
SENATE BILL 5182

State of Washington

62nd Legislature

2011 Regular Session

By Senators White, Tom, Hill, Zarelli, Murray, Ericksen, Prentice, Hobbs, and Nelson

Read first time 01/17/11. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to establishing the office of student financial
2 assistance by eliminating the higher education coordinating board and
3 transferring its functions to various entities; amending RCW
4 28B.76.010, 28B.76.020, 28B.76.090, 28B.76.120, 28B.76.500, 28B.76.505,
5 28B.76.510, 28B.76.520, 28B.76.525, 28B.76.540, 28B.76.560, 28B.76.565,
6 28B.76.570, 28B.76.575, 28B.76.605, 28B.76.610, 28B.76.615, 28B.76.620,
7 28B.76.640, 28B.76.645, 28B.76.650, 28B.76.660, 28B.76.670, 28B.76.690,
8 28A.600.120, 28A.600.130, 28A.600.140, 28A.600.150, 28A.230.125,
9 28A.600.285, 28A.630.400, 28A.650.015, 28A.660.050, 28B.04.080,
10 28B.07.020, 28B.07.030, 28B.10.786, 28B.10.790, 28B.10.792, 28B.10.840,
11 28B.12.030, 28B.12.040, 28B.12.050, 28B.12.055, 28B.12.060, 28B.12.070,
12 28B.15.012, 28B.15.013, 28B.15.015, 28B.15.100, 28B.15.543, 28B.15.732,
13 28B.15.752, 28B.15.760, 28B.15.762, 28B.50.272, 28B.92.020, 28B.92.040,
14 28B.92.050, 28B.92.060, 28B.92.084, 28B.92.120, 28B.92.130, 28B.92.140,
15 28B.92.150, 28B.95.020, 28B.95.025, 28B.95.030, 28B.95.040, 28B.95.060,
16 28B.95.160, 28B.97.010, 28B.97.020, 28B.102.020, 28B.102.030,
17 28B.102.040, 28B.102.050, 28B.102.055, 28B.102.060, 28B.102.080,
18 28B.105.020, 28B.105.040, 28B.105.050, 28B.105.070, 28B.105.100,
19 28B.105.110, 28B.106.010, 28B.106.070, 28B.108.010, 28B.108.020,
20 28B.108.030, 28B.108.060, 28B.109.010, 28B.109.020, 28B.109.030,
21 28B.109.040, 28B.109.050, 28B.109.060, 28B.109.070, 28B.109.080,

1 28B.115.020, 28B.115.030, 28B.115.050, 28B.115.070, 28B.115.080,
2 28B.115.090, 28B.115.120, 28B.115.130, 28B.115.140, 28B.116.010,
3 28B.116.020, 28B.116.030, 28B.116.050, 28B.116.060, 28B.116.070,
4 28B.117.020, 28B.117.030, 28B.117.040, 28B.117.050, 28B.117.060,
5 28B.117.070, 28B.118.010, 28B.118.020, 28B.118.040, 28B.118.050,
6 28B.118.060, 28B.119.010, 28B.119.020, 28B.119.030, 28B.119.050,
7 28B.120.010, 28B.120.020, 28B.120.025, 28B.120.030, 28B.120.040,
8 28B.133.030, 28B.133.040, 28B.133.050, 28B.135.010, 28B.135.030,
9 28B.135.040, 28C.18.166, 39.86.130, 42.17.2401, 42.17A.705, 43.41.400,
10 43.105.825, 74.13.570, 28B.76.210, 28B.76.290, 28B.76.300, 28B.76.310,
11 28B.76.340, 28B.10.020, 28B.15.460, 28B.15.465, 28B.20.130, 28B.20.280,
12 28B.30.150, 28B.30.500, 28B.35.120, 28B.35.205, 28B.35.215, 28B.38.010,
13 28B.40.120, 28B.40.206, 28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040,
14 28B.45.060, 28B.50.140, 28B.50.810, 28B.65.050, 28B.85.010, 28B.85.020,
15 28B.85.030, 28B.85.040, 28B.85.050, 28B.85.060, 28B.85.070, 28B.85.080,
16 28B.85.090, 28B.85.100, 28B.85.130, 28B.85.170, 28B.110.030,
17 28B.110.040, 28B.90.010, 28B.90.020, 28B.90.030, 28B.76.110,
18 28B.76.320, 35.104.020, 35.104.040, 43.06.115, 9A.60.070, 18.260.110,
19 28A.600.280, 28A.600.290, 28A.600.310, 28A.600.390, 28A.700.020,
20 28A.700.060, 28B.07.040, 28B.10.056, 28B.10.125, 28B.10.5691,
21 28B.10.682, 28B.10.784, 28B.15.068, 28B.15.069, 28B.15.730, 28B.15.734,
22 28B.15.750, 28B.15.754, 28B.15.756, 28B.15.758, 28B.20.308, 28B.20.478,
23 28B.30.530, 28B.45.080, 28B.65.040, 28B.67.010, 28B.103.030,
24 28C.10.030, 28C.10.040, 28C.18.030, 28C.18.060, 28C.18.132, 28C.18.134,
25 43.09.440, 43.43.934, 43.43.938, 43.60A.151, 43.88.090, 43.88D.010,
26 43.105.400, 43.215.090, 43.330.310, 43.330.375, 47.80.090, and
27 70.180.110; reenacting and amending RCW 28B.50.030, 28B.92.030,
28 28B.115.110, 28A.230.100, and 43.330.280; adding new sections to
29 chapter 43.41 RCW; adding a new section to chapter 28B.10 RCW; creating
30 new sections; recodifying RCW 28B.76.210, 28B.76.290, 28B.76.300,
31 28B.76.310, and 28B.76.340; repealing RCW 28B.15.736, 28B.76.030,
32 28B.76.040, 28B.76.050, 28B.76.060, 28B.76.070, 28B.76.080, 28B.76.200,
33 28B.76.230, 28B.76.240, 28B.76.2401, 28B.76.250, 28B.76.260,
34 28B.76.270, 28B.76.280, 28B.76.330, 28B.76.530, 28B.115.060,
35 28B.10.922, 28B.76.335, and 28B.15.796; providing effective dates;
36 providing expiration dates; and declaring an emergency.

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

1 **Sec. 101.** RCW 28B.76.010 and 1985 c 370 s 1 are each amended to
2 read as follows:

3 (1) There is hereby created the ((Washington higher education
4 coordinating)) student financial assistance advisory board.

5 (2) The board shall consist of nine members. Two members shall
6 represent four-year institutions of higher education as defined in RCW
7 28B.10.016; two members shall represent two-year institutions of higher
8 education as defined in RCW 28B.10.016; one member shall represent the
9 independent colleges of Washington; and two members shall be students.
10 The director of the office of financial management and the
11 superintendent of public instruction shall each serve as nonvoting ex
12 officio members. Voting members shall be appointed at large by the
13 governor. The board shall select from its membership a chair who shall
14 serve a one-year term. The chair may serve more than one term if
15 selected to do so by the membership.

16 (3) Except for initial members, whose terms shall be staggered, and
17 student members, the members of the board shall serve for terms of four
18 years, the terms expiring on June 30th of the fourth year of the term.
19 The student members shall each hold his or her office for a term of one
20 year beginning on the first day of July.

21 (4) Any vacancies among board members shall be filled by the
22 governor. Appointments to fill vacancies shall be only for such terms
23 as remain unexpired.

24 (5) The board must meet at least four times per year.

25 **Sec. 102.** RCW 28B.76.020 and 2010 c 245 s 4 are each amended to
26 read as follows:

27 The definitions in this section apply throughout this chapter
28 unless the context clearly requires otherwise.

29 (1) ~~((“Board” means the higher education coordinating board-~~

30 ~~(+2+)) “Four-year institutions” means the University of Washington,~~
31 ~~Washington State University, Central Washington University, Eastern~~
32 ~~Washington University, Western Washington University, and The Evergreen~~
33 ~~State College.~~

34 ~~((+3+))~~ (2) “Major expansion” means expansion of the higher
35 education system that requires significant new capital investment,
36 including building new institutions, campuses, branches, or centers or

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

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

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

6 **Sec. 103.** RCW 28B.76.090 and 2007 c 458 s 102 are each amended to
7 read as follows:

8 (1) The office of student financial assistance is created in the
9 office of financial management and shall be administered by the office
10 of the governor.

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

15 (3) The ~~((board))~~ office shall employ a director ~~((and may delegate~~
16 ~~agency management to the director. The director))~~ who shall serve at
17 the pleasure of the ~~((board, shall be the executive officer of the~~
18 ~~board, and shall, under the board's supervision,))~~ governor and shall
19 administer the provisions of this chapter. The ~~((executive))~~ director
20 shall~~(, with the approval of the board))~~: ~~((+1))~~ (a) Employ
21 necessary deputy and assistant directors and other exempt staff under
22 chapter 41.06 RCW who shall serve at his or her pleasure on such terms
23 and conditions as he or she determines and ~~((+2))~~ (b) subject to the
24 provisions of chapter 41.06 RCW, appoint and employ such other
25 employees as may be required for the proper discharge of the functions
26 of the ~~((board. The executive director shall exercise such additional~~
27 ~~powers, other than rule making, as may be delegated by the board by~~
28 ~~resolution. In fulfilling the duties under this chapter, the board~~
29 ~~shall make extensive use of those state agencies with responsibility~~
30 ~~for implementing and supporting postsecondary education plans and~~
31 ~~policies including but not limited to appropriate legislative groups,~~
32 ~~the postsecondary education institutions, the office of financial~~
33 ~~management, the workforce training and education coordinating board,~~
34 ~~the state board for community and technical colleges, and the office of~~
35 ~~the superintendent of public instruction. Outside consulting and~~
36 ~~service agencies may also be employed. The board may compensate these~~
37 ~~groups and consultants in appropriate ways))~~ office.

1 **Sec. 104.** RCW 28B.76.120 and 1985 c 370 s 8 are each amended to
2 read as follows:

3 The ((~~board~~)) office shall have authority to adopt rules as
4 necessary to implement this chapter.

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

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

10 (2) Each of the student financial aid programs administered by the
11 ((~~board~~)) office shall be labeled an "opportunity pathway." Loans
12 provided by the federal government and aid granted to students outside
13 of the financial aid package provided through institutions of higher
14 education are not subject to the labeling provisions in this
15 subsection. All communication materials, including, but not limited
16 to, printed materials, presentations, and web content, shall include
17 the "opportunity pathway" label.

18 (3) If the ((~~board~~)) office develops a one-stop college information
19 web-based portal that includes financial, academic, and career planning
20 information, the portal shall display all available student financial
21 aid programs, except federal student loans and aid granted to students
22 outside of the financial aid package provided through institutions of
23 higher education, under the "opportunity pathway" label. The portal
24 shall also display information regarding federal tax credits related to
25 higher education available for students or their families.

26 (4) The labeling requirements in this section do not change the
27 source, eligibility requirements, or student obligations associated
28 with each program. The ((~~board~~)) office shall customize its
29 communications to differentiate between programs, eligibility
30 requirements, and student obligations, so long as the reporting
31 provisions of this chapter are also fulfilled.

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

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

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

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

10 (4) All investments made by the state investment board shall be
11 made with the exercise of that degree of judgment and care pursuant to
12 RCW 43.33A.140 and the investment policies established by the state
13 investment board.

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

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

21 (7) The (~~higher education coordinating board~~) office may request
22 and accept moneys from the state investment board. With the exception
23 of expenses of the state investment board in subsection (2) of this
24 section, disbursements from the fund shall be made only on the
25 authorization of the (~~higher education coordinating board,~~) office
26 and money in the fund may be spent only for the purposes of the
27 endowment programs as specified in the authorizing chapter of each
28 program.

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

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

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

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

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

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

9 (1) The state financial aid account is created in the custody of
10 the state treasurer. The primary purpose of the account is to ensure
11 that all appropriations designated for financial aid through statewide
12 student financial aid programs are made available to eligible students.
13 The account shall be a nontreasury account.

14 (2) The ((~~higher education coordinating board~~)) office shall
15 deposit in the account all money received for the state need grant
16 program established under RCW 28B.92.010, the state work-study program
17 established under chapter 28B.12 RCW, the Washington scholars program
18 established under RCW 28A.600.110, the Washington award for vocational
19 excellence program established under RCW 28C.04.525, and the
20 educational opportunity grant program established under chapter 28B.101
21 RCW. The account shall consist of funds appropriated by the
22 legislature for the programs listed in this subsection and private
23 contributions to the programs. Moneys deposited in the account do not
24 lapse at the close of the fiscal period for which they were
25 appropriated. Both during and after the fiscal period in which moneys
26 were deposited in the account, the ((~~board~~)) office may expend moneys
27 in the account only for the purposes for which they were appropriated,
28 and the expenditures are subject to any other conditions or limitations
29 placed on the appropriations.

30 (3) Expenditures from the account shall be used for scholarships to
31 students eligible for the programs according to program rules and
32 policies.

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

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

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

3 In addition to administrative responsibilities assigned in this
4 chapter, the (~~board~~) office shall administer the programs set forth
5 in the following statutes: RCW 28A.600.100 through 28A.600.150
6 (Washington scholars); chapter 28B.85 RCW (degree-granting
7 institutions); chapter 28B.92 RCW (state need grant); chapter 28B.12
8 RCW (work study); RCW 28B.15.543 (tuition waivers for Washington
9 scholars); RCW 28B.15.760 through 28B.15.766 (math and science loans);
10 RCW 28B.15.100 (reciprocity agreement); RCW 28B.15.730 through
11 (~~28B.15.736~~) 28B.15.734 (Oregon reciprocity); RCW 28B.15.750 through
12 28B.15.754 (Idaho reciprocity); RCW 28B.15.756 and 28B.15.758 (British
13 Columbia reciprocity); chapter 28B.101 RCW (educational opportunity
14 grant); chapter 28B.102 RCW (future teachers conditional scholarship);
15 chapter 28B.108 RCW (American Indian endowed scholarship); chapter
16 28B.109 RCW (Washington international exchange scholarship); chapter
17 28B.115 RCW (health professional conditional scholarship); chapter
18 28B.119 RCW (Washington promise scholarship); and chapter 28B.133 RCW
19 (gaining independence for students with dependents).

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

22 The Washington distinguished professorship trust fund program is
23 established.

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

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

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

29 Funds appropriated by the legislature for the distinguished
30 professorship program shall be deposited in the distinguished
31 professorship trust fund. At the request of the (~~higher education~~
32 ~~coordinating board~~) office under RCW 28B.76.575, the treasurer shall
33 release the state matching funds to the designated institution's local
34 endowment fund. No appropriation is required for expenditures from the
35 fund. During the 2009-2011 fiscal biennium, the legislature may

1 transfer from the distinguished professorship trust fund to the state
2 general fund such amounts as reflect the excess fund balance in the
3 account.

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

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

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

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

17 All state four-year institutions of higher education shall be
18 eligible for matching trust funds. An institution may apply to the
19 (~~higher education coordinating board~~) office for two hundred fifty
20 thousand dollars from the fund when the institution can match the state
21 funds with an equal amount of pledged or contributed private donations
22 or with funds received through legislative appropriation specifically
23 for the G. Robert Ross distinguished faculty award and designated as
24 being qualified to be matched from trust fund moneys. These donations
25 shall be made specifically to the professorship program, and shall be
26 donated after July 1, 1985.

27 Upon an application by an institution, the (~~board~~) office may
28 designate two hundred fifty thousand dollars from the trust fund for
29 that institution's pledged professorship. If the pledged two hundred
30 fifty thousand dollars is not received within three years, the
31 (~~board~~) office shall make the designated funds available for another
32 pledged professorship.

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

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

3 The Washington graduate fellowship trust fund program is
4 established. The program shall be administered by the (~~higher~~
5 ~~education-coordinating-board~~) office. The trust fund shall be
6 administered by the state treasurer.

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

9 Funds appropriated by the legislature for the graduate fellowship
10 program shall be deposited in the graduate fellowship trust fund. At
11 the request of the (~~higher-education-coordinating-board~~) office under
12 RCW 28B.76.620, the treasurer shall release the state matching funds to
13 the designated institution's local endowment fund. No appropriation is
14 required for expenditures from the fund. During the 2009-2011 fiscal
15 biennium, the legislature may transfer from the graduate fellowship
16 trust fund to the state general fund such amounts as reflect the excess
17 fund balance in the account.

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

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

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

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

31 (1) All state four-year institutions of higher education shall be
32 eligible for matching trust funds. Institutions may apply to the
33 (~~higher-education-coordinating-board~~) office for twenty-five thousand
34 dollars from the fund when they can match the state funds with equal

1 pledged or contributed private donations. These donations shall be
2 made specifically to the graduate fellowship program, and shall be
3 donated after July 1, 1987.

4 (2) Upon an application by an institution, the (~~board~~) office may
5 designate twenty-five thousand dollars from the trust fund for that
6 institution's pledged graduate fellowship fund. If the pledged twenty-
7 five thousand dollars is not received within two years, the (~~board~~)
8 office shall make the designated funds available for another pledged
9 graduate fellowship fund.

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

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

16 The (~~board~~) office is hereby specifically directed to develop
17 such state plans as are necessary to coordinate the state of
18 Washington's participation within the student exchange compact programs
19 under the auspices of the Western Interstate Commission for Higher
20 Education, as provided by chapter 28B.70 RCW. In addition to
21 establishing such plans the (~~board~~) office shall designate the state
22 certifying officer for student programs.

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

25 In the development of any such plans as called for within RCW
26 28B.76.640, the (~~board~~) office shall use at least the following
27 criteria:

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

31 (2) For recipients named after January 1, 1995, the tuition
32 assistance shall be in the form of loans that may be completely
33 forgiven in exchange for the student's service within the state of
34 Washington after graduation. The requirements for such service and
35 provisions for loan forgiveness shall be determined in rules adopted by
36 the (~~board~~) office.

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

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

15 (5) The Washington interstate commission on higher education
16 professional student exchange program trust fund is created in the
17 custody of the state treasurer. All receipts from loan repayment shall
18 be deposited into the fund. Only the ((~~higher education coordinating~~
19 ~~board~~)) office, or its designee, may authorize expenditures from the
20 fund. No appropriation is required for expenditures from this fund.

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

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

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

32 (1) Recipients of the Washington scholars award or the Washington
33 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who
34 choose to attend an independent college or university in this state, as
35 defined in subsection (4) of this section, and recipients of the award
36 named after June 30, 1994, who choose to attend a public college or

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

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

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

1 To maintain eligibility for the grants, recipients must maintain a
2 minimum grade point average at the college or university equivalent to
3 3.30. Students shall be eligible to receive a maximum of twelve
4 quarters or eight semesters of grants for undergraduate study and may
5 transfer among in-state public and independent colleges and
6 universities during that period and continue to receive the grant as
7 provided under RCW 28B.76.665. If the student's cumulative grade point
8 average falls below 3.30 during the first three quarters or two
9 semesters, that student may petition the (~~higher education~~
10 ~~coordinating board~~) office which shall have the authority to establish
11 a probationary period until such time as the student's grade point
12 average meets required standards.

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

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

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

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

29 (1) Recipients of the Washington award for vocational excellence
30 under RCW 28C.04.520 through 28C.04.550, who receive the award after
31 June 30, 1994, may receive a grant, if funds are available. The grant
32 shall be used to attend a postsecondary institution located in the
33 state of Washington. Recipients may attend an institution of higher
34 education as defined in RCW 28B.10.016, or an independent college or
35 university, or a licensed private vocational school. The (~~higher~~
36 ~~education coordinating board~~) office shall distribute grants to
37 eligible students under this section from moneys appropriated for this

1 purpose. The individual grants shall not exceed, on a yearly basis,
2 the yearly, full-time, resident, undergraduate tuition and service and
3 activities fees in effect at the state-funded research universities.
4 In consultation with the workforce training and education coordinating
5 board, the (~~higher education coordinating board~~) office shall
6 establish procedures, by rule, to disburse the awards as direct grants
7 to the students.

8 (2) To qualify for the grant, recipients shall enter the
9 postsecondary institution within three years of high school graduation
10 and maintain a minimum grade point average at the institution
11 equivalent to 3.00, or, at a technical college, an above average
12 rating. Students shall be eligible to receive a maximum of two years
13 of grants for undergraduate study and may transfer among in-state
14 eligible postsecondary institutions during that period and continue to
15 receive the grant.

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

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

28 (5) As used in this section, "licensed private vocational school"
29 means a private postsecondary institution, located in the state,
30 licensed by the workforce training and education coordinating board
31 under chapter 28C.10 RCW, and offering postsecondary education in order
32 to prepare persons for a vocation or profession, as defined in RCW
33 28C.10.020(7).

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

36 The (~~higher education coordinating board~~) office shall administer

1 Washington's participation in the border county higher education
2 opportunity project.

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

5 The (~~higher education coordinating board~~) office of student
6 financial assistance shall have the responsibility for administration
7 of the Washington scholars program. The program will be developed
8 cooperatively with the Washington association of secondary school
9 principals, a voluntary professional association of secondary school
10 principals. The cooperation of other state agencies and private
11 organizations having interest and responsibility in public and private
12 education shall be sought for planning assistance.

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

15 The (~~higher education coordinating board~~) office of student
16 financial assistance shall establish a planning committee to develop
17 criteria for screening and selection of the Washington scholars each
18 year in accordance with RCW 28A.600.110(1). It is the intent that
19 these criteria shall emphasize scholastic achievement but not exclude
20 such criteria as leadership ability and community contribution in final
21 selection procedures. The Washington scholars planning committee shall
22 have members from selected state agencies and private organizations
23 having an interest and responsibility in education, including but not
24 limited to, the office of superintendent of public instruction, the
25 council of presidents, the state board for community and technical
26 colleges, and the Washington friends of higher education.

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

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

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

3 Each year, three Washington scholars and one Washington scholars-
4 alternate shall be selected from the students nominated under RCW
5 28A.600.140, except that during fiscal year 2007, no more than two
6 scholars plus one alternate may be selected. The (~~higher education~~
7 ~~coordinating board~~) office of student financial assistance shall
8 notify the students so designated, their high school principals, the
9 legislators of their respective districts, and the governor when final
10 selections have been made.

11 The (~~board~~) office, in conjunction with the governor's office,
12 shall prepare appropriate certificates to be presented to the
13 Washington scholars and the Washington scholars-alternates. An awards
14 ceremony at an appropriate time and place shall be planned by the
15 (~~board~~) office in cooperation with the Washington association of
16 secondary school principals, and with the approval of the governor.

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

19 (1) The superintendent of public instruction, in consultation with
20 the (~~higher education coordinating board~~) four-year institutions as
21 defined in RCW 28B.76.020, the state board for community and technical
22 colleges, and the workforce training and education coordinating board,
23 shall develop for use by all public school districts a standardized
24 high school transcript. The superintendent shall establish clear
25 definitions for the terms "credits" and "hours" so that school programs
26 operating on the quarter, semester, or trimester system can be
27 compared.

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

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

33 The superintendent of public instruction and the (~~higher education~~
34 ~~coordinating board~~) office of student financial assistance shall
35 develop advising guidelines to assure that students and parents

1 understand that college credits earned in high school dual credit
2 programs may impact eligibility for financial aid.

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

5 (1) The professional educator standards board and the state board
6 for community and technical colleges, in consultation with the
7 superintendent of public instruction, (~~the higher education~~
8 ~~coordinating board,~~) the state apprenticeship training council, and
9 community colleges, shall adopt rules as necessary under chapter 34.05
10 RCW to implement the paraeducator associate of arts degree.

11 (2) As used in this section, a "paraeducator" is an individual who
12 has completed an associate of arts degree for a paraeducator. The
13 paraeducator may be hired by a school district to assist certificated
14 instructional staff in the direct instruction of children in small and
15 large groups, individualized instruction, testing of children,
16 recordkeeping, and preparation of materials. The paraeducator shall
17 work under the direction of instructional certificated staff.

18 (3) The training program for a paraeducator associate of arts
19 degree shall include, but is not limited to, the general requirements
20 for receipt of an associate of arts degree and training in the areas of
21 introduction to childhood education, orientation to children with
22 disabilities, fundamentals of childhood education, creative activities
23 for children, instructional materials for children, fine art
24 experiences for children, the psychology of learning, introduction to
25 education, child health and safety, child development and guidance,
26 first aid, and a practicum in a school setting.

27 (4) Consideration shall be given to transferability of credit
28 earned in this program to teacher preparation programs at colleges and
29 universities.

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

32 (1) The superintendent of public instruction, to the extent funds
33 are appropriated, shall develop and implement a Washington state K-12
34 education technology plan. The technology plan shall be updated on at
35 least a biennial basis, shall be developed to coordinate and expand the

1 use of education technology in the common schools of the state. The
2 plan shall be consistent with applicable provisions of chapter 43.105
3 RCW. The plan, at a minimum, shall address:

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

7 (b) The continued development of a network to connect school
8 districts, institutions of higher learning, and other sources of online
9 information; and

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

12 (2) The superintendent of public instruction shall appoint an
13 educational technology advisory committee to assist in the development
14 and implementation of the technology plan in subsection (1) of this
15 section. The committee shall include, but is not limited to, persons
16 representing: The department of information services, educational
17 service districts, school directors, school administrators, school
18 principals, teachers, classified staff, higher education faculty,
19 parents, students, business, labor, scientists and mathematicians,
20 (~~the higher education coordinating board,~~) the workforce training and
21 education coordinating board, and the state library.

22 (3) The plan adopted and implemented under this section may not
23 impose on school districts any requirements that are not specifically
24 required by federal law or regulation, including requirements to
25 maintain eligibility for the federal schools and libraries program of
26 the universal service fund.

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

29 Subject to the availability of amounts appropriated for these
30 purposes, the conditional scholarship programs in this chapter are
31 created under the following guidelines:

32 (1) The programs shall be administered by the (~~higher education~~
33 ~~coordinating board~~) office of student financial assistance. In
34 administering the programs, the (~~higher education coordinating board~~)
35 office has the following powers and duties:

36 (a) To adopt necessary rules and develop guidelines to administer
37 the programs;

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

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

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

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

13 (i) Be accepted and maintain enrollment in alternative
14 certification routes through a professional educator standards board-
15 approved program;

16 (ii) Continue to make satisfactory progress toward completion of
17 the alternative route certification program and receipt of a residency
18 teaching certificate; and

19 (iii) Receive no more than the annual amount of the scholarship,
20 not to exceed eight thousand dollars, for the cost of tuition, fees,
21 and educational expenses, including books, supplies, and transportation
22 for the alternative route certification program in which the recipient
23 is enrolled. The board may adjust the annual award by the average rate
24 of resident undergraduate tuition and fee increases at the state
25 universities as defined in RCW 28B.10.016.

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

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

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

37 (iii) Receive no more than the annual amount of the scholarship,
38 not to exceed four thousand dollars, for the cost of tuition, fees, and

1 educational expenses, including books, supplies, and transportation for
2 the alternative route certification program in which the recipient is
3 enrolled. The board may adjust the annual award by the average rate of
4 tuition and fee increases at the state community and technical
5 colleges.

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

9 (i) Individuals currently employed as teachers shall pursue a
10 middle level mathematics or science, or secondary mathematics or
11 science endorsement; or

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

15 (iii) Individuals shall use one of the pathways to endorsement
16 processes to receive a mathematics or science endorsement, or both,
17 which shall include passing a mathematics or science endorsement test,
18 or both tests, plus observation and completing applicable coursework to
19 attain the proper endorsement; and

20 (iv) Individuals shall receive no more than the annual amount of
21 the scholarship, not to exceed three thousand dollars, for the cost of
22 tuition, test fees, and educational expenses, including books,
23 supplies, and transportation for the endorsement pathway being pursued.

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

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

37 (5) Recipients who fail to fulfill the required teaching obligation
38 are required to repay the remaining loan principal with interest and

1 any other applicable fees. The (~~higher education coordinating board~~)
2 office of student financial assistance shall adopt rules to define the
3 terms for repayment, including applicable interest rates, fees, and
4 deferments.

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

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

11 (1) The board shall consult and cooperate with the department of
12 social and health services; the (~~higher education coordinating board~~)
13 office of student financial assistance; the superintendent of public
14 instruction; the workforce training and education coordinating board;
15 the employment security department; the department of labor and
16 industries; sponsoring agencies under the federal comprehensive
17 employment and training act (87 Stat. 839; 29 U.S.C. Sec. 801 et seq.),
18 and any other persons or agencies as the board deems appropriate to
19 facilitate the coordination of centers established under this chapter
20 with existing programs of a similar nature.

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

25 (3) The board shall serve as a clearinghouse for displaced
26 homemaker information and resources and shall compile and disseminate
27 statewide information to the centers, related agencies, and interested
28 persons upon request.

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

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

33 (1) "Authority" means the Washington higher education facilities
34 authority created under RCW 28B.07.030 or any board, body, commission,
35 department or officer succeeding to the principal functions of the

1 authority or to whom the powers conferred upon the authority shall be
2 given by law.

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

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

8 (4) "Higher education institution" means a private, nonprofit
9 educational institution, the main campus of which is permanently
10 situated in the state, which is open to residents of the state, which
11 neither restricts entry on racial or religious grounds, which provides
12 programs of education beyond high school leading at least to the
13 baccalaureate degree, and which is accredited by the Northwest
14 Association of Schools and Colleges or by an accrediting association
15 recognized by the (~~higher education coordinating board~~) office of
16 financial management.

17 (5) "Participant" means a higher education institution which, under
18 this chapter, undertakes the financing of a project or projects or
19 undertakes the refunding or refinancing of obligations, mortgages, or
20 advances previously incurred for a project or projects.

21 (6) "Project" means any land or any improvement, including, but not
22 limited to, buildings, structures, fixtures, utilities, machinery,
23 excavations, paving, and landscaping, and any interest in such land or
24 improvements, and any personal property pertaining or useful to such
25 land and improvements, which are necessary, useful, or convenient for
26 the operation of a higher education institution, including but not
27 limited to, the following: Dormitories or other multi-unit housing
28 facilities for students, faculty, officers, or employees; dining halls;
29 student unions; administration buildings; academic buildings;
30 libraries; laboratories; research facilities; computer facilities;
31 classrooms; athletic facilities; health care facilities; maintenance,
32 storage, or utility facilities; parking facilities; or any combination
33 thereof, or any other structures, facilities, or equipment so related.

34 (7) "Project cost" means any cost related to the acquisition,
35 construction, improvement, alteration, or rehabilitation by a
36 participant or the authority of any project and the financing of the
37 project through the authority, including, but not limited to, the
38 following costs paid or incurred: Costs of acquisition of land or

1 interests in land and any improvement; costs of contractors, builders,
2 laborers, material suppliers, and suppliers of tools and equipment;
3 costs of surety and performance bonds; fees and disbursements of
4 architects, surveyors, engineers, feasibility consultants, accountants,
5 attorneys, financial consultants, and other professionals; interest on
6 bonds issued by the authority during any period of construction;
7 principal of and interest on interim financing of any project; debt
8 service reserve funds; depreciation funds, costs of the initial start-
9 up operation of any project; fees for title insurance, document
10 recording, or filing; fees of trustees and the authority; taxes and
11 other governmental charges levied or assessed on any project; and any
12 other similar costs. Except as specifically set forth in this
13 definition, the term "project cost" does not include books, fuel,
14 supplies, and similar items which are required to be treated as a
15 current expense under generally accepted accounting principles.

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

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

21 (1) The Washington higher education facilities authority is hereby
22 established as a public body corporate and politic, with perpetual
23 corporate succession, constituting an agency of the state of Washington
24 exercising essential governmental functions. The authority is a
25 "public body" within the meaning of RCW 39.53.010.

26 (2) The authority shall consist of (~~seven~~) six members as
27 follows: The governor, lieutenant governor, (~~executive director of~~
28 ~~the higher education coordinating board,~~) and four public members, one
29 of whom shall be the president of a higher education institution at the
30 time of appointment. The public members shall be residents of the
31 state and appointed by the governor, subject to confirmation by the
32 senate, on the basis of their interest or expertise in the provision of
33 higher education and the financing of higher education. The public
34 members of the authority shall serve for terms of four years. The
35 initial terms of the public members shall be staggered in a manner
36 determined by the governor. In the event of a vacancy on the authority
37 due to death, resignation, or removal of one of the public members, and

1 upon the expiration of the term of any public member, the governor
2 shall appoint a successor for a term expiring on the fourth anniversary
3 of the successor's date of the appointment. If any of the state
4 offices are abolished, the resulting vacancy on the authority shall be
5 filled by the state officer who shall succeed substantially to the
6 power and duties of the abolished office. Any public member of the
7 authority may be removed by the governor for misfeasance, malfeasance,
8 (~~wilful~~) willful neglect of duty, or any other cause after notice and
9 a public hearing, unless such notice and hearing shall be expressly
10 waived in writing.

11 (3) The governor shall serve as chairperson of the authority. The
12 authority shall elect annually one of its members as secretary. If the
13 governor shall be absent from a meeting of the authority, the secretary
14 shall preside. However, the governor may designate an employee of the
15 governor's office to act on the governor's behalf in all other respects
16 during the absence of the governor at any meeting of the authority. If
17 the designation is in writing and is presented to the person presiding
18 at the meetings of the authority who is included in the designation,
19 the vote of the designee has the same effect as if cast by the
20 governor.

21 (4) Any person designated by resolution of the authority shall keep
22 a record of the proceedings of the authority and shall be the custodian
23 of all books, documents, and papers filed with the authority, the
24 minute book or a journal of the authority, and the authority's official
25 seal, if any. The person may cause copies to be made of all minutes
26 and other records and documents of the authority, and may give
27 certificates to the effect that such copies are true copies. All
28 persons dealing with the authority may rely upon the certificates.

29 (5) Four members of the authority constitute a quorum. Members
30 participating in a meeting through the use of any means of
31 communication by which all members participating can hear each other
32 during the meeting shall be deemed to be present in person at the
33 meeting for all purposes. The authority may act on the basis of a
34 motion except when authorizing the issuance and sale of bonds, in which
35 case the authority shall act by resolution. Bond resolutions and other
36 resolutions shall be adopted upon the affirmative vote of four members
37 of the authority, and shall be signed by those members voting yes.
38 Motions shall be adopted upon the affirmative vote of a majority of a

1 quorum of members present at any meeting of the authority. All actions
2 taken by the authority shall take effect immediately without need for
3 publication or other public notice. A vacancy in the membership of the
4 authority does not impair the power of the authority to act under this
5 chapter.

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

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

12 It is the policy of the state of Washington that financial need not
13 be a barrier to participation in higher education. It is also the
14 policy of the state of Washington that the essential requirements level
15 budget calculation include funding for state student financial aid
16 programs. The calculation should, at a minimum, include a funding
17 level equal to the amount provided in the second year of the previous
18 biennium in the omnibus appropriations act, adjusted for the percentage
19 of needy resident students, by educational sector, likely to be
20 included in any enrollment increases necessary to maintain, by
21 educational sector, the participation rate funded in the 1993 fiscal
22 year. The calculation should also be adjusted to reflect, by
23 educational sector, any increases in cost of attendance. The cost of
24 attendance figures should be calculated by the (~~higher education~~
25 ~~coordinating board and provided to the~~) office of financial management
26 and provided to the appropriate legislative committees by June 30th of
27 each even-numbered year.

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

30 Washington residents attending any nonprofit college or university
31 in another state which has a reciprocity agreement with the state of
32 Washington shall be eligible for the student financial aid program
33 outlined in chapter 28B.92 RCW if (1) they qualify as a "needy student"
34 under RCW 28B.92.030(~~(+3)~~) (5), and (2) the institution attended is a
35 member institution of an accrediting association recognized by rule of
36 the (~~higher education coordinating board~~) office of student financial

1 assistance for the purposes of this section and is specifically
2 encompassed within or directly affected by such reciprocity agreement
3 and agrees to and complies with program rules and regulations
4 pertaining to such students and institutions adopted pursuant to RCW
5 28B.92.150.

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

8 The (~~higher education coordinating board~~) office of student
9 financial assistance shall develop guidelines for determining the
10 conditions under which an institution can be determined to be directly
11 affected by a reciprocity agreement for the purposes of RCW 28B.10.790:
12 PROVIDED, That no institution shall be determined to be directly
13 affected unless students from the county in which the institution is
14 located are provided, pursuant to a reciprocity agreement, access to
15 Washington institutions at resident tuition and fee rates to the extent
16 authorized by Washington law.

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

19 The term "institution of higher education" whenever used in RCW
20 28B.10.840 through 28B.10.844, shall be held and construed to mean any
21 public institution of higher education in Washington. The term
22 "educational board" whenever used in RCW 28B.10.840 through 28B.10.844,
23 shall be held and construed to mean the state board for community and
24 technical colleges (~~education and the higher education coordinating~~
25 ~~board~~)).

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

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

31 (1) The term "needy student" shall mean a student enrolled or
32 accepted for enrollment at a (~~post-secondary~~) postsecondary
33 institution who, according to a system of need analysis approved by the
34 (~~higher education coordinating board~~) office of student financial

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

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

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

15 The (~~higher education coordinating board~~) office of student
16 financial assistance shall develop and administer the state work-study
17 program. The board shall be authorized to enter into agreements with
18 employers and eligible institutions for the operation of the program.
19 These agreements shall include such provisions as the (~~higher~~
20 ~~education coordinating board~~) office may deem necessary or appropriate
21 to carry out the purposes of this chapter.

22 With the exception of off-campus community service placements, the
23 share from moneys disbursed under the state work-study program of the
24 compensation of students employed under such program in accordance with
25 such agreements shall not exceed eighty percent of the total such
26 compensation paid such students.

27 By rule, the (~~board~~) office shall define community service
28 placements and may determine any salary matching requirements for any
29 community service employers.

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

32 The (~~higher education coordinating board~~) office of student
33 financial assistance shall disburse state work-study funds. In
34 performing its duties under this section, the (~~board~~) office shall
35 consult eligible institutions and (~~post-secondary~~) postsecondary
36 education advisory and governing bodies. The (~~board~~) office shall

1 establish criteria designed to achieve such distribution of assistance
2 under this chapter among students attending eligible institutions as
3 will most effectively carry out the purposes of this chapter.

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

6 (1) Within existing resources, the (~~(higher education coordinating~~
7 ~~board)) office of student financial assistance shall establish the
8 work-study opportunity grant for high-demand occupations, a competitive
9 grant program to encourage job placements in high-demand fields. The
10 (~~board)) office shall award grants to eligible institutions of higher
11 education that have developed a partnership with a proximate
12 organization willing to host work-study placements. Partner
13 organizations may be nonprofit organizations, for-profit firms, or
14 public agencies. Eligible institutions of higher education must verify
15 that all job placements will last for a minimum of one academic quarter
16 or one academic semester, depending on the system used by the eligible
17 institution of higher education.~~~~

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

22 (3) The (~~board)) office may award grants to eligible institutions
23 of higher education that cover both student wages and program
24 administration.~~

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

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

31 The (~~(higher education coordinating board)) office of student
32 financial assistance shall adopt rules as may be necessary or
33 appropriate for effecting the provisions of this chapter, and not in
34 conflict with this chapter, in accordance with the provisions of
35 chapter 34.05 RCW, the (~~(state higher education)) administrative
36 procedure act. Such rules shall include provisions designed to make~~~~

1 employment under the work-study program reasonably available, to the
2 extent of available funds, to all eligible needy students in eligible
3 postsecondary institutions. The rules shall include:

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

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

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

11 (b) Has been accepted for enrollment as at least a half-time
12 student at the eligible institution or, in the case of a student
13 already enrolled in and attending the eligible institution, is in good
14 standing and in at least half-time attendance there either as an
15 undergraduate, graduate or professional student; and

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

17 (3) Placing priority on providing:

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

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

24 (c) Off-campus community service placements;

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

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

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

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

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

37 (d) That work study positions shall only be established at entry

1 level positions of the classified service unless the overall scope and
2 responsibilities of the position indicate a higher level; and

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

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

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

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

16 Whenever used in this chapter:

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

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

20 (a) A financially independent student who has had a domicile in the
21 state of Washington for the period of one year immediately prior to the
22 time of commencement of the first day of the semester or quarter for
23 which the student has registered at any institution and has in fact
24 established a bona fide domicile in this state primarily for purposes
25 other than educational;

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

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

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

9 (e) Any person who has completed the full senior year of high
10 school and obtained a high school diploma, both at a Washington public
11 high school or private high school approved under chapter 28A.195 RCW,
12 or a person who has received the equivalent of a diploma; who has lived
13 in Washington for at least three years immediately prior to receiving
14 the diploma or its equivalent; who has continuously lived in the state
15 of Washington after receiving the diploma or its equivalent and until
16 such time as the individual is admitted to an institution of higher
17 education under subsection (1) of this section; and who provides to the
18 institution an affidavit indicating that the individual will file an
19 application to become a permanent resident at the earliest opportunity
20 the individual is eligible to do so and a willingness to engage in any
21 other activities necessary to acquire citizenship, including but not
22 limited to citizenship or civics review courses;

23 (f) Any person who has lived in Washington, primarily for purposes
24 other than educational, for at least one year immediately before the
25 date on which the person has enrolled in an institution, and who holds
26 lawful nonimmigrant status pursuant to 8 U.S.C. Sec. (a)(15) (E)(iii),
27 (H)(i), or (L), or who holds lawful nonimmigrant status as the spouse
28 or child of a person having nonimmigrant status under one of those
29 subsections, or who, holding or having previously held such lawful
30 nonimmigrant status as a principal or derivative, has filed an
31 application for adjustment of status pursuant to 8 U.S.C. Sec. 1255(a);

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

34 (h) A student who is the spouse or a dependent of a person who is
35 on active military duty stationed in the state. If the person on
36 active military duty is reassigned out-of-state, the student maintains
37 the status as a resident student so long as the student is continuously
38 enrolled in a degree program;

1 (i) A student who resides in the state of Washington and is the
2 spouse or a dependent of a person who is a member of the Washington
3 national guard;

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

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

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

19 (m) A student who resides in Washington and is the spouse or a
20 dependent of a person who resides in Washington and is on active
21 military duty stationed in the Oregon counties of Columbia, Gilliam,
22 Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla,
23 Union, Wallowa, Wasco, or Washington. If the person on active military
24 duty moves from Washington or is reassigned out of the Oregon counties
25 of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas,
26 Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the
27 student maintains the status as a resident student so long as the
28 student resides in Washington and is continuously enrolled in a degree
29 program.

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

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

1 (b) A person who is not a citizen of the United States of America
2 who does not have permanent or temporary resident status or does not
3 hold "Refugee-Parolee" or "Conditional Entrant" status with the United
4 States (~~(citizen and)~~) citizenship immigration services or is not
5 otherwise permanently residing in the United States under color of law
6 and who does not also meet and comply with all the applicable
7 requirements in this section and RCW 28B.15.013.

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

15 (5) The term "dependent" shall mean a person who is not financially
16 independent. Factors to be considered in determining whether a person
17 is financially independent shall be set forth in rules (~~and~~
18 ~~regulations~~) adopted by the (~~higher education coordinating board~~)
19 office of financial management and shall include, but not be limited
20 to, the state and federal income tax returns of the person and/or the
21 student's parents or legal guardian filed for the calendar year prior
22 to the year in which application is made and such other evidence as the
23 board may require.

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

26 (a) The armed forces of the United States government; or

27 (b) The Washington national guard; or

28 (c) The coast guard, merchant mariners, or other nonmilitary
29 organization when such service is recognized by the United States
30 government as equivalent to service in the armed forces.

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

33 (1) The establishment of a new domicile in the state of Washington
34 by a person formerly domiciled in another state has occurred if such
35 person is physically present in Washington primarily for purposes other
36 than educational and can show satisfactory proof that such person is

1 without a present intention to return to such other state or to acquire
2 a domicile at some other place outside of Washington.

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

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

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

22 (3) To aid the institution in deciding whether a student, parent,
23 legally appointed guardian or the person having legal custody of a
24 student is domiciled in the state of Washington primarily for purposes
25 other than educational, the rules and regulations adopted by the
26 (~~higher education coordinating board~~) office of financial management
27 shall include but not be limited to the following:

28 (a) Registration or payment of Washington taxes or fees on a motor
29 vehicle, mobile home, travel trailer, boat, or any other item of
30 personal property owned or used by the person for which state
31 registration or the payment of a state tax or fee is required will be
32 a factor in considering evidence of the establishment of a Washington
33 domicile.

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

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

1 (4) After a student has registered at an institution such student's
2 classification shall remain unchanged in the absence of satisfactory
3 evidence to the contrary. A student wishing to apply for a change in
4 classification shall reduce such evidence to writing and file it with
5 the institution. In any case involving an application for a change
6 from nonresident to resident status, the burden of proof shall rest
7 with the applicant. Any change in classification, either nonresident
8 to resident, or the reverse, shall be based upon written evidence
9 maintained in the files of the institution and, if approved, shall take
10 effect the semester or quarter such evidence was filed with the
11 institution: PROVIDED, That applications for a change in
12 classification shall be accepted up to the thirtieth calendar day
13 following the first day of instruction of the quarter or semester for
14 which application is made.

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

17 The (~~higher education coordinating board, upon consideration of~~
18 ~~advice from representatives of the~~) state's institutions, with the
19 advice of the attorney general, shall adopt rules and regulations to be
20 used by the state's institutions for determining a student's resident
21 and nonresident status and for recovery of fees for improper
22 classification of residency.

23 **Sec. 150.** RCW 28B.15.100 and 2003 c 232 s 6 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, and the community colleges
27 shall charge to and collect from each of the students registering at
28 the particular institution for any quarter or semester such tuition
29 fees and services and activities fees, and other fees as such board
30 shall in its discretion determine. The total of all fees shall be
31 rounded to the nearest whole dollar amount: PROVIDED, That such
32 tuition fees shall be established in accordance with RCW 28B.15.067.

33 (2) Part-time students shall be charged tuition and services and
34 activities fees proportionate to full-time student rates established
35 for residents and nonresidents: PROVIDED, That except for students
36 registered at community colleges, students registered for fewer than

1 two credit hours shall be charged tuition and services and activities
2 fees at the rate established for two credit hours: PROVIDED FURTHER,
3 That, subject to the limitations of RCW 28B.15.910, residents of Idaho
4 or Oregon who are enrolled in community college district number twenty
5 for six or fewer credits during any quarter or semester may be exempted
6 from payment of all or a portion of the nonresident tuition fees
7 differential upon a declaration by the (~~higher education coordinating~~
8 ~~board~~) office of financial management that it finds Washington
9 residents from the community college district are afforded
10 substantially equivalent treatment by such other states.

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

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

23 (1) Subject to the limitations of RCW 28B.15.910, the governing
24 boards of the state universities, the regional universities, The
25 Evergreen State College, and the community colleges shall waive tuition
26 and service and activities fees for students named by the (~~higher~~
27 ~~education coordinating board~~) office of student financial assistance
28 on or before June 30, 1994, as recipients of the Washington scholars
29 award under RCW 28A.600.100 through 28A.600.150. The waivers shall be
30 used only for undergraduate studies. To qualify for the waiver,
31 recipients shall enter the college or university within three years of
32 high school graduation and maintain a minimum grade point average at
33 the college or university equivalent to 3.30. Students shall be
34 eligible to receive a maximum of twelve quarters or eight semesters of
35 waivers and may transfer among state-supported institutions of higher
36 education during that period and continue to have the tuition and
37 services and activities fees waived by the state-supported institution

1 of higher education that the student attends. Should the student's
2 cumulative grade point average fall below 3.30 during the first three
3 quarters or two semesters, that student may petition the (~~higher~~
4 ~~education coordinating board~~) office of student financial assistance
5 which shall have the authority to establish a probationary period until
6 such time as the student's grade point average meets required
7 standards.

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

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

15 Prior to January 1st of each odd-numbered year the (~~higher~~
16 ~~education coordinating board, in cooperation with the state board for~~
17 ~~community college education, and~~) office of financial management, in
18 consultation with appropriate agencies and officials in the state of
19 Oregon, shall determine for the purposes of RCW 28B.15.730 the number
20 of students for whom nonresident tuition and fees have been waived for
21 the first academic year of the biennium and the fall term of the second
22 academic year, and make an estimate of the number of such students for
23 the remainder of the second academic year, and the difference between
24 the aggregate amount of tuition and fees that would have been paid to
25 the respective states by residents of the other state had such waivers
26 not been made, and the aggregate amount of tuition and fees paid by
27 residents of the other state. Should the (~~board~~) office of financial
28 management determine that the state of Oregon has experienced a greater
29 net tuition and fee revenue loss than institutions in Washington, it
30 shall pay from funds appropriated for this purpose to the appropriate
31 agency or institutions in Oregon an amount determined by subtracting
32 the net tuition and fee revenue loss of Washington from the net tuition
33 and fee revenue loss of Oregon, minus twenty-five thousand dollars for
34 each year of the biennium: PROVIDED, That appropriate officials in the
35 state of Oregon agree to make similar restitution to the state of
36 Washington should the net tuition and fee revenue loss in Washington be
37 greater than that in Oregon.

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

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

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

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

30 (1) "Institution of higher education" or "institution" means a
31 college or university in the state of Washington which is a member
32 institution of an accrediting association recognized as such by rule of
33 the (~~higher education coordinating board~~) office of financial
34 management.

35 (2) (~~"Board" means the higher education coordinating board.~~
36 ~~(3)~~) "Eligible student" means a student registered for at least
37 ten credit hours or the equivalent and demonstrates achievement of a

1 3.00 grade point average for each academic year, who is a resident
2 student as defined by RCW 28B.15.012 through 28B.15.015, who is a
3 "needy student" as defined in RCW 28B.92.030, and who has a declared
4 major in a program leading to a degree in teacher education in a field
5 of science or mathematics, or a certificated teacher who meets the same
6 credit hour and "needy student" requirements and is seeking an
7 additional degree in science or mathematics.

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

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

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

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

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

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

20 (1) The ((board)) office may make long-term loans to eligible
21 students at institutions of higher education from the funds
22 appropriated to the ((board)) office for this purpose. The amount of
23 any such loan shall not exceed the demonstrated financial need of the
24 student or two thousand five hundred dollars for each academic year
25 whichever is less, and the total amount of such loans to an eligible
26 student shall not exceed ten thousand dollars. The interest rates and
27 terms of deferral of such loans shall be consistent with the terms of
28 the guaranteed loan program established by 20 U.S.C. Sec. 1701 et seq.
29 The period for repaying the loan principal and interest shall be ten
30 years with payments accruing quarterly commencing nine months from the
31 date the borrower graduated. The entire principal and interest of each
32 loan payment shall be forgiven for each payment period in which the
33 borrower teaches science or mathematics in a public school in this
34 state until the entire loan is satisfied or the borrower ceases to
35 teach science or mathematics at a public school in this state. Should
36 the borrower cease to teach science or mathematics at a public school
37 in this state before the time in which the principal and interest on

1 the loan are satisfied, payments on the unsatisfied portion of the
2 principal and interest on the loan shall begin the next payment period
3 and continue until the remainder of the loan is paid.

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

15 (3) Receipts from the payment of principal or interest or any other
16 subsidies to which the board as lender is entitled, which are paid by
17 or on behalf of borrowers under subsection (1) of this section, shall
18 be deposited with the (~~higher education coordinating board~~) office
19 and shall be used to cover the costs of making the loans under
20 subsection (1) of this section, maintaining necessary records, and
21 making collections under subsection (2) of this section. The (~~board~~)
22 office shall maintain accurate records of these costs, and all receipts
23 beyond those necessary to pay such costs shall be used to make loans to
24 eligible students.

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

28 (5) The (~~board~~) office shall adopt necessary rules to implement
29 this section.

30 **Sec. 156.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and
31 2009 c 64 s 3 are each reenacted and amended to read as follows:

32 The definitions in this section apply throughout this chapter
33 unless the context clearly requires otherwise.

34 (1) "Adult education" means all education or instruction, including
35 academic, vocational education or training, basic skills and literacy
36 training, and "occupational education" provided by public educational
37 institutions, including common school districts for persons who are

1 eight years of age and over or who hold a high school diploma or
2 certificate. However, "adult education" shall not include academic
3 education or instruction for persons under twenty-one years of age who
4 do not hold a high school degree or diploma and who are attending a
5 public high school for the sole purpose of obtaining a high school
6 diploma or certificate, nor shall "adult education" include education
7 or instruction provided by any four-year public institution of higher
8 education.

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

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

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

18 (3) "Board" means the workforce training and education coordinating
19 board.

20 (4) "Board of trustees" means the local community and technical
21 college board of trustees established for each college district within
22 the state.

23 (5) "Center of excellence" means a community or technical college
24 designated by the college board as a statewide leader in
25 industry-specific, community and technical college workforce education
26 and training.

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

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

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

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

35 (10) "Dislocated forest product worker" means a forest products
36 worker who: (a)(i) Has been terminated or received notice of
37 termination from employment and is unlikely to return to employment in
38 the individual's principal occupation or previous industry because of

1 a diminishing demand for his or her skills in that occupation or
2 industry; or (ii) is self-employed and has been displaced from his or
3 her business because of the diminishing demand for the business'
4 services or goods; and (b) at the time of last separation from
5 employment, resided in or was employed in a rural natural resources
6 impact area.

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

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

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

31 (14) "High employer demand program of study" means an
32 apprenticeship, or an undergraduate or graduate certificate or degree
33 program in which the number of students prepared for employment per
34 year from in-state institutions is substantially less than the number
35 of projected job openings per year in that field, statewide or in a
36 substate region.

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

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

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

7 (a) Washington public community and technical colleges;

8 (b) Private career schools that are members of an accrediting
9 association recognized by rule of the (~~higher education coordinating~~
10 ~~board~~) office of financial management for the purposes of chapter
11 28B.92 RCW; and

12 (c) Washington state apprenticeship and training council-approved
13 apprenticeship programs.

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

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

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

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

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

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

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

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

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

34 (e) An unemployment rate twenty percent or more above the state
35 average. The counties that meet these criteria shall be determined by
36 the employment security department for the most recent year for which
37 data is available. For the purposes of administration of programs
38 under this chapter, the United States post office five-digit zip code

1 delivery areas will be used to determine residence status for
2 eligibility purposes. For the purpose of this definition, a zip code
3 delivery area of which any part is ten miles or more from an urbanized
4 area is considered nonurbanized. A zip code totally surrounded by zip
5 codes qualifying as nonurbanized under this definition is also
6 considered nonurbanized. The office of financial management shall make
7 available a zip code listing of the areas to all agencies and
8 organizations providing services under this chapter.

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

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

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

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

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

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

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

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

4 (2) Upon enrolling, the student must provide evidence of commitment
5 to complete the program. The student must make satisfactory progress
6 and maintain a cumulative 2.0 grade point average for continued
7 eligibility. If a student's cumulative grade point average falls below
8 2.0, the student may petition the institution of higher education of
9 attendance. The qualified institution of higher education has the
10 authority to establish a probationary period until such time as the
11 student's grade point average reaches required standards.

12 (3) Subject to funds appropriated for this specific purpose, public
13 qualified institutions of higher education shall receive an enhancement
14 of one thousand five hundred dollars for each full-time equivalent
15 student enrolled in the opportunity grant program whose income is below
16 two hundred percent of the federal poverty level. The funds shall be
17 used for individualized support services which may include, but are not
18 limited to, college and career advising, tutoring, emergency child
19 care, and emergency transportation. The qualified institution of
20 higher education is expected to help students access all financial
21 resources and support services available to them through alternative
22 sources.

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

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

35 (6) The college board and (~~higher education coordinating board~~)
36 office of student financial assistance shall document the amount of
37 opportunity grant assistance and the types and amounts of other sources

1 of financial aid received by participating students. Annually, they
2 shall produce a summary of the data.

3 (7) The college board shall:

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

6 (b) Submit a progress report to the legislature by December 1,
7 2008.

8 (8) The college board may, in implementing the opportunity grant
9 program, accept, use, and expend or dispose of contributions of money,
10 services, and property. All such moneys received by the college board
11 for the program must be deposited in an account at a depository
12 approved by the state treasurer. Only the college board or a duly
13 authorized representative thereof may authorize expenditures from this
14 account. In order to maintain an effective expenditure and revenue
15 control, the account is subject in all respects to chapter 43.88 RCW,
16 but no appropriation is required to permit expenditure of moneys in the
17 account.

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

20 (1) The legislature finds that the (~~higher education coordinating~~
21 ~~board, in consultation with the~~) higher education community, has
22 completed a review of the state need grant program. It is the intent
23 of the legislature to endorse the (~~board's~~) proposed changes to the
24 state need grant program, including:

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

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

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

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

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

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

11 (3) The legislature also finds that:

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

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

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

21 As used in this chapter:

22 (1) (~~"Board" means the higher education coordinating board.~~
23 ~~+2~~) "Disadvantaged student" means a (~~post-high~~) posthigh school
24 student who by reason of adverse cultural, educational, environmental,
25 experiential, familial or other circumstances is unable to qualify for
26 enrollment as a full-time student in an institution of higher
27 education, who would otherwise qualify as a needy student, and who is
28 attending an institution of higher education under an established
29 program designed to qualify the student for enrollment as a full-time
30 student.

31 (~~+3~~) (2) "Financial aid" means loans and/or grants to needy
32 students enrolled or accepted for enrollment as a student at
33 institutions of higher education.

34 (~~+4~~) (3) "Institution" or "institutions of higher education"
35 means:

36 (a) Any public university, college, community college, or technical

1 college operated by the state of Washington or any political
2 subdivision thereof; or

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

21 ((+5)) (4) "Needy student" means a ((~~post-high~~)) posthigh school
22 student of an institution of higher education who demonstrates to the
23 board the financial inability, either through the student's parents,
24 family and/or personally, to meet the total cost of board, room, books,
25 and tuition and incidental fees for any semester or quarter. "Needy
26 student" also means an opportunity internship graduate as defined by
27 RCW 28C.18.162 who enrolls in a postsecondary program of study as
28 defined in RCW 28C.18.162 within one year of high school graduation.

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

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

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

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

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

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

8 (3) The ((board)) office shall take the initiative and
9 responsibility for coordinating all federal student financial aid
10 programs to ensure that the state recognizes the maximum potential
11 effect of these programs, and shall design state programs that
12 complement existing federal, state, and institutional programs. The
13 ((board)) office shall ensure that state programs continue to follow
14 the principle that state financial aid funding follows the student to
15 the student's choice of institution of higher education.

16 (4) Counseling is a paramount function of the state need grant and
17 other state student financial aid programs, and in most cases could
18 only be properly implemented at the institutional levels; therefore,
19 state student financial aid programs shall be concerned with the
20 attainment of those goals which, in the judgment of the ((board))
21 office, are the reasons for the existence of a student financial aid
22 program, and not solely with administration of the program on an
23 individual basis.

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

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

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

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

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

35 (a) Fulfilling educational aspirations of students of the state of
36 Washington, and

1 (b) Improving the general, social, cultural, and economic character
2 of the state.

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

8 (2) Design a state program of student financial aid based on the
9 data of the study referred to in this section. The state programs will
10 supplement available federal and local aid programs. The state
11 programs of student financial aid will not exceed the difference
12 between the budgetary costs of attending an institution of higher
13 education and the student's total resources, including family support,
14 personal savings, employment, and federal, state, and local aid
15 programs.

16 (3) Determine and establish criteria for financial need of the
17 individual applicant based upon the consideration of that particular
18 applicant. In making this determination the ((~~board~~)) office shall
19 consider the following:

20 (a) Assets and income of the student.

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

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

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

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

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

32 (6) Review the need and eligibility of all applications on an
33 annual basis and adjust financial aid to reflect changes in the
34 financial need of the recipients and the cost of attending the
35 institution of higher education.

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

1 In awarding need grants, the ((~~board~~)) office shall proceed
2 substantially as follows: PROVIDED, That nothing contained herein
3 shall be construed to prevent the ((~~board~~)) office, in the exercise of
4 its sound discretion, from following another procedure when the best
5 interest of the program so dictates:

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

9 (a) Financial need as determined by the amount of the family
10 contribution; and

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

14 (2) The financial need of the highest ranked students shall be met
15 by grants depending upon the evaluation of financial need until the
16 total allocation has been disbursed. Funds from grants which are
17 declined, forfeited or otherwise unused shall be reawarded until
18 disbursed, except that eligible former foster youth shall be assured
19 receipt of a grant.

20 (3) A student shall be eligible to receive a state need grant for
21 up to five years, or the credit or clock hour equivalent of five years,
22 or up to one hundred twenty-five percent of the published length of
23 time of the student's program. A student may not start a new associate
24 degree program as a state need grant recipient until at least five
25 years have elapsed since earning an associate degree as a need grant
26 recipient, except that a student may earn two associate degrees
27 concurrently. Qualifications for renewal will include maintaining
28 satisfactory academic progress toward completion of an eligible program
29 as determined by the ((~~board~~)) office. Should the recipient terminate
30 his or her enrollment for any reason during the academic year, the
31 unused portion of the grant shall be returned to the state educational
32 grant fund by the institution according to the institution's own policy
33 for issuing refunds, except as provided in RCW 28B.92.070.

34 (4) In computing financial need, the ((~~board~~)) office shall
35 determine a maximum student expense budget allowance, not to exceed an
36 amount equal to the total maximum student expense budget at the public
37 institutions plus the current average state appropriation per student

1 for operating expense in the public institutions. Any child support
2 payments received by students who are parents attending less than half-
3 time shall not be used in computing financial need.

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

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

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

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

17 (ii) The student completes the required free application for
18 federal student aid;

19 (iii) The institution has reviewed the student's financial
20 condition, and the financial condition of the student's family if the
21 student is a dependent student, and has determined that the student is
22 likely eligible for a state need grant; and

23 (iv) The student has signed a document attesting to the fact that
24 the financial information provided on the free application for federal
25 student aid and any additional financial information provided directly
26 to the institution is accurate and complete, and that the student
27 agrees to repay the institution for the grant amount if the student
28 submitted false or incomplete information.

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

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

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

1 (2) If an opportunity internship graduate enrolls within one year
2 of high school graduation in a postsecondary program of study in an
3 institution of higher education, including in an apprenticeship program
4 with related and supplemental instruction provided through an
5 institution of higher education, the graduate is eligible to receive a
6 state need grant for up to one year. The graduate shall not be
7 required to be enrolled on at least a half-time basis. The related and
8 supplemental instruction provided to a graduate through an
9 apprenticeship program shall not be required to lead to a degree or
10 certificate.

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

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

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

20 Funds appropriated for student financial assistance to be granted
21 pursuant to this chapter shall be disbursed as determined by the
22 ((board)) office.

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

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

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

31 The state educational trust fund is hereby established in the state
32 treasury. The primary purpose of the trust is to pledge statewide
33 available college student assistance to needy or disadvantaged
34 students, especially middle and high school youth, considered at-risk
35 of dropping out of secondary education who participate in

1 ((~~board~~)) approved early awareness and outreach programs and who enter
2 any accredited Washington institution of postsecondary education within
3 two years of high school graduation.

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

8 Expenditures from the fund shall be for financial aid to needy or
9 disadvantaged students. The ((~~board~~)) office may annually expend such
10 sums from the fund as may be necessary to fulfill the purposes of this
11 section, including not more than three percent for the costs to
12 administer aid programs supported by the fund. All earnings of
13 investments of balances in the state educational trust fund shall be
14 credited to the trust fund. Expenditures from the fund shall not be
15 subject to appropriation but are subject to allotment procedures under
16 chapter 43.88 RCW.

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

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

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

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

27 (1) "Academic year" means the regular nine-month, three-quarter, or
28 two-semester period annually occurring between August 1st and July
29 31st.

30 (2) "Account" means the Washington advanced college tuition payment
31 program account established for the deposit of all money received by
32 the board from eligible purchasers and interest earnings on investments
33 of funds in the account, as well as for all expenditures on behalf of
34 eligible beneficiaries for the redemption of tuition units and for the
35 development of any authorized college savings program pursuant to RCW
36 28B.95.150.

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

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

11 (5) "Governing body" means the committee empowered by the
12 legislature to administer the Washington advanced college tuition
13 payment program.

14 (6) "Contractual obligation" means a legally binding contract of
15 the state with the purchaser and the beneficiary establishing that
16 purchases of tuition units will be worth the same number of tuition
17 units at the time of redemption as they were worth at the time of the
18 purchase.

19 (7) "Eligible beneficiary" means the person for whom the tuition
20 unit will be redeemed for attendance at an institution of higher
21 education. The beneficiary is that person named by the purchaser at
22 the time that a tuition unit contract is accepted by the governing
23 body. Qualified organizations, as allowed under section 529 of the
24 federal internal revenue code, purchasing tuition unit contracts as
25 future scholarships need not designate a beneficiary at the time of
26 purchase.

27 (8) "Eligible purchaser" means an individual or organization that
28 has entered into a tuition unit contract with the governing body for
29 the purchase of tuition units for an eligible beneficiary. The state
30 of Washington may be an eligible purchaser for purposes of purchasing
31 tuition units to be held for granting Washington college bound
32 scholarships.

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

36 (10) "Institution of higher education" means an institution that
37 offers education beyond the secondary level and is recognized by the

1 internal revenue service under chapter 529 of the internal revenue
2 code.

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

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

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

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

19 (15) "Unit purchase price" means the minimum cost to purchase one
20 tuition unit for an eligible beneficiary. Generally, the minimum
21 purchase price is one percent of the undergraduate tuition and fees for
22 the current year, rounded to the nearest whole dollar, adjusted for the
23 costs of administration and adjusted to ensure the actuarial soundness
24 of the account. The analysis for price setting shall also include, but
25 not be limited to consideration of past and projected patterns of
26 tuition increases, program liability, past and projected investment
27 returns, and the need for a prudent stabilization reserve.

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

30 The ((~~board~~)) office shall maintain appropriate offices and employ
31 and fix compensation of such personnel as may be necessary to perform
32 the advanced college tuition payment program duties. The ((~~board~~))
33 office shall consult with the governing body on the selection,
34 compensation, and other issues relating to the employment of the
35 program director. The positions are exempt from classified service
36 under chapter 41.06 RCW. The employees shall be employees of the
37 ((~~higher education coordinating board~~)) office.

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

3 (1) The Washington advanced college tuition payment program shall
4 be administered by the committee on advanced tuition payment which
5 shall be chaired by the (~~executive~~) director of the (~~board~~) office.
6 The committee shall be supported by staff of the (~~board~~) office.

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

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

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

19 (d) The governing body may limit the number of tuition units
20 purchased by any one purchaser or on behalf of any one beneficiary,
21 however, no limit may be imposed that is less than that necessary to
22 achieve four years of full-time, undergraduate tuition charges at a
23 state institution of higher education. The governing body also may, at
24 its discretion, limit the number of participants, if needed, to ensure
25 the actuarial soundness and integrity of the program.

26 (e) While the Washington advanced college tuition payment program
27 is designed to help all citizens of the state of Washington, the
28 governing body may determine residency requirements for eligible
29 purchasers and eligible beneficiaries to ensure the actuarial soundness
30 and integrity of the program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6 (k) Contract with financial consultants, actuaries, auditors, and
7 other consultants as necessary to carry out its responsibilities under
8 this chapter;

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

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

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

15 The governing body may, at its discretion, allow an organization to
16 purchase tuition units for future use as scholarships. Such
17 organizations electing to purchase tuition units for this purpose must
18 enter into a contract with the governing body which, at a minimum,
19 ensures that the scholarship shall be freely given by the purchaser to
20 a scholarship recipient. For such purchases, the purchaser need not
21 name a beneficiary until four months before the date when the tuition
22 units are first expected to be used.

23 The governing body shall formulate and adopt such rules as are
24 necessary to determine which organizations may qualify to purchase
25 tuition units for scholarships under this section. The governing body
26 also may consider additional rules for the use of tuition units if
27 purchased as scholarships.

28 The governing body may establish a scholarship fund with moneys
29 from the Washington advanced college tuition payment program account.
30 A scholarship fund established under this authority shall be
31 administered by the (~~higher education coordinating board~~) office and
32 shall be provided to students who demonstrate financial need.
33 Financial need is not a criterion that any other organization need
34 consider when using tuition units as scholarships. The (~~board~~)
35 office also may establish its own corporate-sponsored scholarship fund
36 under this chapter.

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

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

7 (2)(a) Except as provided in (b) of this subsection, the governing
8 body shall deposit in the account all money received for the program.
9 The account shall be self-sustaining and consist of payments received
10 from purchasers of tuition units and funds received from other sources,
11 public or private. With the exception of investment and operating
12 costs associated with the investment of money by the investment board
13 paid under RCW 43.33A.160 and 43.84.160, the account shall be credited
14 with all investment income earned by the account. Disbursements from
15 the account are exempt from appropriations and the allotment provisions
16 of chapter 43.88 RCW. Money used for program administration is subject
17 to the allotment of all expenditures. However, an appropriation is not
18 required for such expenditures. Program administration shall include,
19 but not be limited to: The salaries and expenses of the program
20 personnel including lease payments, travel, and goods and services
21 necessary for program operation; contracts for program promotion and
22 advertisement, audits, and account management; and other general costs
23 of conducting the business of the program.

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

28 (3) The assets of the account may be spent without appropriation
29 for the purpose of making payments to institutions of higher education
30 on behalf of the qualified beneficiaries, making refunds, transfers, or
31 direct payments upon the termination of the Washington advanced college
32 tuition payment program. Disbursements from the account shall be made
33 only on the authorization of the governing body.

34 (4) With regard to the assets of the account, the state acts in a
35 fiduciary, not ownership, capacity. Therefore the assets of the
36 program are not considered state money, common cash, or revenue to the
37 state.

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

3 Ownership of tuition units purchased by the (~~higher education~~
4 ~~coordinating board~~) office for the GET ready for math and science
5 scholarship program under RCW 28B.105.070 shall be in the name of the
6 state of Washington and may be redeemed by the state of Washington on
7 behalf of recipients of GET ready for math and science scholarship
8 program scholarships for tuition and fees.

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

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

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

16 (a) Periodically assess the needs and target the benefits to
17 selected students;

18 (b) Devise a program to address the following issues related to
19 loans:

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

21 (ii) Determining loan repayment obligations and options;

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

23 (iv) Developing conditional loans that can be forgiven in exchange
24 for service; and

25 (v) Creating an emergency loan fund to help students until other
26 state and federal long-term financing can be secured;

27 (c) Accept public and private contributions;

28 (d) Publicize the program; and

29 (e) Work with public and private colleges and universities, the
30 state board for community and technical colleges, the workforce
31 training and education coordinating board, and with students, to
32 conduct periodic assessment of program needs. The (~~board~~) office may
33 also consult with other groups and individuals as needed.

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

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

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

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

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

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

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

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

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

18 (2) "Institution of higher education" or "institution" means a
19 college or university in the state of Washington that is accredited by
20 an accrediting association recognized as such by rule of the (~~higher
21 education coordinating board~~) office of financial management.

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

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

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

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

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

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

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

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

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

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

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

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

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

23 The future teachers conditional scholarship and loan repayment
24 program is established. The program shall be administered by the
25 (~~higher education coordinating board~~) office. In administering the
26 program, the board shall have the following powers and duties:

27 (1) Select students to receive conditional scholarships or loan
28 repayments;

29 (2) Adopt necessary rules and guidelines;

30 (3) Publicize the program;

31 (4) Collect and manage repayments from students who do not meet
32 their teaching obligations under this chapter; and

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

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

1 (1) The ((board)) office may select participants based on an
2 application process conducted by the ((board)) office or the ((board))
3 office may utilize selection processes for similar students in
4 cooperation with the professional educator standards board or the
5 office of the superintendent of public instruction.

6 (2) If the ((board)) office selects participants for the program,
7 it shall establish a selection committee for screening and selecting
8 recipients of the conditional scholarships. The criteria shall
9 emphasize factors demonstrating excellence including but not limited to
10 superior scholastic achievement, leadership ability, community
11 contributions, bilingual ability, willingness to commit to providing
12 teaching service in shortage areas, and an ability to act as a role
13 model for students. Priority will be given to individuals seeking
14 certification or an additional endorsement in math, science, technology
15 education, agricultural education, business and marketing education,
16 family and consumer science education, or special education.

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

19 The ((board)) office may award conditional scholarships or provide
20 loan repayments to eligible participants from the funds appropriated to
21 the ((board)) office for this purpose, or from any private donations,
22 or any other funds given to the ((board)) office for this program. The
23 amount of the conditional scholarship or loan repayment awarded an
24 individual shall not exceed the amount of tuition and fees at the
25 institution of higher education attended by the participant or resident
26 undergraduate tuition and fees at the University of Washington per
27 academic year for a full-time student, whichever is lower.
28 Participants are eligible to receive conditional scholarships or loan
29 repayments for a maximum of five years.

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

32 (1) Upon documentation of federal student loan indebtedness, the
33 ((board)) office may enter into agreements with participants to repay
34 all or part of a federal student loan in exchange for teaching service
35 in an approved educational program. The ratio of loan repayment to

1 years of teaching service for the loan repayment program shall be the
2 same as established for the conditional scholarship program.

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

8 (3) At the end of each school year, a participant under this
9 section shall provide evidence to the ((~~board~~)) office that the
10 requisite teaching service has been provided. Upon receipt of the
11 evidence, the ((~~board~~)) office shall pay the participant the agreed-
12 upon amount for one year of full-time teaching service or a prorated
13 amount for less than full-time teaching service. To qualify for
14 additional loan repayments, the participant must be engaged in
15 continuous teaching service as defined by the ((~~board~~)) office.

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

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

- 21 (a) The terms of the agreement have been fulfilled;
- 22 (b) The participant fails to maintain continuous teaching service
23 as determined by the ((~~board~~)) office; or
- 24 (c) All of the participant's federal student loans have been
25 repaid.

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

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

31 (1) Participants in the conditional scholarship program incur an
32 obligation to repay the conditional scholarship, with interest and an
33 equalization fee, unless they teach for two years in an approved
34 education program for each year of scholarship received, under rules
35 adopted by the ((~~board~~)) office. Participants who teach in a
36 designated teacher shortage area shall have one year of loan canceled
37 for each year they teach in the shortage area.

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

6 (3) The minimum payment shall be set by the ((~~board~~)) office. The
7 maximum period for repayment shall be ten years, with payments of
8 principal and interest accruing quarterly commencing six months from
9 the date the participant completes or discontinues the course of study.
10 Provisions for deferral of payment shall be determined by the ((~~board~~))
11 office.

12 (4) The entire principal and interest of each payment shall be
13 forgiven for each payment period in which the participant teaches in an
14 approved education program until the entire repayment obligation is
15 satisfied. Should the participant cease to teach in an approved
16 education program in this state before the participant's repayment
17 obligation is completed, payments on the unsatisfied portion of the
18 principal and interest shall begin the next payment period and continue
19 until the remainder of the participant's repayment obligation is
20 satisfied.

21 (5) The ((~~board~~)) office is responsible for collection of
22 repayments made under this section and shall exercise due diligence in
23 such collection, maintaining all necessary records to insure that
24 maximum repayments are made. Collection and servicing of repayments
25 under this section shall be pursued using the full extent of the law,
26 including wage garnishment if necessary. The ((~~board~~)) office is
27 responsible to forgive all or parts of such repayments under the
28 criteria established in this section and shall maintain all necessary
29 records of forgiven payments.

30 (6) Receipts from the payment of principal or interest or any other
31 subsidies to which the ((~~board~~)) office as administrator is entitled,
32 which are paid by or on behalf of participants under this section,
33 shall be deposited in the future teachers conditional scholarship
34 account and shall be used to cover the costs of granting the
35 conditional scholarships, maintaining necessary records, and making
36 collections under subsection (5) of this section. The ((~~board~~)) office
37 shall maintain accurate records of these costs, and all receipts beyond

1 those necessary to pay such costs shall be used to grant conditional
2 scholarships to eligible students.

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

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

7 (1) The future teachers conditional scholarship account is created
8 in the custody of the state treasurer. An appropriation is not
9 required for expenditures of funds from the account. The account is
10 not subject to allotment procedures under chapter 43.88 RCW except for
11 moneys used for program administration.

12 (2) The ((~~board~~)) office shall deposit in the account all moneys
13 received for the future teachers conditional scholarship and loan
14 repayment program and for conditional loan programs under chapter
15 28A.660 RCW. The account shall be self-sustaining and consist of funds
16 appropriated by the legislature for the future teachers conditional
17 scholarship and loan repayment program, private contributions to the
18 program, receipts from participant repayments from the future teachers
19 conditional scholarship and loan repayment program, and conditional
20 loan programs established under chapter 28A.660 RCW. Beginning July 1,
21 2004, the ((~~board~~)) office shall also deposit into the account: (a)
22 All funds from the institution of higher education loan account that
23 are traceable to any conditional scholarship program for teachers or
24 prospective teachers established by the legislature before June 10,
25 2004; and (b) all amounts repaid by individuals under any such program.

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

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

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

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

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

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

8 (~~(3))~~ (2) "Institution of higher education" has the same meaning
9 as in RCW 28B.92.030.

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

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

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

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

23 (1) If the student enrolls in a qualified program or declares a
24 qualified major and the program or major is subsequently removed from
25 the list of qualified programs and qualified majors by the (~~board~~)
26 office and the program administrator, the student's eligibility to
27 receive a GET ready for math and science scholarship shall not be
28 affected.

29 (2) If a student who received a GET ready for math and science
30 scholarship ceases to be enrolled in an institution of higher
31 education, withdraws or is no longer enrolled in a qualified program,
32 declares a major that is not a qualified major, or otherwise is no
33 longer eligible to receive a GET ready for math and science
34 scholarship, the student shall notify the program administrator as soon
35 as practicable and is not eligible for further GET ready for math and
36 science scholarship awards. Such a student shall also repay the amount

1 of the GET ready for math and science scholarship awarded to the
2 student as required by RCW 28B.105.050.

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

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

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

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

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

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

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

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

30 The ((board)) office shall:

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

34 (2) Distribute scholarship funds, in the form of GET units or
35 through direct payments from the GET ready for math and science

1 scholarship account, to institutions of higher education on behalf of
2 eligible recipients identified by the program administrator;

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

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

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

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

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

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

18 (1) Determine criteria for qualifying undergraduate programs,
19 majors, and courses leading to a bachelor's degree in mathematics,
20 science, or a related field, offered by institutions of higher
21 education. The ((~~board~~)) office shall publish the criteria for
22 qualified courses, and lists of qualified programs and qualified
23 majors, on its web site on a biennial basis; and

24 (2) Establish criteria for selecting among eligible applicants
25 those who, without scholarship assistance, would be least likely to
26 pursue a qualified undergraduate program at an institution of higher
27 education in Washington state.

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

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

32 (2) The ((~~board~~)) office shall deposit into the account all money
33 received for the GET ready for math and science scholarship program
34 from appropriations and private sources. The account shall be
35 self-sustaining.

1 (3) Expenditures from the account shall be used for scholarships to
2 eligible students and for purchases of GET units. Purchased GET units
3 shall be owned and held in trust by the ((board)) office. Expenditures
4 from the account shall be an equal match of state appropriations and
5 private funds raised by the program administrator. During the 2009-
6 2011 fiscal biennium, expenditures from the account not to exceed five
7 percent may be used by the program administrator to carry out the
8 provisions of RCW 28B.105.090.

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

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

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

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

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

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

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

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

32 (2) (("Board")) "Office" means the ((higher education coordinating
33 board)) office of student financial assistance, or any successor
34 thereto.

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

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

4 **Sec. 191.** RCW 28B.108.010 and 2004 c 275 s 69 are each amended to
5 read as follows:

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

8 (1) "Institution of higher education" or "institution" means a
9 college or university in the state of Washington which is accredited by
10 an accrediting association recognized as such by rule of the (~~higher
11 education coordinating board~~) office of financial management.

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

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

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

21 The American Indian endowed scholarship program is created. The
22 program shall be administered by the (~~higher education coordinating
23 board~~) office. In administering the program, the board's powers and
24 duties shall include but not be limited to:

25 (1) Selecting students to receive scholarships, with the assistance
26 of a screening committee composed of persons involved in helping
27 American Indian students to obtain a higher education. The membership
28 of the committee may include, but is not limited to representatives of:
29 Indian tribes, urban Indians, the governor's office of Indian affairs,
30 the Washington state Indian education association, and institutions of
31 higher education;

32 (2) Adopting necessary rules and guidelines;

33 (3) Publicizing the program;

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

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

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

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

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

10 The ((higher education coordinating board)) office shall establish
11 an advisory committee to assist in program design and to develop
12 criteria for the screening and selection of scholarship recipients.
13 The committee shall be composed of representatives of the same groups
14 as the screening committee described in RCW 28B.108.020. The criteria
15 shall assess the student's social and cultural ties to an American
16 Indian community within the state. The criteria shall include a
17 priority for upper-division or graduate students. The criteria may
18 include a priority for students who are majoring in program areas in
19 which expertise is needed by the state's American Indians.

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

22 The American Indian scholarship endowment fund is created in the
23 custody of the state treasurer. The investment of the endowment fund
24 shall be managed by the state investment board. Funds appropriated by
25 the legislature for the endowment fund must be deposited into the fund.

26 (1) Moneys received from the ((higher education coordinating
27 board)) office, private donations, state moneys, and funds received
28 from any other source may be deposited into the endowment fund.
29 Private moneys received as a gift subject to conditions may be deposit-
30 ed into the fund.

31 (2) At the request of the ((higher education coordinating board))
32 office, the state investment board shall release earnings from the
33 endowment fund to the state treasurer. The state treasurer shall then
34 release those funds at the request of the ((higher education
35 coordinating board)) office for scholarships. No appropriation is
36 required for expenditures from the endowment fund.

1 (3) When notified by the (~~higher education coordinating board~~)
2 office that a condition attached to a gift of private moneys in the
3 fund has failed, the state investment board shall release those moneys
4 to the (~~higher education coordinating board~~) office. The (~~higher~~
5 ~~education coordinating board~~) office shall then release the moneys to
6 the donors according to the terms of the conditional gift.

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

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

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

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

18 (1) (~~"Board" means the higher education coordinating board.~~
19 ~~(2)~~) "Eligible participant" means an international student whose
20 country of residence has a trade relationship with the state of
21 Washington.

22 ~~((3))~~ (2) "Institution of higher education" or "institution"
23 means a college or university in the state of Washington that is
24 accredited by an accrediting association recognized as such by rule of
25 the board.

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

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

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

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

3 The Washington international exchange scholarship program is
4 created subject to funding under RCW 28B.109.060. The program shall be
5 administered by the ((~~board~~)) office. In administering the program,
6 the ((~~board~~)) office may:

7 (1) Convene an advisory committee that may include but need not be
8 limited to representatives of the office of the superintendent of
9 public instruction, the department of ((~~community, trade, and economic~~
10 ~~development~~)) commerce, the secretary of state, private business, and
11 institutions of higher education;

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

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

17 (4) Publicize the program;

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

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

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

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

26 The ((~~board~~)) office may negotiate and enter into a reciprocal
27 agreement with foreign countries that have international students
28 attending institutions in Washington. The goal of the reciprocal
29 agreements shall be to allow Washington students enrolled in an
30 institution of higher education to attend an international institution
31 under similar terms and conditions.

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

34 If funds are available, the ((~~board~~)) office shall select students
35 yearly to receive a Washington international exchange student
36 scholarship from moneys earned from the Washington international

1 exchange scholarship endowment fund created in RCW 28B.109.060, from
2 funds appropriated to the ((~~board~~)) office for this purpose, or from
3 any private donations, or from any other funds given to the ((~~board~~))
4 office for this program.

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

7 The Washington international exchange trust fund is established in
8 the custody of the state treasurer. Any funds appropriated by the
9 legislature for the trust fund shall be deposited into the fund. At
10 the request of the ((~~board~~)) office, and when conditions set forth in
11 RCW 28B.109.070 are met, the treasurer shall deposit state matching
12 moneys from the Washington international exchange trust fund into the
13 Washington international exchange scholarship endowment fund. No
14 appropriation is required for expenditures from the trust fund.

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

17 The Washington international exchange scholarship endowment fund is
18 established in the custody of the state treasurer. Moneys received
19 from the private donations and funds received from any other source may
20 be deposited into the endowment fund. At the request of the ((~~board~~))
21 office, the treasurer shall release earnings from the endowment fund to
22 the ((~~board~~)) office for scholarships. No appropriation is required
23 for expenditures from the endowment fund. The principal of the
24 endowment fund shall not be invaded. The earnings on the fund shall be
25 used solely for the purposes in this chapter.

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

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

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

1 Each Washington international exchange scholarship recipient shall
2 agree to complete the service obligation as defined by the (~~board~~)
3 office.

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

6 Unless the context clearly requires otherwise, the definitions in
7 this section apply throughout this chapter.

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

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

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

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

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

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

25 (7) "Health professional shortage areas" means those areas where
26 credentialed health care professionals are in short supply as a result
27 of geographic maldistribution or as the result of a short supply of
28 credentialed health care professionals in specialty health care areas
29 and where vacancies exist in serious numbers that jeopardize patient
30 care and pose a threat to the public health and safety. The department
31 shall determine health professional shortage areas as provided for in
32 RCW 28B.115.070(~~, or until June 1, 1992, as provided for in RCW~~
33 ~~28B.115.060~~). In making health professional shortage area
34 designations in the state the department may be guided by applicable
35 federal standards for "health manpower shortage areas," and "medically
36 underserved areas," and "medically underserved populations."

1 (8) "Credentialed health care profession" means a health care
2 profession regulated by a disciplining authority in the state of
3 Washington under RCW 18.130.040 or by the state board of pharmacy under
4 chapter 18.64 RCW and designated by the department in RCW
5 28B.115.070(~~(, or until June 1, 1992, as established in RCW~~
6 ~~28B.115.060)~~) as a profession having shortages of credentialed health
7 care professionals in the state.

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

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

15 (11) "Nonshortage rural area" means a nonurban area of the state of
16 Washington that has not been designated as a rural physician shortage
17 area. The department shall identify the nonshortage rural areas of the
18 state.

19 (12) "Participant" means a credentialed health care professional
20 who has received a loan repayment award and has commenced practice as
21 a credentialed health care provider in a designated health professional
22 shortage area or an eligible student who has received a scholarship
23 under this program.

24 (13) "Program" means the health professional loan repayment and
25 scholarship program.

26 (14) "Required service obligation" means an obligation by the
27 participant to provide health care services in a health professional
28 shortage area for a period to be established as provided for in this
29 chapter.

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

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

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

1 (18) "Sponsoring community" means a rural hospital or hospitals as
2 authorized in chapter 70.41 RCW, a rural health care facility or
3 facilities as authorized in chapter 70.175 RCW, or a city or county
4 government or governments.

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

7 The health professional loan repayment and scholarship program is
8 established for credentialed health professionals serving in health
9 professional shortage areas. The program shall be administered by the
10 (~~higher education coordinating board~~) office. In (~~administering~~)
11 administering this program, the (~~board~~) office shall:

12 (1) Select credentialed health care professionals to participate in
13 the loan repayment portion of the loan repayment and scholarship
14 program and select eligible students to participate in the scholarship
15 portion of the loan repayment and scholarship program;

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

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

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

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

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

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

29 The (~~board~~) office shall establish a planning committee to assist
30 it in developing criteria for the selection of participants. The
31 (~~board~~) office shall include on the planning committee
32 representatives of the department, the department of social and health
33 services, appropriate representatives from health care facilities,
34 provider groups, consumers, the state board for community and technical
35 colleges, the superintendent of public instruction, and other

1 appropriate public and private agencies and organizations. The
2 criteria may require that some of the participants meet the definition
3 of "needy student" under RCW 28B.92.030.

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

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

9 (1) Determine eligible credentialed health care professions for the
10 purposes of the loan repayment and scholarship program authorized by
11 this chapter. Eligibility shall be based upon an assessment that
12 determines that there is a shortage or insufficient availability of a
13 credentialed profession so as to jeopardize patient care and pose a
14 threat to the public health and safety. The department shall consider
15 the relative degree of shortages among professions when determining
16 eligibility. The department may add or remove professions from
17 eligibility based upon the determination that a profession is no longer
18 in shortage. Should a profession no longer be eligible, participants
19 or eligible students who have received scholarships shall be eligible
20 to continue to receive scholarships or loan repayments until they are
21 no longer eligible or until their service obligation has been
22 completed;

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

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

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

29 (1) Establish the annual award amount for each credentialed health
30 care profession which shall be based upon an assessment of reasonable
31 annual eligible expenses involved in training and education for each
32 credentialed health care profession. The annual award amount may be
33 established at a level less than annual eligible expenses. The annual
34 award amount shall be established by the ((board)) office for each
35 eligible health profession. The awards shall not be paid for more than
36 a maximum of five years per individual;

1 (2) Determine any scholarship awards for prospective physicians in
2 such a manner to require the recipients declare an interest in serving
3 in rural areas of the state of Washington. Preference for scholarships
4 shall be given to students who reside in a rural physician shortage
5 area or a nonshortage rural area of the state prior to admission to the
6 eligible education and training program in medicine. Highest
7 preference shall be given to students seeking admission who are
8 recommended by sponsoring communities and who declare the intent of
9 serving as a physician in a rural area. The ((board)) office may
10 require the sponsoring community located in a nonshortage rural area to
11 financially contribute to the eligible expenses of a medical student if
12 the student will serve in the nonshortage rural area;

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

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

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

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

27 (1) The ((board)) office may grant loan repayment and scholarship
28 awards to eligible participants from the funds appropriated for this
29 purpose, or from any private or public funds given to the ((board))
30 office for this purpose. Participants are ineligible to receive loan
31 repayment if they have received a scholarship from programs authorized
32 under this chapter or chapter 70.180 RCW or are ineligible to receive
33 a scholarship if they have received loan repayment authorized under
34 this chapter or chapter 28B.115 RCW.

35 (2) Funds appropriated for the program, including reasonable
36 administrative costs, may be used by the ((board)) office for the
37 purposes of loan repayments or scholarships. The ((board)) office

1 shall annually establish the total amount of funding to be awarded for
2 loan repayments and scholarships and such allocations shall be
3 established based upon the best utilization of funding for that year.

4 (3) One portion of the funding appropriated for the program shall
5 be used by the ((board)) office as a recruitment incentive for
6 communities participating in the community-based recruitment and
7 retention program as authorized by chapter 70.185 RCW; one portion of
8 the funding shall be used by the ((board)) office as a recruitment
9 incentive for recruitment activities in state-operated institutions,
10 county public health departments and districts, county human service
11 agencies, federal and state contracted community health clinics, and
12 other health care facilities, such as rural hospitals that have been
13 identified by the department, as providing substantial amounts of
14 charity care or publicly subsidized health care; one portion of the
15 funding shall be used by the ((board)) office for all other awards.
16 The ((board)) office shall determine the amount of total funding to be
17 distributed between the three portions.

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

20 Participants in the health professional loan repayment and
21 scholarship program who are awarded loan repayments shall receive
22 payment from the program for the purpose of repaying educational loans
23 secured while attending a program of health professional training which
24 led to a credential as a credentialed health professional in the state
25 of Washington.

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

28 (2) Repayment shall be limited to eligible educational and living
29 expenses as determined by the ((board)) office and shall include
30 principal and interest.

31 (3) Loans from both government and private sources may be repaid by
32 the program. Participants shall agree to allow the ((board)) office
33 access to loan records and to acquire information from lenders
34 necessary to verify eligibility and to determine payments. Loans may
35 not be renegotiated with lenders to accelerate repayment.

36 (4) Repayment of loans established pursuant to this program shall
37 begin no later than ninety days after the individual has become a

1 participant. Payments shall be made quarterly, or more frequently if
2 deemed appropriate by the ((board)) office, to the participant until
3 the loan is repaid or the participant becomes ineligible due to
4 discontinued service in a health professional shortage area or after
5 the required service obligation when eligibility discontinues,
6 whichever comes first.

7 (5) Should the participant discontinue service in a health
8 professional shortage area payments against the loans of the
9 participants shall cease to be effective on the date that the
10 participant discontinues service.

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

17 (7) The ((board)) office is responsible for the collection of
18 payments made on behalf of participants from the participants who
19 discontinue service before completion of the required service
20 obligation. The ((board)) office shall exercise due diligence in such
21 collection, maintaining all necessary records to ensure that the
22 maximum amount of payment made on behalf of the participant is
23 recovered. Collection under this section shall be pursued using the
24 full extent of the law, including wage garnishment if necessary.

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

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

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

33 (1) Participants in the health professional loan repayment and
34 scholarship program who are awarded scholarships incur an obligation to
35 repay the scholarship, with interest, unless they serve the required
36 service obligation in a health professional shortage area in the state
37 of Washington.

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

4 (3) The period for repayment shall coincide with the required
5 service obligation, with payments of principal and interest accruing
6 quarterly commencing no later than nine months from the date the
7 participant completes or discontinues the course of study or completes
8 or discontinues the required residency. Provisions for deferral of
9 payment shall be determined by the ((~~board~~)) office.

10 (4) The entire principal and interest of each payment shall be
11 forgiven for each payment period in which the participant serves in a
12 health professional shortage area until the entire repayment obligation
13 is satisfied or the borrower ceases to so serve. Should the
14 participant cease to serve in a health professional shortage area of
15 this state before the participant's repayment obligation is completed,
16 payments on the unsatisfied portion of the principal and interest shall
17 begin the next payment period and continue until the remainder of the
18 participant's repayment obligation is satisfied. Except for
19 circumstances beyond their control, participants who serve less than
20 the required service obligation shall be obliged to repay to the
21 program an amount equal to twice the total amount paid by the program
22 on their behalf.

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

34 (6) Receipts from the payment of principal or interest or any other
35 subsidies to which the ((~~board~~)) office as administrator is entitled,
36 which are paid by or on behalf of participants under this section,
37 shall be deposited with the ((~~board~~)) office and shall be used to cover
38 the costs of granting the scholarships, maintaining necessary records,

1 and making collections under subsection (5) of this section. The
2 ((~~board~~)) office shall maintain accurate records of these costs, and
3 all receipts beyond those necessary to pay such costs shall be used to
4 grant scholarships to eligible students.

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

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

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

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

21 (2) The health professional loan repayment and scholarship program
22 fund is created in custody of the state treasurer. All receipts from
23 the program shall be deposited into the fund. Only the ((~~higher
24 education coordinating board~~)) office, or its designee, may authorize
25 expenditures from the fund. The fund is subject to allotment
26 procedures under chapter 43.88 RCW, but no appropriation is required
27 for expenditures.

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (3) "Cost of attendance" means the cost associated with the
20 attendance of the institution of higher education as determined by the
21 (~~higher education coordinating board~~) office of student financial
22 assistance, including but not limited to tuition, room, board, and
23 books.

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

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

27 (1) The foster care endowed scholarship program is created. The
28 purpose of the program is to help students who were in foster care
29 attend an institution of higher education in the state of Washington.
30 The foster care endowed scholarship program shall be administered by
31 the (~~higher education coordinating board~~) office.

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

35 (a) Adopting necessary rules and guidelines; and

36 (b) Administering the foster care endowed scholarship trust fund
37 and the foster care scholarship endowment fund.

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

4 (a) Working with the department of social and health services and
5 the superintendent of public instruction to provide information about
6 the foster care endowed scholarship program to children in foster care
7 in the state of Washington and to students over the age of sixteen who
8 could be eligible for this program;

9 (b) Publicizing the program; and

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

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

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

19 (2) The (~~board~~) office may award scholarships to eligible
20 students from moneys earned from the foster care scholarship endowment
21 fund created in RCW 28B.116.060, or from funds appropriated to the
22 board for this purpose, or from any private donations, or from any
23 other funds given to the (~~board~~) office for this program. For an
24 undergraduate student, the amount of the scholarship shall not exceed
25 the student's demonstrated financial need. For a graduate student, the
26 amount of the scholarship shall not exceed the student's demonstrated
27 need; or the stipend of a teaching assistant, including tuition, at the
28 University of Washington; whichever is higher. In calculating a
29 student's need, the (~~board~~) office shall consider the student's costs
30 for tuition, fees, books, supplies, transportation, room, board,
31 personal expenses, and child care. The student's scholarship awarded
32 under this chapter shall not exceed the amount received by a student
33 attending a state research university. A student is eligible to
34 receive a scholarship for a maximum of five years. However, the length
35 of the scholarship shall be determined at the discretion of the
36 (~~board~~) office.

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

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

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

7 (2) Funds appropriated by the legislature for the foster care
8 endowed scholarship trust fund shall be deposited in the foster care
9 endowed scholarship trust fund. When conditions in RCW 28B.116.070 are
10 met, the ((higher education coordinating board)) office shall deposit
11 state matching moneys from the trust fund into the foster care
12 scholarship endowment fund.

13 (3) No appropriation is required for expenditures from the trust
14 fund.

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

17 The foster care scholarship endowment fund is created in the
18 custody of the state treasurer. The investment of the endowment fund
19 shall be managed by the state investment board.

20 (1) Moneys received from the ((higher education coordinating
21 board)) office, private donations, state matching moneys, and funds
22 received from any other source may be deposited into the foster care
23 scholarship endowment fund. Private moneys received as a gift subject
24 to conditions may be deposited into the endowment fund if the
25 conditions do not violate state or federal law.

26 (2) At the request of the ((higher education coordinating board))
27 office, the state investment board shall release earnings from the
28 endowment fund to the state treasurer. The state treasurer shall then
29 release those funds at the request of the ((higher education
30 coordinating board)) office for scholarships. No appropriation is
31 required for expenditures from the endowment fund.

32 (3) The ((higher education coordinating board)) office may disburse
33 grants to eligible students from the foster care scholarship endowment
34 fund. No appropriation is required for expenditures from the endowment
35 fund.

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

6 (5) The principal of the foster care scholarship endowment fund
7 shall not be invaded. For the purposes of this section, only the first
8 twenty-five thousand dollars deposited into the foster care scholarship
9 endowment fund shall be considered the principal. The release of
10 moneys under subsection (4) of this section shall not constitute an
11 invasion of the corpus.

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

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

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

22 (2) After the initial match of twenty-five thousand dollars, state
23 matching funds from the foster care endowed scholarship trust fund
24 shall be released to the foster care scholarship endowment fund
25 semiannually so long as there are funds available in the foster care
26 endowed scholarship trust fund.

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

29 The definitions in this section apply throughout this chapter
30 unless the context clearly requires otherwise.

31 (1) "Cost of attendance" means the cost associated with attending
32 a particular institution of higher education as determined by the
33 (~~higher education coordinating board~~) office, including but not
34 limited to tuition, fees, room, board, books, personal expenses, and
35 transportation, plus the cost of reasonable additional expenses

1 incurred by an eligible student and approved by a financial aid
2 administrator at the student's school of attendance.

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

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

10 (4) "Independent college or university" means a private, nonprofit
11 institution of higher education, open to residents of the state,
12 providing programs of education beyond the high school level leading to
13 at least the baccalaureate degree, and accredited by the Northwest
14 association of schools and colleges, and other institutions as may be
15 developed that are approved by the (~~higher education coordinating~~)
16 board as meeting equivalent standards as those institutions accredited
17 under this section.

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

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

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

23 (c) Any other university, college, school, or institute in the
24 state of Washington offering instruction beyond the high school level
25 that is a member institution of an accrediting association recognized
26 by rule of the (~~higher education coordinating board~~) office of
27 financial management for the purposes of this section: PROVIDED, That
28 any institution, branch, extension, or facility operating within the
29 state of Washington that is affiliated with an institution operating in
30 another state must be a separately accredited member institution of any
31 such accrediting association, or a branch of a member institution of an
32 accrediting association recognized by rule of the (~~board~~) office of
33 financial management for purposes of this section, that is eligible for
34 federal student financial aid assistance and has operated as a
35 nonprofit college or university delivering on-site classroom
36 instruction for a minimum of twenty consecutive years within the state
37 of Washington, and has an annual enrollment of at least seven hundred
38 full-time equivalent students.

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

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

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

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

11 (2) The (~~board~~) office shall convene and consult with an advisory
12 committee to assist with program design and implementation. The
13 committee shall include but not be limited to former foster care youth
14 and their advocates; representatives from the state board for community
15 and technical colleges, and from public and private agencies that
16 assist current and former foster care recipients in their transition to
17 adulthood; and student support specialists from public and private
18 colleges and universities.

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

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

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

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

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

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

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

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

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

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

5 (5) An eligible student may receive a passport to college
6 scholarship under this section for a maximum of five years after the
7 student first enrolls with an institution of higher education or until
8 the student turns age twenty-six, whichever occurs first. If a student
9 turns age twenty-six during an academic year, and would otherwise be
10 eligible for a scholarship under this section, the student shall
11 continue to be eligible for a scholarship for the remainder of the
12 academic year.

13 (6) The (~~higher education coordinating board~~) office, in
14 consultation with and with assistance from the state board for
15 community and technical colleges, shall perform an annual analysis to
16 verify that those institutions of higher education at which students
17 have received a scholarship under this section have awarded the student
18 all available need-based and merit-based grant and scholarship aid for
19 which the student qualifies.

20 (7) In designing and implementing the passport to college student
21 support program under this section, the (~~board~~) office, in
22 consultation with and with assistance from the state board for
23 community and technical colleges, shall ensure that a participating
24 college or university:

25 (a) Has a viable plan for identifying students eligible for
26 assistance under this section, for tracking and enhancing their
27 academic progress, for addressing their unique needs for assistance
28 during school vacations and academic interims, and for linking them to
29 appropriate sources of assistance in their transition to adulthood;

30 (b) Receives financial and other incentives for achieving
31 measurable progress in the recruitment, retention, and graduation of
32 eligible students.

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

35 Effective operation of the passport to college promise pilot
36 program requires early and accurate identification of former foster

1 care youth so that they can be linked to the financial and other
2 assistance that will help them succeed in college. To that end:

3 (1) All institutions of higher education that receive funding for
4 student support services under RCW 28B.117.030 shall include on their
5 applications for admission or on their registration materials a
6 question asking whether the applicant has been in foster care in
7 Washington state for at least one year since his or her sixteenth
8 birthday. All other institutions of higher education are strongly
9 encouraged to include such a question. No institution may consider
10 whether an applicant may be eligible for a scholarship or student
11 support services under this chapter when deciding whether the applicant
12 will be granted admission.

13 (2) The department of social and health services shall devise and
14 implement procedures for efficiently, promptly, and accurately
15 identifying students and applicants who are eligible for services under
16 RCW 28B.117.030, and for sharing that information with the (~~higher~~
17 ~~education coordinating board~~) office and with institutions of higher
18 education. The procedures shall include appropriate safeguards for
19 consent by the applicant or student before disclosure.

20 **Sec. 222.** RCW 28B.117.050 and 2007 c 314 s 6 are each amended to
21 read as follows:

22 (1) To the extent funds are appropriated for this purpose, the
23 (~~higher education coordinating board~~) office, with input from the
24 state board for community and technical colleges, the foster care
25 partnership, and institutions of higher education, shall develop and
26 maintain an internet web site and outreach program to serve as a
27 comprehensive portal for foster care youth in Washington state to
28 obtain information regarding higher education including, but not
29 necessarily limited to:

30 (a) Academic, social, family, financial, and logistical information
31 important to successful postsecondary educational success;

32 (b) How and when to obtain and complete college applications;

33 (c) What college placement tests, if any, are generally required
34 for admission to college and when and how to register for such tests;

35 (d) How and when to obtain and complete a federal free application
36 for federal student aid (FAFSA); and

1 (e) Detailed sources of financial aid likely available to eligible
2 former foster care youth, including the financial aid provided by this
3 chapter.

4 (2) The (~~board~~) office shall determine whether to design, build,
5 and operate such program and web site directly or to use, support, and
6 modify existing web sites created by government or nongovernmental
7 entities for a similar purpose.

8 **Sec. 223.** RCW 28B.117.060 and 2007 c 314 s 7 are each amended to
9 read as follows:

10 (1) To the extent funds are appropriated for this purpose, the
11 department of social and health services, with input from the state
12 board for community and technical colleges, the (~~higher education~~
13 ~~coordinating board~~) office, and institutions of higher education,
14 shall contract with at least one nongovernmental entity through a
15 request for proposals process to develop, implement, and administer a
16 program of supplemental educational transition planning for youth in
17 foster care in Washington state.

18 (2) The nongovernmental entity or entities chosen by the department
19 shall have demonstrated success in working with foster care youth and
20 assisting foster care youth in successfully making the transition from
21 foster care to independent adulthood.

22 (3) The selected nongovernmental entity or entities shall provide
23 supplemental educational transition planning to foster care youth in
24 Washington state beginning at age fourteen and then at least every six
25 months thereafter. The supplemental transition planning shall include:

26 (a) Comprehensive information regarding postsecondary educational
27 opportunities including, but not limited to, sources of financial aid,
28 institutional characteristics and record of support for former foster
29 care youth, transportation, housing, and other logistical
30 considerations;

31 (b) How and when to apply to postsecondary educational programs;

32 (c) What precollege tests, if any, the particular foster care youth
33 should take based on his or her postsecondary plans and when to take
34 the tests;

35 (d) What courses to take to prepare the particular foster care
36 youth to succeed at his or her postsecondary plans;

1 (e) Social, community, educational, logistical, and other issues
2 that frequently impact college students and their success rates; and

3 (f) Which web sites, nongovernmental entities, public agencies, and
4 other foster care youth support providers specialize in which services.

5 (4) The selected nongovernmental entity or entities shall work
6 directly with the school counselors at the foster care youths' high
7 schools to ensure that a consistent and complete transition plan has
8 been prepared for each foster care youth who emancipates out of the
9 foster care system in Washington state.

10 **Sec. 224.** RCW 28B.117.070 and 2007 c 314 s 8 are each amended to
11 read as follows:

12 (1) The (~~higher education coordinating board~~) office of student
13 financial assistance shall report to appropriate committees of the
14 legislature by January 15, 2008, on the status of program design and
15 implementation. The report shall include a discussion of proposed
16 scholarship and student support service approaches; an estimate of the
17 number of students who will receive such services; baseline information
18 on the extent to which former foster care youth who meet the
19 eligibility criteria in RCW 28B.117.030 have enrolled and persisted in
20 postsecondary education; and recommendations for any statutory changes
21 needed to promote achievement of program objectives.

22 (2) The state board for community and technical colleges and the
23 (~~higher education coordinating board~~) office of student financial
24 assistance shall monitor and analyze the extent to which eligible young
25 people are increasing their participation, persistence, and progress in
26 postsecondary education, and shall jointly submit a report on their
27 findings to appropriate committees of the legislature by December 1,
28 2009, and by December 1, 2011.

29 (3) The Washington state institute for public policy shall complete
30 an evaluation of the passport to college promise pilot program and
31 shall submit a report to appropriate committees of the legislature by
32 December 1, 2012. The report shall estimate the impact of the program
33 on eligible students' participation and success in postsecondary
34 education, and shall include recommendations for program revision and
35 improvement.

1 **Sec. 225.** RCW 28B.118.010 and 2008 c 321 s 9 are each amended to
2 read as follows:

3 The (~~higher education coordinating board~~) office of student
4 financial assistance shall design the Washington college bound
5 scholarship program in accordance with this section.

6 (1) "Eligible students" are those students who qualify for free or
7 reduced-price lunches. If a student qualifies in the seventh grade,
8 the student remains eligible even if the student does not receive free
9 or reduced-price lunches thereafter.

10 (2) Eligible students shall be notified of their eligibility for
11 the Washington college bound scholarship program beginning in their
12 seventh grade year. Students shall also be notified of the
13 requirements for award of the scholarship.

14 (3) To be eligible for a Washington college bound scholarship, a
15 student must sign a pledge during seventh or eighth grade that includes
16 a commitment to graduate from high school with at least a C average and
17 with no felony convictions. Students who were in the eighth grade
18 during the 2007-08 school year may sign the pledge during the 2008-09
19 school year. The pledge must be witnessed by a parent or guardian and
20 forwarded to the (~~higher education coordinating board~~) office of
21 student financial assistance by mail or electronically, as indicated on
22 the pledge form.

23 (4)(a) Scholarships shall be awarded to eligible students
24 graduating from public high schools, approved private high schools
25 under chapter 28A.195 RCW, or who received home-based instruction under
26 chapter 28A.200 RCW.

27 (b) To receive the Washington college bound scholarship, a student
28 must graduate with at least a "C" average from a public high school or
29 an approved private high school under chapter 28A.195 RCW in Washington
30 or have received home-based instruction under chapter 28A.200 RCW, must
31 have no felony convictions, and must be a resident student as defined
32 in RCW 28B.15.012(2) (a) through (d).

33 (5) A student's family income will be assessed upon graduation
34 before awarding the scholarship.

35 (6) If at graduation from high school the student's family income
36 does not exceed sixty-five percent of the state median family income,
37 scholarship award amounts shall be as provided in this section.

1 (a) For students attending two or four-year institutions of higher
2 education as defined in RCW 28B.10.016, the value of the award shall be
3 (i) the difference between the student's tuition and required fees,
4 less the value of any state-funded grant, scholarship, or waiver
5 assistance the student receives; (ii) plus five hundred dollars for
6 books and materials.

7 (b) For students attending private four-year institutions of higher
8 education in Washington, the award amount shall be the representative
9 average of awards granted to students in public research universities
10 in Washington.

11 (c) For students attending private vocational schools in
12 Washington, the award amount shall be the representative average of
13 awards granted to students in public community and technical colleges
14 in Washington.

15 (7) Recipients may receive no more than four full-time years' worth
16 of scholarship awards.

17 (8) Institutions of higher education shall award the student all
18 need-based and merit-based financial aid for which the student would
19 otherwise qualify. The Washington college bound scholarship is
20 intended to replace unmet need, loans, and, at the student's option,
21 work-study award before any other grants or scholarships are reduced.

22 (9) The first scholarships shall be awarded to students graduating
23 in 2012.

24 (10) The state of Washington retains legal ownership of tuition
25 units awarded as scholarships under this chapter until the tuition
26 units are redeemed. These tuition units shall remain separately held
27 from any tuition units owned under chapter 28B.95 RCW by a Washington
28 college bound scholarship recipient.

29 (11) The scholarship award must be used within five years of
30 receipt. Any unused scholarship tuition units revert to the Washington
31 college bound scholarship account.

32 (12) Should the recipient terminate his or her enrollment for any
33 reason during the academic year, the unused portion of the scholarship
34 tuition units shall revert to the Washington college bound scholarship
35 account.

36 **Sec. 226.** RCW 28B.118.020 and 2007 c 405 s 3 are each amended to
37 read as follows:

1 The office of the superintendent of public instruction shall:

2 (1) Notify elementary, middle, and junior high schools about the
3 Washington college bound scholarship program using methods in place for
4 communicating with schools and school districts; and

5 (2) Work with the (~~higher education coordinating board~~) office of
6 student financial assistance to develop application collection and
7 student tracking procedures.

8 **Sec. 227.** RCW 28B.118.040 and 2007 c 405 s 5 are each amended to
9 read as follows:

10 The (~~higher education coordinating board~~) office of student
11 financial assistance shall:

12 (1) With the assistance of the office of the superintendent of
13 public instruction, implement and administer the Washington college
14 bound scholarship program;

15 (2) Develop and distribute, to all schools with students enrolled
16 in grade seven or eight, a pledge form that can be completed and
17 returned electronically or by mail by the student or the school to the
18 (~~higher education coordinating board~~) office of student financial
19 assistance;

20 (3) Develop and implement a student application, selection, and
21 notification process for scholarships;

22 (4) Track scholarship recipients to ensure continued eligibility
23 and determine student compliance for awarding of scholarships;

24 (5) Subject to appropriation, deposit funds into the state
25 educational trust fund;

26 (6) Purchase tuition units under the advanced college tuition
27 payment program in chapter 28B.95 RCW to be owned and held in trust by
28 the board, for the purpose of scholarship awards as provided for in
29 this section; and

30 (7) Distribute scholarship funds, in the form of tuition units
31 purchased under the advanced college tuition payment program in chapter
32 28B.95 RCW or through direct payments from the state educational trust
33 fund, to institutions of higher education on behalf of scholarship
34 recipients identified by the (~~board~~) office, as long as recipients
35 maintain satisfactory academic progress.

1 **Sec. 228.** RCW 28B.118.050 and 2007 c 405 s 6 are each amended to
2 read as follows:

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

7 **Sec. 229.** RCW 28B.118.060 and 2007 c 405 s 7 are each amended to
8 read as follows:

9 The (~~higher education coordinating board~~) office of student
10 financial assistance may adopt rules to implement this chapter.

11 **Sec. 230.** RCW 28B.119.010 and 2004 c 275 s 60 are each amended to
12 read as follows:

13 The (~~higher education coordinating board~~) office of student
14 financial assistance shall design the Washington promise scholarship
15 program based on the following parameters:

16 (1) Scholarships shall be awarded to students graduating from
17 public and approved private high schools under chapter 28A.195 RCW,
18 students participating in home-based instruction as provided in chapter
19 28A.200 RCW, and persons twenty-one years of age or younger receiving
20 a GED certificate, who meet both an academic and a financial
21 eligibility criteria.

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

23 (i) Beginning with the graduating class of 2002, students
24 graduating from public and approved private high schools under chapter
25 28A.195 RCW must be in the top fifteen percent of their graduating
26 class, as identified by each respective high school at the completion
27 of the first term of the student's senior year; or

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

1 (b) To meet the financial eligibility criteria, a student's family
2 income shall not exceed one hundred thirty-five percent of the state
3 median family income adjusted for family size, as determined by the
4 (~~higher education coordinating board~~) office of student financial
5 assistance for each graduating class. Students not meeting the
6 eligibility requirements for the first year of scholarship benefits may
7 reapply for the second year of benefits, but must still meet the income
8 standard set by the (~~board~~) office for the student's graduating
9 class.

10 (2) Promise scholarships are not intended to supplant any grant,
11 scholarship, or tax program related to postsecondary education. If the
12 (~~board~~) office of student financial assistance finds that promise
13 scholarships supplant or reduce any grant, scholarship, or tax program
14 for categories of students, then the (~~board~~) office shall adjust the
15 financial eligibility criteria or the amount of scholarship to the
16 level necessary to avoid supplanting.

17 (3) Within available funds, each qualifying student shall receive
18 two consecutive annual awards, the value of each not to exceed the
19 full-time annual resident tuition rates charged by Washington's
20 community colleges. The (~~higher education coordinating board~~) office
21 of student financial assistance shall award scholarships to as many
22 students as possible from among those qualifying under this section.

23 (4) By October 15th of each year, the (~~board~~) office of student
24 financial assistance shall determine the award amount of the
25 scholarships, after taking into consideration the availability of
26 funds.

27 (5) The scholarships may only be used for undergraduate coursework
28 at accredited institutions of higher education in the state of
29 Washington.

30 (6) The scholarships may be used for undergraduate coursework at
31 Oregon institutions of higher education that are part of the border
32 county higher education opportunity project in RCW 28B.76.685 when
33 those institutions offer programs not available at accredited
34 institutions of higher education in Washington state.

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

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

3 (9) The (~~higher education coordinating board~~) office of student
4 financial assistance may establish satisfactory progress standards for
5 the continued receipt of the promise scholarship.

6 (10) The (~~higher education coordinating board~~) office of student
7 financial assistance shall establish the time frame within which the
8 student must use the scholarship.

9 **Sec. 231.** RCW 28B.119.020 and 2002 c 204 s 3 are each amended to
10 read as follows:

11 The (~~higher education coordinating board~~) office of student
12 financial assistance, with the assistance of the office of the
13 superintendent of public instruction, shall implement and administer
14 the Washington promise scholarship program described in RCW 28B.119.010
15 as follows:

16 (1) The first scholarships shall be awarded to eligible students
17 enrolling in postsecondary education in the 2002-03 academic year.

18 (2) The office of the superintendent of public instruction shall
19 provide information to the (~~higher education coordinating board~~)
20 office of student financial assistance that is necessary for
21 implementation of the program. The (~~higher education coordinating~~
22 ~~board~~) office of student financial assistance and the office of the
23 superintendent of public instruction shall jointly establish a timeline
24 and procedures necessary for accurate and timely data reporting.

25 (a) For students meeting the academic eligibility criteria as
26 provided in RCW 28B.119.010(1)(a), the office of the superintendent of
27 public instruction shall provide the (~~higher education coordinating~~
28 ~~board~~) office of student financial assistance with student names,
29 addresses, birth dates, and unique numeric identifiers.

30 (b) Public and approved private high schools under chapter 28A.195
31 RCW shall provide requested information necessary for implementation of
32 the program to the office of the superintendent of public instruction
33 within the established timeline.

34 (c) All student data is confidential and may be used solely for the
35 purposes of providing scholarships to eligible students.

36 (3) The (~~higher education coordinating board~~) office of student
37 financial assistance may adopt rules to implement this chapter.

1 **Sec. 232.** RCW 28B.119.030 and 2004 c 275 s 71 are each amended to
2 read as follows:

3 The Washington promise scholarship program shall not be funded at
4 the expense of the state need grant program as defined in chapter
5 28B.92 RCW. In administering the state need grant and promise
6 scholarship programs, the (~~higher education coordinating board~~)
7 office of student financial assistance shall first ensure that
8 eligibility for state need grant recipients is at least fifty-five
9 percent of state median family income.

10 **Sec. 233.** RCW 28B.119.050 and 2002 c 204 s 6 are each amended to
11 read as follows:

12 (1) The Washington promise scholarship account is created in the
13 custody of the state treasurer. The account shall be a nontreasury
14 account retaining its interest earnings in accordance with RCW
15 43.79A.040.

16 (2) The (~~higher education coordinating board~~) office of student
17 financial assistance shall deposit in the account all money received
18 for the program. The account shall be self-sustaining and consist of
19 funds appropriated by the legislature for the Washington promise
20 scholarship program, private contributions to the program, and refunds
21 of Washington promise scholarships.

22 (3) Expenditures from the account shall be used for scholarships to
23 eligible students.

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

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

30 (6) Disbursements from the account shall be made only on the
31 authorization of the (~~higher education coordinating board~~) office of
32 student financial assistance.

33 **Sec. 234.** RCW 28B.120.010 and 2010 c 245 s 7 are each amended to
34 read as follows:

35 The Washington fund for innovation and quality in higher education
36 program is established. The (~~higher education coordinating board~~)

1 office of financial management shall administer the program and shall
2 work in close collaboration with the state board for community and
3 technical colleges and other local and regional entities. Through this
4 program the ((~~higher education coordinating board~~)) office of financial
5 management may award on a competitive basis incentive grants to state
6 public or private nonprofit institutions of higher education or
7 consortia of institutions to encourage programs designed to address
8 specific system problems. Each institution or consortia of
9 institutions receiving the award shall contribute some financial
10 support, either by covering part of the costs for the program during
11 its implementation, or by assuming continuing support at the end of the
12 grant period. Strong priority will be given to proposals that involve
13 more than one sector of education. Institutions are encouraged to
14 solicit nonstate funds to support these cooperative programs.

15 **Sec. 235.** RCW 28B.120.020 and 2010 c 245 s 8 are each amended to
16 read as follows:

17 The ((~~higher education coordinating board~~)) office of financial
18 management shall have the following powers and duties in administering
19 the program for those proposals in which a four-year institution of
20 higher education is named as the lead institution and fiscal agent:

- 21 (1) To adopt rules necessary to carry out the program;
- 22 (2) To award grants no later than September 1st in those years when
23 funding is available by June 30th;
- 24 (3) To establish each biennium specific guidelines for submitting
25 grant proposals consistent with RCW 28B.120.005 and consistent with the
26 strategic master plan for higher education, the system design plan, the
27 overall goals of the program and the guidelines established by the
28 state board for community and technical colleges under RCW 28B.120.025.

29 After June 30, 2001, and each biennium thereafter, the ((~~board~~))
30 office of financial management shall determine funding priorities for
31 proposals for the biennium in consultation with ((~~the governor,~~)) the
32 legislature, the office of the superintendent of public instruction,
33 the state board for community and technical colleges, the workforce
34 training and education coordinating board, higher education
35 institutions, educational associations, and business and community
36 groups consistent with statewide needs;

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

3 (5) To establish reporting, evaluation, accountability, monitoring,
4 and dissemination requirements for the recipients of the grants awarded
5 by the (~~higher education coordinating board~~) office of financial
6 management.

7 **Sec. 236.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to
8 read as follows:

9 The state board for community and technical colleges has the
10 following powers and duties in administering the program for those
11 proposals in which a community or technical college is named as the
12 lead institution and fiscal agent:

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

14 (2) To establish one or more review committees to assist in the
15 evaluation of proposals for funding. The review committee shall
16 include individuals with significant experience in higher education in
17 areas relevant to one or more of the funding period priorities and
18 shall include representatives from both the four-year and two-year
19 sectors of higher education;

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

22 (4) To establish each biennium specific guidelines for submitting
23 grant proposals consistent with the overall goals of the program and
24 consistent with the guidelines established by the (~~higher education~~
25 ~~coordinating board~~) office of financial management under RCW
26 28B.120.020. During the 1999-01 biennium the guidelines shall be
27 consistent with the following desired outcomes of:

28 (a) Minority and diversity initiatives that encourage the
29 participation of minorities in higher education, including students
30 with disabilities;

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

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

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

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

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

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

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

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

16 **Sec. 237.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to
17 read as follows:

18 The (~~higher education coordinating board and the~~) state board for
19 community and technical colleges may solicit and receive such gifts,
20 grants, and endowments from public or private sources as may be made
21 from time to time, in trust or otherwise, for the use and benefit of
22 the purposes of the program and may expend the same or any income
23 therefrom according to the terms of the gifts, grants, or endowments.

24 **Sec. 238.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to
25 read as follows:

26 The (~~higher education coordinating board~~) fund for innovation and
27 quality is hereby established in the custody of the state treasurer.
28 The (~~higher education coordinating board~~) office of financial
29 management shall deposit in the fund all moneys received under RCW
30 28B.120.030. Moneys in the fund may be spent only for the purposes of
31 RCW 28B.120.010 and 28B.120.020. Disbursements from the fund shall be
32 on the authorization of the (~~higher education coordinating board~~)
33 office of financial management. The fund is subject to the allotment
34 procedure provided under chapter 43.88 RCW, but no appropriation is
35 required for disbursements.

1 **Sec. 239.** RCW 28B.133.030 and 2003 c 19 s 4 are each amended to
2 read as follows:

3 (1) The students with dependents grant account is created in the
4 custody of the state treasurer. All receipts from the program shall be
5 deposited into the account. Only the (~~higher education coordinating~~
6 ~~board~~) office of student financial assistance, or its designee, may
7 authorize expenditures from the account. Disbursements from the
8 account are exempt from appropriations and the allotment procedures
9 under chapter 43.88 RCW.

10 (2) The (~~board~~) office may solicit and receive gifts, grants, or
11 endowments from private sources that are made from time to time, in
12 trust or otherwise, for the use and benefit of the purposes of the
13 educational assistance grant program. The (~~executive~~) director, or
14 the (~~executive~~) director's designee, may spend gifts, grants, or
15 endowments or income from the private sources according to their terms
16 unless the receipt of the gifts, grants, or endowments violates RCW
17 42.17.710.

18 (3) The earnings on the account shall be used solely for the
19 purposes in RCW 28B.133.010, except when the terms of a conditional
20 gift of private moneys in the account require that a portion of
21 earnings on such moneys be reinvested in the account.

22 **Sec. 240.** RCW 28B.133.040 and 2003 c 19 s 5 are each amended to
23 read as follows:

24 The (~~higher education coordinating board~~) office of student
25 financial assistance shall develop and administer the educational
26 assistance grant program for students with dependents. In
27 administering the program, once the balance in the students with
28 dependents grant account is five hundred thousand dollars, the
29 (~~board's~~) office's powers and duties shall include but not be limited
30 to:

31 (1) Adopting necessary rules and guidelines;

32 (2) Publicizing the program;

33 (3) Accepting and depositing donations into the grant account
34 established in RCW 28B.133.030; and

35 (4) Soliciting and accepting grants and donations from private
36 sources for the program.

1 **Sec. 241.** RCW 28B.133.050 and 2004 c 275 s 74 are each amended to
2 read as follows:

3 The educational assistance grant program for students with
4 dependents grants may be used by eligible participants to attend any
5 public or private college or university in the state of Washington as
6 defined in RCW 28B.92.030. Each participating student may receive an
7 amount to be determined by the (~~higher education coordinating board~~)
8 office of student financial assistance, with a minimum amount of one
9 thousand dollars per academic year, not to exceed the student's
10 documented financial need for the course of study as determined by the
11 institution.

12 Educational assistance grants for students with dependents are not
13 intended to supplant any grant scholarship or tax program related to
14 postsecondary education. If the (~~higher education coordinating~~
15 ~~board~~) office of student financial assistance finds that the
16 educational assistance grants for students with dependents supplant or
17 reduce any grant, scholarship, or tax program for categories of
18 students, then the (~~higher education coordinating board~~) office shall
19 adjust the financial eligibility criteria or the amount of the grant to
20 the level necessary to avoid supplanting.

21 **Sec. 242.** RCW 28B.135.010 and 2010 1st sp.s. c 9 s 5 are each
22 amended to read as follows:

23 The four-year student child care in higher education account is
24 established. The (~~higher education coordinating board~~) office of
25 financial management shall administer the program for the four-year
26 institutions of higher education. Through (~~these~~) this program(~~s~~)
27 the (~~board~~) office shall award either competitive or matching child
28 care grants to state institutions of higher education to encourage
29 programs to address the need for high quality, accessible, and
30 affordable child care for students at higher education institutions.
31 The grants shall be used exclusively for the provision of quality child
32 care services for students at institutions of higher education. The
33 university or college administration and student government
34 association, or its equivalent, of each institution receiving the award
35 may contribute financial support in an amount equal to or greater than
36 the child care grant received by the institution.

1 **Sec. 243.** RCW 28B.135.030 and 2008 c 162 s 3 are each amended to
2 read as follows:

3 The (~~higher education coordinating board~~) office of financial
4 management shall have the following powers and duties in administering
5 the program for the four-year institutions of higher education:

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

7 (2) To establish one or more review committees to assist in the
8 evaluation of proposals for funding. The review committees may receive
9 input from parents, educators, and other experts in the field of early
10 childhood education for this purpose;

11 (3) To establish each biennium specific guidelines for submitting
12 grant proposals consistent with the overall goals of the program. The
13 guidelines shall be consistent with the following desired outcomes of
14 increasing access to quality child care for students, providing
15 affordable child care alternatives for students, creating a partnership
16 between university or college administrations, university or college
17 foundations, and student government associations, or their equivalents;

18 (4) To proportionally distribute the amount of money available in
19 the trust fund based on the financial support for child care received
20 by the student government associations or their equivalents. Student
21 government associations may solicit funds from private organizations
22 and targeted fund-raising campaigns as part of their financial support
23 for child care;

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

26 (6) To establish reporting, evaluation, accountability, monitoring,
27 and dissemination requirements for the recipients of the grants; and

28 (~~(7) To report to the appropriate committees of the legislature by
29 December 15, 2008, and every two years thereafter, on the status of
30 program design and implementation at the four-year institutions of
31 higher education. The report shall include but not be limited to
32 summary information on the institutions receiving child care grant
33 allocations, the amount contributed by each university or college
34 administration and student government association for the purposes of
35 child care including expenditures and reports for the previous
36 biennium, services provided by each institutional child care center,
37 the number of students using such services, and identifiable unmet
38 need.~~)

1 **Sec. 244.** RCW 28B.135.040 and 2010 1st sp.s. c 9 s 4 are each
2 amended to read as follows:

3 The four-year student child care in higher education account is
4 established in the custody of the state treasurer. Moneys in the
5 account may be spent only for the purposes of RCW 28B.135.010.
6 Disbursements from the account shall be on the authorization of the
7 (~~higher education coordinating board~~) office of financial management.
8 The account is subject to the allotment procedures under chapter 43.88
9 RCW, but no appropriation is required for disbursements.

10 **Sec. 245.** RCW 28C.18.166 and 2009 c 238 s 5 are each amended to
11 read as follows:

12 On an annual basis, each opportunity internship consortium shall
13 provide the board with a list of the opportunity internship graduates
14 from the consortium. The board shall compile the lists from all
15 consortia and shall notify the (~~higher education coordinating board~~)
16 office of student financial assistance of the eligibility of each
17 graduate on the lists to receive a state need grant under chapter
18 28B.92 RCW if the graduate enrolls in a postsecondary program of study
19 within one year of high school graduation.

20 **Sec. 246.** RCW 39.86.130 and 2010 1st sp.s. c 6 s 7 are each
21 amended to read as follows:

22 (1) In granting an allocation, reallocation, or carryforward of the
23 state ceiling as provided in this chapter, the agency shall consider
24 existing state priorities and other such criteria, including but not
25 limited to, the following criteria:

26 (a) Need of issuers to issue bonds within a bond use category
27 subject to a state ceiling;

28 (b) Amount of the state ceiling available;

29 (c) Public benefit and purpose to be satisfied, including economic
30 development, educational opportunity, and public health, safety, or
31 welfare;

32 (d) Cost or availability of alternative methods of financing for
33 the project or program; and

34 (e) Certainty of using the allocation which is being requested.

35 (2) In determining whether to allocate an amount of the state

1 ceiling to an issuer within any bond use category, the agency shall
2 consider, but is not limited to, the following criteria for each of the
3 bond use categories:

4 (a) Housing: Criteria which comply with RCW 43.180.200.

5 (b) Student loans: Criteria which comply with the applicable
6 provisions of Title 28B RCW and rules adopted by the (~~higher education~~
7 ~~coordinating board~~) office of student financial assistance or
8 applicable state agency dealing with student financial aid.

9 (c) Small issue: Factors which may include:

10 (i) The number of employment opportunities the project is likely to
11 create or retain in relation to the amount of the bond issuance;

12 (ii) The level of unemployment existing in the geographic area
13 likely to be affected by the project;

14 (iii) A commitment to providing employment opportunities to low-
15 income persons in cooperation with the employment security department;

16 (iv) Geographic distribution of projects;

17 (v) The number of persons who will benefit from the project;

18 (vi) Consistency with criteria identified in subsection (1) of this
19 section; and

20 (vii) Order in which requests were received.

21 (d) Exempt facility or redevelopment: Factors which may include:

22 (i) State issuance needs;

23 (ii) Consistency with criteria identified in subsection (1) of this
24 section;

25 (iii) Order in which requests were received;

26 (iv) The proportionate number of persons in relationship to the
27 size of the community who will benefit from the project; and

28 (v) The unique timing and issuance needs of large scale projects
29 that may require allocations in more than one year.

30 (e) Public utility: Factors which may include:

31 (i) Consistency with criteria identified in subsection (1) of this
32 section; and

33 (ii) Timing needs for issuance of bonds over a multi-year period.

34 **Sec. 247.** RCW 42.17.2401 and 2009 c 565 s 24 are each amended to
35 read as follows:

36 For the purposes of RCW 42.17.240, the term "executive state
37 officer" includes:

1 (1) The chief administrative law judge, the director of
2 agriculture, the administrator of the Washington basic health plan, the
3 director of the department of services for the blind, the director of
4 the state system of community and technical colleges, the director of
5 commerce, the secretary of corrections, the director of early learning,
6 the director of ecology, the commissioner of employment security, the
7 chair of the energy facility site evaluation council, the secretary of
8 the state finance committee, the director of financial management, the
9 director of fish and wildlife, the executive secretary of the forest
10 practices appeals board, the director of the gambling commission, the
11 director of general administration, the secretary of health, the
12 administrator of the Washington state health care authority, the
13 executive secretary of the health care facilities authority, the
14 executive secretary of the higher education facilities authority, the
15 executive secretary of the horse racing commission, the executive
16 secretary of the human rights commission, the executive secretary of
17 the indeterminate sentence review board, the director of the department
18 of information services, the executive director of the state investment
19 board, the director of labor and industries, the director of licensing,
20 the director of the lottery commission, the director of the office of
21 minority and women's business enterprises, the director of parks and
22 recreation, the director of personnel, the executive director of the
23 public disclosure commission, the executive director of the Puget Sound
24 partnership, the director of the recreation and conservation office,
25 the director of retirement systems, the director of revenue, the
26 secretary of social and health services, the chief of the Washington
27 state patrol, the executive secretary of the board of tax appeals, the
28 secretary of transportation, the secretary of the utilities and
29 transportation commission, the director of veterans affairs, the
30 president of each of the regional and state universities and the
31 president of The Evergreen State College, and each district and each
32 campus president of each state community college;

33 (2) Each professional staff member of the office of the governor;

34 (3) Each professional staff member of the legislature; and

35 (4) Central Washington University board of trustees, the boards of
36 trustees of each community college and each technical college, each
37 member of the state board for community and technical colleges, state
38 convention and trade center board of directors, committee for deferred

1 compensation, Eastern Washington University board of trustees,
2 Washington economic development finance authority, The Evergreen State
3 College board of trustees, executive ethics board, forest practices
4 appeals board, forest practices board, gambling commission, life
5 sciences discovery fund authority board of trustees, Washington health
6 care facilities authority, each member of the Washington health
7 services commission, (~~higher education coordinating board,~~) higher
8 education facilities authority, horse racing commission, state housing
9 finance commission, human rights commission, indeterminate sentence
10 review board, board of industrial insurance appeals, information
11 services board, recreation and conservation funding board, state
12 investment board, commission on judicial conduct, legislative ethics
13 board, liquor control board, lottery commission, marine oversight
14 board, Pacific Northwest electric power and conservation planning
15 council, parks and recreation commission, board of pilotage
16 commissioners, pollution control hearings board, public disclosure
17 commission, public pension commission, shorelines hearings board,
18 public employees' benefits board, salmon recovery funding board, board
19 of tax appeals, transportation commission, University of Washington
20 board of regents, utilities and transportation commission, Washington
21 state maritime commission, Washington personnel resources board,
22 Washington public power supply system executive board, Washington State
23 University board of regents, Western Washington University board of
24 trustees, and fish and wildlife commission.

25 **Sec. 248.** RCW 42.17A.705 and 2010 c 204 s 902 are each amended to
26 read as follows:

27 For the purposes of RCW 42.17A.700, "executive state officer"
28 includes:

29 (1) The chief administrative law judge, the director of
30 agriculture, the director of the department of services for the blind,
31 the director of the state system of community and technical colleges,
32 the director of commerce, the secretary of corrections, the director of
33 early learning, the director of ecology, the commissioner of employment
34 security, the chair of the energy facility site evaluation council, the
35 secretary of the state finance committee, the director of financial
36 management, the director of fish and wildlife, the executive secretary
37 of the forest practices appeals board, the director of the gambling

1 commission, the director of general administration, the secretary of
2 health, the administrator of the Washington state health care
3 authority, the executive secretary of the health care facilities
4 authority, the executive secretary of the higher education facilities
5 authority, the executive secretary of the horse racing commission, the
6 executive secretary of the human rights commission, the executive
7 secretary of the indeterminate sentence review board, the director of
8 the department of information services, the executive director of the
9 state investment board, the director of labor and industries, the
10 director of licensing, the director of the lottery commission, the
11 director of the office of minority and women's business enterprises,
12 the director of parks and recreation, the director of personnel, the
13 executive director of the public disclosure commission, the executive
14 director of the Puget Sound partnership, the director of the recreation
15 and conservation office, the director of retirement systems, the
16 director of revenue, the secretary of social and health services, the
17 chief of the Washington state patrol, the executive secretary of the
18 board of tax appeals, the secretary of transportation, the secretary of
19 the utilities and transportation commission, the director of veterans
20 affairs, the president of each of the regional and state universities
21 and the president of The Evergreen State College, and each district and
22 each campus president of each state community college;

23 (2) Each professional staff member of the office of the governor;

24 (3) Each professional staff member of the legislature; and

25 (4) Central Washington University board of trustees, the boards of
26 trustees of each community college and each technical college, each
27 member of the state board for community and technical colleges, state
28 convention and trade center board of directors, Eastern Washington
29 University board of trustees, Washington economic development finance
30 authority, Washington energy northwest executive board, The Evergreen
31 State College board of trustees, executive ethics board, fish and
32 wildlife commission, forest practices appeals board, forest practices
33 board, gambling commission, Washington health care facilities
34 authority, (~~higher education coordinating board,~~) higher education
35 facilities authority, horse racing commission, state housing finance
36 commission, human rights commission, indeterminate sentence review
37 board, board of industrial insurance appeals, information services
38 board, state investment board, commission on judicial conduct,

1 legislative ethics board, life sciences discovery fund authority board
2 of trustees, liquor control board, lottery commission, Pacific
3 Northwest electric power and conservation planning council, parks and
4 recreation commission, Washington personnel resources board, board of
5 pilotage commissioners, pollution control hearings board, public
6 disclosure commission, public employees' benefits board, recreation and
7 conservation funding board, salmon recovery funding board, shorelines
8 hearings board, board of tax appeals, transportation commission,
9 University of Washington board of regents, utilities and transportation
10 commission, Washington State University board of regents, and Western
11 Washington University board of trustees.

12 **Sec. 249.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to
13 read as follows:

14 (1) An education data center shall be established in the office of
15 financial management. The education data center shall jointly, with
16 the legislative evaluation and accountability program committee,
17 conduct collaborative analyses of early learning, K-12, and higher
18 education programs and education issues across the P-20 system, which
19 includes the department of early learning, the superintendent of public
20 instruction, the professional educator standards board, the state board
21 of education, the state board for community and technical colleges, the
22 workforce training and education coordinating board, the (~~higher~~
23 ~~education coordinating board~~) office of student financial assistance,
24 public and private nonprofit four-year institutions of higher
25 education, and the employment security department. The education data
26 center shall conduct collaborative analyses under this section with the
27 legislative evaluation and accountability program committee and provide
28 data electronically to the legislative evaluation and accountability
29 program committee, to the extent permitted by state and federal
30 confidentiality requirements. The education data center shall be
31 considered an authorized representative of the state educational
32 agencies in this section under applicable federal and state statutes
33 for purposes of accessing and compiling student record data for
34 research purposes.

35 (2) The education data center shall:

36 (a) In consultation with the legislative evaluation and
37 accountability program committee and the agencies and organizations

1 participating in the education data center, identify the critical
2 research and policy questions that are intended to be addressed by the
3 education data center and the data needed to address the questions;

4 (b) Coordinate with other state education agencies to compile and
5 analyze education data, including data on student demographics that is
6 disaggregated by distinct ethnic categories within racial subgroups,
7 and complete P-20 research projects;

8 (c) Collaborate with the legislative evaluation and accountability
9 program committee and the education and fiscal committees of the
10 legislature in identifying the data to be compiled and analyzed to
11 ensure that legislative interests are served;

12 (d) Annually provide to the K-12 data governance group a list of
13 data elements and data quality improvements that are necessary to
14 answer the research and policy questions identified by the education
15 data center and have been identified by the legislative committees in
16 (c) of this subsection. Within three months of receiving the list, the
17 K-12 data governance group shall develop and transmit to the education
18 data center a feasibility analysis of obtaining or improving the data,
19 including the steps required, estimated time frame, and the financial
20 and other resources that would be required. Based on the analysis, the
21 education data center shall submit, if necessary, a recommendation to
22 the legislature regarding any statutory changes or resources that would
23 be needed to collect or improve the data;

24 (e) Monitor and evaluate the education data collection systems of
25 the organizations and agencies represented in the education data center
26 ensuring that data systems are flexible, able to adapt to evolving
27 needs for information, and to the extent feasible and necessary,
28 include data that are needed to conduct the analyses and provide
29 answers to the research and policy questions identified in (a) of this
30 subsection;

31 (f) Track enrollment and outcomes through the public centralized
32 higher education enrollment system;

33 (g) Assist other state educational agencies' collaborative efforts
34 to develop a long-range enrollment plan for higher education including
35 estimates to meet demographic and workforce needs;

36 (h) Provide research that focuses on student transitions within and
37 among the early learning, K-12, and higher education sectors in the P-
38 20 system; and

1 (i) Make recommendations to the legislature as necessary to help
2 ensure the goals and objectives of this section and RCW 28A.655.210 and
3 28A.300.507 are met.

4 (3) The department of early learning, superintendent of public
5 instruction, professional educator standards board, state board of
6 education, state board for community and technical colleges, workforce
7 training and education coordinating board, (~~higher education~~
8 ~~coordinating board~~) office of student financial assistance, public
9 four-year institutions of higher education, and employment security
10 department shall work with the education data center to develop data-
11 sharing and research agreements, consistent with applicable security
12 and confidentiality requirements, to facilitate the work of the center.
13 Private, nonprofit institutions of higher education that provide
14 programs of education beyond the high school level leading at least to
15 the baccalaureate degree and are accredited by the Northwest
16 association of schools and colleges or their peer accreditation bodies
17 may also develop data-sharing and research agreements with the
18 education data center, consistent with applicable security and
19 confidentiality requirements. The education data center shall make
20 data from collaborative analyses available to the education agencies
21 and institutions that contribute data to the education data center to
22 the extent allowed by federal and state security and confidentiality
23 requirements applicable to the data of each contributing agency or
24 institution.

25 **Sec. 250.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to
26 read as follows:

27 (1) In overseeing the technical aspects of the K-20 network, the
28 information services board is not intended to duplicate the statutory
29 responsibilities of the (~~higher education coordinating board~~) office
30 of student financial assistance, the superintendent of public
31 instruction, the information services board, the state librarian, or
32 the governing boards of the institutions of higher education.

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

35 (3) The responsibility to review and approve standards and common
36 specifications for the network remains the responsibility of the
37 information services board under RCW 43.105.041.

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

6 **Sec. 251.** RCW 74.13.570 and 2005 c 93 s 2 are each amended to read
7 as follows:

8 (1) The department shall establish an oversight committee composed
9 of staff from the children's administration of the department, the
10 office of the superintendent of public instruction, the (~~higher~~
11 ~~education coordinating board~~) office of student financial assistance,
12 foster youth, former foster youth, foster parents, and advocacy
13 agencies to develop strategies for maintaining foster children in the
14 schools they were attending at the time they entered foster care and to
15 promote opportunities for foster youth to participate in postsecondary
16 education or training.

17 (2) The duties of the oversight committee shall include, but are
18 not limited to:

19 (a) Developing strategies for school-based recruitment of foster
20 homes;

21 (b) Monitoring the progress of current pilot projects that assist
22 foster children to continue attending the schools they were attending
23 at the time they entered foster care;

24 (c) Overseeing the expansion of the number of pilot projects;

25 (d) Promoting the use of best practices, throughout the state,
26 demonstrated by the pilot projects and other programs relating to
27 maintaining foster children in the schools they were attending at the
28 time they entered foster care;

29 (e) Informing the legislature of the status of efforts to maintain
30 foster children in the schools they were attending at the time they
31 entered foster care;

32 (f) Assessing the scope and nature of statewide need among current
33 and former foster youth for assistance to pursue and participate in
34 postsecondary education or training opportunities;

35 (g) Identifying available sources of funding available in the state
36 for services to former foster youth to pursue and participate in
37 postsecondary education or training opportunities;

1 (h) Reviewing the effectiveness of activities in the state to
2 support former foster youth to pursue and participate in postsecondary
3 education or training opportunities;

4 (i) Identifying new activities, or existing activities that should
5 be modified or expanded, to best meet statewide needs; and

6 (j) Reviewing on an ongoing basis the progress toward improving
7 educational and vocational outcomes for foster youth.

8 NEW SECTION. **Sec. 252.** The following acts or parts of acts are
9 each repealed:

10 (1) RCW 28B.15.736 (Washington/Oregon reciprocity tuition and fee
11 program--Program review) and 1985 c 370 s 72, 1983 c 104 s 2, & 1979 c
12 80 s 4;

13 (2) RCW 28B.76.030 (Purpose) and 2004 c 275 s 1;

14 (3) RCW 28B.76.040 (Members--Appointment) and 2002 c 348 s 1, 2002
15 c 129 s 1, & 1985 c 370 s 10;

16 (4) RCW 28B.76.050 (Members--Terms) and 2007 c 458 s 101, 2004 c
17 275 s 3, 2002 c 129 s 2, & 1985 c 370 s 11;

18 (5) RCW 28B.76.060 (Members--Vacancies) and 1985 c 370 s 12;

19 (6) RCW 28B.76.070 (Bylaws--Meetings) and 1985 c 370 s 13;

20 (7) RCW 28B.76.080 (Members--Compensation and travel expenses) and
21 1985 c 370 s 16, 1984 c 287 s 65, 1975-'76 2nd ex.s. c 34 s 77, & 1969
22 ex.s. c 277 s 12;

23 (8) RCW 28B.76.200 (Statewide strategic master plan for higher
24 education--Institution-level strategic plans) and 2007 c 458 s 201,
25 2004 c 275 s 6, & 2003 c 130 s 2;

26 (9) RCW 28B.76.230 (Needs assessment process and analysis--
27 Recommendations--Activities requiring board approval) and 2010 c 245 s
28 5, 2005 c 258 s 11, & 2004 c 275 s 9;

29 (10) RCW 28B.76.240 (Statewide transfer and articulation policies)
30 and 2004 c 275 s 10, 1998 c 245 s 23, 1985 c 370 s 27, & 1983 c 304 s
31 1;

32 (11) RCW 28B.76.2401 (Statewide transfer of credit policy and
33 agreement--Requirements) and 2004 c 55 s 5 & 1983 c 304 s 2;

34 (12) RCW 28B.76.250 (Transfer associate degrees--Work groups--
35 Implementation--Progress reports) and 2004 c 55 s 2;

36 (13) RCW 28B.76.260 (Statewide system of course equivalency--Work
37 group) and 2004 c 55 s 3;

1 (14) RCW 28B.76.270 (Accountability monitoring and reporting
2 system--Institution biennial plans and performance targets--Biennial
3 reports to the legislature) and 2004 c 275 s 11;

4 (15) RCW 28B.76.280 (Data collection and research--Privacy
5 protection) and 2010 1st sp.s. c 7 s 58 & 2004 c 275 s 12;

6 (16) RCW 28B.76.330 (Coordination, articulation, and transitions
7 among systems of education--Biennial updates to legislature) and 2004
8 c 275 s 17 & 1994 c 222 s 3;

9 (17) RCW 28B.76.530 (Board may develop and administer demonstration
10 projects) and 1989 c 306 s 2; and

11 (18) RCW 28B.115.060 (Eligible credentialed health care
12 professions--Required service obligations) and 1991 c 332 s 19.

13 NEW SECTION. **Sec. 253.** (1) The higher education coordinating
14 board is abolished. All powers, duties, and functions of the higher
15 education coordinating board pertaining to student financial assistance
16 are transferred to the office of student financial assistance. All
17 references to the executive director or the higher education
18 coordinating board in the Revised Code of Washington shall be construed
19 to mean the director or the office of student financial assistance when
20 referring to the functions transferred in this section.

21 (2)(a) All reports, documents, surveys, books, records, files,
22 papers, or written material in the possession of the higher education
23 coordinating board pertaining to the powers, functions, and duties
24 transferred shall be delivered to the custody of the office of student
25 financial assistance. All cabinets, furniture, office equipment, motor
26 vehicles, and other tangible property employed by the higher education
27 coordinating board in carrying out the powers, functions, and duties
28 transferred shall be made available to the office of student financial
29 assistance. All funds, credits, or other assets held in connection
30 with the powers, functions, and duties transferred shall be assigned to
31 the office of student financial assistance.

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

36 (c) Whenever any question arises as to the transfer of any
37 personnel, funds, books, documents, records, papers, files, equipment,

1 or other tangible property used or held in the exercise of the powers
2 and the performance of the duties and functions transferred, the
3 director of financial management shall make a determination as to the
4 proper allocation and certify the same to the state agencies concerned.

5 (3) All employees of the higher education coordinating board
6 engaged in performing the powers, functions, and duties transferred are
7 transferred to the jurisdiction of the office of student financial
8 assistance. All employees classified under chapter 41.06 RCW, the
9 state civil service law, are assigned to the office of student
10 financial assistance to perform their usual duties upon the same terms
11 as formerly, without any loss of rights, subject to any action that may
12 be appropriate thereafter in accordance with the laws and rules
13 governing state civil service.

14 (4) All rules and all pending business before the higher education
15 coordinating board pertaining to the powers, functions, and duties
16 transferred shall be continued and acted upon by the office of student
17 financial assistance. All existing contracts and obligations shall
18 remain in full force and shall be performed by the office of student
19 financial assistance.

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

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

29 (7) All classified employees of the higher education coordinating
30 board assigned to the office of student financial assistance under this
31 section whose positions are within an existing bargaining unit
32 description at the office of student financial assistance shall become
33 a part of the existing bargaining unit at the office of student
34 financial assistance and shall be considered an appropriate inclusion
35 or modification of the existing bargaining unit under the provisions of
36 chapter 41.80 RCW.

1 PART II

2 OFFICE OF FINANCIAL MANAGEMENT

3 **Sec. 301.** RCW 28B.76.210 and 2010 c 245 s 10 are each amended to
4 read as follows:

5 ~~(1) ((The board shall collaborate with the four-year institutions~~
6 ~~including the council of presidents, the community and technical~~
7 ~~college system, and when appropriate the workforce training and~~
8 ~~education coordinating board, the superintendent of public instruction,~~
9 ~~and the independent higher educational institutions to identify budget~~
10 ~~priorities and levels of funding for higher education, including the~~
11 ~~two and four-year institutions of higher education and state financial~~
12 ~~aid programs. It is the intent of the legislature that recommendations~~
13 ~~from the board reflect not merely the sum of budget requests from~~
14 ~~multiple institutions, but prioritized funding needs for the overall~~
15 ~~system of higher education.~~

16 ~~(2) By December of each odd-numbered year, the board shall~~
17 ~~distribute guidelines which outline the board's fiscal priorities to~~
18 ~~the institutions and the state board for community and technical~~
19 ~~colleges.~~

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

31 ~~(b)) Capital budget outlines for the two-year institutions shall~~
32 ~~be submitted by the state board for community and technical colleges to~~
33 ~~the office by August 15th of each even-numbered year, and shall include~~
34 ~~the prioritized ranking of the capital projects being requested, a~~
35 ~~description of each capital project, and the amount and fund source~~
36 ~~being requested.~~

37 ~~((e)) (2) Capital budget outlines for the four-year institutions~~
38 ~~must be submitted by each four-year institution to the office by August~~

1 15th of each even-numbered year, and must include: The institutions'
2 priority ranking of the project; the capital budget category within
3 which the project will be submitted (~~to the office of financial~~
4 ~~management~~) in accordance with RCW 43.88D.010; a description of each
5 capital project; and the amount and fund source being requested.

6 ~~((d))~~ (3) The office (~~of financial management~~) shall reference
7 these reporting requirements in its budget instructions.

8 ~~((3))~~ (4) The (~~board~~) office shall review and evaluate the
9 operating and capital budget requests from four-year institutions and
10 the community and technical college system based on how the requests
11 align with the (~~board's~~) budget priorities(~~(7)~~) and the missions of
12 the institutions(~~(7 and the statewide strategic master plan for higher~~
13 ~~education under RCW 28B.76.200)~~).

14 ~~((4) The board shall submit recommendations on the proposed~~
15 ~~operating budget and priorities to the office of financial management~~
16 ~~by October 1st of each even-numbered year, and to the legislature by~~
17 ~~January 1st of each odd-numbered year.))~~

18 (5) The (~~board's~~) capital budget recommendations for the
19 community and technical college system and the four-year institutions
20 must be submitted to the (~~office of financial management~~) and to the
21 legislature by November 15th of each even-numbered year. The
22 (~~board's~~) recommendations for the four-year institutions must include
23 a single, prioritized list of the major projects that the (~~board~~)
24 office recommends be funded with state bond and building account
25 appropriations during the forthcoming fiscal biennium. In developing
26 this single prioritized list, the (~~board~~) office shall:

27 (a) Seek to identify the combination of projects that will most
28 cost-effectively achieve the state's goals. These goals include
29 increasing baccalaureate and graduate degree production, particularly
30 in high-demand fields; promoting economic development through research
31 and innovation; providing quality, affordable educational environments;
32 preserving existing assets; and maximizing the efficient utilization of
33 instructional space;

34 (b) Be guided by the objective analysis and scoring of capital
35 budget projects (~~completed by the office of financial management~~)
36 pursuant to chapter 43.88D RCW;

37 (c) Anticipate (i) that state bond and building account
38 appropriations continue at the same level during each of the two

1 subsequent fiscal biennia as has actually been appropriated for the
2 baccalaureate institutions during the current one; (ii) that major
3 projects funded for design during a biennium are funded for
4 construction during the subsequent one before state appropriations are
5 provided for new major projects; and (iii) that minor health, safety,
6 code, and preservation projects are funded at the same average level as
7 in recent biennia before state appropriations are provided for new
8 major projects.

9 ~~((6) Institutions and the state board for community and technical
10 colleges shall submit any supplemental budget requests and revisions to
11 the board at the same time they are submitted to the office of
12 financial management. The board shall submit recommendations on the
13 proposed supplemental budget requests to the office of financial
14 management by November 1st and to the legislature by January 1st.))~~

15 **Sec. 302.** RCW 28B.76.290 and 1993 c 77 s 2 are each amended to
16 read as follows:

17 The ~~((board))~~ office shall ~~((coordinate educational activities
18 among all segments of higher education taking into account the
19 educational programs, facilities, and other resources of both public
20 and independent two and four year colleges and universities. The four-
21 year institutions and the state board for community and technical
22 colleges shall coordinate information and activities with the board.
23 The board shall have the following additional responsibilities:~~

24 ~~(1) Promote interinstitutional cooperation;~~
25 ~~(2))~~ establish minimum admission standards for four-year
26 institutions, including a requirement that coursework in American sign
27 language or an American Indian language shall satisfy any requirement
28 for instruction in a language other than English that the ~~((board))~~
29 office or the institutions may establish as a general undergraduate
30 admissions requirement(~~(~~

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

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

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

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

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

3 ~~(8) Arbitrate disputes between and among four-year institutions or~~
4 ~~between and among four-year institutions and community colleges at the~~
5 ~~request of one or more of the institutions involved, or at the request~~
6 ~~of the governor, or from a resolution adopted by the legislature. The~~
7 ~~decision of the board shall be binding on the participants in the~~
8 ~~dispute;~~

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

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

14 ~~(11) Make recommendations to increase minority participation, and~~
15 ~~monitor and report on the progress of minority participation in higher~~
16 ~~education)).~~

17 **Sec. 303.** RCW 28B.76.300 and 2004 c 275 s 14 are each amended to
18 read as follows:

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

33 (2) Beginning July 30, 1993, the ((board)) office shall annually
34 provide information appropriate to each institution's student body to
35 each state-supported four-year institution of higher education and to
36 the state board for community and technical colleges for distribution
37 to community colleges and technical colleges.

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

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

18 **Sec. 304.** RCW 28B.76.310 and 2004 c 275 s 15 are each amended to
19 read as follows:

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

31 (2) ((By December 1, 2004, the board must propose a schedule of
32 regular cost study reports intended to meet the information needs of
33 the governor's office and the legislature and the requirements of RCW
34 28B.76.300 and submit the proposed schedule to the higher education and
35 fiscal committees of the house of representatives and the senate for
36 their review.

1 ~~(3)~~) The institutions of higher education, as defined in RCW
2 28B.10.016, shall participate in the development of cost study methods
3 and shall provide all necessary data in a timely fashion consistent
4 with the protocols developed.

5 **Sec. 305.** RCW 28B.76.340 and 2010 c 235 s 508 are each amended to
6 read as follows:

7 (1) The ~~((board))~~ office must establish boundaries for service
8 regions for institutions of higher education as defined in RCW
9 28B.10.016 implementing professional educator standards board-approved
10 educator preparation programs. Regions shall be established to
11 encourage and support, not exclude, the reach of public institutions of
12 higher education across the state.

13 (2) ~~((Based on the data in the assessment in RCW 28B.76.230 and~~
14 ~~28B.76.335,))~~ The ((board)) office of financial management shall
15 determine whether reasonable teacher preparation program access for
16 prospective teachers is available in each region. If access is
17 determined to be inadequate in a region, the institution of higher
18 education responsible for the region shall submit a plan for meeting
19 the access need to the ~~((board))~~ office of financial management.

20 (3) Partnerships with other teacher preparation program providers
21 and the use of appropriate technology shall be considered. The
22 ~~((board))~~ office of financial management shall review the plan and, as
23 appropriate, assist the institution in developing support and resources
24 for implementing the plan.

25 **Sec. 306.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to
26 read as follows:

27 The boards of regents of the University of Washington and
28 Washington State University, respectively, and the boards of trustees
29 of Central Washington University, Eastern Washington University,
30 Western Washington University, and The Evergreen State College,
31 respectively, shall have the power and authority to acquire by
32 exchange, gift, purchase, lease, or condemnation in the manner provided
33 by chapter 8.04 RCW for condemnation of property for public use, such
34 lands, real estate and other property, and interests therein as they
35 may deem necessary for the use of said institutions respectively.

1 However, the purchase or lease of major off-campus facilities is
2 subject to the approval of the (~~higher education coordinating board~~
3 ~~under RCW 28B.76.230~~) office of financial management.

4 **Sec. 307.** RCW 28B.15.460 and 1997 c 5 s 2 are each amended to read
5 as follows:

6 (1) An institution of higher education shall not grant any waivers
7 for the purpose of achieving gender equity until the 1991-92 academic
8 year, and may grant waivers for the purpose of achieving gender equity
9 in intercollegiate athletic programs as authorized in RCW 28B.15.740,
10 for the 1991-92 academic year only if the institution's governing board
11 has adopted a plan for complying with the provisions of RCW 28B.15.455
12 and submitted the plan to the (~~higher education coordinating board~~)
13 office of financial management.

14 (2)(a) Beginning in the 1992-93 academic year, an institution of
15 higher education shall not grant any waiver for the purpose of
16 achieving gender equity in intercollegiate athletic programs as
17 authorized in RCW 28B.15.740 unless the institution's plan has been
18 approved by the (~~higher education coordinating board~~) office of
19 financial management.

20 (b) Beginning in the 1999-2000 academic year, an institution that
21 did not provide, by June 30, 1998, athletic opportunities for an
22 historically underrepresented gender class at a rate that meets or
23 exceeds the current rate at which that class participates in high
24 school athletics in Washington state shall have a new institutional
25 plan approved by the (~~higher education coordinating board~~) office of
26 financial management before granting further waivers.

27 (c) Beginning in the 2003-04 academic year, an institution of
28 higher education that was not within five percent of the ratio of
29 undergraduates described in RCW 28B.15.470 by June 30, 2002, shall have
30 a new plan for achieving gender equity in intercollegiate athletic
31 programs approved by the (~~higher education coordinating board~~) office
32 of financial management before granting further waivers.

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

34 (a) For any institution with an historically underrepresented
35 gender class described in subsection (2)(b) of this section, provisions
36 that ensure that by July 1, 2000, the institution shall provide
37 athletic opportunities for the underrepresented gender class at a rate

1 that meets or exceeds the current rate at which that class participates
2 in high school interscholastic athletics in Washington state not to
3 exceed the point at which the underrepresented gender class is no
4 longer underrepresented;

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

9 (c) Activities to be undertaken by the institution to increase
10 participation rates of any underrepresented gender class in
11 interscholastic and intercollegiate athletics. These activities may
12 include, but are not limited to: Sponsoring equity conferences,
13 coaches clinics and sports clinics; and taking a leadership role in
14 working with athletic conferences to reduce barriers to participation
15 by those gender classes in interscholastic and intercollegiate
16 athletics;

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

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

21 **Sec. 308.** RCW 28B.15.465 and 1997 c 5 s 3 are each amended to read
22 as follows:

23 (1) The (~~higher education coordinating board~~) office of financial
24 management shall report every four years, beginning December 1998, to
25 the governor and the house of representatives and senate committees on
26 higher education, on institutional efforts to comply with the
27 requirements of RCW 28B.15.740, 28B.15.455, and 28B.15.460. Each
28 report shall include recommendations on measures to assist institutions
29 with compliance.

30 (2) Before the board makes its report in December 2006, the board
31 shall assess the extent of institutional compliance with the
32 requirements of RCW 28B.15.740, 28B.15.455, and 28B.15.460.

33 (3) The report in this section may be combined with the report
34 required in RCW 28B.110.040(3).

35 **Sec. 309.** RCW 28B.20.130 and 2010 c 51 s 1 are each amended to
36 read as follows:

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

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

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

8 (3) Establish entrance requirements for students seeking admission
9 to the university which meet or exceed the standards (~~(specified under~~
10 ~~RCW 28B.76.290(2))~~) adopted by the office of financial management.
11 Completion of examinations satisfactory to the university may be a
12 prerequisite for entrance by any applicant at the university's
13 discretion. Evidence of completion of public high schools and other
14 educational institutions whose courses of study meet the approval of
15 the university may be acceptable for entrance.

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

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

22 (6) Grant to students such certificates or degrees as recommended
23 for such students by the faculty. The board, upon recommendation of
24 the faculty, may also confer honorary degrees upon persons other than
25 graduates of this university in recognition of their learning or
26 devotion to literature, art, or science: PROVIDED, That no degree
27 shall ever be conferred in consideration of the payment of money or the
28 giving of property of whatsoever kind.

29 (7) Accept such gifts, grants, conveyances, bequests, and devises,
30 whether real or personal property, or both, in trust or otherwise, for
31 the use or benefit of the university, its colleges, schools,
32 departments, or agencies; and sell, lease or exchange, invest or expend
33 the same or the proceeds, rents, profits, and income thereof except as
34 limited by the terms of said gifts, grants, conveyances, bequests, and
35 devises. The board shall adopt proper rules to govern and protect the
36 receipt and expenditure of the proceeds of all fees, and the proceeds,
37 rents, profits, and income of all gifts, grants, conveyances, bequests,
38 and devises above-mentioned.

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

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

5 (10) Subject to the approval of the (~~higher education coordinating~~
6 ~~board pursuant to RCW 28B.76.230~~) office of financial management,
7 offer new degree programs, offer off-campus programs, participate in
8 consortia or centers, contract for off-campus educational programs, and
9 purchase or lease major off-campus facilities.

10 (11) To confer honorary degrees upon persons who request an
11 honorary degree if they were students at the university in 1942 and did
12 not graduate because they were ordered into an internment camp. The
13 honorary degree may also be requested by a representative of deceased
14 persons who meet these requirements. For the purposes of this
15 subsection, "internment camp" means a relocation center to which
16 persons were ordered evacuated by Presidential Executive Order 9066,
17 signed February 19, 1942.

18 **Sec. 310.** RCW 28B.20.280 and 1985 c 370 s 82 are each amended to
19 read as follows:

20 The board of regents of the University of Washington may offer
21 masters level and doctorate level degrees in technology subject to
22 review and approval by the (~~higher education coordinating board~~)
23 office of financial management.

24 **Sec. 311.** RCW 28B.30.150 and 2010 c 51 s 2 are each amended to
25 read as follows:

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

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

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

34 (3) Establish entrance requirements for students seeking admission
35 to the university which meet or exceed the standards (~~specified under~~
36 ~~RCW 28B.76.290(2)~~) adopted by the office of financial management.

1 Completion of examinations satisfactory to the university may be a
2 prerequisite for entrance by any applicant, at the university's
3 discretion. Evidence of completion of public high schools and other
4 educational institutions whose courses of study meet the approval of
5 the university may be acceptable for entrance.

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

9 (5) Subject to the approval of the (~~higher education coordinating~~
10 ~~board pursuant to RCW 28B.76.230~~) office of financial management,
11 offer new degree programs, offer off-campus programs, participate in
12 consortia or centers, contract for off-campus educational programs, and
13 purchase or lease major off-campus facilities.

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

18 (7) Collect such information as the (~~board~~) office of financial
19 management deems desirable as to the schemes of technical instruction
20 adopted in other parts of the United States and foreign countries.

21 (8) Provide for holding agricultural institutes including farm
22 marketing forums.

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

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

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

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

1 reference to insect pests, morphology and physiology of the higher
2 forms of animal life and in particular of the horse, cow, sheep, and
3 swine, agriculture with special reference to the breeding and feeding
4 of livestock and the best mode of cultivation of farm produce, and
5 mining and metallurgy, appointing demonstrators in each of these
6 subjects to superintend the equipment of a laboratory and to give
7 practical instruction therein.

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

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

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

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

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

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

1 United States Department of Agriculture" and organize and conduct
2 agricultural extension work in connection with the state university in
3 accordance with the terms and conditions expressed in the acts of
4 congress.

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

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

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

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

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

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

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

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

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

12 (27) Confer honorary degrees upon persons who request an honorary
13 degree if they were students at the university in 1942 and did not
14 graduate because they were ordered into an internment camp. The
15 honorary degree may also be requested by a representative of deceased
16 persons who meet these requirements. For the purposes of this
17 subsection, "internment camp" means a relocation center to which
18 persons were ordered evacuated by Presidential Executive Order 9066,
19 signed February 19, 1942.

20 **Sec. 312.** RCW 28B.30.500 and 1985 c 370 s 83 are each amended to
21 read as follows:

22 The board of regents of Washington State University may offer
23 masters level and doctorate level degrees in technology subject to
24 review and approval by the (~~higher education coordinating board~~)
25 office of financial management.

26 **Sec. 313.** RCW 28B.35.120 and 2006 c 263 s 824 are each amended to
27 read as follows:

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

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

32 (2) Shall employ the president of the regional university, (~~his~~)
33 the president's assistants, members of the faculty, and other employees
34 of the institution, who, except as otherwise provided by law, shall
35 hold their positions, until discharged therefrom by the board for good
36 and lawful reason.

1 (3) With the assistance of the faculty of the regional university,
2 shall prescribe the course of study in the various schools and
3 departments thereof and publish such catalogues thereof as the board
4 deems necessary: PROVIDED, That the Washington professional educator
5 standards board shall determine the requisites for and give program
6 approval of all courses leading to teacher certification by such board.

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

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

13 (6) May acquire real and other property as provided in RCW
14 28B.10.020, as now or hereafter amended.

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

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

21 (9) Except as otherwise provided by law, to enter into such
22 contracts as the trustees deem essential to regional university
23 purposes.

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

33 (11) Subject to the approval of the (~~higher education coordinating~~
34 ~~board pursuant to RCW 28B.76.230~~) office of financial management,
35 offer new degree programs, offer off-campus programs, participate in
36 consortia or centers, contract for off-campus educational programs, and
37 purchase or lease major off-campus facilities.

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

5 **Sec. 314.** RCW 28B.35.205 and 2010 c 51 s 3 are each amended to
6 read as follows:

7 (1) In addition to all other powers and duties given to them by
8 law, Central Washington University, Eastern Washington University, and
9 Western Washington University are hereby authorized to grant any degree
10 through the master's degree to any student who has completed a program
11 of study and/or research in those areas which are determined by the
12 faculty and board of trustees of the college to be appropriate for the
13 granting of such degree: PROVIDED, That before any degree is
14 authorized under this section it shall be subject to the review and
15 approval of the (~~higher education coordinating board~~) office of
16 financial management.

17 (2) The board of trustees, upon recommendation of the faculty, may
18 also confer honorary bachelor's, master's, or doctorate level degrees
19 upon persons in recognition of their learning or devotion to education,
20 literature, art, or science. No degree may be conferred in
21 consideration of the payment of money or the donation of any kind of
22 property.

23 (3) The board of trustees may also confer honorary degrees upon
24 persons who request an honorary degree if they were students at the
25 university in 1942 and did not graduate because they were ordered into
26 an internment camp. The honorary degree may also be requested by a
27 representative of deceased persons who meet these requirements. For
28 the purposes of this subsection, "internment camp" means a relocation
29 center to which persons were ordered evacuated by Presidential
30 Executive Order 9066, signed February 19, 1942.

31 **Sec. 315.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to
32 read as follows:

33 The board of trustees of Eastern Washington University may offer
34 applied, but not research, doctorate level degrees in physical therapy
35 subject to review and approval by the (~~higher education coordinating~~
36 ~~board~~) office of financial management.

1 **Sec. 316.** RCW 28B.38.010 and 2004 c 275 s 55 are each amended to
2 read as follows:

3 (1) The Spokane intercollegiate research and technology institute
4 is created.

5 (2) The institute shall be operated and administered as a multi-
6 institutional education and research center, housing appropriate
7 programs conducted in Spokane under the authority of institutions of
8 higher education as defined in RCW 28B.10.016. Washington independent
9 and private institutions of higher education may participate as full
10 partners in any academic and research activities of the institute.

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

13 (4) The establishment of any education program at the institute and
14 the lease, purchase, or construction of any site or facility for the
15 institute is subject to the approval of the (~~higher education~~
16 ~~coordinating board under RCW 28B.76.230~~) office of financial
17 management.

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

19 (6) The mission of the institute is to perform and commercialize
20 research that benefits the intermediate and long-term economic vitality
21 of eastern Washington and to develop and strengthen university-industry
22 relationships through the conduct of research that is primarily of
23 interest to eastern Washington-based companies or state economic
24 development programs. The institute shall:

25 (a) Perform and facilitate research supportive of state science and
26 technology objectives, particularly as they relate to eastern
27 Washington industries;

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

30 (c) Provide substantial opportunities for training undergraduate
31 and graduate students through direct involvement in research and
32 industry interactions;

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

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

1 **Sec. 317.** RCW 28B.40.120 and 2006 c 263 s 825 are each amended to
2 read as follows:

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

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

7 (2) Shall employ the president of the state college, (~~his~~) the
8 president's assistants, members of the faculty, and other employees of
9 the institution, who, except as otherwise provided by law, shall hold
10 their positions, until discharged therefrom by the board for good and
11 lawful reason.

12 (3) With the assistance of the faculty of the state college, shall
13 prescribe the course of study in the various schools and departments
14 thereof and publish such catalogues thereof as the board deems
15 necessary: PROVIDED, That the Washington professional educator
16 standards board shall determine the requisites for and give program
17 approval of all courses leading to teacher certification by such board.

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

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

24 (6) May acquire real and other property as provided in RCW
25 28B.10.020, as now or hereafter amended.

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

29 (8) May establish, lease, operate, equip and maintain self-
30 supporting facilities in the manner provided in RCW 28B.10.300 through
31 28B.10.330, as now or hereafter amended.

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

34 (10) May receive such gifts, grants, conveyances, devises and
35 bequests of real or personal property from whatsoever source, as may be
36 made from time to time, in trust or otherwise, whenever the terms and
37 conditions thereof will aid in carrying out the college programs; sell,
38 lease or exchange, invest or expend the same or the proceeds, rents,

1 profits and income thereof except as limited by the terms and
2 conditions thereof; and adopt (~~regulations~~) rules to govern the
3 receipt and expenditure of the proceeds, rents, profits and income
4 thereof.

5 (11) Subject to the approval of the (~~higher education coordinating~~
6 ~~board pursuant to RCW 28B.76.230~~) office of financial management,
7 offer new degree programs, offer off-campus programs, participate in
8 consortia or centers, contract for off-campus educational programs, and
9 purchase or lease major off-campus facilities.

10 (12) May (~~promulgate~~) adopt such rules (~~and regulations~~), and
11 perform all other acts not forbidden by law, as the board of trustees
12 may in its discretion deem necessary or appropriate to the
13 administration of the college.

14 **Sec. 318.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to
15 read as follows:

16 In addition to all other powers and duties given to them by law,
17 the board of trustees of The Evergreen State College is hereby
18 authorized to grant any degree through the master's degree to any
19 student who has completed a program of study and/or research in those
20 areas which are determined by the faculty and board of trustees of the
21 college to be appropriate for the granting of such degree: PROVIDED,
22 That any degree authorized under this section shall be subject to the
23 review and approval of the (~~higher education coordinating board~~)
24 office of financial management.

25 The board of trustees, upon recommendation of the faculty, may also
26 confer honorary bachelor's or master's degrees upon persons other than
27 graduates of the institution, in recognition of their learning or
28 devotion to education, literature, art, or science. No degree may be
29 conferred in consideration of the payment of money or the donation of
30 any kind of property.

31 **Sec. 319.** RCW 28B.45.014 and 2005 c 258 s 2 are each amended to
32 read as follows:

33 (1) The primary mission of the higher education branch campuses
34 created under this chapter remains to expand access to baccalaureate
35 and master's level graduate education in underserved urban areas of the
36 state in collaboration with community and technical colleges. The top

1 priority for each of the campuses is to expand courses and degree
2 programs for transfer and graduate students. New degree programs
3 should be driven by the educational needs and demands of students and
4 the community, as well as the economic development needs of local
5 businesses and employers.

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

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

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

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

33 (6) In consultation with the (~~higher education coordinating~~
34 ~~board~~) office of financial management, a branch campus may propose
35 legislation to authorize practice-oriented or professional doctoral
36 programs if: (a) Unique research facilities and equipment are located
37 near the campus; or (b) the campus can clearly demonstrate student and

1 employer demand in the region that is linked to regional economic
2 development.

3 (7) It is not the legislature's intent to have each campus chart
4 its own future path without legislative guidance. Instead, the
5 legislature intends to consider carefully the mission and model of
6 education that best suits each campus and best meets the needs of
7 students, the community, and the region. The (~~higher education~~
8 ~~coordinating board~~) office of financial management shall monitor and
9 evaluate the addition of lower division students to the branch campuses
10 and periodically report and make recommendations to the higher
11 education committees of the legislature to ensure the campuses continue
12 to follow the priorities established under this chapter.

13 **Sec. 320.** RCW 28B.45.020 and 2005 c 258 s 3 are each amended to
14 read as follows:

15 (1) The University of Washington is responsible for ensuring the
16 expansion of baccalaureate and graduate educational programs in the
17 central Puget Sound area under rules or guidelines adopted by the
18 (~~higher education coordinating board~~) office of financial management
19 and in accordance with proportionality agreements emphasizing access
20 for transfer students developed with the state board for community and
21 technical colleges. The University of Washington shall meet that
22 responsibility through the operation of at least two branch campuses.
23 One branch campus shall be located in the Tacoma area. Another branch
24 campus shall be collocated with Cascadia Community College in the
25 Bothell-Woodinville area.

26 (2) At the University of Washington Tacoma, a top priority is
27 expansion of upper division capacity for transfer students and graduate
28 capacity and programs. Beginning in the fall of 2006, the campus may
29 offer lower division courses linked to specific majors in fields not
30 addressed at local community colleges. The campus shall admit lower
31 division students through coadmission or coenrollment agreements with
32 a community college, or through direct transfer for students who have
33 accumulated approximately one year of transferable college credits. In
34 addition to offering lower division courses linked to specific majors
35 as addressed above, the campus may also directly admit freshmen and
36 sophomores gradually and deliberately in accordance with the campus
37 plan submitted to the higher education coordinating board in 2004.

1 (3) At the University of Washington Bothell, a top priority is
2 expansion of upper division capacity for transfer students and graduate
3 capacity and programs. The campus shall also seek additional
4 opportunities to collaborate with and maximize its (~~collocation~~
5 ~~relocation~~) colocation with Cascadia Community College. Beginning
6 in the fall of 2006, the campus may offer lower division courses linked
7 to specific majors in fields not addressed at local community colleges.
8 The campus may admit lower division students through coadmission or
9 coenrollment agreements with a community college, or through direct
10 transfer for students who have accumulated approximately one year of
11 transferable college credits. In addition to offering lower division
12 courses linked to specific majors as addressed above, the campus may
13 also directly admit freshmen and sophomores gradually and deliberately
14 in accordance with the campus plan submitted to the higher education
15 coordinating board in 2004.

16 **Sec. 321.** RCW 28B.45.030 and 2006 c 166 s 1 are each amended to
17 read as follows:

18 (1) Washington State University is responsible for providing
19 baccalaureate and graduate level higher education programs to the
20 citizens of the Tri-Cities area, under rules or guidelines adopted by
21 the (~~higher education coordinating board~~) office of financial
22 management and in accordance with proportionality agreements
23 emphasizing access for transfer students developed with the state board
24 for community and technical colleges. Washington State University
25 shall meet that responsibility through the operation of a branch campus
26 in the Tri-Cities area. The branch campus shall replace and supersede
27 the Tri-Cities university center. All land, facilities, equipment, and
28 personnel of the Tri-Cities university center shall be transferred from
29 the University of Washington to Washington State University.

30 (2) In 2005, the legislature authorized the expansion on a limited
31 basis of Washington State University's branch campus in the Tri-Cities
32 area. The legislature authorized the Tri-Cities branch campus to
33 continue providing innovative coadmission and coenrollment options with
34 Columbia Basin College, and to expand its upper-division capacity for
35 transfer students and graduate capacity and programs. The branch
36 campus was given authority beginning in fall 2006 to offer lower-
37 division courses linked to specific majors in fields not addressed at

1 the local community colleges. The campus was also authorized to
2 directly admit freshmen and sophomores for a bachelor's degree program
3 in biotechnology subject to approval by the (~~higher education~~
4 ~~coordinating board~~) office of financial management. The legislature
5 finds that the Tri-Cities community is very engaged in and committed to
6 exploring the further expansion of Washington State University Tri-
7 Cities branch campus into a four-year institution and considers this
8 issue to be a top priority for the larger Tri-Cities region.

9 (3) Washington State University Tri-Cities shall continue providing
10 innovative coadmission and coenrollment options with Columbia Basin
11 College, and expand its upper division capacity for transfer students
12 and graduate capacity and programs. The campus shall also seek
13 additional opportunities to collaborate with the Pacific Northwest
14 national laboratory. Beginning in the fall of 2006, the campus may
15 offer lower division courses linked to specific majors in fields not
16 addressed at local community colleges. The campus may admit lower
17 division students through coadmission or coenrollment agreements with
18 a community college, or through direct transfer for students who have
19 accumulated approximately one year of transferable college credits. In
20 addition to offering lower division courses linked to specific majors
21 as addressed above, the campus may also directly admit freshmen and
22 sophomores for a bachelor's degree program in biotechnology subject to
23 approval by the (~~higher education coordinating board~~) office of
24 financial management.

25 (4) The Washington State University Tri-Cities branch campus shall
26 develop a plan for expanding into a four-year institution and shall
27 identify new degree programs and course offerings focused on areas of
28 specific need in higher education that exist in southeastern
29 Washington. The branch campus's plan should examine the resources and
30 talent available in the Tri-Cities area, including but not limited to
31 resources and talent available at the Pacific Northwest national
32 laboratory, and how these resources and talent may best be used by the
33 Tri-Cities branch campus to expand into a four-year institution. The
34 branch campus shall submit its plan to the legislature and the higher
35 education coordinating board by November 30, 2006.

36 (5) Beginning in the fall of 2007, the Washington State University
37 Tri-Cities branch campus may begin, subject to approval by the (~~higher~~
38 ~~education coordinating board~~) office of financial management,

1 admitting lower-division students directly into programs beyond the
2 biotechnology field that are identified in its plan as being in high
3 need in southeastern Washington. Such fields may include but need not
4 be limited to science, engineering and technology, biomedical sciences,
5 alternative energy, and computational and information sciences. By
6 gradually and deliberately admitting freshmen and sophomores in
7 accordance with its plan, increasing transfer enrollment, and
8 coadmitting transfer students, the campus shall develop into a four-
9 year institution serving the southeastern Washington region.

10 **Sec. 322.** RCW 28B.45.040 and 2005 c 258 s 5 are each amended to
11 read as follows:

12 (1) Washington State University is responsible for providing
13 baccalaureate and graduate level higher education programs to the
14 citizens of the southwest Washington area, under rules or guidelines
15 adopted by the (~~higher education coordinating board~~) office of
16 financial management and in accordance with proportionality agreements
17 emphasizing access for transfer students developed with the state board
18 for community and technical colleges. Washington State University
19 shall meet that responsibility through the operation of a branch campus
20 in the southwest Washington area.

21 (2) Washington State University Vancouver shall expand upper
22 division capacity for transfer students and graduate capacity and
23 programs and continue to collaborate with local community colleges on
24 coadmission and coenrollment programs. In addition, beginning in the
25 fall of 2006, the campus may admit lower division students directly.
26 By simultaneously admitting freshmen and sophomores, increasing
27 transfer enrollment, coadmitting transfer students, and expanding
28 graduate and professional programs, the campus shall develop into a
29 four-year institution serving the southwest Washington region.

30 **Sec. 323.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each
31 amended to read as follows:

32 Central Washington University is responsible for providing upper-
33 division and graduate level higher education programs to the citizens
34 of the Yakima area, under rules or guidelines adopted by the (~~higher~~
35 ~~education coordinating board~~) office of financial management.

1 **Sec. 324.** RCW 28B.50.140 and 2010 c 51 s 4 are each amended to
2 read as follows:

3 Each board of trustees:

4 (1) Shall operate all existing community and technical colleges in
5 its district;

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

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

25 (4) May establish, under the approval and direction of the college
26 board, new facilities as community needs and interests demand.
27 However, the authority of boards of trustees to purchase or lease major
28 off-campus facilities shall be subject to the approval of the (~~higher~~
29 ~~education coordinating board pursuant to RCW 28B.76.230~~) office of
30 financial management;

31 (5) May establish or lease, operate, equip and maintain
32 dormitories, food service facilities, bookstores and other self-
33 supporting facilities connected with the operation of the community and
34 technical college;

35 (6) May, with the approval of the college board, borrow money and
36 issue and sell revenue bonds or other evidences of indebtedness for the
37 construction, reconstruction, erection, equipping with permanent
38 fixtures, demolition and major alteration of buildings or other capital

1 assets, and the acquisition of sites, rights-of-way, easements,
2 improvements or appurtenances, for dormitories, food service
3 facilities, and other self-supporting facilities connected with the
4 operation of the community and technical college in accordance with the
5 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

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

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

16 (b) Employ necessary employees to govern, manage and operate the
17 same;

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

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

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

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

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

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

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

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

3 (16) Notwithstanding any other provision of law, may offer
4 educational services on a contractual basis other than the tuition and
5 fee basis set forth in chapter 28B.15 RCW for a special fee to private
6 or governmental entities, consistent with rules adopted by the state
7 board for community and technical colleges: PROVIDED, That the whole
8 of such special fee shall go to the college district and be not less
9 than the full instructional costs of such services including any salary
10 increases authorized by the legislature for community and technical
11 college employees during the term of the agreement: PROVIDED FURTHER,
12 That enrollments generated hereunder shall not be counted toward the
13 official enrollment level of the college district for state funding
14 purposes;

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

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

35 (19) May participate in higher education centers and consortia that
36 involve any four-year public or independent college or university:
37 PROVIDED, That new degree programs or off-campus programs offered by a
38 four-year public or independent college or university in collaboration

1 with a community or technical college are subject to approval by the
2 (~~higher education coordinating board under RCW 28B.76.230~~) office of
3 financial management;

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

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

14 **Sec. 325.** RCW 28B.50.810 and 2010 c 245 s 3 are each amended to
15 read as follows:

16 (1) The college board may select community or technical colleges to
17 develop and offer programs of study leading to applied baccalaureate
18 degrees. Colleges may submit applications to the college board. The
19 college board and the higher education coordinating board shall review
20 the applications and select the colleges using objective criteria,
21 including, but not limited to:

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

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

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

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

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

36 (2) A college selected under this section may develop the
37 curriculum for and design and deliver courses leading to an applied

1 baccalaureate degree. However, degree programs developed under this
2 section are subject to approval by the college board under RCW
3 28B.50.090 and by the (~~higher education coordinating board pursuant to~~
4 ~~RCW 28B.76.230~~) office of financial management before a college may
5 enroll students in upper division courses.

6 **Sec. 326.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to
7 read as follows:

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

10 (2) The board shall:

11 (a) Determine the specific high-technology occupational fields in
12 which technical training is needed and advise the institutions of
13 higher education (~~and the higher education coordinating board~~) on
14 their findings;

15 (b) Identify economic areas and high-technology industries in need
16 of technical training and research and development critical to economic
17 development and advise the institutions of higher education (~~and the~~
18 ~~higher education coordinating board~~) on their findings;

19 (c) Oversee and coordinate the Washington high-technology education
20 and training program to ensure high standards, efficiency, and
21 effectiveness;

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

25 (e) Work cooperatively with and provide any information or advice
26 which may be requested by the (~~higher education coordinating board~~)
27 office of financial management during the board's review of new
28 baccalaureate degree program proposals which are submitted under this
29 chapter. Nothing in this chapter shall be construed as altering or
30 superseding the powers or prerogatives of the (~~higher education~~
31 ~~coordinating board~~) office of financial management over the review of
32 new degree programs as established in section 6(2) of this 1985 act;

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

1 (g) Work towards increasing private sector participation and
2 contributions in Washington high-technology programs;

3 (h) Identify and evaluate the effectiveness of state sponsored
4 research related to high technology; and

5 (i) Establish and maintain a plan, including priorities, to guide
6 high-technology program development in public institutions of higher
7 education, which plan shall include an assessment of current high-
8 technology programs, steps to increase existing programs, new
9 initiatives and programs necessary to promote high technology, and
10 methods to coordinate and target high-technology programs to changing
11 market opportunities in business and industry.

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

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

16 **Sec. 327.** RCW 28B.85.010 and 1986 c 136 s 1 are each amended to
17 read as follows:

18 Unless the context clearly requires otherwise, the definitions in
19 this section apply throughout this chapter:

20 (1) (~~("Board" means the higher education coordinating board.~~
21 ~~+2))~~) "Degree" means any designation, appellation, letters, or
22 words including but not limited to "associate," "bachelor," "master,"
23 "doctor," or "fellow" which signify or purport to signify satisfactory
24 completion of the requirements of an academic program of study beyond
25 the secondary school level.

26 ((+3)) (2) "Degree-granting institution" means an entity that
27 offers educational credentials, instruction, or services prerequisite
28 to or indicative of an academic or professional degree beyond the
29 secondary level.

30 (3) "Office" means the office of financial management.

31 **Sec. 328.** RCW 28B.85.020 and 2006 c 234 s 3 are each amended to
32 read as follows:

33 (1) The (~~board~~) office:

34 (a) Shall adopt by rule, in accordance with chapter 34.05 RCW,
35 minimum standards for degree-granting institutions concerning granting
36 of degrees, quality of education, unfair business practices, financial

1 stability, and other necessary measures to protect citizens of this
2 state against substandard, fraudulent, or deceptive practices. The
3 rules shall require that an institution operating in Washington:

4 (i) Be accredited;

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

7 (iii) Have been granted a waiver by the ((board)) office waiving
8 the requirement of accreditation; or

9 (iv) Have been granted an exemption by the ((board)) office from
10 the requirements of this subsection (1)(a);

11 (b) May investigate any entity the ((board)) office reasonably
12 believes to be subject to the jurisdiction of this chapter. In
13 connection with the investigation, the ((board)) office may administer
14 oaths and affirmations, issue subpoenas and compel attendance, take
15 evidence, and require the production of any books, papers,
16 correspondence, memorandums, or other records which the ((board))
17 office deems relevant or material to the investigation. The ((board))
18 office, including its staff and any other authorized persons, may
19 conduct site inspections, the cost of which shall be borne by the
20 institution, and examine records of all institutions subject to this
21 chapter;

22 (c) Shall develop an interagency agreement with the workforce
23 training and education coordinating board to regulate degree-granting
24 private vocational schools with respect to degree and nondegree
25 programs; and

26 (d) Shall develop and disseminate information to the public about
27 entities that sell or award degrees without requiring appropriate
28 academic achievement at the postsecondary level, including but not
29 limited to, a description of the substandard and potentially fraudulent
30 practices of these entities, and advice about how the public can
31 recognize and avoid the entities. To the extent feasible, the
32 information shall include links to additional resources that may assist
33 the public in identifying specific institutions offering substandard or
34 fraudulent degree programs.

35 (2) Financial disclosures provided to the ((board)) office by
36 degree-granting private vocational schools are not subject to public
37 disclosure under chapter 42.56 RCW.

1 **Sec. 329.** RCW 28B.85.030 and 2003 c 53 s 175 are each amended to
2 read as follows:

3 (1) A degree-granting institution shall not operate and shall not
4 grant or offer to grant any degree unless the institution has obtained
5 current authorization from the ((~~board~~)) office.

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

14 **Sec. 330.** RCW 28B.85.040 and 2006 c 234 s 4 are each amended to
15 read as follows:

16 (1) An institution or person shall not advertise, offer, sell, or
17 award a degree or any other type of educational credential unless the
18 student has enrolled in and successfully completed a prescribed program
19 of study, as outlined in the institution's publications. This
20 prohibition shall not apply to honorary credentials clearly designated
21 as such on the front side of the diploma or certificate and awarded by
22 institutions offering other educational credentials in compliance with
23 state law.

24 (2) No exemption or waiver granted under this chapter is permanent.
25 The ((~~board~~)) office shall periodically review exempted degree-granting
26 institutions and degree-granting institutions granted a waiver, and
27 continue exemptions or waivers only if an institution meets the
28 statutory or ((~~board~~)) office requirements for exemption or waiver in
29 effect on the date of the review.

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

32 (a) Any public college, university, community college, technical
33 college, or institute operating as part of the public higher
34 educational system of this state;

35 (b) Institutions that have been accredited by an accrediting
36 association recognized by the agency for the purposes of this chapter:
37 PROVIDED, That those institutions meet minimum exemption standards

1 adopted by the agency; and PROVIDED FURTHER, That an institution,
2 branch, extension, or facility operating within the state of Washington
3 which is affiliated with an institution operating in another state must
4 be a separately accredited member institution of any such accrediting
5 association to qualify for this exemption;

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

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

13 (e) Institutions not otherwise exempt which offer only workshops or
14 seminars and institutions offering only credit-bearing workshops or
15 seminars lasting no longer than three calendar days.

16 **Sec. 331.** RCW 28B.85.050 and 1986 c 136 s 5 are each amended to
17 read as follows:

18 All degree-granting institutions subject to this chapter shall file
19 information with the ((board)) office as the ((board)) office may
20 require.

21 **Sec. 332.** RCW 28B.85.060 and 1986 c 136 s 6 are each amended to
22 read as follows:

23 The ((board)) office shall impose fees on any degree-granting
24 institution authorized to operate under this chapter. Fees shall be
25 set and revised by the ((board)) office by rule at the level necessary
26 to approximately recover the staffing costs incurred in administering
27 this chapter. Fees shall be deposited in the general fund.

28 **Sec. 333.** RCW 28B.85.070 and 1986 c 136 s 7 are each amended to
29 read as follows:

30 (1) The ((board)) office may require any degree-granting
31 institution to have on file with the ((board)) office an approved
32 surety bond or other security in lieu of a bond in an amount determined
33 by the ((board)) office.

34 (2) In lieu of a surety bond, an institution may deposit with the
35 ((board)) office a cash deposit or other negotiable security acceptable

1 to the ((~~board~~)) office. The security deposited with the ((~~board~~))
2 office in lieu of the surety bond shall be returned to the institution
3 one year after the institution's authorization has expired or been
4 revoked if legal action has not been instituted against the institution
5 or the security deposit at the expiration of the year. The obligations
6 and remedies relating to surety bonds authorized by this section,
7 including but not limited to the settlement of claims procedure in
8 subsection (5) of this section, shall apply to deposits filed with the
9 ((~~board~~)) office, as applicable.

10 (3) Each bond shall:

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

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

16 (c) Be conditioned on compliance with all provisions of this
17 chapter and the ((~~board's~~)) office's rules adopted under this chapter;

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

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

23 (4) Upon receiving notice of a bond cancellation, the ((~~board~~))
24 office shall notify the institution that the authorization will be
25 suspended on the effective date of the bond cancellation unless the
26 institution files with the ((~~board~~)) office another approved surety
27 bond or other security. The ((~~board~~)) office may suspend or revoke the
28 authorization at an earlier date if it has reason to believe that such
29 action will prevent students from losing their tuition or fees.

30 (5) If a complaint is filed under RCW 28B.85.090(1) against an
31 institution, the ((~~board~~)) office may file a claim against the surety
32 and settle claims against the surety by following the procedure in this
33 subsection.

34 (a) The ((~~board~~)) office shall attempt to notify all potential
35 claimants. If the absence of records or other circumstances makes it
36 impossible or unreasonable for the ((~~board~~)) office to ascertain the
37 names and addresses of all the claimants, the ((~~board~~)) office after
38 exerting due diligence and making reasonable inquiry to secure that

1 information from all reasonable and available sources, may make a
2 demand on a bond on the basis of information in the ((~~board's~~))
3 office's possession. The ((~~board~~)) office is not liable or responsible
4 for claims or the handling of claims that may subsequently appear or be
5 discovered.

6 (b) Thirty days after notification, if a claimant fails, refuses,
7 or neglects to file with the ((~~board~~)) office a verified claim, the
8 ((~~board~~)) office shall be relieved of further duty or action under this
9 chapter on behalf of the claimant.

10 (c) After reviewing the claims, the ((~~board~~)) office may make
11 demands upon the bond on behalf of those claimants whose claims have
12 been filed. The ((~~board~~)) office may settle or compromise the claims
13 with the surety and may execute and deliver a release and discharge of
14 the bond.

15 (d) If the surety refuses to pay the demand, the ((~~board~~)) office
16 may bring an action on the bond in behalf of the claimants. If an
17 action is commenced on the bond, the ((~~board~~)) office may require a new
18 bond to be filed.

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

22 (6) The liability of the surety shall not exceed the amount of the
23 bond.

24 **Sec. 334.** RCW 28B.85.080 and 1986 c 136 s 8 are each amended to
25 read as follows:

26 The ((~~board~~)) office may suspend or modify any of the requirements
27 under this chapter in a particular case if ((~~the board~~)) it finds that:

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

30 (2) The education to be offered addresses a substantial,
31 demonstrated need among residents of the state or that literal
32 application of this chapter would cause a manifestly unreasonable
33 hardship.

34 **Sec. 335.** RCW 28B.85.090 and 1989 c 175 s 82 are each amended to
35 read as follows:

36 (1) A person claiming loss of tuition or fees as a result of an

1 unfair business practice may file a complaint with the ((board))
2 office. The complaint shall set forth the alleged violation and shall
3 contain information required by the ((board)) office. A complaint may
4 also be filed with the ((board)) office by an authorized staff member
5 of the ((board)) office or by the attorney general.

6 (2) The ((board)) office shall investigate any complaint under this
7 section and may attempt to bring about a settlement. The ((board))
8 office may hold a hearing pursuant to the administrative procedure act,
9 chapter 34.05 RCW, in order to determine whether a violation has
10 occurred. If the ((board)) office prevails, the degree-granting
11 institution shall pay the costs of the administrative hearing.

12 (3) If, after the hearing, the ((board)) office finds that the
13 institution or its agent engaged in or is engaging in any unfair
14 business practice, the ((board)) office shall issue and cause to be
15 served upon the violator an order requiring the violator to cease and
16 desist from the act or practice and may impose the penalties under RCW
17 28B.85.100. If the ((board)) office finds that the complainant has
18 suffered loss as a result of the act or practice, the ((board)) office
19 may order full or partial restitution for the loss. The complainant is
20 not bound by the ((board's)) office's determination of restitution and
21 may pursue any other legal remedy.

22 **Sec. 336.** RCW 28B.85.100 and 1986 c 136 s 10 are each amended to
23 read as follows:

24 Any person, group, or entity or any owner, officer, agent, or
25 employee of such entity who ((willfully)) willfully violates any
26 provision of this chapter or the rules adopted under this chapter shall
27 be subject to a civil penalty of not more than one hundred dollars for
28 each violation. Each day on which a violation occurs constitutes a
29 separate violation. The fine may be imposed by the ((higher education
30 ~~coordinating board~~) office or by any court of competent jurisdiction.

31 **Sec. 337.** RCW 28B.85.130 and 1986 c 136 s 13 are each amended to
32 read as follows:

33 If any degree-granting institution discontinues its operation, the
34 chief administrative officer of the institution shall file with the
35 ((board)) office the original or legible true copies of all educational
36 records required by the ((board)) office. If the ((board)) office

1 determines that any educational records are in danger of being made
2 unavailable to the ((board)) office, the ((board)) office may seek a
3 court order to protect and if necessary take possession of the records.
4 The ((board)) office shall cause to be maintained a permanent file of
5 educational records coming into its possession.

6 **Sec. 338.** RCW 28B.85.170 and 1986 c 136 s 17 are each amended to
7 read as follows:

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

19 **Sec. 339.** RCW 28B.110.030 and 1989 c 341 s 3 are each amended to
20 read as follows:

21 ((~~In consultation with~~)) The institutions of higher education(~~(~~
22 ~~the higher education coordinating board~~)) shall develop rules and
23 guidelines to eliminate possible gender discrimination to students,
24 including sexual harassment, at institutions of higher education as
25 defined in RCW 28B.10.016. The rules and guidelines shall include but
26 not be limited to access to academic programs, student employment,
27 counseling and guidance services, financial aid, recreational
28 activities including club sports, and intercollegiate athletics.

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

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

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

35 (c) Provide the same opportunities for advancement to males and
36 females; and

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

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

6 (3) Counseling and guidance services for students shall be made
7 available to all students without regard to gender. All academic and
8 counseling personnel shall be required to stress access to all career
9 and vocational opportunities to students without regard to gender.

10 (4) All academic programs shall be available to students without
11 regard to gender.

12 (5) With respect to recreational activities, recreational
13 activities shall be offered to meet the interests of students.
14 Institutions which provide the following shall do so with no
15 disparities based on gender: Equipment and supplies; medical care;
16 services and insurance; transportation and per diem allowances;
17 opportunities to receive coaching and instruction; laundry services;
18 assignment of game officials; opportunities for competition, publicity,
19 and awards; and scheduling of games and practice times, including use
20 of courts, gyms, and pools. Each institution which provides showers,
21 toilets, lockers, or training room facilities for recreational purposes
22 shall provide comparable facilities for both males and females.

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

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

27 (a) Benefits and services including, but not limited to, equipment
28 and supplies; medical services; services and insurance; transportation
29 and per diem allowances; opportunities to receive coaching and
30 instruction; scholarships and other forms of financial aid;
31 conditioning programs; laundry services; assignment of game officials;
32 opportunities for competition, publicity, and awards; and scheduling of
33 games and practice times, including use of courts, gyms, and pools.
34 Each institution which provides showers, toilets, lockers, or training
35 room facilities for athletic purposes shall provide comparable
36 facilities for both males and females.

37 (b) Opportunities to participate in intercollegiate athletics.

1 Institutions shall provide equitable opportunities to male and female
2 students.

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

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

8 **Sec. 340.** RCW 28B.110.040 and 1997 c 5 s 5 are each amended to
9 read as follows:

10 The ((~~executive~~)) director of the ((~~higher education coordinating~~
11 ~~board~~)) office of financial management, in consultation with the
12 council of presidents and the state board for community and technical
13 colleges, shall monitor the compliance by institutions of higher
14 education with this chapter.

15 (1) The ((~~board~~)) office of financial management shall establish a
16 timetable and guidelines for compliance with this chapter.

17 (2) By November 30, 1990, each institution shall submit to the
18 ((~~board~~)) office of financial management for approval a plan to comply
19 with the requirements of RCW 28B.110.030. The plan shall contain
20 measures to ensure institutional compliance with the provisions of this
21 chapter by September 30, 1994. If participation in activities, such as
22 intercollegiate athletics and matriculation in academic programs is not
23 proportionate to the percentages of male and female enrollment, the
24 plan should outline efforts to identify barriers to equal participation
25 and to encourage gender equity in all aspects of college and university
26 life.

27 (3) The ((~~board~~)) office of financial management shall report
28 every four years, beginning December 31, ((~~1998~~)) 2011, to the governor
29 and the higher education committees of the house of representatives and
30 the senate on institutional efforts to comply with this chapter. The
31 report shall include recommendations on measures to assist institutions
32 with compliance. This report may be combined with the report required
33 in RCW 28B.15.465.

34 (4) The ((~~board~~)) office of financial management may delegate to
35 the state board for community and technical colleges any or all
36 responsibility for community college compliance with the provisions of
37 this chapter.

1 NEW SECTION. **Sec. 341.** The following sections are each recodified
2 as sections in chapter 43.41 RCW.

3 RCW 28B.76.210

4 RCW 28B.76.290

5 RCW 28B.76.300

6 RCW 28B.76.310

7 RCW 28B.76.340

8 NEW SECTION. **Sec. 342.** The following acts or parts of acts are
9 each repealed:

10 (1) RCW 28B.10.922 (Performance agreements--State committee--
11 Development of final proposals--Implementation--Updates) and 2008 c 160
12 s 4; and

13 (2) RCW 28B.76.335 (Teacher preparation degree and certificate
14 programs--Needs assessment) and 2010 c 235 s 507 & 2007 c 396 s 17.

15 NEW SECTION. **Sec. 343.** (1) All powers, duties, and functions of
16 the higher education coordinating board pertaining to the adoption of
17 statewide gender equity rules, adoption of minimum college admission
18 standards, program approval, branch campus expansion, the education
19 cost study, and the purchase or lease of major off-campus facilities
20 are transferred to the office of financial management.

21 (2)(a) All reports, documents, surveys, books, records, files,
22 papers, or written material in the possession of the higher education
23 coordinating board pertaining to the powers, functions, and duties
24 transferred shall be delivered to the custody of the office of
25 financial management. All cabinets, furniture, office equipment, motor
26 vehicles, and other tangible property employed by the higher education
27 coordinating board in carrying out the powers, functions, and duties
28 transferred shall be made available to the office of financial
29 management. All funds, credits, or other assets held in connection
30 with the powers, functions, and duties transferred shall be assigned to
31 the office of financial management.

32 (b) Any appropriations made to the higher education coordinating
33 board for carrying out the powers, functions, and duties transferred
34 shall, on the effective date of this section, be transferred and
35 credited to the office of financial management.

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

7 (3) All employees of the higher education coordinating board
8 engaged in performing the powers, functions, and duties transferred are
9 transferred to the jurisdiction of the office of financial management.
10 All employees classified under chapter 41.06 RCW, the state civil
11 service law, are assigned to the office of financial management to
12 perform their usual duties upon the same terms as formerly, without any
13 loss of rights, subject to any action that may be appropriate
14 thereafter in accordance with the laws and rules governing state civil
15 service.

16 (4) All rules and all pending business before the higher education
17 coordinating board pertaining to the powers, functions, and duties
18 transferred shall be continued and acted upon by the office of
19 financial management. All existing contracts and obligations shall
20 remain in full force and shall be performed by the office of financial
21 management.

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

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

31 (7) All classified employees of the higher education coordinating
32 board assigned to the office of financial management under this section
33 whose positions are within an existing bargaining unit description at
34 the office of financial management shall become a part of the existing
35 bargaining unit at the office of financial management and shall be
36 considered an appropriate inclusion or modification of the existing
37 bargaining unit under the provisions of chapter 41.80 RCW.

1 PART III

2 WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

3 Sec. 401. RCW 28B.90.010 and 1993 c 181 s 2 are each amended to
4 read as follows:

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

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

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

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

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

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

20 (3) "Approved branch campus" means a foreign degree-granting
21 institution's branch campus that has been approved by the (~~higher~~
22 ~~education coordinating board~~) office of financial management to
23 operate in the state.

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

26 (a) Is either owned and operated directly by a foreign degree-
27 granting institution or indirectly through a Washington profit or
28 nonprofit corporation in which the foreign degree-granting institution
29 is the sole or controlling shareholder or member; and

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

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

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

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

4 (5) (~~("Board")~~) "Office" means the (~~(higher education coordinating~~
5 ~~board)~~) office of financial management.

6 **Sec. 402.** RCW 28B.90.020 and 1999 c 85 s 1 are each amended to
7 read as follows:

8 A foreign degree-granting institution that submits evidence
9 satisfactory to the (~~board~~) office of its authorized status in its
10 country of domicile and its intent to establish an educational facility
11 in the state is entitled to operate a branch campus as defined in RCW
12 28B.90.010. Upon receipt of the satisfactory evidence, the (~~board~~)
13 office may certify that the branch campus of the foreign degree-
14 granting institution is approved to operate in the state under this
15 chapter, for as long as the foreign degree-granting institution retains
16 its authorized status in its country of domicile.

17 **Sec. 403.** RCW 28B.90.030 and 1993 c 181 s 4 are each amended to
18 read as follows:

19 A branch campus of a foreign degree-granting institution previously
20 found by the (~~board~~) office to be exempt from chapter 28B.85 RCW may
21 continue to operate in the state. However, within one year of July 25,
22 1993, the institution shall provide evidence of authorization as
23 required under RCW 28B.90.020. Upon receipt of the satisfactory
24 evidence, the (~~board~~) office shall certify that the branch campus of
25 the foreign degree-granting institution is approved to operate in the
26 state under this chapter.

27 **Sec. 404.** RCW 28B.76.110 and 2004 c 275 s 5 are each amended to
28 read as follows:

29 The (~~(higher education coordinating board)~~) office of financial
30 management is designated as the state commission as provided for in
31 Section 1202 of the education amendments of 1972 (Public Law 92-318),
32 as now or hereafter amended; and shall perform such functions as is
33 necessary to comply with federal directives pertaining to the
34 provisions of such law.

1 **Sec. 405.** RCW 28B.76.320 and 2004 c 275 s 16 are each amended to
2 read as follows:

3 The (~~board~~) office of financial management shall determine and
4 transmit amounts constituting approved undergraduate and graduate
5 educational costs to the several boards of regents and trustees of the
6 state institutions of higher education by November 10 of each even-
7 numbered year.

8 **Sec. 406.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to
9 read as follows:

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

12 (1) "Authority" means a health sciences and services authority
13 created pursuant to this chapter.

14 (2) "Board" means the governing board of trustees of an authority.

15 (3) "Director" means (~~{the director of}~~) the director of the
16 (~~higher~~) workforce training and education coordinating board.

17 (4) "Health sciences and services" means biosciences that advance
18 new therapies and procedures to combat disease and promote public
19 health.

20 (5) "Local government" means a city, town, or county.

21 (6) "Sponsoring local government" means a city, town, or county
22 that creates a health sciences and services authority.

23 **Sec. 407.** RCW 35.104.040 and 2010 1st sp.s. c 33 s 2 are each
24 amended to read as follows:

25 (1) The (~~higher~~) workforce training and education coordinating
26 board may approve applications submitted by local governments for an
27 area's designation as a health sciences and services authority under
28 this chapter. The director must determine the division to review
29 applications submitted by local governments under this chapter. The
30 application for designation must be in the form and manner and contain
31 such information as the (~~higher~~) workforce training and education
32 coordinating board may prescribe, provided the application:

33 (a) Contains sufficient information to enable the director to
34 determine the viability of the proposal;

35 (b) Demonstrates that an ordinance or resolution has been passed by

1 the legislative authority of a local government that delineates the
2 boundaries of an area that may be designated an authority;

3 (c) Is submitted on behalf of the local government, or, if that
4 office does not exist, by the legislative body of the local government;

5 (d) Demonstrates that the public funds directed to programs or
6 facilities in the authority will leverage private sector resources and
7 contributions to activities to be performed;

8 (e) Provides a plan or plans for the development of the authority
9 as an entity to advance as a cluster for health sciences education,
10 health sciences research, biotechnology development, biotechnology
11 product commercialization, and/or health care services; and

12 (f) Demonstrates that the state has previously provided funds to
13 health sciences and services programs or facilities in the applicant
14 city, town, or county.

15 (2) The director must determine the division to develop criteria to
16 evaluate the application. The criteria must include:

17 (a) The presence of infrastructure capable of spurring development
18 of the area as a center of health sciences and services;

19 (b) The presence of higher education facilities where undergraduate
20 or graduate coursework or research is conducted; and

21 (c) The presence of facilities in which health services are
22 provided.

23 (3) There may be no more than two authorities statewide.

24 (4) An authority may only be created in a county with a population
25 of less than one million persons and located east of the crest of the
26 Cascade mountains.

27 (5) The director may reject or approve an application. When
28 denying an application, the director must specify the application's
29 deficiencies. The decision regarding such designation as it relates to
30 a specific local government is final; however, a rejected application
31 may be resubmitted.

32 (6) Applications are due by December 31, 2010, and must be
33 processed within sixty days of submission.

34 (7) The director may, at his or her discretion, amend the
35 boundaries of an authority upon the request of the local government.

36 (8) The (~~higher~~) workforce training and education coordinating
37 board may adopt any rules necessary to implement this chapter.

1 (9) The ((higher)) workforce training and education coordinating
2 board must develop evaluation and performance measures in order to
3 evaluate the effectiveness of the programs in the authorities that are
4 funded with public resources. A report to the legislature is due on a
5 biennial basis beginning December 1, 2009. In addition, the ((higher))
6 workforce training and education coordinating board must develop
7 evaluation criteria that enables the local governments to measure the
8 effectiveness of the program.

9 **Sec. 408.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to
10 read as follows:

11 (1) The governor may, by executive order, after consultation with
12 or notification of the executive-legislative committee on economic
13 development created by chapter . . . (Senate Bill No. 5300), Laws of
14 1993, declare a community to be a "military impacted area." A
15 "military impacted area" means a community or communities, as
16 identified in the executive order, that experience serious social and
17 economic hardships because of a change in defense spending by the
18 federal government in that community or communities.

19 (2) If the governor executes an order under subsection (1) of this
20 section, the governor shall establish a response team to coordinate
21 state efforts to assist the military impacted community. The response
22 team may include, but not be limited to, one member from each of the
23 following agencies: (a) The department of ((community, trade, and
24 economic development)) commerce; (b) the department of social and
25 health services; (c) the employment security department; (d) the state
26 board for community and technical colleges; (e) the ((higher))
27 workforce training and education coordinating board; and (f) the
28 department of transportation. The governor may appoint a response team
29 coordinator. The governor shall seek to actively involve the impacted
30 community or communities in planning and implementing a response to the
31 crisis. The governor may seek input or assistance from the community
32 diversification advisory committee, and the governor may establish task
33 forces in the community or communities to assist in the coordination
34 and delivery of services to the local community. The state and
35 community response shall consider economic development, human service,
36 and training needs of the community or communities impacted.

1 NEW SECTION. **Sec. 409.** (1) All powers, duties, and functions of
2 the higher education coordinating board pertaining to degree-granting
3 institutions, approval of health sciences and services authorities, and
4 the approval of veterans' programs are transferred to the workforce
5 training and education coordinating board, unless and until the
6 governor designates an alternate state approving agency for purposes of
7 approving veterans' programs pursuant to 38 U.S.C. Sec. 3671(a).

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

20 (b) Any appropriations made to the higher education coordinating
21 board for carrying out the powers, functions, and duties transferred
22 shall, on the effective date of this section, be transferred and
23 credited to the workforce training and education coordinating board.

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

30 (3) All employees of the higher education coordinating board
31 engaged in performing the powers, functions, and duties transferred are
32 transferred to the jurisdiction of the workforce training and education
33 coordinating board. All employees classified under chapter 41.06 RCW,
34 the state civil service law, are assigned to the workforce training and
35 education coordinating board to perform their usual duties upon the
36 same terms as formerly, without any loss of rights, subject to any
37 action that may be appropriate thereafter in accordance with the laws
38 and rules governing state civil service.

1 (4) All rules and all pending business before the higher education
2 coordinating board pertaining to the powers, functions, and duties
3 transferred shall be continued and acted upon by the workforce training
4 and education coordinating board. All existing contracts and
5 obligations shall remain in full force and shall be performed by the
6 workforce training and education coordinating board.

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

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

16 (7) All classified employees of the higher education coordinating
17 board assigned to the workforce training and education coordinating
18 board under this section whose positions are within an existing
19 bargaining unit description at the workforce training and education
20 coordinating board shall become a part of the existing bargaining unit
21 at the workforce training and education coordinating board and shall be
22 considered an appropriate inclusion or modification of the existing
23 bargaining unit under the provisions of chapter 41.80 RCW.

24 **PART IV**

25 **MISCELLANEOUS REFERENCES**

26 **Sec. 501.** RCW 9A.60.070 and 2006 c 234 s 2 are each amended to
27 read as follows:

28 (1) A person is guilty of issuing a false academic credential if
29 the person knowingly:

30 (a) Grants or awards a false academic credential or offers to grant
31 or award a false academic credential in violation of this section;

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

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

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

3 (2) A person is guilty of knowingly using a false academic
4 credential if the person knowingly uses a false academic credential or
5 falsely claims to have a credential issued by an institution of higher
6 education that is accredited by an accrediting association recognized
7 as such by rule of the (~~higher education coordinating board~~) office
8 of financial management:

9 (a) In a written or oral advertisement or other promotion of a
10 business; or

11 (b) With the intent to:

12 (i) Obtain employment;

13 (ii) Obtain a license or certificate to practice a trade,
14 profession, or occupation;

15 (iii) Obtain a promotion, compensation or other benefit, or an
16 increase in compensation or other benefit, in employment or in the
17 practice of a trade, profession, or occupation;

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

19 (v) Gain a position in government with authority over another
20 person, regardless of whether the person receives compensation for the
21 position.

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

24 (a) "False academic credential" means a document that provides
25 evidence or demonstrates completion of an academic or professional
26 course of instruction beyond the secondary level that results in the
27 attainment of an academic certificate, degree, or rank, and that is not
28 issued by a person or entity that: (i) Is an entity accredited by an
29 agency recognized as such by rule of the (~~higher education~~
30 ~~coordinating board~~) office of financial management or has the
31 international equivalents of such accreditation; or (ii) is an entity
32 authorized as a degree-granting institution by the (~~higher education~~
33 ~~coordinating board~~) office of financial management; or (iii) is an
34 entity exempt from the requirements of authorization as a degree-
35 granting institution by the (~~higher education coordinating board~~)
36 office of financial management; or (iv) is an entity that has been
37 granted a waiver by the (~~higher education coordinating board~~) office
38 of financial management from the requirements of authorization by the

1 ((board)) office of financial management. Such documents include, but
2 are not limited to, academic certificates, degrees, coursework, degree
3 credits, transcripts, or certification of completion of a degree.

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

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

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

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

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

11 (iii) Maintaining or advertising a Washington location, mailing
12 address, computer server, or telephone number, for any purpose, other
13 than for contact with the institution's former students for any
14 legitimate purpose related to the students having attended the
15 institution.

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

17 (5) Knowingly using a false academic credential is a gross
18 misdemeanor.

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

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

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

27 (2) Expanded function dental auxiliary education and training
28 programs approved by the commission and the practice as an expanded
29 function dental auxiliary by students in expanded function dental
30 auxiliary education and training programs approved by the commission,
31 when acting under the direction and supervision of persons licensed
32 under chapter 18.29 or 18.32 RCW;

33 (3) Dental assistant education and training programs, and the
34 practice of dental assisting by students in dental assistant education
35 and training programs approved by the commission or offered at a school
36 approved or licensed by the workforce training and education
37 coordinating board, ((higher education coordinating board,)) state

1 board for community and technical colleges, or Washington state skill
2 centers certified by the office of the superintendent of public
3 instruction, when acting under the direction and supervision of persons
4 registered or licensed under this chapter or chapter 18.29 or 18.32
5 RCW; or

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

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

11 The superintendent of public instruction, in consultation with
12 (~~the higher education coordinating board,~~) the state board for
13 community and technical colleges(~~(,)~~) and the workforce training and
14 education coordinating board, shall adopt rules pursuant to chapter
15 34.05 RCW, to implement the course requirements set forth in RCW
16 28A.230.090. The rules shall include, as the superintendent deems
17 necessary, granting equivalencies for and temporary exemptions from the
18 course requirements in RCW 28A.230.090 and special alterations of the
19 course requirements in RCW 28A.230.090. In developing such rules the
20 superintendent shall recognize the relevance of vocational and applied
21 courses and allow such courses to fulfill in whole or in part the
22 courses required for graduation in RCW 28A.230.090, as determined by
23 the high school or school district in accordance with RCW 28A.230.097.
24 The rules may include provisions for competency testing in lieu of such
25 courses required for graduation in RCW 28A.230.090 or demonstration of
26 specific skill proficiency or understanding of concepts through work or
27 experience.

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

30 (1) The office of the superintendent of public instruction, in
31 collaboration with the state board for community and technical
32 colleges, the Washington state apprenticeship and training council, the
33 workforce training and education coordinating board, (~~the higher
34 education coordinating board,~~) and the public baccalaureate
35 institutions, shall report by September 1, 2010, and annually

1 thereafter to the education and higher education committees of the
2 legislature regarding participation in dual credit programs. The
3 report shall include:

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

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

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

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

15 **Sec. 505.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to
16 read as follows:

17 (1) The superintendent of public instruction, the state board for
18 community and technical colleges, (~~the higher education coordinating~~
19 ~~board,~~) and the public baccalaureate institutions shall jointly
20 develop and each adopt rules governing the college in the high school
21 program. The association of Washington school principals shall be
22 consulted during the rules development. The rules shall be written to
23 encourage the maximum use of the program and may not narrow or limit
24 the enrollment options.

25 (2) College in the high school programs shall each be governed by
26 a local contract between the district and the institution of higher
27 education, in compliance with the guidelines adopted by the
28 superintendent of public instruction, the state board for community and
29 technical colleges, and the public baccalaureate institutions.

30 (3) The college in the high school program must include the
31 provisions in this subsection.

32 (a) The high school and institution of higher education together
33 shall define the criteria for student eligibility. The institution of
34 higher education may charge tuition fees to participating students.

35 (b) School districts shall report no student for more than one
36 full-time equivalent including college in the high school courses.

1 (c) The funds received by the institution of higher education may
2 not be deemed tuition or operating fees and may be retained by the
3 institution of higher education.

4 (d) Enrollment information on persons registered under this section
5 must be maintained by the institution of higher education separately
6 from other enrollment information and may not be included in official
7 enrollment reports, nor may such persons be considered in any
8 enrollment statistics that would affect higher education budgetary
9 determinations.

10 (e) A school district must grant high school credit to a student
11 enrolled in a program course if the student successfully completes the
12 course. If no comparable course is offered by the school district, the
13 school district superintendent shall determine how many credits to
14 award for the course. The determination shall be made in writing
15 before the student enrolls in the course. The credits shall be applied
16 toward graduation requirements and subject area requirements. Evidence
17 of successful completion of each program course shall be included in
18 the student's secondary school records and transcript.

19 (f) An institution of higher education must grant college credit to
20 a student enrolled in a program course if the student successfully
21 completes the course. The college credit shall be applied toward
22 general education requirements or major requirements. If no comparable
23 course is offered by the college, the institution of higher education
24 at which the teacher of the program course is employed shall determine
25 how many credits to award for the course and whether the course
26 fulfills general education or major requirements. Evidence of
27 successful completion of each program course must be included in the
28 student's college transcript.

29 (g) Eleventh and twelfth grade students or students who have not
30 yet received a high school diploma or its equivalent and are eligible
31 to be in the eleventh or twelfth grades may participate in the college
32 in the high school program.

33 (h) Participating school districts must provide general information
34 about the college in the high school program to all students in grades
35 ten, eleven, and twelve and to the parents and guardians of those
36 students.

37 (i) Full-time and part-time faculty at institutions of higher

1 education, including adjunct faculty, are eligible to teach program
2 courses.

3 (4) The definitions in this subsection apply throughout this
4 section.

5 (a) "Institution of higher education" has the meaning in RCW
6 28B.10.016 and also includes a public tribal college located in
7 Washington and accredited by the Northwest commission on colleges and
8 universities or another accrediting association recognized by the
9 United States department of education.

10 (b) "Program course" means a college course offered in a high
11 school under the college in the high school program.

12 **Sec. 506.** RCW 28A.600.310 and 2009 c 450 s 8 are each amended to
13 read as follows:

14 (1) Eleventh and twelfth grade students or students who have not
15 yet received the credits required for the award of a high school
16 diploma and are eligible to be in the eleventh or twelfth grades may
17 apply to a participating institution of higher education to enroll in
18 courses or programs offered by the institution of higher education. A
19 student receiving home-based instruction enrolling in a public high
20 school for the sole purpose of participating in courses or programs
21 offered by institutions of higher education shall not be counted by the
22 school district in any required state or federal accountability
23 reporting if the student's parents or guardians filed a declaration of
24 intent to provide home-based instruction and the student received home-
25 based instruction during the school year before the school year in
26 which the student intends to participate in courses or programs offered
27 by the institution of higher education. Students receiving home-based
28 instruction under chapter 28A.200 RCW and students attending private
29 schools approved under chapter 28A.195 RCW shall not be required to
30 meet the student learning goals, obtain a certificate of academic
31 achievement or a certificate of individual achievement to graduate from
32 high school, or to master the essential academic learning requirements.
33 However, students are eligible to enroll in courses or programs in
34 participating universities only if the board of directors of the
35 student's school district has decided to participate in the program.
36 Participating institutions of higher education, in consultation with
37 school districts, may establish admission standards for these students.

1 If the institution of higher education accepts a secondary school pupil
2 for enrollment under this section, the institution of higher education
3 shall send written notice to the pupil and the pupil's school district
4 within ten days of acceptance. The notice shall indicate the course
5 and hours of enrollment for that pupil.

6 (2) In lieu of tuition and fees, as defined in RCW 28B.15.020 and
7 28B.15.041, running start students shall pay to the community or
8 technical college all other mandatory fees as established by each
9 community or technical college; and all other institutions of higher
10 education operating a running start program may charge technology fees.
11 The fees charged shall be prorated based on credit load.

12 (3) The institutions of higher education must make available fee
13 waivers for low-income running start students. Each institution must
14 establish a written policy for the determination of low-income students
15 before offering the fee waiver. A student shall be considered low
16 income and eligible for a fee waiver upon proof that the student is
17 currently qualified to receive free or reduced-price lunch. Acceptable
18 documentation of low-income status may also include, but is not limited
19 to, documentation that a student has been deemed eligible for free or
20 reduced-price lunches in the last five years, or other criteria
21 established in the institution's policy.

22 (4) The pupil's school district shall transmit to the institution
23 of higher education an amount per each full-time equivalent college
24 student at statewide uniform rates for vocational and nonvocational
25 students. The superintendent of public instruction shall separately
26 calculate and allocate moneys appropriated for basic education under
27 RCW 28A.150.260 to school districts for purposes of making such
28 payments and for granting school districts seven percent thereof to
29 offset program related costs. The calculations and allocations shall
30 be based upon the estimated statewide annual average per full-time
31 equivalent high school student allocations under RCW 28A.150.260,
32 excluding small high school enhancements, and applicable rules adopted
33 under chapter 34.05 RCW. The superintendent of public instruction(~~(~~
34 ~~the higher education coordinating board,~~~~)~~) and the state board for
35 community and technical colleges shall consult on the calculation and
36 distribution of the funds. The funds received by the institution of
37 higher education from the school district shall not be deemed tuition
38 or operating fees and may be retained by the institution of higher

1 education. A student enrolled under this subsection shall be counted
2 for the purpose of meeting enrollment targets in accordance with terms
3 and conditions specified in the omnibus appropriations act.

4 (5) The state board for community and technical colleges, in
5 collaboration with the other institutions of higher education that
6 participate in the running start program and the office of the
7 superintendent of public instruction, shall identify, assess, and
8 report on alternatives for providing ongoing and adequate financial
9 support for the program. Such alternatives shall include but are not
10 limited to student tuition, increased support from local school
11 districts, and reallocation of existing state financial support among
12 the community and technical college system to account for differential
13 running start enrollment levels and impacts. The state board for
14 community and technical colleges shall report the assessment of
15 alternatives to the governor and to the appropriate fiscal and policy
16 committees of the legislature by September 1, 2010.

17 **Sec. 507.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to
18 read as follows:

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

26 **Sec. 508.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to
27 read as follows:

28 (1) The office of the superintendent of public instruction, in
29 consultation with the workforce training and education coordinating
30 board, the Washington state apprenticeship and training council, and
31 the state board for community and technical colleges, shall develop a
32 list of statewide high-demand programs for secondary career and
33 technical education. The list shall be developed using the high-demand
34 list maintained by workforce development councils in consultation with
35 the employment security department(~~(,)~~) and the high employer demand
36 programs of study identified by the workforce training and education

1 coordinating board(~~, and the high employer demand programs of study~~
2 ~~identified by the higher education coordinating board~~). Local school
3 districts may recommend additional high-demand programs in consultation
4 with local career and technical education advisory committees by
5 submitting evidence of local high demand.

6 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,
7 and 28A.700.060(~~, and section 307 of this act~~):

8 (a) "High-demand program" means a career and technical education
9 program that prepares students for either a high employer demand
10 program of study or a high-demand occupation, or both.

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

17 (c) "High-demand occupation" means an occupation with a substantial
18 number of current or projected employment opportunities.

19 **Sec. 509.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to
20 read as follows:

21 (1) The office of the superintendent of public instruction, the
22 workforce training and education coordinating board, the state board
23 for community and technical colleges, (~~the higher education~~
24 ~~coordinating board,~~) and the council of presidents shall work with
25 local school districts, workforce education programs in colleges, tech
26 prep consortia, and four-year institutions of higher education to
27 develop model career and technical education programs of study as
28 described by this section.

29 (2) Career and technical education programs of study:

30 (a) Incorporate secondary and postsecondary education elements;

31 (b) Include coherent and rigorous academic content aligned with
32 state learning standards and relevant career and technical content in
33 a coordinated, nonduplicative progression of courses that are aligned
34 with postsecondary education in a related field;

35 (c) Include opportunities for students to earn dual high school and
36 college credit; and

1 (d) Lead to an industry-recognized credential or certificate at the
2 postsecondary level, or an associate or baccalaureate degree.

3 (3) During the 2008-09 school year, model career and technical
4 education programs of study shall be developed for the following
5 high-demand programs: Construction, health care, and information
6 technology. Each school year thereafter, the office of the
7 superintendent of public instruction, the state board for community and
8 technical colleges, (~~the higher education coordinating board,~~) and
9 the workforce training and education coordinating board shall select
10 additional programs of study to develop, with a priority on high-demand
11 programs as identified under RCW 28A.700.020.

12 **Sec. 510.** RCW 28B.07.040 and 1985 c 370 s 49 are each amended to
13 read as follows:

14 The authority is authorized and empowered to do the following, on
15 such terms, with such security and undertakings, subject to such
16 conditions, and in return for such consideration, as the authority
17 shall determine in its discretion to be necessary, useful, or
18 convenient in accomplishing the purposes of this chapter:

19 (1) To (~~promulgate~~) adopt rules in accordance with chapter 34.05
20 RCW;

21 (2) To adopt an official seal and to alter the same at pleasure;

22 (3) To maintain an office at any place or places as the authority
23 may designate;

24 (4) To sue and be sued in its own name, and to plead and be
25 impleaded;

26 (5) To make and execute agreements with participants and others and
27 all other instruments necessary, useful, or convenient for the
28 accomplishment of the purposes of this chapter;

29 (6) To provide long-term or short-term financing or refinancing to
30 participants for project costs, by way of loan, lease, conditional
31 sales contract, mortgage, option to purchase, or other financing or
32 security device or any such combination;

33 (7) If, in order to provide to participants the financing or
34 refinancing of project costs described in subsection (6) of this
35 section, the authority deems it necessary or convenient for it to own
36 a project or projects or any part of a project or projects, for any

1 period of time, it may acquire, contract, improve, alter, rehabilitate,
2 repair, manage, operate, mortgage, subject to a security interest,
3 lease, sell, or convey the project;

4 (8) To fix, revise from time to time, and charge and collect from
5 participants and others rates, rents, fees, charges, and repayments as
6 necessary to fully and timely reimburse the authority for all expenses
7 incurred by it in providing the financing and refinancing and other
8 services under this section and for the repayment, when due, of all the
9 principal of, redemption premium, if any, and interest on all bonds
10 issued under this chapter to provide the financing, refinancing, and
11 services;

12 (9) To accept and receive funds, grants, gifts, pledges,
13 guarantees, mortgages, trust deeds, and other security instruments, and
14 property from the federal government or the state or other public body,
15 entity, or agency and from any public or private institution,
16 association, corporation, or organization, including participants. It
17 shall not accept or receive from the state or any taxing agency any
18 money derived from taxes, except money to be devoted to the purposes of
19 a project of the state or of a taxing agency;

20 (10) To open and maintain a bank account or accounts in one or more
21 qualified public depositories in this state and to deposit all or any
22 part of authority funds therein;

23 (11) To employ consulting engineers, architects, attorneys,
24 accountants, construction and financial experts, superintendents,
25 managers, an executive director, and such other employees and agents as
26 may be necessary in its judgment to carry out the purposes of this
27 chapter, and to fix their compensation;

28 (12) To provide financing or refinancing to two or more
29 participants for a single project or for several projects in such
30 combinations as the authority deems necessary, useful, or convenient;

31 (13) To charge to and equitably apportion among participants the
32 administrative costs and expenses incurred in the exercise of the
33 powers and duties conferred by this chapter;

34 ~~(14) ((To consult with the higher education coordinating board to
35 determine project priorities under the purposes of this chapter; and~~

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

1 In the exercise of any of these powers, the authority shall incur
2 no expense or liability which shall be an obligation, either general or
3 special, of the state, or a general obligation of the authority, and
4 shall pay no expense or liability from funds other than funds of the
5 authority. Funds of the state shall not be used for such purpose.

6 **Sec. 511.** RCW 28B.10.056 and 2006 c 180 s 2 are each amended to
7 read as follows:

8 (1) A state priority is established for institutions of higher
9 education, including community colleges, to encourage growing numbers
10 of enrollments and degrees in the fields of engineering, technology,
11 biotechnology, sciences, computer sciences, and mathematics.

12 (2) In meeting this state priority, the legislature understands and
13 recognizes that the demands of the economic marketplace and the desires
14 of students are not always on parallel tracks. Therefore, institutions
15 of higher education shall determine local student demand for programs
16 in the fields of engineering, technology, biotechnology, sciences,
17 computer sciences, and mathematics and submit findings and proposed
18 alternatives to meet demand to the higher education coordinating board
19 and the legislature by November 1, 2008.

20 (3) While it is understood that these areas of emphasis should not
21 be the sole focus of institutions of higher education. It is the
22 intent of the legislature that steady progress in these areas occur.
23 The (~~higher education coordinating board~~) institutions of higher
24 education and the state board for community and technical colleges
25 shall track and report progress in the fields of engineering,
26 technology, biotechnology, sciences, computer sciences, and mathematics
27 including, but not limited to, the following information:

28 (a) The number of students enrolled in these fields on a biennial
29 basis;

30 (b) The number of associate, bachelor's, and master's degrees
31 conferred in these fields on a biennial basis;

32 (c) The amount of expenditures in enrollment and degree programs in
33 these fields; and

34 (d) The number and type of public-private partnerships established
35 relating to these fields among institutions of higher education,
36 including community colleges, and leading corporations in Washington
37 state.

1 (4) Institutions of higher education, including community colleges,
2 shall be provided discretion and flexibility in achieving the
3 objectives under this section. Examples of the types of institutional
4 programs that may help achieve these objectives include, but are not
5 limited to, establishment of institutes of technology, new polytechnic-
6 based institutions, new divisions of existing institutions, and a
7 flexible array of delivery models, including face-to-face learning,
8 interactive courses, internet-based offerings, and instruction on main
9 campuses, branch campuses, and other educational centers.

10 (5) The legislature recognizes the global needs of the economic
11 marketplace for technologically prepared graduates, and the
12 relationship between technology industries and higher education.
13 Institutions of higher education, including community colleges, are
14 strongly urged to consider science, engineering, and technology program
15 growth in areas of the state that exhibit a high concentration of
16 aerospace, biotechnology, and technology industrial presence. Expanded
17 science and technology programs can gain from the proximity of
18 experienced and knowledgeable industry leaders, while industry can
19 benefit from access to new sources of highly trained and educated
20 graduates.

21 **Sec. 512.** RCW 28B.10.125 and 2000 c 166 s 2 are each amended to
22 read as follows:

23 (1) Beginning in April 2000, representatives of the public
24 baccalaureate institutions designated by the council of presidents, in
25 consultation with representatives of the community and technical
26 colleges (~~((and representatives of the higher education coordinating
27 board))), shall convene an interinstitutional group to begin to: (a)~~
28 Develop a definition of information and technology literacy; (b)
29 develop strategies or standards by which to measure the achievement of
30 information and technology literacy; and (c) develop a financial
31 assessment of the cost of implementation.

32 (2) The baccalaureate institutions shall provide the house of
33 representatives and senate committees on higher education with a
34 progress report in January 2001.

35 (3) By the end of January 2002, the baccalaureate institutions
36 shall deliver to the house of representatives and senate committees on
37 higher education a report detailing: (a) The definition of information

1 and technology literacy; (b) strategies or standards for measurement;
2 (c) institutionally specific plans for implementation; and (d) an
3 evaluation of the feasibility of implementation taking into
4 consideration cost.

5 (4) If the legislature determines that implementation is feasible,
6 the public baccalaureate institutions shall pilot test strategies to
7 assess and report on information and technology literacy during the
8 2002-03 academic year.

9 (5) By the end of January 2004, the institutions shall report to
10 the house of representatives and senate committees on higher education
11 the results of the 2002-03 pilot study.

12 (6) Implementation of assessment strategies shall begin in the
13 academic year 2003-04.

14 ~~((7) The higher education coordinating board shall report results
15 to the house of representatives and senate committees on higher
16 education in the 2005 legislative session.))~~

17 **Sec. 513.** RCW 28B.10.5691 and 2008 c 168 s 2 are each amended to
18 read as follows:

19 (1) Each institution of higher education shall take the following
20 actions:

21 (a) By October 30, 2008, submit a self-study assessing its ability
22 to facilitate the safety of students, faculty, staff, administration,
23 and visitors on each campus, including an evaluation of the
24 effectiveness of these measures, an assessment of the institution's
25 ability to disseminate information in a timely and efficient manner to
26 students, faculty, and staff, an evaluation of the institution's
27 ability to provide an appropriate level of mental health services, and
28 an action plan and timelines describing plans to maximize program
29 effectiveness for the next two biennia. ~~((Four-year institutions shall
30 submit their studies to the higher education coordinating board.))~~
31 Community and technical colleges shall submit their studies to the
32 state board for community and technical colleges.

33 (b) By October 30th of each even-numbered year, beginning in 2010,
34 each institution shall submit an update to its ~~((campus safety))~~
35 campus safety plan, including an assessment of the results of
36 activities undertaken under any previous plan to address unmet safety

1 issues, and additional activities, or modifications of current
2 activities, to be undertaken to address remaining safety issues at the
3 institution.

4 (2) The (~~higher education coordinating board~~) institutions of
5 higher education and the state board for community and technical
6 colleges shall report biennially, beginning December 31, 2010, to the
7 governor and the higher education committees of the house of
8 representatives and the senate on:

9 (a) The efforts of each institution and the extent to which it has
10 complied with RCW 28B.10.569 and subsection (1)(b) of this section; and

11 (b) Recommendations on measures to assist institutions to ensure
12 and enhance campus safety.

13 **Sec. 514.** RCW 28B.10.682 and 1995 c 310 s 2 are each amended to
14 read as follows:

15 By June 30, 1996, in consultation with the commission on student
16 learning, the superintendent of public instruction, the state board of
17 education, faculty, teachers from institutions of higher education and
18 high schools, and others as appropriate, (~~the higher education~~
19 ~~coordinating board~~) shall adopt common definitions of remedial and
20 precollege material and course work. The definitions adopted by the
21 board shall be rigorous, challenging students to come to college well
22 prepared to engage in college and university work, and shall be adopted
23 by each institution of higher education as defined in RCW 28B.10.016.

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

26 The participation rate used to calculate enrollment levels under
27 RCW 28B.10.776 and 28B.10.782 shall be based on fall enrollment
28 reported in the higher education enrollment report as maintained by the
29 office of financial management, fall enrollment as reported in the
30 management information system of the state board for community and
31 technical colleges, and the corresponding fall population forecast by
32 the office of financial management. Formal estimates of the state
33 participation rates and enrollment levels necessary to fulfill the
34 requirements of RCW 28B.10.776 and 28B.10.782 shall be determined by
35 the office of financial management as part of its responsibility to
36 develop and maintain student enrollment forecasts for colleges and

1 universities under RCW 43.62.050. Formal estimates of the state
2 participation rates and enrollment levels required by this section
3 shall be based on procedures and standards established by a technical
4 work group consisting of staff from (~~the higher education coordinating
5 board,~~) the public four-year institutions of higher education, the
6 state board for community and technical colleges, the fiscal and higher
7 education committees of the house of representatives and the senate,
8 and the office of financial management. Formal estimates of the state
9 participation rates and enrollment levels required by this section
10 shall be submitted to the fiscal committees of the house of
11 representatives and senate on or before November 15th of each even-
12 numbered year. (~~The higher education coordinating board shall
13 periodically review the enrollment goals set forth in RCW 28B.10.776
14 and 28B.10.782 and submit recommendations concerning modification of
15 these goals to the governor and to the higher education committees of
16 the house of representatives and the senate.~~)

17 **Sec. 516.** RCW 28B.15.068 and 2009 c 540 s 1 are each amended to
18 read as follows:

19 (1) Beginning with the 2007-08 academic year and ending with the
20 2016-17 academic year, tuition fees charged to full-time resident
21 undergraduate students, except in academic years 2009-10 and 2010-11,
22 may increase no greater than seven percent over the previous academic
23 year in any institution of higher education. Annual reductions or
24 increases in full-time tuition fees for resident undergraduate students
25 shall be as provided in the omnibus appropriations act, within the
26 seven percent increase limit established in this section. For academic
27 years 2009-10 and 2010-11 the omnibus appropriations act may provide
28 tuition increases greater than seven percent. To the extent that state
29 appropriations combined with tuition and fee revenues are insufficient
30 to achieve the total per-student funding goals established in
31 subsection (2) of this section, the legislature may revisit state
32 appropriations, authorized enrollment levels, and changes in tuition
33 fees for any given fiscal year.

34 (2) The state shall adopt as its goal total per-student funding
35 levels, from state appropriations plus tuition and fees, of at least
36 the sixtieth percentile of total per-student funding at similar public
37 institutions of higher education in the global challenge states. In

1 defining comparable per-student funding levels, the office of financial
2 management shall adjust for regional cost-of-living differences; for
3 differences in program offerings and in the relative mix of lower
4 division, upper division, and graduate students; and for accounting and
5 reporting differences among the comparison institutions. The office of
6 financial management shall develop a funding trajectory for each four-
7 year institution of higher education and for the community and
8 technical college system as a whole that when combined with tuition and
9 fees revenue allows the state to achieve its funding goal for each
10 four-year institution and the community and technical college system as
11 a whole no later than fiscal year 2017. The state shall not reduce
12 enrollment levels below fiscal year 2007 budgeted levels in order to
13 improve or alter the per-student funding amount at any four-year
14 institution of higher education or the community and technical college
15 system as a whole. The state recognizes that each four-year
16 institution of higher education and the community and technical college
17 system as a whole have different funding requirements to achieve
18 desired performance levels, and that increases to the total per-student
19 funding amount may need to exceed the minimum funding goal.

20 (3) By September 1st of each year beginning in 2008, the office of
21 financial management shall report to the governor(~~(, the higher~~
22 ~~education coordinating board,)~~) and appropriate committees of the
23 legislature with updated estimates of the total per-student funding
24 level that represents the sixtieth percentile of funding for comparable
25 institutions of higher education in the global challenge states, and
26 the progress toward that goal that was made for each of the public
27 institutions of higher education.

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

36 (5) During the 2009-10 and the 2010-11 academic years, institutions
37 of higher education shall include information on their billing

1 statements notifying students of tax credits available through the
2 American opportunity tax credit provided in the American recovery and
3 reinvestment act of 2009.

4 **Sec. 517.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to
5 read as follows:

6 (1) The building fee for each academic year shall be a percentage
7 of total tuition fees. This percentage shall be calculated by the
8 (~~higher education coordinating board~~) institutions of higher
9 education and be based on the actual percentage the building fee is of
10 total tuition for each tuition category in the 1994-95 academic year,
11 rounded up to the nearest half percent.

12 (2) The governing boards of each institution of higher education,
13 except for the technical colleges, shall charge to and collect from
14 each student a services and activities fee. A governing board may
15 increase the existing fee annually, consistent with budgeting
16 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
17 the annual percentage increase in student tuition fees for resident
18 undergraduate students: PROVIDED, That such percentage increase shall
19 not apply to that portion of the services and activities fee previously
20 committed to the repayment of bonded debt. These rate adjustments may
21 exceed the fiscal growth factor. For the 2003-04 academic year, the
22 services and activities fee shall be based upon the resident
23 undergraduate services and activities fee in 2002-03. The services and
24 activities fee committee provided for in RCW 28B.15.045 may initiate a
25 request to the governing board for a fee increase.

26 (3) Tuition and services and activities fees consistent with
27 subsection (2) of this section shall be set by the state board for
28 community and technical colleges for community college summer school
29 students unless the community college charges fees in accordance with
30 RCW 28B.15.515.

31 (4) Subject to the limitations of RCW 28B.15.910, each governing
32 board of a community college may charge such fees for ungraded courses,
33 noncredit courses, community services courses, and self-supporting
34 courses as it, in its discretion, may determine, consistent with the
35 rules of the state board for community and technical colleges.

36 (5) The governing board of a college offering an applied
37 baccalaureate degree program under RCW 28B.50.810 may charge tuition

1 fees for those courses above the associate degree level at rates
2 consistent with rules adopted by the state board for community and
3 technical colleges, not to exceed tuition fee rates at the regional
4 universities.

5 **Sec. 518.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended
6 to read as follows:

7 Subject to the limitations of RCW 28B.15.910, the state board for
8 community and technical colleges and the governing boards of the state
9 universities, the regional universities, the community colleges, and
10 The Evergreen State College may waive all or a portion of the
11 nonresident tuition fees differential for residents of Oregon, upon
12 completion of and to the extent permitted by an agreement between the
13 (~~higher education coordinating~~) boards and appropriate officials and
14 agencies in Oregon granting similar waivers for residents of the state
15 of Washington.

16 **Sec. 519.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to
17 read as follows:

18 The (~~higher education coordinating board~~) state board for
19 community and technical colleges and the governing boards of the state
20 universities, the regional universities, and The Evergreen State
21 College may enter into an agreement with appropriate officials or
22 agencies in Oregon to implement the provisions of RCW 28B.15.730
23 through 28B.15.734.

24 **Sec. 520.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended
25 to read as follows:

26 Subject to the limitations of RCW 28B.15.910, the governing boards
27 of the state universities, the regional universities, and The Evergreen
28 State College and the state board for community and technical colleges
29 may waive all or a portion of the nonresident tuition fees differential
30 for residents of Idaho, upon completion of and to the extent permitted
31 by an agreement between the (~~higher education coordinating~~) boards
32 and appropriate officials and agencies in Idaho granting similar
33 waivers for residents of the state of Washington.

1 **Sec. 521.** RCW 28B.15.754 and 1987 c 446 s 1 are each amended to
2 read as follows:

3 The (~~higher education coordinating board~~) state board for
4 community and technical colleges and the governing boards of the state
5 universities, the regional universities, and The Evergreen State
6 College may enter into an agreement with appropriate officials or
7 agencies in the state of Idaho to implement RCW 28B.15.750 and
8 28B.15.752. (~~By January 10 of each odd-numbered year, the board shall~~
9 ~~review the costs and benefits of any agreement entered into under RCW~~
10 ~~28B.15.750 and shall transmit copies of their review to the governor~~
11 ~~and the appropriate policy and fiscal committees of the legislature.~~)

12 **Sec. 522.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended
13 to read as follows:

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

25 **Sec. 523.** RCW 28B.15.758 and 1987 c 446 s 3 are each amended to
26 read as follows:

27 The (~~higher education coordinating board~~) state board for
28 community and technical colleges and the governing boards of the state
29 universities, the regional universities, and The Evergreen State
30 College may enter into an agreement with appropriate officials or
31 agencies in the Canadian province of British Columbia to implement RCW
32 28B.15.756. The agreement should provide for a balanced exchange of
33 enrollment opportunities, without payment of excess tuition or fees,
34 for residents of the state of Washington or the Canadian province of
35 British Columbia. (~~By January 10 of each odd-numbered year, the board~~
36 ~~shall review the costs and benefits of any agreement entered into under~~

1 ~~RCW 28B.15.756 and shall transmit copies of their review to the~~
2 ~~governor and the appropriate policy and fiscal committees of the~~
3 ~~legislature.)~~)

4 **Sec. 524.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to
5 read as follows:

6 (1) A global Asia institute is created within the Henry M. Jackson
7 School of International Studies. The mission of the institute is to
8 promote the understanding of Asia and its interactions with Washington
9 state and the world. The institute shall host visiting scholars and
10 policymakers, sponsor programs and learning initiatives, engage in
11 collaborative research projects, and facilitate broader understanding
12 and cooperation between the state of Washington and Asia through
13 general public programs and targeted collaborations with specific
14 communities in the state.

15 (2) Within existing resources, a global Asia institute advisory
16 board is established. The director of the Henry M. Jackson School of
17 International Studies shall appoint members of the advisory board and
18 determine the advisory board's roles and responsibilities. The board
19 shall include members representing academia, business, and government.

20 ~~((3) The higher education coordinating board may solicit, accept,~~
21 ~~receive, and administer federal funds or private funds, in trust or~~
22 ~~otherwise, and contract with foundations or with for profit or~~
23 ~~nonprofit organizations to support the purposes of this section.))~~

24 **Sec. 525.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to
25 read as follows:

26 ~~((1))~~) A University of Washington center for human rights is
27 created. The mission of the center is to expand opportunities for
28 Washington residents to receive a world-class education in human
29 rights, generate research data and expert knowledge to enhance public
30 and private policymaking, and become an academic center for human
31 rights teaching and research in the nation. The center shall align
32 with the founding principles and philosophies of the United States of
33 America and engage faculty, staff, and students in service to enhance
34 the promise of life and liberty as outlined in the Preamble of the
35 United States Constitution. Key substantive issues for the center
36 include: The rights of all persons to security against violence; the

1 rights of immigrants, native Americans, and ethnic or religious
2 minorities; human rights and the environment; health as a human right;
3 human rights and trade; the human rights of working people; and women's
4 rights as human rights. State funds may not be used to support the
5 center for human rights created in this section.

6 ~~((2) The higher education coordinating board and the University of
7 Washington may solicit, accept, receive, and administer federal funds
8 or private funds, in trust or otherwise, and contract with foundations
9 or with for-profit or nonprofit organizations to support the purposes
10 of this section.))~~

11 **Sec. 526.** RCW 28B.30.530 and 2010 c 165 s 3 are each amended to
12 read as follows:

13 (1) The board of regents of Washington State University shall
14 establish the Washington State University small business development
15 center.

16 (2) The center shall provide management and technical assistance
17 including but not limited to training, counseling, and research
18 services to small businesses throughout the state. The center shall
19 work with the department of commerce, the state board for community and
20 technical colleges, ~~((the higher education coordinating board,))~~ the
21 workforce training and education coordinating board, the employment
22 security department, the Washington state economic development
23 commission, associate development organizations, and workforce
24 development councils to:

25 (a) Integrate small business development centers with other state
26 and local economic development and workforce development programs;

27 (b) Target the centers' services to small businesses;

28 (c) Tailor outreach and services at each center to the needs and
29 demographics of entrepreneurs and small businesses located within the
30 service area;

31 (d) Establish and expand small business development center
32 satellite offices when financially feasible; and

33 (e) Coordinate delivery of services to avoid duplication.

34 (3) The administrator of the center may contract with other public
35 or private entities for the provision of specialized services.

36 (4) The small business development center may accept and disburse
37 federal grants or federal matching funds or other funds or donations

1 from any source when made, granted, or donated to carry out the
2 center's purposes. When drawing on funds from the business assistance
3 account created in RCW 28B.30.531, the center must first use the funds
4 to make increased management and technical assistance available to
5 existing small businesses and start-up businesses at satellite offices.
6 The funds may also be used to develop and expand assistance programs
7 such as small business planning workshops and small business
8 counseling.

9 (5) By December 1, 2010, the center shall provide a written
10 progress report and a final report to the appropriate committees of the
11 legislature with respect to the requirements in subsection (2) of this
12 section and the amount and use of funding received through the business
13 assistance account. The reports must also include data on the number,
14 location, staffing, and budget levels of satellite offices;
15 affiliations with community colleges, associate development
16 organizations or other local organizations; the number, size, and type
17 of small businesses assisted; and the types of services provided. The
18 reports must also include information on the outcomes achieved, such as
19 jobs created or retained, private capital invested, and return on the
20 investment of state and federal dollars.

21 (6)(a) Subject to the availability of amounts appropriated for this
22 specific purpose, by December 1, 2010, the center, in conjunction with
23 the department of commerce, must prepare and present to the governor
24 and appropriate legislative committees a specific, actionable plan to
25 increase access to capital and technical assistance to small businesses
26 and entrepreneurs beginning with the 2011-2013 biennium. In developing
27 the plan, the center and the department may consult with the Washington
28 state microenterprise association, and with other government,
29 nonprofit, and private organizations as necessary. The plan must
30 identify:

31 (i) Existing sources of capital and technical assistance for small
32 businesses and entrepreneurs;

33 (ii) Critical gaps and barriers to availability of capital and
34 delivery of technical assistance to small businesses and entrepreneurs;

35 (iii) Workable solutions to filling the gaps and removing barriers
36 identified in (a)(ii) of this subsection; and

37 (iv) The financial resources and statutory changes necessary to put
38 the plan into effect beginning with the 2011-2013 biennium.

1 (b) With respect to increasing access to capital, the plan must
2 identify specific, feasible sources of capital and practical mechanisms
3 for expanding access to it.

4 (c) The center and the department must include, within the analysis
5 and recommendations in (a) of this subsection, any specific gaps,
6 barriers, and solutions related to rural and low-income communities and
7 small manufacturers interested in exporting.

8 **Sec. 527.** RCW 28B.45.080 and 2004 c 57 s 5 are each amended to
9 read as follows:

10 The (~~higher education coordinating board~~) state board for
11 community and technical colleges and the governing boards of the state
12 universities, the regional universities, and The Evergreen State
13 College shall adopt performance measures to ensure a collaborative
14 partnership between the community and technical colleges and the branch
15 campuses. The partnership shall be one in which the community and
16 technical colleges prepare students for transfer to the upper-division
17 programs of the branch campuses and the branch campuses work with
18 community and technical colleges to enable students to transfer and
19 obtain degrees efficiently.

20 **Sec. 528.** RCW 28B.65.040 and 1995 c 399 s 29 are each amended to
21 read as follows:

22 (1) The Washington high-technology coordinating board is hereby
23 created.

24 (2) The board shall be composed of (~~eighteen~~) seventeen members
25 as follows:

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

34 (b) (~~Seven~~) Six of the members shall be as follows: One
35 representative from each of the state's two research universities, one
36 representative of the state college and regional universities, the

1 director for the state system of community and technical colleges or
2 the director's designee, the superintendent of public instruction or
3 the superintendent's designee, (~~(a representative of the higher~~
4 ~~education coordinating board,~~)) and the director of the department of
5 (~~community, trade, and economic development~~) commerce or the
6 director's designee.

7 (3) Members of the board shall not receive any salary for their
8 services, but shall be reimbursed for travel expenses under RCW
9 43.03.050 and 43.03.060 for each day actually spent in attending to
10 duties as a member of the board.

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

14 **Sec. 529.** RCW 28B.67.010 and 2006 c 112 s 2 are each amended to
15 read as follows:

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

18 (1) "Board" means the state board for community and technical
19 colleges.

20 (2) "Costs of training" and "training costs" means the direct costs
21 experienced under a contract with a qualified training institution for
22 formal technical or skill training, including basic skills. "Costs of
23 training" includes amounts in the contract for costs of instruction,
24 materials, equipment, rental of class space, marketing, and overhead.
25 "Costs of training" does not include employee tuition reimbursements
26 unless the tuition reimbursement is specifically included in a
27 contract.

28 (3) "Participant" means a private employer that, under this
29 chapter, undertakes a training program with a qualified training
30 institution.

31 (4) "Qualified training institution" means a public community or
32 technical college or a private vocational school licensed by (~~(either)~~)
33 the workforce training and education coordinating board (~~(or the higher~~
34 ~~education coordinating board)~~).

35 (5) "Training allowance" and "allowance" means a voucher, credit,
36 or payment from the board to a participant to cover training costs.

1 (6) "Training program" means a program funded under this chapter at
2 a qualified training institution.

3 **Sec. 530.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to
4 read as follows:

5 (1) Participants in the conditional scholarship program incur an
6 obligation to repay the conditional scholarship, with interest, unless
7 they serve in the Washington national guard for one additional year for
8 each year of conditional scholarship received, under rules adopted by
9 the office.

10 (2) The entire principal and interest of each yearly repayment
11 shall be forgiven for each additional year in which a participant
12 serves in the Washington national guard, under rules adopted by the
13 office.

14 (3) If a participant elects to repay the conditional scholarship,
15 the period of repayment shall be four years, with payments accruing
16 quarterly commencing nine months from the date that the participant
17 leaves the Washington national guard or withdraws from the institution
18 of higher education, whichever comes first. The interest rate on the
19 repayments shall be eight percent per year. Provisions for deferral
20 and forgiveness shall be determined by the office.

21 (4) The office is responsible for collection of repayments made
22 under this section. The office shall exercise due diligence in such
23 collection, maintaining all necessary records to ensure that maximum
24 repayments are made. Collection and servicing of repayments under this
25 section shall be pursued using the full extent of law, including wage
26 garnishment if necessary. The office is responsible to forgive all or
27 parts of such repayments under the criteria established in this
28 section, and shall maintain all necessary records of forgiven payments.
29 The office may contract with the (~~higher education coordinating~~
30 ~~board~~) office of student financial assistance for collection of
31 repayments under this section.

32 (5) Receipts from the payment of principal or interest paid by or
33 on behalf of participants shall be deposited with the office and shall
34 be used to cover the costs of granting the conditional scholarships,
35 maintaining necessary records, and making collections under subsection
36 (4) of this section. The office shall maintain accurate records of

1 these costs, and all receipts beyond those necessary to pay such costs
2 shall be used to grant conditional scholarships to eligible students.

3 **Sec. 531.** RCW 28C.10.030 and 1994 sp.s. c 9 s 723 are each amended
4 to read as follows:

5 This chapter does not apply to:

6 (1) Bona fide trade, business, professional, or fraternal
7 organizations sponsoring educational programs primarily for that
8 organization's membership or offered by that organization on a no-fee
9 basis;

10 (2) Entities offering education that is exclusively avocational or
11 recreational;

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

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

17 (5) Degree-granting programs in compliance with the rules of the
18 (~~higher education coordinating board~~) office of financial management;

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

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

25 (8) Entities offering only courses certified by the federal
26 aviation administration;

27 (9) Barber and cosmetology schools licensed under chapter 18.16
28 RCW;

29 (10) Entities which only offer courses approved to meet the
30 continuing education requirements for licensure under chapter 18.04,
31 18.79, or 48.17 RCW; and

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

34 **Sec. 532.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to
35 read as follows:

36 The agency:

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

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

5 (3) May investigate any entity the agency reasonably believes to be
6 subject to the jurisdiction of this chapter. In connection with the
7 investigation, the agency may administer oaths and affirmations, issue
8 subpoenas and compel attendance, take evidence, and require the
9 production of any books, papers, correspondence, memorandums, or other
10 records which the agency deems relevant or material to the
11 investigation. The agency, including its staff and any other
12 authorized persons, may conduct site inspections and examine records of
13 all schools subject to this chapter;

14 ~~((4) Shall develop an interagency agreement with the higher
15 education coordinating board to regulate degree-granting private
16 vocational schools with respect to degree and nondegree programs.))~~

17 **Sec. 533.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to
18 read as follows:

19 The purpose of the board is to provide planning, coordination,
20 evaluation, monitoring, and policy analysis for the state training
21 system as a whole, and advice to the governor and legislature
22 concerning the state training system, in cooperation with the state
23 training system ~~((and the higher education coordinating board)).~~

24 **Sec. 534.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to
25 read as follows:

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

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

31 (2) Advocate for the state training system and for meeting the
32 needs of employers and the workforce for workforce education and
33 training;

34 (3) Establish and maintain an inventory of the programs of the
35 state training system, and related state programs, and perform a
36 biennial assessment of the vocational education, training, and adult

1 basic education and literacy needs of the state; identify ongoing and
2 strategic education needs; and assess the extent to which employment,
3 training, vocational and basic education, rehabilitation services, and
4 public assistance services represent a consistent, integrated approach
5 to meet such needs;

6 (4) Develop and maintain a state comprehensive plan for workforce
7 training and education, including but not limited to, goals,
8 objectives, and priorities for the state training system, and review
9 the state training system for consistency with the state comprehensive
10 plan. In developing the state comprehensive plan for workforce
11 training and education, the board shall use, but shall not be limited
12 to: Economic, labor market, and populations trends reports in office
13 of financial management forecasts; joint office of financial management
14 and employment security department labor force, industry employment,
15 and occupational forecasts; the results of scientifically based
16 outcome, net-impact and cost-benefit evaluations; the needs of
17 employers as evidenced in formal employer surveys and other employer
18 input; and the needs of program participants and workers as evidenced
19 in formal surveys and other input from program participants and the
20 labor community;

21 (5) (~~In consultation with the higher education coordinating~~
22 ~~board,~~) Review and make recommendations to the office of financial
23 management and the legislature on operating and capital facilities
24 budget requests for operating agencies of the state training system for
25 purposes of consistency with the state comprehensive plan for workforce
26 training and education;

27 (6) Provide for coordination among the different operating agencies
28 and components of the state training system at the state level and at
29 the regional level;

30 (7) Develop a consistent and reliable database on vocational
31 education enrollments, costs, program activities, and job placements
32 from publicly funded vocational education programs in this state;

33 (8)(a) Establish standards for data collection and maintenance for
34 the operating agencies of the state training system in a format that is
35 accessible to use by the board. The board shall require a minimum of
36 common core data to be collected by each operating agency of the state
37 training system;

1 (b) Develop requirements for minimum common core data in
2 consultation with the office of financial management and the operating
3 agencies of the training system;

4 (9) Establish minimum standards for program evaluation for the
5 operating agencies of the state training system, including, but not
6 limited to, the use of common survey instruments and procedures for
7 measuring perceptions of program participants and employers of program
8 participants, and monitor such program evaluation;

9 (10) Every two years administer scientifically based outcome
10 evaluations of the state training system, including, but not limited
11 to, surveys of program participants, surveys of employers of program
12 participants, and matches with employment security department payroll
13 and wage files. Every five years administer scientifically based net-
14 impact and cost-benefit evaluations of the state training system;

15 (11) In cooperation with the employment security department,
16 provide for the improvement and maintenance of quality and utility in
17 occupational information and forecasts for use in training system
18 planning and evaluation. Improvements shall include, but not be
19 limited to, development of state-based occupational change factors
20 involving input by employers and employees, and delineation of skill
21 and training requirements by education level associated with current
22 and forecasted occupations;

23 (12) Provide for the development of common course description
24 formats, common reporting requirements, and common definitions for
25 operating agencies of the training system;

26 (13) Provide for effectiveness and efficiency reviews of the state
27 training system;

28 (14) In cooperation with the (~~higher education coordinating~~
29 ~~board~~) state board for community and technical colleges and the four-
30 year institutions of higher education, facilitate transfer of credit
31 policies and agreements between institutions of the state training
32 system, and encourage articulation agreements for programs encompassing
33 two years of secondary workforce education and two years of
34 postsecondary workforce education;

35 (15) In cooperation with the (~~higher education coordinating~~
36 ~~board~~) state board for community and technical colleges and the four-
37 year institutions of higher education, facilitate transfer of credit

1 policies and agreements between private training institutions and
2 institutions of the state training system;

3 (16) Develop policy objectives for the workforce investment act,
4 P.L. 105-220, or its successor; develop coordination criteria for
5 activities under the act with related programs and services provided by
6 state and local education and training agencies; and ensure that
7 entrepreneurial training opportunities are available through programs
8 of each local workforce investment board in the state;

9 (17) Make recommendations to the commission of student assessment,
10 the state board of education, and the superintendent of public
11 instruction, concerning basic skill competencies and essential core
12 competencies for K-12 education. Basic skills for this purpose shall
13 be reading, writing, computation, speaking, and critical thinking,
14 essential core competencies for this purpose shall be English, math,
15 science/technology, history, geography, and critical thinking. The
16 board shall monitor the development of and provide advice concerning
17 secondary curriculum which integrates vocational and academic
18 education;

19 (18) Establish and administer programs for marketing and outreach
20 to businesses and potential program participants;

21 (19) Facilitate the location of support services, including but not
22 limited to, child care, financial aid, career counseling, and job
23 placement services, for students and trainees at institutions in the
24 state training system, and advocate for support services for trainees
25 and students in the state training system;

26 (20) Facilitate private sector assistance for the state training
27 system, including but not limited to: Financial assistance, rotation
28 of private and public personnel, and vocational counseling;

29 (21) Facilitate the development of programs for school-to-work
30 transition that combine classroom education and on-the-job training,
31 including entrepreneurial education and training, in industries and
32 occupations without a significant number of apprenticeship programs;

33 (22) Include in the planning requirements for local workforce
34 investment boards a requirement that the local workforce investment
35 boards specify how entrepreneurial training is to be offered through
36 the one-stop system required under the workforce investment act, P.L.
37 105-220, or its successor;

1 (23) Encourage and assess progress for the equitable representation
2 of racial and ethnic minorities, women, and people with disabilities
3 among the students, teachers, and administrators of the state training
4 system. Equitable, for this purpose, shall mean substantially
5 proportional to their percentage of the state population in the
6 geographic area served. This function of the board shall in no way
7 lessen more stringent state or federal requirements for representation
8 of racial and ethnic minorities, women, and people with disabilities;

9 (24) Participate in the planning and policy development of governor
10 set-aside grants under P.L. 97-300, as amended;

11 (25) Administer veterans' programs, licensure of private vocational
12 schools, the job skills program, and the Washington award for
13 vocational excellence;

14 (26) Allocate funding from the state job training trust fund;

15 (27) Work with the director of (~~community, trade, and economic~~
16 ~~development~~) the department of commerce and the economic development
17 commission to ensure coordination among workforce training priorities,
18 the long-term economic development strategy of the economic development
19 commission, and economic development and entrepreneurial development
20 efforts, including but not limited to assistance to industry clusters;

21 (28) Conduct research into workforce development programs designed
22 to reduce the high unemployment rate among young people between
23 approximately eighteen and twenty-four years of age. In consultation
24 with the operating agencies, the board shall advise the governor and
25 legislature on policies and programs to alleviate the high unemployment
26 rate among young people. The research shall include disaggregated
27 demographic information and, to the extent possible, income data for
28 adult youth. The research shall also include a comparison of the
29 effectiveness of programs examined as a part of the research conducted
30 in this subsection in relation to the public investment made in these
31 programs in reducing unemployment of young adults. The board shall
32 report to the appropriate committees of the legislature by November 15,
33 2008, and every two years thereafter. Where possible, the data
34 reported to the legislative committees should be reported in numbers
35 and in percentages;

36 (29) Adopt rules as necessary to implement this chapter.

37 The board may delegate to the director any of the functions of this
38 section.

1 **Sec. 535.** RCW 28C.18.132 and 2008 c 258 s 2 are each amended to
2 read as follows:

3 (1) To the extent funds are appropriated specifically for this
4 purpose and in partnership with the state board for community and
5 technical colleges, the board shall convene a work group that includes
6 representatives from the prosperity partnership, the technology
7 alliance, (~~the higher education coordinating board,~~) a private career
8 or vocational school, a four-year public institution of higher
9 education, the council of faculty representatives, the united faculty
10 of Washington state, community and technical college faculty, and a
11 community and technical college student, to take the following actions
12 related to electronically distributed learning:

13 (a) Identify and evaluate current national private employer
14 workplace-based educational programs with electronically distributed
15 learning components provided by public colleges and universities. The
16 evaluation shall include:

17 (i) A review of the literature and interviews of practitioners
18 about promising practices and results;

19 (ii) An initial determination of feasibility based on targeted
20 populations served, subject matter, and level of education;

21 (iii) An overview of technological considerations and adult
22 learning strategies for distribution of learning to employer sites; and

23 (iv) An overview of cost factors, including shared costs or
24 coinvestments by public and private partners;

25 (b) Review and, to the extent necessary, establish standards and
26 best practices regarding electronically distributed learning and
27 related support services including online help desk support, advising,
28 mentoring, counseling, and tutoring;

29 (c) Recommend methods to increase student access to electronically
30 distributed learning programs of study and identify barriers to
31 programs of study participation and completion;

32 (d) Determine methods to increase the institutional supply and
33 quality of open course materials, with a focus on the OpenCourseWare
34 initiative at the Massachusetts Institute of Technology;

35 (e) Recommend methods to increase the availability and use of
36 digital open textbooks; and

37 (f) Review and report demographic information on electronically

1 distributed learning programs of study enrollments, retention, and
2 completions.

3 (2) The board shall work in cooperation with the state board for
4 community and technical colleges to report the preliminary results of
5 the studies to the appropriate committees of the legislature by
6 December 1, 2008, and a final report by December 1, 2009.

7 **Sec. 536.** RCW 28C.18.134 and 2008 c 258 s 3 are each amended to
8 read as follows:

9 (1) To the extent funds are appropriated specifically for this
10 purpose, the board shall use a matching fund strategy to select and
11 evaluate up to eight pilot projects operated by Washington institutions
12 of higher education. By September 2008, the board shall select up to
13 eight institutions of higher education as defined in RCW 28B.92.030
14 including at least four community or technical colleges to develop and
15 offer a pilot project providing employer workplace-based educational
16 programs with distance learning components. The board shall convene a
17 task force that includes representatives from the state board for
18 community and technical colleges (~~and the higher education~~
19 ~~coordinating board~~) to select the participant institutions. At a
20 minimum, the criteria for selecting the educational institutions shall
21 address:

22 (a) The ability to demonstrate a capacity to make a commitment of
23 resources to build and sustain a high quality program;

24 (b) The ability to readily engage faculty appropriately qualified
25 to develop and deliver a high quality curriculum;

26 (c) The ability to demonstrate demand for the proposed program from
27 a sufficient number of interested employees within its service area to
28 make the program cost-effective and feasible to operate; and

29 (d) The identification of employers that demonstrate a commitment
30 to host an on-site program. Employers shall demonstrate their
31 commitment to provide:

32 (i) Access to educational coursework and educational advice and
33 support for entry-level and semiskilled workers, including paid and
34 unpaid release time, and adequate classroom space that is equipped
35 appropriately for the selected technological distance learning
36 methodologies to be used;

1 (ii) On-site promotion and encouragement of worker participation,
2 including employee orientations, peer support and mentoring,
3 educational tutoring, and career planning;

4 (iii) Allowance of a reasonable level of worker choice in the type
5 and level of coursework available;

6 (iv) Commitment to work with college partner to ensure the
7 relevance of coursework to the skill demands and potential career
8 pathways of the employer host site and other participating employers;

9 (v) Willingness to participate in an evaluation of the pilot to
10 analyze the net benefit to the employer host site, other employer
11 partners, the worker-students, and the colleges; and

12 (vi) In firms with union representation, the mandatory
13 establishment of a labor-management committee to oversee design and
14 participation.

15 (2) Institutions of higher education may submit an application to
16 become a pilot college under this section. An institution of higher
17 education selected as a pilot college shall develop the curriculum for
18 and design and deliver courses. However, the programs developed under
19 this section are subject to approval by the state board for technical
20 and community colleges under RCW 28B.50.090 and by the (~~higher~~
21 ~~education coordinating board under RCW 28B.76.230~~) office of financial
22 management.

23 (3) The board shall evaluate the pilot project and report the
24 outcomes to students and employers by December 1, 2012.

25 **Sec. 537.** RCW 43.09.440 and 2005 c 385 s 5 are each amended to
26 read as follows:

27 (1) The board and the state auditor shall collaborate with the
28 joint legislative audit and review committee regarding performance
29 audits of state government.

30 (a) The board shall establish criteria for performance audits
31 consistent with the criteria and standards followed by the joint
32 legislative audit and review committee. This criteria shall include,
33 at a minimum, the auditing standards of the United States government
34 accountability office, as well as legislative mandates and performance
35 objectives established by state agencies and the legislature. Mandates
36 include, but are not limited to, agency strategies, timelines, program
37 objectives, and mission and goals as required in RCW 43.88.090.

1 (b) Using the criteria developed in (a) of this subsection, the
2 state auditor shall contract for a statewide performance review to be
3 completed as expeditiously as possible as a preliminary to a draft work
4 plan for conducting performance audits. The board and the state
5 auditor shall develop a schedule and common methodology for conducting
6 these reviews. The purpose of these performance reviews is to identify
7 those agencies, programs, functions, or activities most likely to
8 benefit from performance audits and to identify likely areas warranting
9 early review, taking into account prior performance audits, if any, and
10 prior fiscal audits.

11 (c) The board and the state auditor shall develop the draft work
12 plan for performance audits based on input from citizens, state
13 employees, including front-line employees, state managers, chairs and
14 ranking members of appropriate legislative committees, the joint
15 legislative audit and review committee, public officials, and others.
16 The draft work plan may include a list of agencies, programs, or
17 systems to be audited on a timeline decided by the board and the state
18 auditor based on a number of factors including risk, importance, and
19 citizen concerns. When putting together the draft work plan, there
20 should be consideration of all audits and reports already required. On
21 average, audits shall be designed to be completed as expeditiously as
22 possible.

23 (d) Before adopting the final work plan, the board shall consult
24 with the legislative auditor and other appropriate oversight and audit
25 entities to coordinate work plans and avoid duplication of effort in
26 their planned performance audits of state government agencies. The
27 board shall defer to the joint legislative audit and review committee
28 work plan if a similar audit is included on both work plans for
29 auditing.

30 (e) The state auditor shall contract out for performance audits.
31 In conducting the audits, agency front-line employees and internal
32 auditors should be involved.

33 (f) All audits must include consideration of reports prepared by
34 other government oversight entities.

35 (g) The audits may include:

36 (i) Identification of programs and services that can be eliminated,
37 reduced, consolidated, or enhanced;

1 (ii) Identification of funding sources to the state agency, to
2 programs, and to services that can be eliminated, reduced,
3 consolidated, or enhanced;

4 (iii) Analysis of gaps and overlaps in programs and services and
5 recommendations for improving, dropping, blending, or separating
6 functions to correct gaps or overlaps;

7 (iv) Analysis and recommendations for pooling information
8 technology systems used within the state agency, and evaluation of
9 information processing and telecommunications policy, organization, and
10 management;

11 (v) Analysis of the roles and functions of the state agency, its
12 programs, and its services and their compliance with statutory
13 authority and recommendations for eliminating or changing those roles
14 and functions and ensuring compliance with statutory authority;

15 (vi) Recommendations for eliminating or changing statutes, rules,
16 and policy directives as may be necessary to ensure that the agency
17 carry out reasonably and properly those functions vested in the agency
18 by statute;

19 (vii) Verification of the reliability and validity of agency
20 performance data, self-assessments, and performance measurement systems
21 as required under RCW 43.88.090;

22 (viii) Identification of potential cost savings in the state
23 agency, its programs, and its services;

24 (ix) Identification and recognition of best practices;

25 (x) Evaluation of planning, budgeting, and program evaluation
26 policies and practices;

27 (xi) Evaluation of personnel systems operation and management;

28 (xii) Evaluation of state purchasing operations and management
29 policies and practices; and

30 (xiii) Evaluation of organizational structure and staffing levels,
31 particularly in terms of the ratio of managers and supervisors to
32 nonmanagement personnel.

33 (h) The state auditor must solicit comments on preliminary
34 performance audit reports from the audited state agency, the office of
35 the governor, the office of financial management, the board, the chairs
36 and ranking members of appropriate legislative committees, and the
37 joint legislative audit and review committee for comment. Comments
38 must be received within thirty days after receipt of the preliminary

1 performance audit report unless a different time period is approved by
2 the state auditor. All comments shall be incorporated into the final
3 performance audit report. The final performance audit report shall
4 include the objectives, scope, and methodology; the audit results,
5 including findings and recommendations; conclusions; and identification
6 of best practices.

7 (i) The board and the state auditor shall jointly release final
8 performance audit reports to the governor, the citizens of Washington,
9 the joint legislative audit and review committee, and the appropriate
10 standing legislative committees. Final performance audit reports shall
11 be posted on the internet.

12 (j) For institutions of higher education, performance audits shall
13 not duplicate, and where applicable, shall make maximum use of existing
14 audit records, accreditation reviews, and performance measures required
15 by the office of financial management, the ((higher)) workforce
16 training and education coordinating board, and nationally or regionally
17 recognized accreditation organizations including accreditation of
18 hospitals licensed under chapter 70.41 RCW and ambulatory care
19 facilities.

20 (2) The citizen board created under RCW 44.75.030 shall be
21 responsible for performance audits for transportation related agencies
22 as defined under RCW 44.75.020.

23 **Sec. 538.** RCW 43.43.934 and 2010 1st sp.s. c 7 s 45 are each
24 amended to read as follows:

25 The director of fire protection shall:

26 (1)(a)(i) With the state board for community and technical
27 colleges, provide academic, vocational, and field training programs for
28 the fire service; and (ii) with the ((higher education coordinating
29 board and)) the state colleges and universities, provide instructional
30 programs requiring advanced training, especially in command and
31 management skills;

32 (b) Cooperate with the common schools, technical and community
33 colleges, institutions of higher education, and any department or
34 division of the state, or of any county or municipal corporation in
35 establishing and maintaining instruction in fire service training and
36 education in accordance with any act of congress and legislation

1 enacted by the legislature in pursuance thereof and in establishing,
2 building, and operating training and education facilities.

3 Industrial fire departments and private fire investigators may
4 participate in training and education programs under this chapter for
5 a reasonable fee established by rule;

6 (c) Develop and adopt a master plan for constructing, equipping,
7 maintaining, and operating necessary fire service training and
8 education facilities subject to the provisions of chapter 43.19 RCW;

9 (d) Develop and adopt a master plan for the purchase, lease, or
10 other acquisition of real estate necessary for fire service training
11 and education facilities in a manner provided by law; and

12 (e) Develop and adopt a plan with a goal of providing firefighter
13 one and wildland training to all firefighters in the state. Wildland
14 training reimbursement will be provided if a fire protection district
15 or a city fire department has and is fulfilling their interior attack
16 policy or if they do not have an interior attack policy. The plan will
17 include a reimbursement for fire protection districts and city fire
18 departments of not less than three dollars for every hour of
19 firefighter one or wildland training. The Washington state patrol
20 shall not provide reimbursement for more than two hundred hours of
21 firefighter one or wildland training for each firefighter trained.

22 (2)(a) Promote mutual aid and disaster planning for fire services
23 in this state;

24 (b) Assure the dissemination of information concerning the amount
25 of fire damage including that damage caused by arson, and its causes
26 and prevention; and

27 (c) Implement any legislation enacted by the legislature to meet
28 the requirements of any acts of congress that apply to this section.

29 (3) In carrying out its statutory duties, the office of the state
30 fire marshal shall give particular consideration to the appropriate
31 roles to be played by the state and by local jurisdictions with fire
32 protection responsibilities. Any determinations on the division of
33 responsibility shall be made in consultation with local fire officials
34 and their representatives.

35 To the extent possible, the office of the state fire marshal shall
36 encourage development of regional units along compatible geographic,
37 population, economic, and fire risk dimensions. Such regional units
38 may serve to: (a) Reinforce coordination among state and local

1 activities in fire service training, reporting, inspections, and
2 investigations; (b) identify areas of special need, particularly in
3 smaller jurisdictions with inadequate resources; (c) assist the state
4 in its oversight responsibilities; (d) identify funding needs and
5 options at both the state and local levels; and (e) provide models for
6 building local capacity in fire protection programs.

7 **Sec. 539.** RCW 43.43.938 and 2010 1st sp.s. c 7 s 46 are each
8 amended to read as follows:

9 (1) Wherever the term state fire marshal appears in the Revised
10 Code of Washington or the Washington Administrative Code it shall mean
11 the director of fire protection.

12 (2) The chief of the Washington state patrol shall appoint an
13 officer who shall be known as the director of fire protection.

14 (3) The director of fire protection may designate one or more
15 deputies and may delegate to those deputies his or her duties and
16 authorities as deemed appropriate.

17 (4) The director of fire protection shall prepare a biennial budget
18 pertaining to fire protection services. Such biennial budget shall be
19 submitted as part of the Washington state patrol's budget request.

20 (5) The director of fire protection, shall implement and
21 administer, within constraints established by budgeted resources, all
22 duties of the chief of the Washington state patrol that are to be
23 carried out through the director of fire protection, and all of the
24 duties of the director of fire protection. Such administration shall
25 include negotiation of agreements with the state board for community
26 and technical colleges(~~(, the higher education coordinating board,)~~)
27 and the state colleges and universities as provided in RCW 43.43.934.
28 Programs covered by such agreements shall include, but not be limited
29 to, planning curricula, developing and delivering instructional
30 programs and materials, and using existing instructional personnel and
31 facilities. Where appropriate, such contracts shall also include
32 planning and conducting instructional programs at the state fire
33 service training center.

34 **Sec. 540.** RCW 43.60A.151 and 2007 c 451 s 3 are each amended to
35 read as follows:

36 (1) The department shall assist veterans enrolled in the veterans

1 conservation corps with obtaining employment in conservation programs
2 and projects that restore Washington's natural habitat, maintain and
3 steward local, state, and federal forest lands and other outdoor lands,
4 maintain and improve urban and suburban storm water management
5 facilities and other water management facilities, and other
6 environmental maintenance, stewardship, and restoration projects. The
7 department shall consult with the workforce training and education
8 coordinating board, the state board for community and technical
9 colleges, (~~the higher education coordinating board,~~) the employment
10 security department, and other state agencies administering
11 conservation corps programs, to incorporate training, education, and
12 certification in environmental restoration and management fields into
13 the program. The department may enter into agreements with community
14 colleges, private schools, state or local agencies, or other entities
15 to provide training and educational courses as part of the enrollee
16 benefits from the program.

17 (2) The department may receive gifts, grants, federal funds, or
18 other moneys from public or private sources, for the use and benefit of
19 the veterans conservation corps program. The funds shall be deposited
20 to the veterans conservation corps account created in RCW 43.60A.153.

21 (3) The department shall submit a report to the appropriate
22 committees of the legislature by December 1, 2008, on the status of the
23 veterans conservation corps program, including the number of enrollees
24 employed in projects, training provided, certifications earned,
25 employment placements achieved, program funding provided from all
26 sources, and the results of the pilot project authorized in section 4,
27 chapter 451, Laws of 2007.

28 **Sec. 541.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to
29 read as follows:

30 (1) For purposes of developing budget proposals to the legislature,
31 the governor shall have the power, and it shall be the governor's duty,
32 to require from proper agency officials such detailed estimates and
33 other information in such form and at such times as the governor shall
34 direct. The governor shall communicate statewide priorities to
35 agencies for use in developing biennial budget recommendations for
36 their agency and shall seek public involvement and input on these
37 priorities. The estimates for the legislature and the judiciary shall

1 be transmitted to the governor and shall be included in the budget
2 without revision. The estimates for state pension contributions shall
3 be based on the rates provided in chapter 41.45 RCW. Copies of all
4 such estimates shall be transmitted to the standing committees on ways
5 and means of the house and senate at the same time as they are filed
6 with the governor and the office of financial management.

7 The estimates shall include statements or tables which indicate, by
8 agency, the state funds which are required for the receipt of federal
9 matching revenues. The estimates shall be revised as necessary to
10 reflect legislative enactments and adopted appropriations and shall be
11 included with the initial biennial allotment submitted under RCW
12 43.88.110. The estimates must reflect that the agency considered any
13 alternatives to reduce costs or improve service delivery identified in
14 the findings of a performance audit of the agency by the joint
15 legislative audit and review committee. Nothing in this subsection
16 requires performance audit findings to be published as part of the
17 budget.

18 (2) Each state agency shall define its mission and establish
19 measurable goals for achieving desirable results for those who receive
20 its services and the taxpayers who pay for those services. Each agency
21 shall also develop clear strategies and timelines to achieve its goals.
22 This section does not require an agency to develop a new mission or
23 goals in place of identifiable missions or goals that meet the intent
24 of this section. The mission and goals of each agency must conform to
25 statutory direction and limitations.

26 (3) For the purpose of assessing activity performance, each state
27 agency shall establish quality and productivity objectives for each
28 major activity in its budget. The objectives must be consistent with
29 the missions and goals developed under this section. The objectives
30 must be expressed to the extent practicable in outcome-based,
31 objective, and measurable form unless an exception to adopt a different
32 standard is granted by the office of financial management and approved
33 by the legislative committee on performance review. Objectives must
34 specifically address the statutory purpose or intent of the program or
35 activity and focus on data that measure whether the agency is achieving
36 or making progress toward the purpose of the activity and toward
37 statewide priorities. The office of financial management shall provide
38 necessary professional and technical assistance to assist state

1 agencies in the development of strategic plans that include the mission
2 of the agency and its programs, measurable goals, strategies, and
3 performance measurement systems.

4 (4) Each state agency shall adopt procedures for and perform
5 continuous self-assessment of each activity, using the mission, goals,
6 objectives, and measurements required under subsections (2) and (3) of
7 this section. The assessment of the activity must also include an
8 evaluation of major information technology systems or projects that may
9 assist the agency in achieving or making progress toward the activity
10 purpose and statewide priorities. The evaluation of proposed major
11 information technology systems or projects shall be in accordance with
12 the standards and policies established by the information services
13 board. Agencies' progress toward the mission, goals, objectives, and
14 measurements required by subsections (2) and (3) of this section is
15 subject to review as set forth in this subsection.

16 (a) The office of financial management shall regularly conduct
17 reviews of selected activities to analyze whether the objectives and
18 measurements submitted by agencies demonstrate progress toward
19 statewide results.

20 (b) The office of financial management shall consult with the
21 (~~higher education coordinating board and the~~) state board for
22 community and technical colleges in those reviews that involve
23 (~~institutions of higher education~~) community and technical colleges.

24 (c) The goal is for all major activities to receive at least one
25 review each year.

26 (d) The office of financial management shall consult with the
27 information services board when conducting reviews of major information
28 technology systems in use by state agencies. The goal is that reviews
29 of these information technology systems occur periodically.

30 (5) It is the policy of the legislature that each agency's budget
31 recommendations must be directly linked to the agency's stated mission
32 and program, quality, and productivity goals and objectives.
33 Consistent with this policy, agency budget proposals must include
34 integration of performance measures that allow objective determination
35 of an activity's success in achieving its goals. When a review under
36 subsection (4) of this section or other analysis determines that the
37 agency's objectives demonstrate that the agency is making insufficient
38 progress toward the goals of any particular program or is otherwise

1 underachieving or inefficient, the agency's budget request shall
2 contain proposals to remedy or improve the selected programs. The
3 office of financial management shall develop a plan to merge the budget
4 development process with agency performance assessment procedures. The
5 plan must include a schedule to integrate agency strategic plans and
6 performance measures into agency budget requests and the governor's
7 budget proposal over three fiscal biennia. The plan must identify
8 those agencies that will implement the revised budget process in the
9 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.
10 In consultation with the legislative fiscal committees, the office of
11 financial management shall recommend statutory and procedural
12 modifications to the state's budget, accounting, and reporting systems
13 to facilitate the performance assessment procedures and the merger of
14 those procedures with the state budget process. The plan and
15 recommended statutory and procedural modifications must be submitted to
16 the legislative fiscal committees by September 30, 1996.

17 (6) In reviewing agency budget requests in order to prepare the
18 governor's biennial budget request, the office of financial management
19 shall consider the extent to which the agency's activities demonstrate
20 progress toward the statewide budgeting priorities, along with any
21 specific review conducted under subsection (4) of this section.

22 (7) In the year of the gubernatorial election, the governor shall
23 invite the governor-elect or the governor-elect's designee to attend
24 all hearings provided in RCW 43.88.100; and the governor shall furnish
25 the governor-elect or the governor-elect's designee with such
26 information as will enable the governor-elect or the governor-elect's
27 designee to gain an understanding of the state's budget requirements.
28 The governor-elect or the governor-elect's designee may ask such
29 questions during the hearings and require such information as the
30 governor-elect or the governor-elect's designee deems necessary and may
31 make recommendations in connection with any item of the budget which,
32 with the governor-elect's reasons therefor, shall be presented to the
33 legislature in writing with the budget document. Copies of all such
34 estimates and other required information shall also be submitted to the
35 standing committees on ways and means of the house and senate.

36 **Sec. 542.** RCW 43.88D.010 and 2010 c 245 s 9 are each amended to
37 read as follows:

1 (1) By October 1st of each even-numbered year, the office of
2 financial management shall complete an objective analysis and scoring
3 of all capital budget projects proposed by the public four-year
4 institutions of higher education and submit the results of the scoring
5 process to the legislative fiscal committees(~~(, the higher education~~
6 ~~coordinating board,~~) and the four-year institutions. Each project
7 must be reviewed and scored within one of the following categories,
8 according to the project's principal purpose. Each project may be
9 scored in only one category. The categories are:

10 (a) Access-related projects to accommodate enrollment growth at
11 main and branch campuses, at existing or new university centers, or
12 through distance learning. Growth projects should provide significant
13 additional student capacity. Proposed projects must demonstrate that
14 they are based on solid enrollment demand projections, more
15 cost-effectively provide enrollment access than alternatives such as
16 university centers and distance learning, and make cost-effective use
17 of existing and proposed new space;

18 (b) Projects that replace failing permanent buildings. Facilities
19 that cannot be economically renovated are considered replacement
20 projects. New space may be programmed for the same or a different use
21 than the space being replaced and may include additions to improve
22 access and enhance the relationship of program or support space;

23 (c) Projects that renovate facilities to restore building life and
24 upgrade space to meet current program requirements. Renovation
25 projects should represent a complete renovation of a total facility or
26 an isolated wing of a facility. A reasonable renovation project should
27 cost between sixty to eighty percent of current replacement value and
28 restore the renovated area to at least twenty-five years of useful
29 life. New space may be programmed for the same or a different use than
30 the space being renovated and may include additions to improve access
31 and enhance the relationship of program or support space;

32 (d) Major stand-alone campus infrastructure projects;

33 (e) Projects that promote economic growth and innovation through
34 expanded research activity. The acquisition and installation of
35 specialized equipment is authorized under this category; and

36 (f) Other project categories as determined by the office of
37 financial management in consultation with the legislative fiscal
38 committees.

1 (2) The office of financial management, in consultation with the
2 legislative fiscal committees, shall establish a scoring system and
3 process for each four-year project category that is based on the
4 framework used in the community and technical college system of
5 prioritization. Staff from the state board for community and technical
6 colleges(~~(, the higher education coordinating board,)~~) and the four-
7 year institutions shall provide technical assistance on the development
8 of a scoring system and process.

9 (3) The office of financial management shall consult with the
10 legislative fiscal committees in the scoring of four-year institution
11 project proposals, and may also solicit participation by independent
12 experts.

13 (a) For each four-year project category, the scoring system must,
14 at a minimum, include an evaluation of enrollment trends,
15 reasonableness of cost, the ability of the project to enhance specific
16 strategic master plan goals, age and condition of the facility if
17 applicable, and impact on space utilization.

18 (b) Each four-year project category may include projects at the
19 predesign, design, or construction funding phase.

20 (c) To the extent possible, the objective analysis and scoring
21 system of all capital budget projects shall occur within the context of
22 any and all performance agreements between the office of financial
23 management and the governing board of a public, four-year institution
24 of higher education that aligns goals, priorities, desired outcomes,
25 flexibility, institutional mission, accountability, and levels of
26 resources.

27 (4) In evaluating and scoring four-year institution projects, the
28 office of financial management shall take into consideration project
29 schedules that result in realistic, balanced, and predictable
30 expenditure patterns over the ensuing three biennia.

31 (5) The office of financial management shall distribute common
32 definitions, the scoring system, and other information required for the
33 project proposal and scoring process as part of its biennial budget
34 instructions. The office of financial management, in consultation with
35 the legislative fiscal committees, shall develop common definitions
36 that four-year institutions must use in developing their project
37 proposals and lists under this section.

1 (6) In developing any scoring system for capital projects proposed
2 by the four-year institutions, the office of financial management:

3 (a) Shall be provided with all required information by the four-
4 year institutions as deemed necessary by the office of financial
5 management;

6 (b) May utilize independent services to verify, sample, or evaluate
7 information provided to the office of financial management by the four-
8 year institutions; and

9 (c) Shall have full access to all data maintained by the higher
10 education coordinating board and the joint legislative audit and review
11 committee concerning the condition of higher education facilities.

12 (7) By August 1st of each even-numbered year each public four-year
13 higher education institution shall prepare and submit prioritized lists
14 of the individual projects proposed by the institution for the ensuing
15 six-year period in each category. The lists must be submitted to the
16 office of financial management and the legislative fiscal committees.
17 The four-year institutions may aggregate minor works project proposals
18 by primary purpose for ranking purposes. Proposed minor works projects
19 must be prioritized within the aggregated proposal, and supporting
20 documentation, including project descriptions and cost estimates, must
21 be provided to the office of financial management and the legislative
22 fiscal committees.

23 **Sec. 543.** RCW 43.105.400 and 2009 c 509 s 10 are each amended to
24 read as follows:

25 (1) Subject to the availability of federal or state funding, the
26 department may reconvene the high-speed internet work group previously
27 established by chapter 262, Laws of 2008. The work group is renamed
28 the advisory council on digital inclusion, and is an advisory group to
29 the department. The council must include, but is not limited to,
30 volunteer representatives from community technology organizations,
31 telecommunications providers, higher education institutions, K-12
32 education institutions, public health institutions, public housing
33 entities, and local government and other governmental entities that are
34 engaged in community technology activities.

35 (2) The council shall prepare a report by January 15th of each year
36 and submit it to the department, the governor, and the appropriate
37 committees of the legislature. The report must contain:

1 (a) An analysis of how support from public and private sector
2 partnerships, the philanthropic community, and other not-for-profit
3 organizations in the community, along with strong relationships with
4 the state board for community and technical colleges(~~(, the higher~~
5 ~~education coordinating board,~~) and higher education institutions,
6 could establish a variety of high-speed internet access alternatives
7 for citizens;

8 (b) Proposed strategies for continued broadband deployment and
9 adoption efforts, as well as further development of advanced
10 telecommunications applications;

11 (c) Recommendations on methods for maximizing the state's research
12 and development capacity at universities and in the private sector for
13 developing advanced telecommunications applications and services, and
14 recommendations on incentives to stimulate the demand for and
15 development of these applications and services;

16 (d) An identification of barriers that hinder the advancement of
17 technology entrepreneurship in the state; and

18 (e) An evaluation of programs designed to advance digital literacy
19 and computer access that are made available by the federal government,
20 local agencies, telecommunications providers, and business and
21 charitable entities.

22 **Sec. 544.** RCW 43.215.090 and 2010 c 234 s 3 are each amended to
23 read as follows:

24 (1) The early learning advisory council is established to advise
25 the department on statewide early learning issues that would build a
26 comprehensive system of quality early learning programs and services
27 for Washington's children and families by assessing needs and the
28 availability of services, aligning resources, developing plans for data
29 collection and professional development of early childhood educators,
30 and establishing key performance measures.

31 (2) The council shall work in conjunction with the department to
32 develop a statewide early learning plan that guides the department in
33 promoting alignment of private and public sector actions, objectives,
34 and resources, and ensuring school readiness.

35 (3) The council shall include diverse, statewide representation
36 from public, nonprofit, and for-profit entities. Its membership shall

1 reflect regional, racial, and cultural diversity to adequately
2 represent the needs of all children and families in the state.

3 (4) Council members shall serve two-year terms. However, to
4 stagger the terms of the council, the initial appointments for twelve
5 of the members shall be for one year. Once the initial one-year to
6 two-year terms expire, all subsequent terms shall be for two years,
7 with the terms expiring on June 30th of the applicable year. The terms
8 shall be staggered in such a way that, where possible, the terms of
9 members representing a specific group do not expire simultaneously.

10 (5) The council shall consist of not more than twenty-three
11 members, as follows:

12 (a) The governor shall appoint at least one representative from
13 each of the following: The department, the office of financial
14 management, the department of social and health services, the
15 department of health, (~~the higher education coordinating board,~~) and
16 the state board for community and technical colleges;

17 (b) One representative from the office of the superintendent of
18 public instruction, to be appointed by the superintendent of public
19 instruction;

20 (c) The governor shall appoint seven leaders in early childhood
21 education, with at least one representative with experience or
22 expertise in each of the areas such as the following: Children with
23 disabilities, the K-12 system, family day care providers, and child
24 care centers;

25 (d) Two members of the house of representatives, one from each
26 caucus, and two members of the senate, one from each caucus, to be
27 appointed by the speaker of the house of representatives and the
28 president of the senate, respectively;

29 (e) Two parents, one of whom serves on the department's parent
30 advisory council, to be appointed by the governor;

31 (f) One representative of the private-public partnership created in
32 RCW 43.215.070, to be appointed by the partnership board;

33 (g) One representative designated by sovereign tribal governments;
34 and

35 (h) One representative from the Washington federation of
36 independent schools.

37 (6) The council shall be cochaired by one representative of a state

1 agency and one nongovernmental member, to be elected by the council for
2 two-year terms.

3 (7) The council shall appoint two members and stakeholders with
4 expertise in early learning to sit on the technical working group
5 created in section 2, chapter 234, Laws of 2010.

6 (8) Each member of the board shall be compensated in accordance
7 with RCW 43.03.240 and reimbursed for travel expenses incurred in
8 carrying out the duties of the board in accordance with RCW 43.03.050
9 and 43.03.060.

10 (9) The department shall provide staff support to the council.

11 **Sec. 545.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are
12 each reenacted and amended to read as follows:

13 (1) The Washington state economic development commission shall,
14 with the advice of an innovation partnership advisory group selected by
15 the commission:

16 (a) Provide information and advice to the department of commerce to
17 assist in the implementation of the innovation partnership zone
18 program, including criteria to be used in the selection of grant
19 applicants for funding;

20 (b) Document clusters of companies throughout the state that have
21 comparative competitive advantage or the potential for comparative
22 competitive advantage, using the process and criteria for identifying
23 strategic clusters developed by the working group specified in
24 subsection (2) of this section;

25 (c) Conduct an innovation opportunity analysis to identify (i) the
26 strongest current intellectual assets and research teams in the state
27 focused on emerging technologies and their commercialization, and (ii)
28 faculty and researchers that could increase their focus on
29 commercialization of technology if provided the appropriate technical
30 assistance and resources;

31 (d) Based on its findings and analysis, and in conjunction with the
32 ~~((higher education coordinating board and))~~ research institutions:

33 (i) Develop a plan to build on existing, and develop new,
34 intellectual assets and innovation research teams in the state in
35 research areas where there is a high potential to commercialize
36 technologies. The commission shall present the plan to the governor
37 and legislature by December 31, 2009. ~~((The higher education~~

1 ~~coordinating board shall be responsible for implementing the plan in~~
2 ~~conjunction with~~) The publicly funded research institutions in the
3 state shall be responsible for implementing the plan. The plan shall
4 address the following elements and such other elements as the
5 commission deems important:

6 (A) Specific mechanisms to support, enhance, or develop innovation
7 research teams and strengthen their research and commercialization
8 capacity in areas identified as useful to strategic clusters and
9 innovative firms in the state;

10 (B) Identification of the funding necessary for laboratory
11 infrastructure needed to house innovation research teams;

12 (C) Specification of the most promising research areas meriting
13 enhanced resources and recruitment of significant entrepreneurial
14 researchers to join or lead innovation research teams;

15 (D) The most productive approaches to take in the recruitment, in
16 the identified promising research areas, of a minimum of ten
17 significant entrepreneurial researchers over the next ten years to join
18 or lead innovation research teams;

19 (E) Steps to take in solicitation of private sector support for the
20 recruitment of entrepreneurial researchers and the commercialization
21 activity of innovation research teams; and

22 (F) Mechanisms for ensuring the location of innovation research
23 teams in innovation partnership zones;

24 (ii) Provide direction for the development of comprehensive
25 entrepreneurial assistance programs at research institutions. The
26 programs may involve multidisciplinary students, faculty,
27 entrepreneurial researchers, entrepreneurs, and investors in building
28 business models and evolving business plans around innovative ideas.
29 The programs may provide technical assistance and the support of an
30 entrepreneur-in-residence to innovation research teams and offer
31 entrepreneurial training to faculty, researchers, undergraduates, and
32 graduate students. Curriculum leading to a certificate in
33 entrepreneurship may also be offered;

34 (e) Develop performance measures to be used in evaluating the
35 performance of innovation research teams, the implementation of the
36 plan and programs under (d)(i) and (ii) of this subsection, and the
37 performance of innovation partnership zone grant recipients, including
38 but not limited to private investment measures, business initiation

1 measures, job creation measures, and measures of innovation such as
2 licensing of ideas in research institutions, patents, or other
3 recognized measures of innovation. The performance measures developed
4 shall be consistent with the economic development commission's
5 comprehensive plan for economic development and its standards and
6 metrics for program evaluation. The commission shall report to the
7 legislature and the governor by June 30, 2009, on the measures
8 developed; and

9 (f) Using the performance measures developed, perform a biennial
10 assessment and report, the first of which shall be due December 31,
11 2012, on:

12 (i) Commercialization of technologies developed at state
13 universities, found at other research institutions in the state, and
14 facilitated with public assistance at existing companies;

15 (ii) Outcomes of the funding of innovation research teams and
16 recruitment of significant entrepreneurial researchers;

17 (iii) Comparison with other states of Washington's outcomes from
18 the innovation research teams and efforts to recruit significant
19 entrepreneurial researchers; and

20 (iv) Outcomes of the grants for innovation partnership zones.
21 The report shall include recommendations for modifications of chapter
22 227, Laws of 2007 and of state commercialization efforts that would
23 enhance the state's economic competitiveness.

24 (2) The economic development commission and the workforce training
25 and education coordinating board shall jointly convene a working group
26 to:

27 (a) Specify the process and criteria for identification of substate
28 geographic concentrations of firms or employment in an industry and the
29 industry's customers, suppliers, supporting businesses, and
30 institutions, which process will include the use of labor market
31 information from the employment security department and local labor
32 markets; and

33 (b) Establish criteria for identifying strategic clusters which are
34 important to economic prosperity in the state, considering cluster
35 size, growth rate, and wage levels among other factors.

36 **Sec. 546.** RCW 43.330.310 and 2010 c 187 s 2 are each amended to
37 read as follows:

1 (1) The legislature establishes a comprehensive green economy jobs
2 growth initiative based on the goal of, by 2020, increasing the number
3 of green economy jobs to twenty-five thousand from the eight thousand
4 four hundred green economy jobs the state had in 2004.

5 (2) The department, in consultation with the employment security
6 department, the state workforce training and education coordinating
7 board, the state board for community and technical colleges, and the
8 (~~higher education coordinating board~~) four-year institutions of
9 higher education as defined in RCW 28B.10.016, shall develop a defined
10 list of terms, consistent with current workforce and economic
11 development terms, associated with green economy industries and jobs.

12 (3)(a) The employment security department, in consultation with the
13 department, the state workforce training and education coordinating
14 board, the state board for community and technical colleges, the
15 (~~higher education coordinating board~~) four-year institutions of
16 higher education as defined in RCW 28B.10.016, Washington State
17 University small business development center, and the Washington State
18 University extension energy program, shall conduct labor market
19 research to analyze the current labor market and projected job growth
20 in the green economy, the current and projected recruitment and skill
21 requirement of green economy industry employers, the wage and benefits
22 ranges of jobs within green economy industries, and the education and
23 training requirements of entry-level and incumbent workers in those
24 industries.

25 (i) The employment security department shall conduct an analysis of
26 occupations in the forest products industry to: (A) Determine key
27 growth factors and employment projections in the industry; and (B)
28 define the education and skill standards required for current and
29 emerging green occupations in the industry.

30 (ii) The term "forest products industry" must be given a broad
31 interpretation when implementing (a)(i) of this subsection and
32 includes, but is not limited to, businesses that grow, manage, harvest,
33 transport, and process forest, wood, and paper products.

34 (b) The University of Washington business and economic development
35 center shall: Analyze the current opportunities for and participation
36 in the green economy by minority and women-owned business enterprises
37 in Washington; identify existing barriers to their successful
38 participation in the green economy; and develop strategies with

1 specific policy recommendations to improve their successful
2 participation in the green economy. The research may be informed by
3 the research of the Puget Sound regional council prosperity
4 partnership, as well as other entities. The University of Washington
5 business and economic development center shall report to the
6 appropriate committees of the house of representatives and the senate
7 on their research, analysis, and recommendations by December 1, 2008.

8 (4) Based on the findings from subsection (3) of this section, the
9 employment security department, in consultation with the department and
10 taking into account the requirements and goals of chapter 14, Laws of
11 2008 and other state clean energy and energy efficiency policies, shall
12 propose which industries will be considered high-demand green
13 industries, based on current and projected job creation and their
14 strategic importance to the development of the state's green economy.
15 The employment security department and the department shall take into
16 account which jobs within green economy industries will be considered
17 high-wage occupations and occupations that are part of career pathways
18 to the same, based on family-sustaining wage and benefits ranges.
19 These designations, and the results of the employment security
20 department's broader labor market research, shall inform the planning
21 and strategic direction of the department, the state workforce training
22 and education coordinating board, the state board for community and
23 technical colleges, and the ~~((higher education coordinating board))~~
24 four-year institutions of higher education as defined in RCW
25 28B.10.016.

26 (5) The department shall identify emerging technologies and
27 innovations that are likely to contribute to advancements in the green
28 economy, including the activities in designated innovation partnership
29 zones established in RCW 43.330.270.

30 (6) The department, consistent with the priorities established by
31 the state economic development commission, shall:

32 (a) Develop targeting criteria for existing investments, and make
33 recommendations for new or expanded financial incentives and
34 comprehensive strategies, to recruit, retain, and expand green economy
35 industries and small businesses; and

36 (b) Make recommendations for new or expanded financial incentives
37 and comprehensive strategies to stimulate research and development of

1 green technology and innovation, including designating innovation
2 partnership zones linked to the green economy.

3 (7) For the purposes of this section, "target populations" means
4 (a) entry-level or incumbent workers in high-demand green industries
5 who are in, or are preparing for, high-wage occupations; (b) dislocated
6 workers in declining industries who may be retrained for high-wage
7 occupations in high-demand green industries; (c) dislocated
8 agriculture, timber, or energy sector workers who may be retrained for
9 high-wage occupations in high-demand green industries; (d) eligible
10 veterans or national guard members; (e) disadvantaged populations; or
11 (f) anyone eligible to participate in the state opportunity grant
12 program under RCW 28B.50.271.

13 (8) The legislature directs the state workforce training and
14 education coordinating board to create and pilot green industry skill
15 panels. These panels shall consist of business representatives from:
16 Green industry sectors, including but not limited to forest product
17 companies, companies engaged in energy efficiency and renewable energy
18 production, companies engaged in pollution prevention, reduction, and
19 mitigation, and companies engaged in green building work and green
20 transportation; labor unions representing workers in those industries
21 or labor affiliates administering state-approved, joint apprenticeship
22 programs or labor-management partnership programs that train workers
23 for these industries; state and local veterans agencies; employer
24 associations; educational institutions; and local workforce development
25 councils within the region that the panels propose to operate; and
26 other key stakeholders as determined by the applicant. Any of these
27 stakeholder organizations are eligible to receive grants under this
28 section and serve as the intermediary that convenes and leads the
29 panel. Panel applicants must provide labor market and industry
30 analysis that demonstrates high demand, or demand of strategic
31 importance to the development of the state's clean energy economy as
32 identified in this section, for high-wage occupations, or occupations
33 that are part of career pathways to the same, within the relevant
34 industry sector. The panel shall:

35 (a) Conduct labor market and industry analyses, in consultation
36 with the employment security department, and drawing on the findings of
37 its research when available;

1 (b) Plan strategies to meet the recruitment and training needs of
2 the industry and small businesses; and

3 (c) Leverage and align other public and private funding sources.

4 (9) The green industries jobs training account is created in the
5 state treasury. Moneys from the account must be utilized to supplement
6 the state opportunity grant program established under RCW 28B.50.271.
7 All receipts from appropriations directed to the account must be
8 deposited into the account. Expenditures from the account may be used
9 only for the activities identified in this subsection. The state board
10 for community and technical colleges, in consultation with the state
11 workforce training and education coordinating board, informed by the
12 research of the employment security department and the strategies
13 developed in this section, may authorize expenditures from the account.
14 The state board for community and technical colleges must distribute
15 grants from the account on a competitive basis.

16 (a)(i) Allowable uses of these grant funds, which should be used
17 when other public or private funds are insufficient or unavailable, may
18 include:

19 (A) Curriculum development;

20 (B) Transitional jobs strategies for dislocated workers in
21 declining industries who may be retrained for high-wage occupations in
22 green industries;

23 (C) Workforce education to target populations; and

24 (D) Adult basic and remedial education as necessary linked to
25 occupation skills training.

26 (ii) Allowable uses of these grant funds do not include student
27 assistance and support services available through the state opportunity
28 grant program under RCW 28B.50.271.

29 (b) Applicants eligible to receive these grants may be any
30 organization or a partnership of organizations that has demonstrated
31 expertise in:

32 (i) Implementing effective education and training programs that
33 meet industry demand; and

34 (ii) Recruiting and supporting, to successful completion of those
35 training programs carried out under these grants, the target
36 populations of workers.

37 (c) In awarding grants from the green industries jobs training

1 account, the state board for community and technical colleges shall
2 give priority to applicants that demonstrate the ability to:

3 (i) Use labor market and industry analysis developed by the
4 employment security department and green industry skill panels in the
5 design and delivery of the relevant education and training program, and
6 otherwise utilize strategies developed by green industry skill panels;

7 (ii) Leverage and align existing public programs and resources and
8 private resources toward the goal of recruiting, supporting, educating,
9 and training target populations of workers;

10 (iii) Work collaboratively with other relevant stakeholders in the
11 regional economy;

12 (iv) Link adult basic and remedial education, where necessary, with
13 occupation skills training;

14 (v) Involve employers and, where applicable, labor unions in the
15 determination of relevant skills and competencies and, where relevant,
16 the validation of career pathways; and

17 (vi) Ensure that supportive services, where necessary, are
18 integrated with education and training and are delivered by
19 organizations with direct access to and experience with the targeted
20 population of workers.

21 **Sec. 547.** RCW 43.330.375 and 2010 c 187 s 3 are each amended to
22 read as follows:

23 (1) The department and the workforce board must:

24 (a) Coordinate efforts across the state to ensure that federal
25 training and education funds are captured and deployed in a focused and
26 effective manner in order to support green economy projects and
27 accomplish the goals of the evergreen jobs initiative;

28 (b) Accelerate and coordinate efforts by state and local
29 organizations to identify, apply for, and secure all sources of funds,
30 particularly those created by the 2009 American recovery and
31 reinvestment act, and to ensure that distributions of funding to local
32 organizations are allocated in a manner that is time-efficient and
33 user-friendly for the local organizations. Local organizations
34 eligible to receive support include but are not limited to:

35 (i) Associate development organizations;

36 (ii) Workforce development councils;

37 (iii) Public utility districts; and

1 (iv) Community action agencies;

2 (c) Support green economy projects at both the state and local
3 level by developing a process and a framework to provide, at a minimum:
4 (i) Administrative and technical assistance;
5 (ii) Assistance with and expediting of permit processes; and
6 (iii) Priority consideration of opportunities leading to exportable
7 green economy goods and services, including renewable energy
8 technology;

9 (d) Coordinate local and state implementation of projects using
10 federal funds to ensure implementation is time-efficient and user-
11 friendly for local organizations;

12 (e) Emphasize through both support and outreach efforts, projects
13 that:
14 (i) Have a strong and lasting economic or environmental impact;
15 (ii) Lead to a domestically or internationally exportable good or
16 service, including renewable energy technology;
17 (iii) Create training programs leading to a credential,
18 certificate, or degree in a green economy field;
19 (iv) Strengthen the state's competitiveness in a particular sector
20 or cluster of the green economy;

21 (v) Create employment opportunities for veterans, members of the
22 national guard, and low-income and disadvantaged populations;

23 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;

24 (vii) Ensure at least fifteen percent of labor hours are performed
25 by apprentices;

26 (f) Identify emerging technologies and innovations that are likely
27 to contribute to advancements in the green economy, including the
28 activities in designated innovation partnership zones established in
29 RCW 43.330.270;

30 (g) Identify barriers to the growth of green jobs in traditional
31 industries such as the forest products industry;

32 (h) Identify statewide performance metrics for projects receiving
33 agency assistance. Such metrics may include:
34 (i) The number of new green jobs created each year, their wage
35 levels, and, to the extent determinable, the percentage of new green
36 jobs filled by veterans, members of the national guard, and low-income
37 and disadvantaged populations;

1 (ii) The total amount of new federal funding secured, the
2 respective amounts allocated to the state and local levels, and the
3 timeliness of deployment of new funding by state agencies to the local
4 level;

5 (iii) The timeliness of state deployment of funds and support to
6 local organizations; and

7 (iv) If available, the completion rates, time to completion, and
8 training-related placement rates for green economy postsecondary
9 training programs;

10 (i) Identify strategies to allocate existing and new funding
11 streams for green economy workforce training programs and education to
12 emphasize those leading to a credential, certificate, or degree in a
13 green economy field;

14 (j) Identify and implement strategies to allocate existing and new
15 funding streams for workforce development councils and associate
16 development organizations to increase their effectiveness and
17 efficiency and increase local capacity to respond rapidly and
18 comprehensively to opportunities to attract green jobs to local
19 communities;

20 (k) Develop targeting criteria for existing investments that are
21 consistent with the economic development commission's economic
22 development strategy and the goals of this section and RCW 28C.18.170,
23 28B.50.281, and 49.04.200; and

24 (1) Make and support outreach efforts so that residents of
25 Washington, particularly members of target populations, become aware of
26 educational and employment opportunities identified and funded through
27 the evergreen jobs act.

28 (2) The department and the workforce board must provide semiannual
29 performance reports to the governor and appropriate committees of the
30 legislature on:

31 (a) Actual statewide performance based on the performance measures
32 identified in subsection (1)(h) of this section;

33 (b) How the state is emphasizing and supporting projects that lead
34 to a domestically or internationally exportable good or service,
35 including renewable energy technology;

36 (c) A list of projects supported, created, or funded in furtherance
37 of the goals of the evergreen jobs initiative and the actions taken by

1 state and local organizations, including the effectiveness of state
2 agency support provided to local organizations as directed in
3 subsection (1)(b) and (c) of this section;

4 (d) Recommendations for new or expanded financial incentives and
5 comprehensive strategies to:

6 (i) Recruit, retain, and expand green economy industries and small
7 businesses; and

8 (ii) Stimulate research and development of green technology and
9 innovation, which may include designating innovation partnership zones
10 linked to the green economy;

11 (e) Any information that associate development organizations and
12 workforce development councils choose to provide to appropriate
13 legislative committees regarding the effectiveness, timeliness, and
14 coordination of support provided by state agencies under this section
15 and RCW 28C.18.170, 28B.50.281, and 49.04.200; and

16 (f) Any recommended statutory changes necessary to increase the
17 effectiveness of the evergreen jobs initiative and state responsiveness
18 to local agencies and organizations.

19 (3) The definitions, designations, and results of the employment
20 security department's broader labor market research under RCW
21 43.330.010 shall inform the planning and strategic direction of the
22 department, the state workforce training and education coordinating
23 board, and the state board for community and technical colleges(~~(, and~~
24 ~~the higher education coordinating board)~~).

25 **Sec. 548.** RCW 47.80.090 and 2009 c 459 s 2 are each amended to
26 read as follows:

27 (1) A regional transportation planning organization containing any
28 county with a population in excess of one million in collaboration with
29 representatives from the department of ecology, the department of
30 (~~community, trade, and economic development~~) commerce, local
31 governments, and the office of regulatory assistance must seek federal
32 or private funding for the planning for, deployment of, or regulations
33 concerning electric vehicle infrastructure. These efforts should
34 include:

35 (a) Development of short-term and long-term plans outlining how
36 state, regional, and local government construction may include electric
37 vehicle infrastructure in publicly available off-street parking and

1 government fleet vehicle parking, including what ratios of charge spots
2 to parking may be appropriate based on location or type of facility or
3 building;

4 (b) Consultations with the state building code council and the
5 department of labor and industries to coordinate the plans with state
6 standards for new residential, commercial, and industrial buildings to
7 ensure that the appropriate electric circuitry is installed to support
8 electric vehicle infrastructure;

9 (c) Consultation with the workforce development council (~~and~~),
10 the (~~higher~~) workforce training and education coordinating board, and
11 the state board for community and technical colleges to ensure the
12 development of appropriate educational and training opportunities for
13 citizens of the state in support of the transition of some portion of
14 vehicular transportation from combustion to electric vehicles;

15 (d) Development of an implementation plan for counties with a
16 population greater than five hundred thousand with the goal of having
17 public and private parking spaces, in the aggregate, be ten percent
18 electric vehicle ready by December 31, 2018; and

19 (e) Development of model ordinances and guidance for local
20 governments for siting and installing electric vehicle infrastructure,
21 in particular battery charging stations, and appropriate handling,
22 recycling, and storage of electric vehicle batteries and equipment.

23 (2) These plans and any recommendations developed as a result of
24 the consultations required by this section must be submitted to the
25 legislature by December 31, 2010, or as soon as reasonably practicable
26 after the securing of any federal or private funding. Priority will be
27 given to the activities in subsection (1)(e) of this section and any
28 ordinances or guidance that is developed will be submitted to the
29 legislature, the department of (~~community, trade, and economic~~
30 ~~development~~) commerce, and affected local governments prior to
31 December 31, 2010, if completed.

32 (3) The definitions in this subsection apply (~~through~~
33 ~~[throughout]~~) throughout this section unless the context clearly
34 requires otherwise.

35 (a) "Battery charging station" means an electrical component
36 assembly or cluster of component assemblies designed specifically to
37 charge batteries within electric vehicles, which meet or exceed any

1 standards, codes, and regulations set forth by chapter 19.28 RCW and
2 consistent with rules adopted under RCW 19.27.540.

3 (b) "Battery exchange station" means a fully automated facility
4 that will enable an electric vehicle with a swappable battery to enter
5 a drive lane and exchange the depleted battery with a fully charged
6 battery through a fully automated process, which meets or exceeds any
7 standards, codes, and regulations set forth by chapter 19.28 RCW and
8 consistent with rules adopted under RCW 19.27.540.

9 (c) "Electric vehicle infrastructure" means structures, machinery,
10 and equipment necessary and integral to support an electric vehicle,
11 including battery charging stations, rapid charging stations, and
12 battery exchange stations.

13 (d) "Rapid charging station" means an industrial grade electrical
14 outlet that allows for faster recharging of electric vehicle batteries
15 through higher power levels, which meets or exceeds any standards,
16 codes, and regulations set forth by chapter 19.28 RCW and consistent
17 with rules adopted under RCW 19.27.540.

18 **Sec. 549.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to
19 read as follows:

20 (1) The department, in consultation with at least the (~~higher~~
21 ~~education coordinating board~~) four-year institutions of higher
22 education as defined in RCW 28B.10.016, the state board for community
23 and technical colleges, the superintendent of public instruction, and
24 state-supported education programs in medicine, pharmacy, and nursing,
25 shall develop a plan for increasing rural training opportunities for
26 students in medicine, pharmacy, and nursing. The plan shall provide
27 for direct exposure to rural health professional practice conditions
28 for students planning careers in medicine, pharmacy, and nursing.

29 (2) The department and the medical, pharmacy, and nurse education
30 programs shall:

31 (a) Inventory existing rural-based clinical experience programs,
32 including internships, clerkships, residencies, and other training
33 opportunities available to students pursuing degrees in nursing,
34 pharmacy, and medicine;

35 (b) Identify where training opportunities do not currently exist
36 and are needed;

1 (c) Develop recommendations for improving the availability of rural
2 training opportunities;

3 (d) Develop recommendations on establishing agreements between
4 education programs to assure that all students in medical, pharmacist,
5 and nurse education programs in the state have access to rural training
6 opportunities; and

7 (e) Review private and public funding sources to finance rural-
8 based training opportunities.

9 NEW SECTION. **Sec. 550.** RCW 28B.15.796 (Effective communication--
10 Task force to improve communication and teaching skills of faculty and
11 teaching assistants) and 1991 c 228 s 4 are each repealed.

12 NEW SECTION. **Sec. 551.** A new section is added to chapter 28B.10
13 RCW to read as follows:

14 Every two years the office of financial management shall produce,
15 jointly with the state board for community and technical colleges, the
16 four-year institutions of higher education as defined in RCW
17 28B.10.016, and the workforce training and education coordinating
18 board, an assessment of the number and type of higher education and
19 training credentials required to match employer demand for a skilled
20 and educated workforce. The assessment shall include the number of
21 forecasted net job openings at each level of higher education and
22 training and the number of credentials needed to match the forecast of
23 net job openings.

24 **PART V**

25 **MISCELLANEOUS PROVISIONS**

26 NEW SECTION. **Sec. 601.** Sections 219 through 224 of this act
27 expire June 30, 2013.

28 NEW SECTION. **Sec. 602.** Section 247 of this act expires January 1,
29 2012.

30 NEW SECTION. **Sec. 603.** Section 248 of this act takes effect
31 January 1, 2012.

1 NEW SECTION. **Sec. 604.** Section 529 of this act expires July 1,
2 2012.

3 NEW SECTION. **Sec. 605.** Sections 535 and 536 of this act expire
4 December 31, 2012.

5 NEW SECTION. **Sec. 606.** Except for section 248 of this act, this
6 act is necessary for the immediate preservation of the public peace,
7 health, or safety, or support of the state government and its existing
8 public institutions, and takes effect July 1, 2011.

--- END ---