the state universities and the boards
22 of trustees of the regional universities, The Evergreen State College,
23 Bellevue College, and the state board for community and technical
24 colleges, are severally authorized to enter into financing contracts as
25 provided in chapter 39.94 RCW. Except as provided in subsection (2) of
26 this section, financing contracts shall be subject to the approval of
27 the state finance committee.

28 (2) The board of regents of a state university may enter into
29 financing contracts which are payable solely from and secured by all or
30 any component of the fees and revenues of the university derived from
31 its ownership and operation of its facilities not subject to
32 appropriation by the legislature and not constituting "general state
33 revenues," as defined in Article VIII, section 1 of the state
34 Constitution, without the prior approval of the state finance
35 committee.

1 (3) Except for financing contracts for facilities or equipment
2 described under chapter 28B.140 RCW, the board of regents shall notify
3 the state finance committee at least sixty days prior to entering into
4 such contract and provide information relating to such contract as
5 requested by the state finance committee.

6 **Sec. 203.** RCW 28B.10.025 and 2005 c 36 s 2 are each amended to
7 read as follows:

8 The Washington state arts commission shall, in consultation with
9 the boards of regents of the University of Washington and Washington
10 State University and with the boards of trustees of the regional
11 universities, The Evergreen State College, Bellevue College, and the
12 community college districts, determine the amount to be made available
13 for the purchases of art under RCW 28B.10.027, and payment therefor
14 shall be made in accordance with law. The designation of projects and
15 sites, the selection, contracting, purchase, commissioning, reviewing
16 of design, execution and placement, acceptance, maintenance, and sale,
17 exchange, or disposition of works of art shall be the responsibility of
18 the Washington state arts commission in consultation with the board of
19 regents or trustees.

20 **Sec. 204.** RCW 28B.10.280 and 1977 ex.s. c 169 s 11 are each
21 amended to read as follows:

22 The boards of regents of the state universities and the boards of
23 trustees of regional universities, The Evergreen State College,
24 Bellevue College, and community college districts may each create
25 student loan funds, and qualify and participate in the National Defense
26 Education Act of 1958 and such other similar federal student aid
27 programs as are or may be enacted from time to time, and to that end
28 may comply with all of the laws of the United States, and all of the
29 rules, regulations and requirements promulgated pursuant thereto.

30 **Sec. 205.** RCW 28B.10.300 and 1977 ex.s. c 169 s 13 are each
31 amended to read as follows:

32 The boards of regents of the state universities and the boards of
33 trustees of the regional universities, Bellevue College, and The
34 Evergreen State College are severally authorized to:

1 (1) Enter into contracts with persons, firms or corporations for
2 the construction, installation, equipping, repairing, renovating and
3 betterment of buildings and facilities for the following:

4 (a) Dormitories

5 (b) Hospitals

6 (c) Infirmaries

7 (d) Dining halls

8 (e) Student activities

9 (f) Services of every kind for students, including, but not limited
10 to, housing, employment, registration, financial aid, counseling,
11 testing and offices of the dean of students

12 (g) Vehicular parking

13 (h) Student, faculty and employee housing and boarding;

14 (2) Purchase or lease lands and other appurtenances necessary for
15 the construction and installation of such buildings and facilities and
16 to purchase or lease lands with buildings and facilities constructed or
17 installed thereon suitable for the purposes aforesaid;

18 (3) Lease to any persons, firms, or corporations such portions of
19 the campus of their respective institutions as may be necessary for the
20 construction and installation of buildings and facilities for the
21 purposes aforesaid and the reasonable use thereof;

22 (4) Borrow money to pay the cost of the acquisition of such lands
23 and of the construction, installation, equipping, repairing,
24 renovating, and betterment of such buildings and facilities, including
25 interest during construction and other incidental costs, and to issue
26 revenue bonds or other evidence of indebtedness therefor, and to
27 refinance the same before or at maturity and to provide for the
28 amortization of such indebtedness from services and activities fees or
29 from the rentals, fees, charges, and other income derived through the
30 ownership, operation and use of such lands, buildings, and facilities
31 and any other dormitory, hospital, infirmary, dining, student
32 activities, student services, vehicular parking, housing or boarding
33 building or facility at the institution;

34 (5) Contract to pay as rental or otherwise the cost of the
35 acquisition of such lands and of the construction and installation of
36 such buildings and facilities on the amortization plan; the contract
37 not to run over forty years;

1 (6) Expend on the amortization plan services and activities fees
2 and/or any part of all of the fees, charges, rentals, and other income
3 derived from any or all revenue-producing lands, buildings, and
4 facilities of their respective institutions, heretofore or hereafter
5 acquired, constructed or installed, including but not limited to income
6 from rooms, dormitories, dining rooms, hospitals, infirmaries, housing
7 or student activity buildings, vehicular parking facilities, land or
8 the appurtenances thereon, and to pledge such services and activities
9 fees and/or the net income derived through the ownership, operation and
10 use of any lands, buildings or facilities of the nature described in
11 subsection (1) (~~hereof~~) of this section for the payment of part or
12 all of the rental, acquisition, construction, and installation, and the
13 betterment, repair, and renovation or other contract charges, bonds or
14 other evidence of indebtedness agreed to be paid on account of the
15 acquisition, construction, installation or rental of, or the
16 betterment, repair or renovation of, lands, buildings, facilities and
17 equipment of the nature authorized by this section.

18 **Sec. 206.** RCW 28B.10.350 and 2007 c 495 s 1 are each amended to
19 read as follows:

20 (1) When the cost to The Evergreen State College, Bellevue College,
21 or any regional or state university of any building, construction,
22 renovation, remodeling, or demolition, other than maintenance or
23 repairs, will equal or exceed the sum of fifty-five thousand dollars,
24 or thirty-five thousand dollars if the work involves one trade or craft
25 area, complete plans and specifications for the work shall be prepared,
26 the work shall be put out for public bid, and the contract shall be
27 awarded to the responsible bidder who submits the lowest responsive
28 bid.

29 (2) Any building, construction, renovation, remodeling, or
30 demolition project that exceeds the dollar amounts in subsection (1) of
31 this section is subject to the provisions of chapter 39.12 RCW.

32 (3) The Evergreen State College, Bellevue College, or any regional
33 or state university may require a project to be put to public bid even
34 when it is not required to do so under subsection (1) of this section.
35 Any project publicly bid under this subsection is subject to the
36 provisions of chapter 39.12 RCW.

1 (4) Where the estimated cost of any building, construction,
2 renovation, remodeling, or demolition is less than fifty-five thousand
3 dollars or the contract is awarded by the small works roster procedure
4 authorized in RCW 39.04.155, the publication requirements of RCW
5 39.04.020 do not apply.

6 (5) In the event of any emergency when the public interest or
7 property of The Evergreen State College, Bellevue College, or a
8 regional or state university would suffer material injury or damage by
9 delay, the president of such college or university may declare the
10 existence of an emergency and, reciting the facts constituting the
11 same, may waive the requirements of this section with reference to any
12 contract in order to correct the condition causing the emergency. For
13 the purposes of this section, "emergency" means a condition likely to
14 result in immediate physical injury to persons or to property of the
15 college or university in the absence of prompt remedial action or a
16 condition which immediately impairs the institution's ability to
17 perform its educational obligations.

18 (6) This section does not apply when a contract is awarded by the
19 small works roster procedure authorized in RCW 39.04.155 or under any
20 other procedure authorized for an institution of higher education.

21 **Sec. 207.** RCW 28B.10.400 and 1979 ex.s. c 259 s 1 are each amended
22 to read as follows:

23 The boards of regents of the state universities, the boards of
24 trustees of the regional universities (~~(and of)~~), The Evergreen State
25 College, and Bellevue College, and the state board for community and
26 technical colleges (~~(education)~~) are authorized and empowered:

27 (1) To assist the faculties and such other employees as any such
28 board may designate in the purchase of old age annuities or retirement
29 income plans under such rules (~~(and regulations)~~) as any such board may
30 prescribe. County agricultural agents, home demonstration agents, 4-H
31 club agents, and assistant county agricultural agents paid jointly by
32 the Washington State University and the several counties shall be
33 deemed to be full-time employees of the Washington State University for
34 the purposes hereof;

35 (2) To provide, under such rules (~~(and regulations)~~) as any such
36 board may prescribe for the faculty members or other employees under
37 its supervision, for the retirement of any such faculty member or other

1 employee on account of age or condition of health, retirement on
2 account of age to be not earlier than the sixty-fifth birthday:
3 PROVIDED, That such faculty member or such other employee may elect to
4 retire at the earliest age specified for retirement by federal social
5 security law: PROVIDED FURTHER, That any supplemental payment
6 authorized by subsection (3) of this section and paid as a result of
7 retirement earlier than age sixty-five shall be at an actuarially
8 reduced rate;

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

1 **Sec. 208.** RCW 28B.10.401 and 1979 ex.s. c 259 s 3 are each amended
2 to read as follows:

3 The boards of regents of the state universities, the boards of
4 trustees of the state colleges and Bellevue College, and the state
5 board for community and technical colleges (~~(education)~~), when
6 establishing the amount of supplemental payment under RCW 28B.10.400(3)
7 (~~(as now or hereafter amended)~~), shall apply the following assumptions:

8 (1) That the faculty member or such other employee at the time of
9 retirement elected a joint and two-thirds survivor option on (~~(their)~~)
10 his or her annuity or retirement income plan using actual ages, but not
11 exceeding a five-year age difference if married, or an actuarial
12 equivalent option if single, which represents accumulations including
13 all dividends from all matching contributions and any benefit that such
14 faculty member is eligible to receive from any Washington state public
15 retirement plan while employed at an institution of higher education;

16 (2) That on and after July 1, 1974, matching contributions were
17 allocated equally between a fixed dollar and a variable dollar annuity;

18 (3) That for each year after age fifty, the maximum amount of
19 contributions pursuant to RCW 28B.10.410 (~~(as now or hereafter~~
20 ~~amended)~~) be contributed toward the purchase of such annuity or
21 retirement income plan, otherwise three-fourths of the formula
22 described in RCW 28B.10.415(~~(, as now or hereafter amended,)~~) shall be
23 applied.

24 **Sec. 209.** RCW 28B.10.405 and 1977 ex.s. c 169 s 16 are each
25 amended to read as follows:

26 Members of the faculties and such other employees as are designated
27 by the boards of regents of the state universities, the boards of
28 trustees of the regional universities (~~(and of)~~), The Evergreen State
29 College, and Bellevue College, or the state board for community and
30 technical colleges (~~(education)~~) shall be required to contribute not
31 less than five percent of their salaries during each year of full-time
32 service after the first two years of such service toward the purchase
33 of such annuity or retirement income plan; such contributions may be in
34 addition to federal social security tax contributions, if any.

35 **Sec. 210.** RCW 28B.10.407 and 1987 c 448 s 1 are each amended to
36 read as follows:

1 (1) A faculty member or other employee designated by the boards of
2 regents of the state universities, the boards of trustees of the
3 regional universities (~~(and)~~), The Evergreen State College, and
4 Bellevue College, or the state board for community and technical
5 colleges (~~(education)~~) who is granted an authorized leave of absence
6 without pay may apply the period of time while on the leave in the
7 computation of benefits in any annuity and retirement plan authorized
8 under RCW 28B.10.400 through 28B.10.430 only to the extent provided in
9 subsection (2) of this section.

10 (2) An employee who is eligible under subsection (1) of this
11 section may receive a maximum of two years' credit during the
12 employee's entire working career for periods of authorized leave
13 without pay. Such credit may be obtained only if the employee pays
14 both the employer and employee contributions required under RCW
15 28B.10.405 and 28B.10.410 while on the authorized leave of absence and
16 if the employee returns to employment with the university or college
17 immediately following the leave of absence for a period of not less
18 than two years. The employee and employer contributions shall be based
19 on the average of the employee's compensation at the time the leave of
20 absence was authorized and the time the employee resumes employment.
21 Any benefit under RCW 28B.10.400(3) shall be based only on the
22 employee's compensation earned from employment with the university or
23 college.

24 An employee who is inducted into the armed forces of the United
25 States shall be deemed to be on an unpaid, authorized leave of absence.

26 **Sec. 211.** RCW 28B.10.410 and 1977 ex.s. c 169 s 17 are each
27 amended to read as follows:

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

1 **Sec. 212.** RCW 28B.10.415 and 1979 ex.s. c 259 s 2 are each amended
2 to read as follows:

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

23 **Sec. 213.** RCW 28B.10.417 and 1977 ex.s. c 169 s 19 are each
24 amended to read as follows:

25 (1) A faculty member or other employee designated by the board of
26 trustees of the applicable regional university (~~(or of)~~), The Evergreen
27 State College, or Bellevue College as being subject to an annuity or
28 retirement income plan and who, at the time of such designation, is a
29 member of the Washington state teachers' retirement system, shall
30 retain credit for such service in the Washington state teachers'
31 retirement system and except as provided in subsection (2) of this
32 section, shall leave his or her accumulated contributions in the
33 teachers' retirement fund. Upon his or her attaining eligibility for
34 retirement under the Washington state teachers' retirement system, such
35 faculty member or other employee shall receive from the Washington
36 state teachers' retirement system a retirement allowance consisting of
37 an annuity which shall be the actuarial equivalent of his or her

1 accumulated contributions at his or her age when becoming eligible for
2 such retirement and a pension for each year of creditable service
3 established and retained at the time of said designation as provided in
4 RCW 41.32.497 (~~(as now or hereafter amended)~~). Anyone who on July 1,
5 1967, was receiving pension payments from the teachers' retirement
6 system based on thirty-five years of creditable service shall
7 thereafter receive a pension based on the total years of creditable
8 service established with the retirement system: PROVIDED, HOWEVER,
9 That any such faculty member or other employee who, upon attainment of
10 eligibility for retirement under the Washington state teachers'
11 retirement system, is still engaged in public educational employment,
12 shall not be eligible to receive benefits under the Washington state
13 teachers' retirement system until he or she ceases such public
14 educational employment. Any retired faculty member or other employee
15 who enters service in any public educational institution shall cease to
16 receive pension payments while engaged in such service: PROVIDED
17 FURTHER, That such service may be rendered up to seventy-five days in
18 a school year without reduction of pension.

19 (2) A faculty member or other employee designated by the board of
20 trustees of the applicable regional university (~~(or of)~~) The Evergreen
21 State College, or Bellevue College as being subject to the annuity and
22 retirement income plan and who, at the time of such designation, is a
23 member of the Washington state teachers' retirement system may, at his
24 or her election and at any time, on and after midnight June 10, 1959,
25 terminate his or her membership in the Washington state teachers'
26 retirement system and withdraw his or her accumulated contributions and
27 interest in the teachers' retirement fund upon written application to
28 the board of trustees of the Washington state teachers' retirement
29 system. Faculty members or other employees who withdraw their
30 accumulated contributions, on and after the date of withdrawal of
31 contributions, shall no longer be members of the Washington state
32 teachers' retirement system and shall forfeit all rights of membership,
33 including pension benefits, theretofore acquired under the Washington
34 state teachers' retirement system.

35 **Sec. 214.** RCW 28B.10.420 and 1979 c 14 s 1 are each amended to
36 read as follows:

37 (1) Except as provided otherwise in subsection (2) of this section,

1 faculty members or other employees designated by the boards of regents
2 of the state universities, the boards of trustees of the regional
3 universities (~~(or of)~~), The Evergreen State College, or Bellevue
4 College, or the state board for community and technical colleges
5 (~~(education)~~) pursuant to RCW 28B.10.400 through 28B.10.420 (~~(as now or~~
6 ~~hereafter amended)~~) shall be retired from their employment with their
7 institutions of higher education not later than the end of the academic
8 year next following their seventieth birthday.

9 (2) As provided in this subsection, the board of regents of a state
10 university, the board of trustees of a regional university (~~(or)~~), The
11 Evergreen State College, or Bellevue College, or the state board for
12 community and technical colleges (~~(education)~~) may reemploy any person
13 who is "retired" pursuant to subsection (1) of this section, who
14 applies for reemployment and who has reached seventy years of age on or
15 after July 1, 1970. The following provisions shall govern such
16 reemployment:

17 (a) Prior to the reemployment, the board of regents, board of
18 trustees, or state board shall have found that the person possesses
19 outstanding qualifications which in the judgment of the board would
20 permit the person to continue valuable service to the institution.

21 (b) The period of reemployment shall not be counted as service
22 under, or result in any eligibility for benefits or increased benefits
23 under, any state authorized or supported annuity or retirement income
24 plan. Reemployment shall not result in the reemployed person or
25 employer making any contributions to any such plan.

26 (c) No person may be reemployed on a full_time basis if such person
27 is receiving benefits under any state authorized or supported annuity
28 or retirement income plan. The reemployment of any person on a full_
29 time basis shall be immediately terminated upon the person's obtaining
30 of any such benefits.

31 (d) A person may be reemployed on a part_time basis and receive or
32 continue to receive any benefits for which such person is eligible
33 under any state authorized or supported annuity or retirement income
34 plan. Such part_time work, however, shall not exceed forty percent of
35 full_time employment during any year.

36 (e) A person reemployed pursuant to this section shall comply with
37 all conditions of reemployment and all rules providing for the

1 administration of this subsection which are prescribed or adopted by
2 the board of regents, or board of trustees, or by the state board for
3 community and technical colleges (~~(education)~~).

4 **Sec. 215.** RCW 28B.10.485 and 1979 c 130 s 1 are each amended to
5 read as follows:

6 The boards of the state universities, regional universities,
7 (~~(and)~~) the state college, and Bellevue College are authorized to issue
8 charitable gift annuities paying a fixed dollar amount to individual
9 annuitants for their lifetimes in exchange for the gift of assets to
10 the respective institution in a single transaction. The boards shall
11 invest one hundred percent of the charitable gift annuity assets in a
12 reserve for the lifetimes of the respective annuitants to meet
13 liabilities that result from the gift program.

14 **Sec. 216.** RCW 28B.10.487 and 1979 c 130 s 5 are each amended to
15 read as follows:

16 The obligation to make annuity payments to individuals under
17 charitable gift annuity agreements issued by the board of a state
18 university, regional university, (~~(or of)~~) the state college, or
19 Bellevue College, pursuant to RCW 28B.10.485, shall be secured by and
20 limited to the assets given in exchange for the annuity and reserves
21 established by the board. Such agreements shall not constitute:

- 22 (1) An obligation, either general or special, of the state; or
23 (2) A general obligation of a state university, regional
24 university, or of the state college or of the board.

25 **Sec. 217.** RCW 28B.10.500 and 1977 ex.s. c 169 s 21 are each
26 amended to read as follows:

27 No regent of the state universities, or trustee of the regional
28 universities (~~(or of)~~), The Evergreen State College, or Bellevue
29 College shall be removed during the term of office for which appointed,
30 excepting only for misconduct or malfeasance in office, and then only
31 in the manner hereinafter provided. Before any regent or trustee may
32 be removed for such misconduct or malfeasance, a petition for removal,
33 stating the nature of the misconduct or malfeasance of such regent or
34 trustee with reasonable particularity, shall be signed and verified by
35 the governor and served upon such regent or trustee. Said petition,

1 together with proof of service of same upon such regent or trustee,
2 shall forthwith be filed with the clerk of the supreme court. The
3 chief justice of the supreme court shall thereupon designate a tribunal
4 composed of three judges of the superior court to hear and adjudicate
5 the charges. Such tribunal shall fix the time of hearing, which shall
6 be public, and the procedure for the hearing, and the decision of such
7 tribunal shall be final and not subject to review by the supreme court.
8 Removal of any member of the board by the tribunal shall disqualify
9 such member for reappointment.

10 **Sec. 218.** RCW 28B.10.550 and 1977 ex.s. c 169 s 24 are each
11 amended to read as follows:

12 The boards of regents of the state universities, and the boards of
13 trustees of the regional universities (~~(or of)~~), The Evergreen State
14 College, or Bellevue College, acting independently and each on behalf
15 of its own institution:

16 (1) May each establish a police force for its own institution,
17 which force shall function under such conditions and regulations as the
18 board prescribes; and

19 (2) May supply appropriate badges and uniforms indicating the
20 positions and authority of the members of such police force.

21 **Sec. 219.** RCW 28B.10.560 and 1983 c 221 s 1 are each amended to
22 read as follows:

23 (1) The boards of regents of the state universities, and the boards
24 of trustees of the regional universities (~~(and of)~~), The Evergreen
25 State College, and Bellevue College, acting independently and each on
26 behalf of its own institution, may each:

27 (a) Establish and (~~(promulgate)~~) adopt rules (~~(and regulations)~~)
28 governing pedestrian traffic and vehicular traffic and parking upon
29 lands and facilities of the university or college;

30 (b) Adjudicate matters involving parking infractions internally;
31 and

32 (c) Collect and retain any penalties so imposed.

33 (2) If the rules (~~(or regulations promulgated)~~) adopted under
34 subsection (1) of this section provide for internal adjudication of
35 parking infractions, a person charged with a parking infraction who
36 deems himself or herself aggrieved by the final decision in an internal

1 adjudication may, within ten days after written notice of the final
2 decision, appeal by filing a written notice thereof with the college or
3 university police force. Documents relating to the appeal shall
4 immediately be forwarded to the district court in the county in which
5 the offense was committed, which court shall have jurisdiction over
6 such offense and such appeal shall be heard de novo.

7 **Sec. 220.** RCW 28B.10.567 and 1987 c 185 s 2 are each amended to
8 read as follows:

9 The boards of regents of the state universities and board of
10 trustees of the regional universities (~~(and the board of trustees of)~~),
11 The Evergreen State College, and Bellevue College are authorized and
12 empowered, under such rules (~~(and regulations)~~) as any such board may
13 prescribe for the duly sworn police officers employed by any such board
14 as members of a police force established pursuant to RCW 28B.10.550, to
15 provide for the payment of death or disability benefits or medical
16 expense reimbursement for death, disability, or injury of any such duly
17 sworn police officer who, in the line of duty, loses his or her life or
18 becomes disabled or is injured, and for the payment of such benefits to
19 be made to any such duly sworn police officer or (~~(his)~~) the officer's
20 surviving spouse or the legal guardian of his or her child or children,
21 as defined in RCW 41.26.030(7), or his or her estate: PROVIDED, That
22 the duty-related benefits authorized by this section shall in no event
23 be greater than the benefits authorized on June 25, 1976 for duty-
24 related death, disability, or injury of a law enforcement officer under
25 chapter 41.26 RCW: PROVIDED FURTHER, That the duty-related benefits
26 authorized by this section shall be reduced to the extent of any
27 amounts received or eligible to be received on account of the duty-
28 related death, disability, or injury to any such duly sworn police
29 officer, (~~(his)~~) the officer's surviving spouse, the legal guardian of
30 his or her child or children, or his or her estate, under workers'
31 compensation, social security including the changes incorporated under
32 Public Law 89-97 as now or hereafter amended, or disability income
33 insurance and health care plans under chapter 41.05 RCW.

34 **Sec. 221.** RCW 28B.10.590 and 2007 c 457 s 1 are each amended to
35 read as follows:

36 (1) The boards of regents of the state universities, the boards of

1 trustees of the regional universities (~~and~~), The Evergreen State
2 College, and Bellevue College, and the boards of trustees of each
3 community and technical college district, in collaboration with
4 affiliated bookstores and student and faculty representatives, shall
5 adopt rules requiring that:

6 (a) Affiliated bookstores:

7 (i) Provide students the option of purchasing materials that are
8 unbundled when possible, disclose to faculty and staff the costs to
9 students of purchasing materials, and disclose publicly how new
10 editions vary from previous editions;

11 (ii) Actively promote and publicize book buy-back programs; and

12 (iii) Disclose retail costs for course materials on a per course
13 basis to faculty and staff and make this information publicly
14 available; and

15 (b) Faculty and staff members consider the least costly practices
16 in assigning course materials, such as adopting the least expensive
17 edition available when educational content is comparable as determined
18 by the faculty and working closely with publishers and local bookstores
19 to create bundles and packages if they deliver cost savings to
20 students.

21 (2) As used in this section:

22 (a) "Materials" means any supplies or texts required or recommended
23 by faculty or staff for a given course.

24 (b) "Bundled" means a group of objects joined together by packaging
25 or required to be purchased as an indivisible unit.

26 **Sec. 222.** RCW 28B.10.600 and 1977 ex.s. c 169 s 27 are each
27 amended to read as follows:

28 The boards of regents of the state universities are each authorized
29 to enter into agreements with the board of directors of any school
30 district in this state whereby one or more of the public schools
31 operated by such district may be used by the university for the purpose
32 of training students at said university as teachers, supervisors,
33 principals, or superintendents. The boards of trustees of the regional
34 universities (~~and of~~), The Evergreen State College, and Bellevue
35 College are authorized to enter into similar agreements for the purpose
36 of training students at their institutions as teachers, supervisors, or
37 principals.

1 University or the student associations of the regional universities
2 (~~or of~~), The Evergreen State College, or Bellevue College, or
3 community colleges, or to printing done on presses owned or operated by
4 their respective institutions.

5 **Sec. 225.** RCW 28B.10.650 and 2004 c 275 s 45 are each amended to
6 read as follows:

7 It is the intent of the legislature that when the state and
8 regional universities, The Evergreen State College, Bellevue College,
9 and community colleges grant professional leaves to faculty and exempt
10 staff, such leaves be for the purpose of providing opportunities for
11 study, research, and creative activities for the enhancement of the
12 institution's instructional and research programs.

13 The boards of regents of the state universities, the boards of
14 trustees of the regional universities (~~and of~~), The Evergreen State
15 College, and Bellevue College, and the board of trustees of each
16 community college district may grant remunerated professional leaves to
17 faculty members and exempt staff, as defined in RCW 41.06.070, in
18 accordance with (~~regulations~~) rules adopted by the respective
19 governing boards for periods not to exceed twelve consecutive months in
20 accordance with the following provisions:

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

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

30 (3) The grant of any such professional leave shall be contingent
31 upon a signed contractual agreement between the respective governing
32 board and the recipient providing that the recipient shall return to
33 the granting institution or district following his or her completion of
34 such leave and serve in a professional status for a period commensurate
35 with the amount of leave so granted. Failure to comply with the
36 provisions of such signed agreement shall constitute an obligation of

1 the recipient to repay to the institution any remuneration received
2 from the institution during the leave.

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

13 (5) The average number of annual remunerated professional leaves
14 awarded at any such institution or district shall not exceed four
15 percent of the total number of full-time equivalent faculty, as defined
16 by the office of financial management, who are engaged in instruction,
17 and exempt staff as defined in RCW 41.06.070.

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

21 (7) The respective institutions and districts shall maintain such
22 information which will ensure compliance with the provisions of this
23 section.

24 **Sec. 226.** RCW 28B.10.685 and 1995 c 310 s 3 are each amended to
25 read as follows:

26 Beginning in 1997, by September 30th of each year, each state
27 university, regional university, state college, Bellevue College and,
28 for community colleges and technical colleges, the state board for
29 community and technical colleges shall provide a report to the office
30 of the superintendent of public instruction, the state board of
31 education, and the commission on student learning under RCW
32 28A.630.885. The report shall contain the following information on
33 students who, within three years of graduating from a Washington high
34 school, enrolled the prior year in a state-supported precollege level
35 class at the institution: (1) The number of such students enrolled in
36 a precollege level class in mathematics, reading, grammar, spelling,

1 writing, or English; (2) the types of precollege classes in which each
2 student was enrolled; and (3) the name of the Washington high school
3 from which each student graduated.

4 For students who enrolled in a precollege class within three years
5 of graduating from a Washington high school, each institution of higher
6 education shall also report to the Washington high school from which
7 the student graduated. The annual report shall include information on
8 the number of students from that high school enrolled in precollege
9 classes, and the types of classes taken by the students.

10 **Sec. 227.** RCW 28B.10.700 and 1977 ex.s. c 169 s 31 are each
11 amended to read as follows:

12 The state board for community and technical colleges (~~(education)~~),
13 the boards of trustees of the regional universities (~~(and of)~~), The
14 Evergreen State College, and Bellevue College, and the boards of
15 regents of the state universities, with appreciation of the
16 legislature's desire to emphasize physical education courses in their
17 respective institutions, shall provide for the same, being cognizant of
18 legislative guide lines put forth in RCW 28A.230.050 relating to
19 physical education courses in high schools.

20 **Sec. 228.** RCW 28B.10.703 and 1977 ex.s. c 169 s 32 are each
21 amended to read as follows:

22 The governing boards of each of the state universities, the
23 regional universities, The Evergreen State College, Bellevue College,
24 and community colleges in addition to their other duties prescribed by
25 law shall have the power and authority to establish programs for
26 intercollegiate athletic competition. Such competition may include
27 participation as a member of an athletic conference or conferences, in
28 accordance with conference rules.

29 **Sec. 229.** RCW 28B.15.005 and 1977 ex.s. c 169 s 33 are each
30 amended to read as follows:

31 (1) "Colleges and universities" for the purposes of this chapter
32 shall mean Central Washington University at Ellensburg, Eastern
33 Washington University at Cheney, Western Washington University at
34 Bellingham, The Evergreen State College in Thurston county, Bellevue

1 College, community colleges as are provided for in chapter 28B.50 RCW,
2 the University of Washington, and Washington State University.

3 (2) "State universities" for the purposes of this chapter shall
4 mean the University of Washington and Washington State University.

5 (3) "Regional universities" for the purposes of this chapter shall
6 mean Central Washington University, Eastern Washington University and
7 Western Washington University.

8 **Sec. 230.** RCW 28B.15.014 and 2000 c 117 s 3 are each amended to
9 read as follows:

10 Subject to the limitations of RCW 28B.15.910, the governing boards
11 of the state universities, the regional universities, The Evergreen
12 State College, Bellevue College, and the community colleges may exempt
13 the following nonresidents from paying all or a portion of the
14 nonresident tuition fees differential:

15 (1) Any person who resides in the state of Washington and who holds
16 a graduate service appointment designated as such by a public
17 institution of higher education or is employed for an academic
18 department in support of the instructional or research programs
19 involving not less than twenty hours per week during the term such
20 person shall hold such appointment.

21 (2) Any faculty member, classified staff member or administratively
22 exempt employee holding not less than a half time appointment at an
23 institution who resides in the state of Washington, and the dependent
24 children and spouse of such persons.

25 (3) Any immigrant refugee and the spouse and dependent children of
26 such refugee, if the refugee (a) is on parole status, or (b) has
27 received an immigrant visa, or (c) has applied for United States
28 citizenship.

29 (4) Any dependent of a member of the United States congress
30 representing the state of Washington.

31 **Sec. 231.** RCW 28B.15.025 and 1985 c 390 s 12 are each amended to
32 read as follows:

33 The term "building fees" means the fees charged students
34 registering at the state's colleges and universities, which fees are to
35 be used as follows: At the University of Washington, solely for the
36 purposes provided in RCW 28B.15.210; at Washington State University,

1 solely for the purposes provided in RCW 28B.15.310; at each of the
2 regional universities, Bellevue College as provided for in section
3 113(1) of this act, and at The Evergreen State College, solely for the
4 purposes provided in RCW 28B.35.370; and at the community colleges and
5 Bellevue College as provided in section 113(2) of this act, for the
6 purposes provided in RCW 28B.50.320, 28B.50.360 and 28B.50.370. The
7 term "building fees" is a renaming of the "general tuition fee," and
8 shall not be construed to affect otherwise moneys pledged to, or used
9 for bond retirement purposes.

10 **Sec. 232.** RCW 28B.15.041 and 1985 c 390 s 14 are each amended to
11 read as follows:

12 The term "services and activities fees" as used in this chapter is
13 defined to mean fees, other than tuition fees, charged to all students
14 registering at the state's community colleges, regional universities,
15 The Evergreen State College, Bellevue College, and state universities.
16 Services and activities fees shall be used as otherwise provided by law
17 or by rule (~~(or regulation)~~) of the board of trustees or regents of
18 each of the state's community colleges, The Evergreen State College,
19 the regional universities, Bellevue College, or the state universities
20 for the express purpose of funding student activities and programs of
21 their particular institution. Student activity fees, student use fees,
22 student building use fees, special student fees, or other similar fees
23 charged to all full-time students, or to all students, as the case may
24 be, registering at the state's colleges or universities and pledged for
25 the payment of bonds heretofore or hereafter issued for, or other
26 indebtedness incurred to pay, all or part of the cost of acquiring,
27 constructing or installing any lands, buildings, or facilities of the
28 nature described in RCW 28B.10.300 (~~(as now or hereafter amended)~~),
29 shall be included within and deemed to be services and activities fees.

30 **Sec. 233.** RCW 28B.15.051 and 1996 c 142 s 1 are each amended to
31 read as follows:

32 (1) The governing board of each of the state universities, the
33 regional universities, (~~(and)~~) The Evergreen State College, and
34 Bellevue College, upon the written agreement of its respective student
35 government association or its equivalent, may establish and charge each
36 enrolled student a technology fee, separate from tuition fees. During

1 the 1996-97 academic year, any technology fee shall not exceed one
2 hundred twenty dollars for a full-time student. Any technology fee
3 charged to a part-time student shall be calculated as a pro rata share
4 of the fee charged to a full-time student.

5 (2) Revenue from this fee shall be used exclusively for technology
6 resources for general student use.

7 (3) Only changes in the amount of the student technology fee agreed
8 upon by both the governing board and its respective student government
9 association or its equivalent shall be used to adjust the amount
10 charged to students. Changes in the amount charged to students, once
11 implemented, become the basis for future changes.

12 (4) Annually, the student government association or its equivalent
13 may abolish the fee by a majority vote. In the event of such a vote,
14 the student government association or its equivalent shall notify the
15 governing board of the institution. The fee shall cease being
16 collected the term after the student government association or its
17 equivalent voted to eliminate the fee.

18 (5) The student government association or its equivalent shall
19 approve the annual expenditure plan for the fee revenue.

20 (6) The universities (~~and~~), The Evergreen State College, and
21 Bellevue College shall deposit three and one-half percent of revenues
22 from the technology fee into the institutional financial aid fund under
23 RCW 28B.15.820.

24 (7) As used in this section, "technology fee" is a fee charged to
25 students to recover, in whole or in part, the costs of providing and
26 maintaining services to students that include, but need not be limited
27 to: Access to the internet and world wide web, e-mail, computer and
28 multimedia work stations and laboratories, computer software, and dial-
29 up telephone services.

30 (8) Prior to the establishment of a technology fee, a governing
31 board shall provide to the student governing body a list of existing
32 fees of a similar nature or for a similar purpose. The board and the
33 student governing body shall ensure that student fees for technology
34 are not duplicative.

35 **Sec. 234.** RCW 28B.15.067 and 2007 c 355 s 7 are each amended to
36 read as follows:

1 (1) Tuition fees shall be established under the provisions of this
2 chapter.

3 (2) Beginning with the 2003-04 academic year and ending with the
4 2008-09 academic year, reductions or increases in full-time tuition
5 fees for resident undergraduates shall be as provided in the omnibus
6 appropriations act.

7 (3) Beginning with the 2003-04 academic year and ending with the
8 2008-09 academic year, the governing boards of the state universities,
9 the regional universities, The Evergreen State College, and the state
10 board for community and technical colleges may reduce or increase full-
11 time tuition fees for all students other than resident undergraduates,
12 including summer school students and students in other self-supporting
13 degree programs. Percentage increases in full-time tuition fees may
14 exceed the fiscal growth factor. Reductions or increases may be made
15 for all or portions of an institution's programs, campuses, courses, or
16 students. Bellevue College may reduce or increase full-time tuition
17 fees for students other than resident undergraduates, including summer
18 school students and students in other self-supporting degree programs,
19 enrolled in bachelor's degree programs. The state board for community
20 and technical colleges may reduce or increase full-time tuition fees
21 for all Bellevue College students, other than resident undergraduates,
22 enrolled in all other certificate and degree programs.

23 (4) Academic year tuition for full-time students at the state's
24 institutions of higher education beginning with 2009-10, other than
25 summer term, shall be as charged during the 2008-09 academic year
26 unless different rates are adopted by the legislature.

27 (5) The tuition fees established under this chapter shall not apply
28 to high school students enrolling in participating institutions of
29 higher education under RCW 28A.600.300 through 28A.600.400.

30 (6) The tuition fees established under this chapter shall not apply
31 to eligible students enrolling in a community or technical college
32 under RCW 28C.04.610.

33 (7) The tuition fees established under this chapter shall not apply
34 to eligible students enrolling in a community or technical college
35 participating in the pilot program under RCW 28B.50.534 for the purpose
36 of obtaining a high school diploma.

37 (8) For the academic years 2003-04 through 2008-09, the University
38 of Washington shall use an amount equivalent to ten percent of all

1 revenues received as a result of law school tuition increases beginning
2 in academic year 2000-01 through academic year 2008-09 to assist needy
3 low and middle income resident law students.

4 (9) For the academic years 2003-04 through 2008-09, institutions of
5 higher education shall use an amount equivalent to ten percent of all
6 revenues received as a result of graduate academic school tuition
7 increases beginning in academic year 2003-04 through academic year
8 2008-09 to assist needy low and middle-income resident graduate
9 academic students.

10 **Sec. 235.** RCW 28B.15.100 and 2003 c 232 s 6 are each amended to
11 read as follows:

12 (1) The governing boards of the state universities, the regional
13 universities, The Evergreen State College, Bellevue College, and the
14 community colleges shall charge to and collect from each of the
15 students registering at the particular institution for any quarter or
16 semester such tuition fees and services and activities fees, and other
17 fees as such board shall in its discretion determine. The total of all
18 fees shall be rounded to the nearest whole dollar amount: PROVIDED,
19 That such tuition fees shall be established in accordance with RCW
20 28B.15.067.

21 (2) Part-time students shall be charged tuition and services and
22 activities fees proportionate to full-time student rates established
23 for residents and nonresidents: PROVIDED, That except for students
24 registered at community colleges or students enrolled in lower division
25 courses at Bellevue College, students registered for fewer than two
26 credit hours shall be charged tuition and services and activities fees
27 at the rate established for two credit hours: PROVIDED FURTHER, That,
28 subject to the limitations of RCW 28B.15.910, residents of Idaho or
29 Oregon who are enrolled in community college district number twenty for
30 six or fewer credits during any quarter or semester may be exempted
31 from payment of all or a portion of the nonresident tuition fees
32 differential upon a declaration by the higher education coordinating
33 board that it finds Washington residents from the community college
34 district are afforded substantially equivalent treatment by such other
35 states.

36 (3) Full-time students registered for more than eighteen credit
37 hours shall be charged an additional operating fee for each credit hour

1 in excess of eighteen hours at the applicable established per credit
2 hour tuition fee rate for part-time students: PROVIDED, That, subject
3 to the limitations of RCW 28B.15.910, the governing boards of the state
4 universities, Bellevue College, and the community colleges may exempt
5 all or a portion of the additional charge, for students who are
6 registered exclusively in first professional programs in medicine,
7 dental medicine, veterinary medicine, doctor of pharmacy, or law, or
8 who are registered exclusively in required courses in vocational
9 preparatory programs.

10 **Sec. 236.** RCW 28B.15.515 and 1993 sp.s. c 18 s 13 and 1993 sp.s.
11 c 15 s 8 are each reenacted and amended to read as follows:

12 (1) The boards of trustees of the community college districts and
13 Bellevue College may operate summer schools on either a self-supporting
14 or a state-funded basis.

15 If summer school is operated on a self-supporting basis, the fees
16 charged shall be retained by the colleges, and shall be sufficient to
17 cover the direct costs, which are instructional salaries and related
18 benefits, supplies, publications, and records.

19 Community colleges that have self-supporting summer schools shall
20 continue to receive general fund state support for vocational programs
21 that require that students enroll in a four quarter sequence of courses
22 that includes summer quarter due to clinical or laboratory requirements
23 and for ungraded courses limited to adult basic education, vocational
24 apprenticeship, aging and retirement, small business management,
25 industrial first aid, and parent education.

26 (2) The board of trustees of a community college district and
27 Bellevue College may permit the district's state-funded, full-time
28 equivalent enrollment level, as provided in the omnibus state
29 appropriations act, to vary. If the variance is above the state-funded
30 level, the district may charge those students above the state-funded
31 level a fee equivalent to the amount of tuition and fees that are
32 charged students enrolled in state-funded courses. These fees shall be
33 retained by the colleges.

34 (3) The state board for community and technical colleges shall
35 ensure compliance with this section.

1 **Sec. 237.** RCW 28B.15.520 and 2007 c 355 s 6 are each amended to
2 read as follows:

3 Subject to the limitations of RCW 28B.15.910, the governing boards
4 of the community colleges and Bellevue College may:

5 (1) Waive all or a portion of tuition fees and services and
6 activities fees for:

7 (a) Students nineteen years of age or older who are eligible for
8 resident tuition and fee rates as defined in RCW 28B.15.012 through
9 28B.15.015, who enroll in a course of study or program which will
10 enable them to finish their high school education and obtain a high
11 school diploma or certificate, but who are not eligible students as
12 defined by RCW 28A.600.405; and

13 (b) Children of any law enforcement officer or firefighter who lost
14 his or her life or became totally disabled in the line of duty while
15 employed by any public law enforcement agency or full-time or volunteer
16 fire department in this state: PROVIDED, That such persons may receive
17 the waiver only if they begin their course of study at a community
18 college or Bellevue College within ten years of their graduation from
19 high school;

20 (2) Waive all or a portion of the nonresident tuition fees
21 differential for:

22 (a) Nonresident students enrolled in a community college course of
23 study or program or equivalent course of study or program at Bellevue
24 College which will enable them to finish their high school education
25 and obtain a high school diploma or certificate but who are not
26 eligible students as defined by RCW 28A.600.405. The waiver shall be
27 in effect only for those courses which lead to a high school diploma or
28 certificate; and

29 (b) Up to forty percent of the students enrolled in the regional
30 education program for deaf students, subject to federal funding of such
31 program.

32 **Sec. 238.** RCW 28B.15.522 and 1993 sp.s. c 18 s 17 are each amended
33 to read as follows:

34 (1) The governing boards of the community colleges and Bellevue
35 College may waive all or a portion of the tuition and services and
36 activities fees for persons under subsection (2) of this section
37 pursuant to the following conditions:

1 (a) Such persons shall register for and be enrolled in courses on
2 a space available basis and new course sections shall not be created as
3 a result of the registration;

4 (b) Enrollment information on persons registered pursuant to this
5 section shall be maintained separately from other enrollment
6 information and shall not be included in official enrollment reports,
7 nor shall such persons be considered in any enrollment statistics which
8 would affect budgetary determinations; and

9 (c) Persons who enroll under this section shall have the same
10 access to support services as do all other students and shall be
11 subject to all course prerequisite requirements.

12 (2) A person is eligible for the waiver under subsection (1) of
13 this section if the person:

14 (a) Meets the requirements for a resident student under RCW
15 28B.15.011 through 28B.15.015;

16 (b) Is twenty-one years of age or older;

17 (c) At the time of initial enrollment under subsection (1) of this
18 section, has not attended an institution of higher education for the
19 previous six months;

20 (d) Is not receiving or is not entitled to receive unemployment
21 compensation of any nature under Title 50 RCW; and

22 (e) Has an income at or below the need standard established under
23 chapter 74.04 RCW by the department of social and health services.

24 (3) The state board for community and technical colleges shall
25 adopt rules to carry out this section.

26 **Sec. 239.** RCW 28B.15.526 and 1987 c 12 s 2 are each amended to
27 read as follows:

28 The legislature intends to permit the governing boards of the
29 community colleges and Bellevue College to charge resident tuition and
30 fees for students of foreign nations who are participants in the
31 international student exchange program.

32 **Sec. 240.** RCW 28B.15.527 and 1993 sp.s. c 18 s 18 are each amended
33 to read as follows:

34 Subject to the limitations of RCW 28B.15.910, the governing boards
35 of the community colleges and Bellevue College may waive all or a

1 portion of the nonresident tuition fees differential for undergraduate
2 students of foreign nations as follows:

3 (1) Priority in the awarding of waivers shall be given to students
4 on academic exchanges and students participating in special programs
5 recognized through formal agreements between states, cities, or
6 institutions;

7 (2) The waiver programs under this section shall promote reciprocal
8 placements and waivers in foreign nations for Washington residents.
9 The number of foreign students granted waivers through this program
10 shall not exceed the number of that institution's own students enrolled
11 in approved study programs abroad during the same period;

12 (3) No reciprocal placements shall be required for up to thirty
13 students participating in the Georgetown University scholarship program
14 funded by the United States agency for international development;

15 (4) Participation shall be limited to one hundred full-time foreign
16 students each year.

17 **Sec. 241.** RCW 28B.15.540 and 1992 c 231 s 16 are each amended to
18 read as follows:

19 Consistent with the (~~regulations~~) rules and procedures
20 established by the governing boards of the state universities, the
21 regional universities, Bellevue College, and The Evergreen State
22 College and the state board for community and technical colleges, each
23 institution may for Washington residents who are sixty years of age or
24 older:

25 (1) Waive, in whole or in part, the tuition and services and
26 activities fees for students who qualify under this section and who are
27 enrolled for credit, and

28 (2) Waive, in whole or in part, the tuition and services and
29 activities fees for students who qualify under this section, but charge
30 a nominal fee not to exceed five dollars per quarter, or semester, as
31 the case may be, for such students who are enrolled on an audit basis:
32 PROVIDED, That residents enrolling with fee exemptions under this
33 section shall register for not more than two quarter or semester
34 courses at one time on a space available basis, and no new course
35 sections shall be created as a direct result of such registration:
36 PROVIDED FURTHER, That such waivers shall not be available to students
37 who plan to use the course credits gained thereby for increasing

1 credentials or salary schedule increases: PROVIDED FURTHER, That
2 enrollment information concerning fee exemptions awarded under this
3 section shall be maintained separately from other enrollment
4 information but shall not be included in official enrollment reports:
5 PROVIDED, That persons who enroll pursuant to provisions of this
6 section shall not be considered for any purpose in determining student-
7 teacher ratio, nor for any purpose relating to enrollment totals, nor
8 any other statistic which would affect budgetary determinations.
9 Persons enrolling under the provisions of this section shall have, in
10 equal with all other students, access to course counseling services and
11 shall be subject to all course prerequisite requirements.

12 **Sec. 242.** RCW 28B.15.543 and 2004 c 275 s 49 are each amended to
13 read as follows:

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

34 (2) Students named by the higher education coordinating board after
35 June 30, 1994, as recipients of the Washington scholars award under RCW
36 28A.600.100 through 28A.600.150 shall be eligible to receive a grant
37 for undergraduate course work as authorized under RCW 28B.76.660.

1 **Sec. 243.** RCW 28B.15.545 and 2004 c 275 s 50 are each amended to
2 read as follows:

3 (1) Subject to the limitations of RCW 28B.15.910, the governing
4 boards of the state universities, the regional universities, The
5 Evergreen State College, Bellevue College, and the community colleges
6 shall waive tuition and services and activities fees for a maximum of
7 two years for those recipients of the Washington award for vocational
8 excellence established under RCW 28C.04.520 through 28C.04.540 who
9 received their awards before June 30, 1994. Each recipient shall not
10 receive a waiver for more than six quarters or four semesters. To
11 qualify for the waiver, recipients shall enter the college or
12 university within three years of receiving the award. A minimum grade
13 point average at the college or university equivalent to 3.00, or an
14 above-average rating at a technical college, shall be required in the
15 first year to qualify for the second-year waiver. The tuition waiver
16 shall be granted for undergraduate studies only.

17 (2) Students named by the workforce training and education
18 coordinating board after June 30, 1994, as recipients of the Washington
19 award for vocational excellence under RCW 28C.04.520 through 28C.04.550
20 shall be eligible to receive a grant for undergraduate course work as
21 authorized under RCW 28B.76.670.

22 **Sec. 244.** RCW 28B.15.555 and 1986 c 232 s 1 are each amended to
23 read as follows:

24 The legislature intends to permit the governing boards of the four-
25 year institutions of higher education and Bellevue College to waive
26 tuition and fees for certain students of foreign nations. To the
27 greatest extent possible, students chosen for these waivers and for the
28 institutions' own approved study abroad programs shall reflect the
29 range of socioeconomic and ethnic characteristics of the students'
30 institutions and native countries.

31 **Sec. 245.** RCW 28B.15.556 and 1993 sp.s. c 18 s 21 are each amended
32 to read as follows:

33 Subject to the limitations of RCW 28B.15.910, the governing boards
34 of the state universities, the regional universities, Bellevue College,
35 and The Evergreen State College may waive all or a portion of the

1 tuition((7)) and services and activities fees for undergraduate or
2 graduate students of foreign nations subject to the following
3 limitations:

4 (1) No more than the equivalent of one hundred waivers may be
5 awarded to undergraduate or graduate students of foreign nations at
6 each of the two state universities;

7 (2) No more than the equivalent of twenty waivers may be awarded to
8 undergraduate or graduate students of foreign nations at each of the
9 regional universities, Bellevue College, and The Evergreen State
10 College;

11 (3) Priority in the awarding of waivers shall be given to students
12 on academic exchanges or academic special programs sponsored by
13 recognized international educational organizations; and

14 (4) An undergraduate or graduate student of a foreign nation
15 receiving a waiver under this section is not eligible for any other
16 waiver.

17 The waiver programs under this section, to the greatest extent
18 possible, shall promote reciprocal placements and waivers in foreign
19 nations for Washington residents. The number of waivers awarded by
20 each institution shall not exceed the number of that institution's own
21 students enrolled in approved study programs abroad during the same
22 period.

23 **Sec. 246.** RCW 28B.15.558 and 2007 c 461 s 1 are each amended to
24 read as follows:

25 (1) The governing boards of the state universities, the regional
26 universities, The Evergreen State College, Bellevue College, and the
27 community colleges may waive all or a portion of the tuition and
28 services and activities fees for state employees as defined under
29 subsection (2) of this section and teachers and other certificated
30 instructional staff under subsection (3) of this section. The
31 enrollment of these persons is pursuant to the following conditions:

32 (a) Such persons shall register for and be enrolled in courses on
33 a space available basis and no new course sections shall be created as
34 a result of the registration;

35 (b) Enrollment information on persons registered pursuant to this
36 section shall be maintained separately from other enrollment

1 information and shall not be included in official enrollment reports,
2 nor shall such persons be considered in any enrollment statistics that
3 would affect budgetary determinations; and

4 (c) Persons registering on a space available basis shall be charged
5 a registration fee of not less than five dollars.

6 (2) For the purposes of this section, "state employees" means
7 persons employed half-time or more in one or more of the following
8 employee classifications:

9 (a) Permanent employees in classified service under chapter 41.06
10 RCW;

11 (b) Permanent employees governed by chapter 41.56 RCW pursuant to
12 the exercise of the option under RCW 41.56.201;

13 (c) Permanent classified employees and exempt paraprofessional
14 employees of technical colleges; and

15 (d) Faculty, counselors, librarians, and exempt professional and
16 administrative employees at institutions of higher education as defined
17 in RCW 28B.10.016.

18 (3) The waivers available to state employees under this section
19 shall also be available to teachers and other certificated
20 instructional staff employed at public common and vocational schools,
21 holding or seeking a valid endorsement and assignment in a state-
22 identified shortage area.

23 (4) In awarding waivers, an institution of higher education may
24 award waivers to eligible persons employed by the institution before
25 considering waivers for eligible persons who are not employed by the
26 institution.

27 (5) If an institution of higher education exercises the authority
28 granted under this section, it shall include all eligible state
29 employees in the pool of persons eligible to participate in the
30 program.

31 (6) In establishing eligibility to receive waivers, institutions of
32 higher education may not discriminate between full-time employees and
33 employees who are employed half-time or more.

34 **Sec. 247.** RCW 28B.15.605 and 2004 c 161 s 3 are each amended to
35 read as follows:

36 (1) The governing boards of the community colleges and technical
37 colleges and Bellevue College shall refund or cancel up to one hundred

1 percent but no less than eighty percent of the tuition and services and
2 activities fees if the student withdraws from a college course or
3 program before the sixth day of instruction of the regular quarter for
4 which the fees have been paid or are due. If the student withdraws on
5 or after the sixth day of instruction, the governing boards shall
6 refund or cancel up to fifty percent but no less than forty percent of
7 the fees provided such withdrawal occurs within the first twenty
8 calendar days following the beginning of instruction. However, if a
9 different policy is required by federal law in order for the college to
10 maintain eligibility for federal funding of programs, the governing
11 board may adopt a refund policy that meets the minimum requirements of
12 the federal law and the policy may treat all students attending the
13 institution in the same manner.

14 (2) The governing boards of the respective community college
15 (~~(or)~~), technical college, or Bellevue College shall adopt rules
16 consistent with subsection (1) of this section for the refund of
17 tuition and fees for the summer quarter and for courses or programs
18 that begin after the start of the regular quarter.

19 (3) The governing boards of community colleges and technical
20 colleges and Bellevue College may extend the refund or cancellation
21 period for students who withdraw for medical reasons and shall adopt
22 policies that comply with RCW 28B.10.270 for students who are called
23 into the military service of the United States.

24 **Sec. 248.** RCW 28B.15.621 and 2008 c 188 s 1 and 2008 c 6 s 501 are
25 each reenacted and amended to read as follows:

26 (1) The legislature finds that active military and naval veterans,
27 reserve military and naval veterans, and national guard members called
28 to active duty have served their country and have risked their lives to
29 defend the lives of all Americans and the freedoms that define and
30 distinguish our nation. The legislature intends to honor active
31 military and naval veterans, reserve military and naval veterans, and
32 national guard members who have served on active military or naval duty
33 for the public service they have provided to this country.

34 (2) Subject to the limitations in RCW 28B.15.910, the governing
35 boards of the state universities, the regional universities, The
36 Evergreen State College, Bellevue College, and the community colleges,

1 may waive all or a portion of tuition and fees for an eligible veteran
2 or national guard member.

3 (3) The governing boards of the state universities, the regional
4 universities, The Evergreen State College, Bellevue College, and the
5 community colleges, may waive all or a portion of tuition and fees for
6 a military or naval veteran who is a Washington domiciliary, but who
7 did not serve on foreign soil or in international waters or in another
8 location in support of those serving on foreign soil or in
9 international waters and who does not qualify as an eligible veteran or
10 national guard member under subsection (8) of this section. However,
11 there shall be no state general fund support for waivers granted under
12 this subsection.

13 (4) Subject to the conditions in subsection (5) of this section and
14 the limitations in RCW 28B.15.910, the governing boards of the state
15 universities, the regional universities, The Evergreen State College,
16 Bellevue College, and the community colleges, shall waive all tuition
17 and fees for the following persons:

18 (a) A child and the spouse or the domestic partner or surviving
19 spouse or surviving domestic partner of an eligible veteran or national
20 guard member who became totally disabled, as defined in RCW 28B.15.385,
21 as a result of serving in active federal military or naval service, or
22 who is determined by the federal government to be a prisoner of war or
23 missing in action; and

24 (b) A child and the surviving spouse or surviving domestic partner
25 of an eligible veteran or national guard member who lost his or her
26 life as a result of serving in active federal military or naval
27 service.

28 (5) The conditions in this subsection (5) apply to waivers under
29 subsection (4) of this section.

30 (a) A child must be a Washington domiciliary between the age of
31 seventeen and twenty-six to be eligible for the tuition waiver. A
32 child's marital status does not affect eligibility.

33 (b)(i) A surviving spouse or surviving domestic partner must be a
34 Washington domiciliary.

35 (ii) Except as provided in (b)(iii) of this subsection, a surviving
36 spouse or surviving domestic partner has ten years from the date of the
37 death, total disability, or federal determination of prisoner of war or
38 missing in action status of the eligible veteran or national guard

1 member to receive benefits under the waiver. Upon remarriage or
2 registration in a subsequent domestic partnership, the surviving spouse
3 or surviving domestic partner is ineligible for the waiver of all
4 tuition and fees.

5 (iii) If a death results from total disability, the surviving
6 spouse has ten years from the date of death in which to receive
7 benefits under the waiver.

8 (c) Each recipient's continued participation is subject to the
9 school's satisfactory progress policy.

10 (d) Tuition waivers for graduate students are not required for
11 those who qualify under subsection (4) of this section but are
12 encouraged.

13 (e) Recipients who receive a waiver under subsection (4) of this
14 section may attend full-time or part-time. Total credits earned using
15 the waiver may not exceed two hundred quarter credits, or the
16 equivalent of semester credits.

17 (6) Required waivers of all tuition and fees under subsection (4)
18 of this section shall not affect permissive waivers of tuition and fees
19 under subsection (3) of this section.

20 (7) Private vocational schools and private higher education
21 institutions are encouraged to provide waivers consistent with the
22 terms in subsections (2) through (5) of this section.

23 (8) The definitions in this subsection apply throughout this
24 section.

25 (a) "Eligible veteran or national guard member" means a Washington
26 domiciliary who was an active or reserve member of the United States
27 military or naval forces, or a national guard member called to active
28 duty, who served in active federal service, under either Title 10 or
29 Title 32 of the United States Code, in a war or conflict fought on
30 foreign soil or in international waters or in another location in
31 support of those serving on foreign soil or in international waters,
32 and if discharged from service, has received an honorable discharge.

33 (b) "Totally disabled" means a person who has been determined to be
34 one hundred percent disabled by the federal department of veterans
35 affairs.

36 (c) "Washington domiciliary" means a person whose true, fixed, and
37 permanent house and place of habitation is the state of Washington.
38 "Washington domiciliary" includes a person who is residing in rental

1 housing or residing in base housing. In ascertaining whether a child
2 or surviving spouse or surviving domestic partner is domiciled in the
3 state of Washington, public institutions of higher education shall, to
4 the fullest extent possible, rely upon the standards provided in RCW
5 28B.15.013.

6 (9) As used in subsection (4) of this section, "fees" includes all
7 assessments for costs incurred as a condition to a student's full
8 participation in coursework and related activities at an institution of
9 higher education.

10 (10) The governing boards of the state universities, the regional
11 universities, The Evergreen State College, Bellevue College, and the
12 community colleges shall report to the higher education committees of
13 the legislature by November 15, 2010, and every two years thereafter,
14 regarding the status of implementation of the waivers under subsection
15 (4) of this section. The reports shall include the following data and
16 information:

- 17 (a) Total number of waivers;
- 18 (b) Total amount of tuition waived;
- 19 (c) Total amount of fees waived;
- 20 (d) Average amount of tuition and fees waived per recipient;
- 21 (e) Recipient demographic data that is disaggregated by distinct
22 ethnic categories within racial subgroups; and
- 23 (f) Recipient income level, to the extent possible.

24 **Sec. 249.** RCW 28B.15.725 and 1997 c 433 s 4 are each amended to
25 read as follows:

26 (1) The governing boards of the state universities, the regional
27 universities, Bellevue College, and The Evergreen State College may
28 establish home tuition programs by negotiating home tuition agreements
29 with an out-of-state institution or consortium of institutions of
30 higher education if no loss of tuition and fee revenue occurs as a
31 result of the agreements.

32 (2) Home tuition agreements allow students at Washington state
33 institutions of higher education to attend an out-of-state institution
34 of higher education as part of a student exchange. Students
35 participating in a home tuition program shall pay an amount equal to
36 their regular, full-time tuition and required fees to either the
37 Washington institution of higher education or the out-of-state

1 institution of higher education depending upon the provisions of the
2 particular agreement. Payment of course fees in excess of generally
3 applicable tuition and required fees must be addressed in each home
4 tuition agreement to ensure that the instructional programs of the
5 Washington institution of higher education do not incur additional
6 uncompensated costs as a result of the exchange.

7 (3) Student participation in a home tuition agreement authorized by
8 this section is limited to one academic year.

9 (4) Students enrolled under a home tuition agreement shall reside
10 in Washington state for the duration of the program, may not use the
11 year of enrollment under this program to establish Washington state
12 residency, and are not eligible for state financial aid.

13 **Sec. 250.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended
14 to read as follows:

15 Subject to the limitations of RCW 28B.15.910, the state board for
16 community and technical colleges and the governing boards of the state
17 universities, the regional universities, the community colleges,
18 Bellevue College, and The Evergreen State College may waive all or a
19 portion of the nonresident tuition fees differential for residents of
20 Oregon, upon completion of and to the extent permitted by an agreement
21 between the higher education coordinating board and appropriate
22 officials and agencies in Oregon granting similar waivers for residents
23 of the state of Washington.

24 **Sec. 251.** RCW 28B.15.740 and 1997 c 207 s 1 are each amended to
25 read as follows:

26 (1) Subject to the limitations of RCW 28B.15.910, the governing
27 boards of the state universities, the regional universities, The
28 Evergreen State College, Bellevue College, and the community colleges
29 may waive all or a portion of tuition and fees for needy students who
30 are eligible for resident tuition and fee rates pursuant to RCW
31 28B.15.012 and 28B.15.013. Subject to the limitations of RCW
32 28B.15.910, the governing boards of the state universities, the
33 regional universities, The Evergreen State College, Bellevue College,
34 and the community colleges may waive all or a portion of tuition and
35 fees for other students at the discretion of the governing boards,
36 except on the basis of participation in intercollegiate athletic

1 programs, not to exceed three-fourths of one percent of gross
2 authorized operating fees revenue under RCW 28B.15.910 for the
3 community colleges considered as a whole and not to exceed two percent
4 of gross authorized operating fees revenue for the other institutions
5 of higher education. The board of trustees at Bellevue College may
6 waive up to three-fourths of one percent of gross authorized operating
7 fees collected for students enrolled for the purposes of obtaining an
8 associate degree and up to two percent of gross authorized operating
9 fees revenue for students enrolled for the purposes of obtaining a
10 baccalaureate degree.

11 (2) In addition to the tuition and fee waivers provided in
12 subsection (1) of this section and subject to the provisions of RCW
13 28B.15.455, 28B.15.460, and 28B.15.910, a total dollar amount of
14 tuition and fee waivers awarded by any state university, regional
15 university, or state college, or Bellevue College under this chapter,
16 not to exceed one percent, as calculated in subsection (1) of this
17 section, may be used for the purpose of achieving or maintaining gender
18 equity in intercollegiate athletic programs. At any institution that
19 has an underrepresented gender class in intercollegiate athletics, any
20 such waivers shall be awarded:

21 (a) First, to members of the underrepresented gender class who
22 participate in intercollegiate athletics, where such waivers result in
23 saved or displaced money that can be used for athletic programs for the
24 underrepresented gender class. Such saved or displaced money shall be
25 used for programs for the underrepresented gender class; and

26 (b) Second, (i) to nonmembers of the underrepresented gender class
27 who participate in intercollegiate athletics, where such waivers result
28 in saved or displaced money that can be used for athletic programs for
29 members of the underrepresented gender class. Such saved or displaced
30 money shall be used for programs for the underrepresented gender class;
31 or (ii) to members of the underrepresented gender class who participate
32 in intercollegiate athletics, where such waivers do not result in any
33 saved or displaced money that can be used for athletic programs for
34 members of the underrepresented gender class.

35 **Sec. 252.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended
36 to read as follows:

37 Subject to the limitations of RCW 28B.15.910, the governing boards

1 of the state universities, the regional universities, Bellevue College,
2 and The Evergreen State College and the state board for community and
3 technical colleges may waive all or a portion of the nonresident
4 tuition fees differential for residents of Idaho, upon completion of
5 and to the extent permitted by an agreement between the higher
6 education coordinating board and appropriate officials and agencies in
7 Idaho granting similar waivers for residents of the state of
8 Washington.

9 **Sec. 253.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended
10 to read as follows:

11 Subject to the limitations of RCW 28B.15.910, the governing boards
12 of the state universities, the regional universities, Bellevue College,
13 and The Evergreen State College and the state board for community and
14 technical colleges may waive all or a portion of the nonresident
15 tuition fees differential for residents of the Canadian province of
16 British Columbia, upon completion of and to the extent permitted by an
17 agreement between the higher education coordinating board and
18 appropriate officials and agencies in the Canadian province of British
19 Columbia providing for enrollment opportunities for residents of the
20 state of Washington without payment of tuition or fees in excess of
21 those charged to residents of British Columbia.

22 **Sec. 254.** RCW 28B.15.794 and 1991 c 228 s 3 are each amended to
23 read as follows:

24 The governing board of each (~~state university, regional~~
25 ~~university, state college, and community college~~) institution of
26 higher education shall ensure that the principles in (~~section 1 of~~
27 ~~this act~~) RCW 28B.15.792 are implemented at its institution of higher
28 education.

29 **Sec. 255.** RCW 28B.15.820 and 2007 c 404 s 4 are each amended to
30 read as follows:

31 (1) Each institution of higher education, including technical
32 colleges, shall deposit a minimum of three and one-half percent of
33 revenues collected from tuition and services and activities fees in an
34 institutional financial aid fund that is hereby created and which shall
35 be held locally. Moneys in the fund shall be used only for the

1 following purposes: (a) To make guaranteed long-term loans to eligible
2 students as provided in subsections (3) through (8) of this section;
3 (b) to make short-term loans as provided in subsection (9) of this
4 section; or (c) to provide financial aid to needy students as provided
5 in subsection (10) of this section.

6 (2) An "eligible student" for the purposes of subsections (3)
7 through (8) and (10) of this section is a student registered for at
8 least three credit hours or the equivalent, who is eligible for
9 resident tuition and fee rates as defined in RCW 28B.15.012 and
10 28B.15.013, and who is a "needy student" as defined in RCW 28B.92.030.

11 (3) The amount of the guaranteed long-term loans made under this
12 section shall not exceed the demonstrated financial need of the
13 student. Each institution shall establish loan terms and conditions
14 which shall be consistent with the terms of the guaranteed loan program
15 established by 20 U.S. Code Section 1071 et seq., as now or hereafter
16 amended. All loans made shall be guaranteed by the Washington student
17 loan guaranty association or its successor agency. Institutions are
18 hereby granted full authority to operate as an eligible lender under
19 the guaranteed loan program.

20 (4) Before approving a guaranteed long-term loan, each institution
21 shall analyze the ability of the student to repay the loan based on
22 factors which include, but are not limited to, the student's
23 accumulated total education loan burdens and the employment
24 opportunities and average starting salary characteristics of the
25 student's chosen fields of study. The institution shall counsel the
26 student on the advisability of acquiring additional debt, and on the
27 availability of other forms of financial aid.

28 (5) Each institution is responsible for collection of guaranteed
29 long-term loans made under this section and shall exercise due
30 diligence in such collection, maintaining all necessary records to
31 insure that maximum repayments are made. Institutions shall cooperate
32 with other lenders and the Washington student loan guaranty
33 association, or its successor agency, in the coordinated collection of
34 guaranteed loans, and shall assure that the guarantability of the loans
35 is not violated. Collection and servicing of guaranteed long-term
36 loans under this section shall be performed by entities approved for
37 such servicing by the Washington student loan guaranty association or
38 its successor agency: PROVIDED, That institutions be permitted to

1 perform such servicing if specifically recognized to do so by the
2 Washington student loan guaranty association or its successor agency.
3 Collection and servicing of guaranteed long-term loans made by
4 community colleges under subsection (1) of this section shall be
5 coordinated by the state board for community and technical colleges and
6 shall be conducted under procedures adopted by the state board.

7 (6) Receipts from payment of interest or principal or any other
8 subsidies to which institutions as lenders are entitled, that are paid
9 by or on behalf of borrowers of funds under subsections (3) through (8)
10 of this section, shall be deposited in each institution's financial aid
11 fund and shall be used to cover the costs of making the guaranteed
12 long-term loans under this section and maintaining necessary records
13 and making collections under subsection (5) of this section: PROVIDED,
14 That such costs shall not exceed five percent of aggregate outstanding
15 loan principal. Institutions shall maintain accurate records of such
16 costs, and all receipts beyond those necessary to pay such costs, shall
17 be deposited in the institution's financial aid fund.

18 (7) The governing boards of the state universities, the regional
19 universities, Bellevue College, and The Evergreen State College, and
20 the state board for community and technical colleges, on behalf of the
21 community colleges and technical colleges, shall each adopt necessary
22 rules (~~(and regulations)~~) to implement this section.

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

28 (9) Short-term loans, not to exceed one year, may be made from the
29 institutional financial aid fund to students enrolled in the
30 institution. No such loan shall be made to any student who is known by
31 the institution to be in default or delinquent in the payment of any
32 outstanding student loan. A short-term loan may be made only if the
33 institution has ample evidence that the student has the capability of
34 repaying the loan within the time frame specified by the institution
35 for repayment.

36 (10) Any moneys deposited in the institutional financial aid fund
37 that are not used in making long-term or short-term loans may be used
38 by the institution for locally administered financial aid programs for

1 needy students, such as need-based institutional employment programs or
2 need-based tuition and fee scholarship or grant programs. These funds
3 shall be used in addition to and not to replace institutional funds
4 that would otherwise support these locally administered financial aid
5 programs. First priority in the use of these funds shall be given to
6 needy students who have accumulated excessive educational loan burdens.
7 An excessive educational loan burden is a burden that will be difficult
8 to repay given employment opportunities and average starting salaries
9 in the student's chosen fields of study. Second priority in the use of
10 these funds shall be given to needy single parents, to assist these
11 students with their educational expenses, including expenses associated
12 with child care and transportation.

13 **Sec. 256.** RCW 28B.15.910 and 2008 c 188 s 3 are each amended to
14 read as follows:

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

29	(a) University of Washington	21 percent
30	(b) Washington State University	20 percent
31	(c) Eastern Washington University	11 percent
32	(d) Central Washington University	10 percent
33	(e) Western Washington University	10 percent
34	(f) The Evergreen State College	10 percent
35	(g) <u>Bellevue College</u>	<u>10 percent</u>
36	<u>(h) Community colleges as a whole</u>	35 percent

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

- 4 (a) RCW 28B.15.014;
- 5 (b) RCW 28B.15.100;
- 6 (c) RCW 28B.15.225;
- 7 (d) RCW 28B.15.380;
- 8 (e) RCW 28B.15.520;
- 9 (f) RCW 28B.15.526;
- 10 (g) RCW 28B.15.527;
- 11 (h) RCW 28B.15.543;
- 12 (i) RCW 28B.15.545;
- 13 (j) RCW 28B.15.555;
- 14 (k) RCW 28B.15.556;
- 15 (l) RCW 28B.15.615;
- 16 (m) RCW 28B.15.621 (2) and (4);
- 17 (n) RCW 28B.15.730;
- 18 (o) RCW 28B.15.740;
- 19 (p) RCW 28B.15.750;
- 20 (q) RCW 28B.15.756;
- 21 (r) RCW 28B.50.259; and
- 22 (s) RCW 28B.70.050.

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

- 26 (a) RCW 28B.15.522;
- 27 (b) RCW 28B.15.540;
- 28 (c) RCW 28B.15.558; and
- 29 (d) RCW 28B.15.621(3).

30 (4) The total amount of operating fees revenue waived, exempted, or
31 reduced by institutions of higher education participating in the
32 western interstate commission for higher education western
33 undergraduate exchange program under RCW 28B.15.544 shall not exceed
34 the percentage of total gross authorized operating fees revenue in this
35 subsection.

- | | |
|--------------------------------------|-----------|
| 36 (a) Washington State University | 1 percent |
| 37 (b) Eastern Washington University | 3 percent |
| 38 (c) Central Washington University | 3 percent |

1 (5) The institutions of higher education will participate in
2 outreach activities to increase the number of veterans who receive
3 tuition waivers. Colleges and universities shall revise the
4 application for admissions so that all applicants shall have the
5 opportunity to advise the institution that they are veterans who need
6 assistance. If a person indicates on the application for admissions
7 that the person is a veteran who is in need of assistance, then the
8 institution of higher education shall ask the person whether they have
9 any funds disbursed in accordance with the Montgomery GI Bill available
10 to them. Each institution shall encourage veterans to utilize funds
11 available to them in accordance with the Montgomery GI Bill prior to
12 providing the veteran a tuition waiver.

13 **Sec. 257.** RCW 28B.15.915 and 2000 c 152 s 1 are each amended to
14 read as follows:

15 In addition to waivers granted under the authority of RCW
16 28B.15.910, the governing boards of the state universities, the
17 regional universities, The Evergreen State College, Bellevue College,
18 and the community colleges, subject to state board policy, may waive
19 all or a portion of the operating fees for any student. There shall be
20 no state general fund support for waivers granted under this section.

21 By January 31st of each odd-numbered year, the institutions of
22 higher education shall prepare a report of the costs and benefits of
23 waivers granted under chapter 152, Laws of 2000 and shall transmit
24 copies of their report to the appropriate policy and fiscal committees
25 of the legislature.

26 **Sec. 258.** RCW 28B.35.370 and 1991 sp.s. c 13 s 49 are each amended
27 to read as follows:

28 Within thirty-five days from the date of collection thereof all
29 building fees of each regional university, Bellevue College, and The
30 Evergreen State College shall be paid into the state treasury and these
31 together with such normal school fund revenues as provided in RCW
32 28B.35.751 as are received by the state treasury shall be credited as
33 follows:

34 (1) On or before June 30th of each year the board of trustees of
35 each regional university, Bellevue College, and The Evergreen State
36 College, if issuing bonds payable out of its building fees and above

1 described normal school fund revenues, shall certify to the state
2 treasurer the amounts required in the ensuing twelve months to pay and
3 secure the payment of the principal of and interest on such bonds. The
4 amounts so certified by each regional university, Bellevue College, and
5 The Evergreen State College shall be a prior lien and charge against
6 all building fees and above described normal school fund revenues of
7 such institution. The state treasurer shall thereupon deposit the
8 amounts so certified in the Eastern Washington University capital
9 projects account, the Central Washington University capital projects
10 account, the Western Washington University capital projects account,
11 the Bellevue College capital projects account, or The Evergreen State
12 College capital projects account respectively, which accounts are
13 hereby created in the state treasury. The amounts deposited in the
14 respective capital projects accounts shall be used exclusively to pay
15 and secure the payment of the principal of and interest on the building
16 bonds issued by such regional universities, Bellevue College, and The
17 Evergreen State College as authorized by law. If in any twelve month
18 period it shall appear that the amount certified by any such board of
19 trustees is insufficient to pay and secure the payment of the principal
20 of and interest on the outstanding building and above described normal
21 school fund revenue bonds of its institution, the state treasurer shall
22 notify the board of trustees and such board shall adjust its
23 certificate so that all requirements of moneys to pay and secure the
24 payment of the principal of and interest on all such bonds then
25 outstanding shall be fully met at all times.

26 (2) All normal school fund revenue pursuant to RCW 28B.35.751 shall
27 be deposited in the Eastern Washington University capital projects
28 account, the Central Washington University capital projects account,
29 the Western Washington University capital projects account, the
30 Bellevue College capital projects account, or The Evergreen State
31 College capital projects account respectively, which accounts are
32 hereby created in the state treasury. The sums deposited in the
33 respective capital projects accounts shall be appropriated and expended
34 exclusively to pay and secure the payment of the principal of and
35 interest on bonds payable out of the building fees and normal school
36 revenue and for the construction, reconstruction, erection, equipping,
37 maintenance, demolition and major alteration of buildings and other

1 capital assets, and the acquisition of sites, rights-of-way, easements,
2 improvements or appurtenances in relation thereto except for any sums
3 transferred therefrom as authorized by law.

4 **Sec. 259.** RCW 28B.35.710 and 1985 c 390 s 49 are each amended to
5 read as follows:

6 The following terms, whenever used or referred to in RCW 28B.35.700
7 through 28B.35.790, shall have the following meaning, excepting in
8 those instances where the context clearly indicates otherwise:

9 (1) The word "boards" means the boards of trustees of the regional
10 universities, Bellevue College, and The Evergreen State College.

11 (2) The words "building fees" mean the building fees charged
12 students registering at each college, but shall not mean the special
13 tuition or other fees charged such students or fees, charges, rentals,
14 and other income derived from any or all revenue-producing lands,
15 buildings, and facilities of the respective colleges, heretofore or
16 hereafter acquired, constructed or installed, including but not limited
17 to income from rooms, dormitories, dining rooms, hospitals,
18 infirmaries, housing or student activity buildings, vehicular parking
19 facilities, land or the appurtenances thereon.

20 (3) The words "bond retirement funds" shall mean the special funds
21 created by law and known as the Eastern Washington University bond
22 retirement fund, Central Washington University bond retirement fund,
23 Western Washington University bond retirement fund, Bellevue College
24 bond retirement fund, and The Evergreen State College bond retirement
25 fund, all as referred to in RCW 28B.35.370.

26 (4) The word "bonds" means the bonds payable out of the bond
27 retirement funds.

28 (5) The word "projects" means the construction, completion,
29 reconstruction, remodeling, rehabilitation, or improvement of any
30 building or other facility of any of the aforementioned colleges
31 authorized by the legislature at any time and to be financed by the
32 issuance and sale of bonds.

33 **Sec. 260.** RCW 28B.35.751 and 1993 c 411 s 2 are each amended to
34 read as follows:

35 All moneys received from the lease or rental of lands set apart by
36 the enabling act for state normal schools purposes; all interest or

1 income arising from the proceeds of the sale of such lands or of the
2 timber, fallen timber, stone, gravel, or other valuable material
3 thereon, less the allocation to the state treasurer's service fund
4 pursuant to RCW 43.08.190 and the state investment board expense
5 account pursuant to RCW 43.33A.160; and all moneys received as interest
6 on deferred payments on contracts for the sale of such lands, shall
7 from time to time be paid into the state treasury and credited to the
8 Eastern Washington University, Central Washington University, Western
9 Washington University, Bellevue College, and The Evergreen State
10 College capital projects accounts as herein provided to be expended for
11 capital projects, and bond retirement purposes as set forth in RCW
12 28B.35.750(~~(, as now or hereafter amended)~~). Eastern Washington
13 University, Central Washington University, Western Washington
14 University, Bellevue College, and The Evergreen State College shall be
15 credited with one-fourth of the total amount beginning July 1, 2003.
16 Beginning July 1, 1995, The Evergreen State College shall receive five
17 percent of the total amount not obligated to repayment of bonds;
18 Eastern Washington University, Central Washington University, and
19 Western Washington University shall receive equal amounts of the
20 remaining amount. Beginning July 1, 1997, The Evergreen State College
21 shall receive ten percent of the total amount not obligated to
22 repayment of bonds; Eastern Washington University, Central Washington
23 University, and Western Washington University shall receive equal
24 amounts of the remaining amount. Beginning July 1, 1999, The Evergreen
25 State College shall receive fifteen percent of the total amount not
26 dedicated to repayment of bonds; Eastern Washington University, Central
27 Washington University, and Western Washington University shall each
28 receive equal amounts of the remaining amount. Beginning July 1, 2001,
29 The Evergreen State College shall receive twenty percent of the total
30 amount not obligated to repayment of bonds; Eastern Washington
31 University, Central Washington University, and Western Washington
32 University shall each receive equal amounts of the remaining amount.

33 **Sec. 261.** RCW 28B.35.790 and 1977 ex.s. c 169 s 91 are each
34 amended to read as follows:

35 RCW 28B.35.700 through 28B.35.790 (~~(as now or hereafter amended)~~)
36 is concurrent with other legislation with reference to providing funds
37 for the construction of buildings at the regional universities,

1 Bellevue College, or The Evergreen State College and is not to be
2 construed as repealing or limiting any existing provision of law with
3 reference thereto.

4 **Sec. 262.** RCW 28B.50.030 and 2007 c 277 s 301 are each amended to
5 read as follows:

6 As used in this chapter, unless the context requires otherwise, the
7 term:

8 (1) "System" shall mean the state system of community and technical
9 colleges, which shall be a system of higher education.

10 (2) "Board" shall mean the workforce training and education
11 coordinating board.

12 (3) "College board" shall mean the state board for community and
13 technical colleges created by this chapter.

14 (4) "Director" shall mean the administrative director for the state
15 system of community and technical colleges.

16 (5) "District" shall mean any one of the community and technical
17 college districts created by this chapter.

18 (6) "Board of trustees" shall mean the local community and
19 technical college board of trustees established for each college
20 district within the state.

21 (7) "Occupational education" shall mean that education or training
22 that will prepare a student for employment that does not require a
23 baccalaureate degree, and education and training leading to an applied
24 baccalaureate degree.

25 (8) "K-12 system" shall mean the public school program including
26 kindergarten through the twelfth grade.

27 (9) "Common school board" shall mean a public school district board
28 of directors.

29 (10) "Community college" shall include those higher education
30 institutions that conduct education programs under RCW 28B.50.020.

31 (11) "Technical college" shall include those higher education
32 institutions with the sole mission of conducting occupational
33 education, basic skills, literacy programs, and offering on short
34 notice, when appropriate, programs that meet specific industry needs.
35 The programs of technical colleges shall include, but not be limited
36 to, continuous enrollment, competency-based instruction, industry-
37 experienced faculty, curriculum integrating vocational and basic skills

1 education, and curriculum approved by representatives of employers and
2 labor. For purposes of this chapter, technical colleges shall include
3 Lake Washington Vocational-Technical Institute, Renton Vocational-
4 Technical Institute, Bates Vocational-Technical Institute, Clover Park
5 Vocational Institute, and Bellingham Vocational-Technical Institute.

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

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

28 (14) "Forest products worker" shall mean a worker in the forest
29 products industries affected by the reduction of forest fiber
30 enhancement, transportation, or production. The workers included
31 within this definition shall be determined by the employment security
32 department, but shall include workers employed in the industries
33 assigned the major group standard industrial classification codes "24"
34 and "26" and the industries involved in the harvesting and management
35 of logs, transportation of logs and wood products, processing of wood
36 products, and the manufacturing and distribution of wood processing and
37 logging equipment. The commissioner may adopt rules further

1 interpreting these definitions. For the purposes of this subsection,
2 "standard industrial classification code" means the code identified in
3 RCW 50.29.025(3).

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

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

21 (17) "Rural natural resources impact area" means:

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

25 (b) A nonmetropolitan county with a population of less than forty
26 thousand in the 1990 decennial census, that meets two of the five
27 criteria as set forth in subsection (18) of this section; or

28 (c) A nonurbanized area, as defined by the 1990 decennial census,
29 that is located in a metropolitan county that meets three of the five
30 criteria set forth in subsection (18) of this section.

31 (18) For the purposes of designating rural natural resources impact
32 areas, the following criteria shall be considered:

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

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

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

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

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

16 (19) "Applied baccalaureate degree" means a baccalaureate degree
17 awarded by a college under RCW 28B.50.810 for successful completion of
18 a program of study that is:

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

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

25 (20) "Qualified institutions of higher education" means:

26 (a) Washington public community and technical colleges;

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

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

32 (d) Bellevue College.

33 **Sec. 263.** RCW 28B.50.252 and 1991 c 238 s 77 are each amended to
34 read as follows:

35 (1) Bellevue College and each local education agency or college
36 district offering vocational educational programs shall establish local

1 advisory committees to provide that agency or district with advice on
2 current job needs and on the courses necessary to meet these needs.

3 (2) The local program committees shall:

4 (a) Participate in the determination of program goals;

5 (b) Review and evaluate program curricula, equipment, and
6 effectiveness;

7 (c) Include representatives of business and labor who reflect the
8 local industry, and the community; and

9 (d) Actively consult with other representatives of business,
10 industry, labor, and agriculture.

11 **Sec. 264.** RCW 28B.50.465 and 2003 1st sp.s. c 20 s 3 are each
12 amended to read as follows:

13 (1) Academic employees of community and technical college districts
14 shall be provided an annual salary cost-of-living increase in
15 accordance with this section. For purposes of this section, "academic
16 employee" has the same meaning as defined in RCW 28B.52.020. For
17 purposes of this section, Bellevue College as established in section
18 101 of this act is included in the eighth community and technical
19 college district as defined in RCW 28B.50.040.

20 (a) Beginning with the 2001-2002 fiscal year, and for each
21 subsequent fiscal year, except as provided in (d) of this subsection,
22 each college district shall receive a cost-of-living allocation
23 sufficient to increase academic employee salaries, including mandatory
24 salary-related benefits, by the rate of the yearly increase in the
25 cost-of-living index.

26 (b) A college district shall distribute its cost-of-living
27 allocation for salaries and salary-related benefits in accordance with
28 the district's salary schedules, collective bargaining agreements, and
29 other compensation policies. No later than the end of the fiscal year,
30 each college district shall certify to the college board that it has
31 spent funds provided for cost-of-living increases on salaries and
32 salary-related benefits.

33 (c) The college board shall include any funded cost-of-living
34 increase in the salary base used to determine cost-of-living increases
35 for academic employees in subsequent years.

36 (d) Beginning with the 2001-2002 fiscal year, and for each

1 subsequent fiscal year except for the 2003-04 and 2004-05 fiscal years,
2 the state shall fully fund the cost-of-living increase set forth in
3 this section.

4 (2) For the purposes of this section, "cost-of-living index" means,
5 for any fiscal year, the previous calendar year's annual average
6 consumer price index, using the official current base, compiled by the
7 bureau of labor statistics, United States department of labor for the
8 state of Washington. If the bureau of labor statistics develops more
9 than one consumer price index for areas within the state, the index
10 covering the greatest number of people, covering areas exclusively
11 within the boundaries of the state, and including all items shall be
12 used for the cost-of-living index in this section.

13 **Sec. 265.** RCW 28B.76.020 and 1985 c 370 s 2 are each amended to
14 read as follows:

15 For the purposes of this chapter:

- 16 (1) "Board" means the higher education coordinating board; and
17 (2) "Four-year institutions" means the University of Washington,
18 Washington State University, Central Washington University, Eastern
19 Washington University, Western Washington University, Bellevue College,
20 and The Evergreen State College.

21 **Sec. 266.** RCW 28B.76.230 and 2005 c 258 s 11 are each amended to
22 read as follows:

23 (1) The board shall develop a comprehensive and ongoing assessment
24 process to analyze the need for additional degrees and programs,
25 additional off-campus centers and locations for degree programs, and
26 consolidation or elimination of programs by the four-year institutions.

27 (2) As part of the needs assessment process, the board shall
28 examine:

29 (a) Projections of student, employer, and community demand for
30 education and degrees, including liberal arts degrees, on a regional
31 and statewide basis;

32 (b) Current and projected degree programs and enrollment at public
33 and private institutions of higher education, by location and mode of
34 service delivery; and

35 (c) Data from the workforce training and education coordinating

1 board and the state board for community and technical colleges on the
2 supply and demand for workforce education and certificates and
3 associate degrees.

4 (3) Every two years the board shall produce, jointly with the state
5 board for community and technical colleges and the workforce training
6 and education coordinating board, an assessment of the number and type
7 of higher education and training credentials required to match employer
8 demand for a skilled and educated workforce. The assessment shall
9 include the number of forecasted net job openings at each level of
10 higher education and training and the number of credentials needed to
11 match the forecast of net job openings.

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

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

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

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

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

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

23 (e) New degree programs and creation of off-campus programs by an
24 independent college or university in collaboration with a community or
25 technical college and Bellevue College; and

26 (f) Applied baccalaureate degree programs developed by colleges
27 under RCW 28B.50.810.

28 (6) Institutions seeking board approval under this section must
29 demonstrate that the proposal is justified by the needs assessment
30 developed under this section. Institutions must also demonstrate how
31 the proposals align with or implement the statewide strategic master
32 plan for higher education under RCW 28B.76.200.

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

37 (8) The board shall periodically recommend consolidation or

1 elimination of programs at the four-year institutions, based on the
2 needs assessment analysis.

3 **PART III**

4 **MISCELLANEOUS PROVISIONS**

5 NEW SECTION. **Sec. 301.** Part headings and captions used in this
6 act do not constitute any part of the law.

7 NEW SECTION. **Sec. 302.** The board of trustees for the Bellevue
8 community college district and its powers, duties, and functions
9 terminate September 30, 2010.

10 NEW SECTION. **Sec. 303.** Sections 101 through 115 and 301 of this
11 act constitute a new chapter in Title 28B RCW.

12 NEW SECTION. **Sec. 304.** Section 103 of this act takes effect
13 October 1, 2010.

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