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ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2630

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State of Washington

61st Legislature

2010 Regular Session

By House Education Appropriations (originally sponsored by Representatives Probst, Kenney, Conway, Maxwell, Jacks, White, Simpson, Seaquist, Sells, Goodman, Ormsby, and Santos)

READ FIRST TIME 02/09/10.

1 AN ACT Relating to creating the opportunity express program;  
2 amending RCW 28C.04.390 and 28C.18.164; adding a new section to chapter  
3 28B.50 RCW; adding a new section to chapter 50.24 RCW; creating a new  
4 section; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that in times of  
7 severe economic recession, the state has a special obligation to help  
8 unemployed and low-income citizens access the training and education  
9 necessary to help them find and keep living wage jobs. The legislature  
10 also finds that during times of recession, when state revenues are at  
11 their lowest, demand for education and training are at their highest,  
12 making it especially important for the legislature to set clear goals  
13 and make the most efficient use of limited state resources.

14 (2) The legislature therefore intends to expand training and  
15 education programs, which have proven to be successful, to help  
16 Washington citizens receive the training they need. These programs  
17 include the worker retraining program, the opportunity grant program,  
18 and the opportunity internship program. The legislature further

1 intends to create more effective intake and outreach systems to reach  
2 the greatest number of citizens and connect them to the resources they  
3 need, including college, apprenticeship, and preapprenticeship.

4 (3) The legislature also intends to empower employers to make  
5 voluntary donations and invest in the training and education necessary  
6 to guarantee the availability of a skilled workforce. The legislature  
7 finds that, following enactment of legislation during the 2010 session,  
8 a modernization incentive payment of approximately ninety-eight million  
9 dollars will be transferred into the unemployment trust fund. This  
10 payment will be in addition to amounts previously made available to the  
11 state by section 903 of the social security act (Reed act) and by  
12 section 2003 of the American recovery and reinvestment act of 2009, of  
13 which more than sixty million dollars will be unspent at the end of the  
14 2009-2011 biennium and more than thirty million dollars will be unspent  
15 at the end of the 2011-2013 biennium. The legislature also finds that,  
16 in times of severe economic recession, it is especially important for  
17 the legislature to prioritize the use of these amounts to make possible  
18 investments in training and education.

19 **Sec. 2.** RCW 28C.04.390 and 1999 c 121 s 1 are each amended to read  
20 as follows:

21 (1) The college board worker retraining program funds shall be used  
22 for training programs and related support services, including financial  
23 aid, counseling, referral to training resources, job referral, and job  
24 development that:

25 (a) Are consistent with the unified plan for workforce development;

26 (b) Provide increased enrollments for dislocated workers;

27 (c) Provide customized training opportunities for dislocated  
28 workers; and

29 (d) Provide increased enrollments and support services, including  
30 financial aid for those students not receiving unemployment insurance  
31 benefits, that do not replace or supplant any existing enrollments,  
32 programs, support services, or funding sources.

33 (2) The college board shall develop a plan for use of the worker  
34 retraining program funds in conjunction with the workforce training  
35 customer advisory committee established in subsection (3) of this  
36 section. In developing the plan the college board shall:

1 (a) Provide that applicants for worker retraining program funds  
2 shall solicit financial support for training programs and give priority  
3 in receipt of funds to those applicants which are most successful in  
4 matching public dollars with financial support;

5 (b) Provide that applicants for worker retraining program funds  
6 shall develop training programs in partnership with local businesses,  
7 industry associations, labor, and other partners as appropriate and  
8 give priority in receipt of funds to those applicants who develop  
9 customized training programs in partnership with local businesses,  
10 industry associations, and labor organizations;

11 (c) Give priority in receipt of funds to those applicants serving  
12 rural areas;

13 (d) Ensure that applicants receiving worker retraining program  
14 funds gather information from local workforce development councils on  
15 employer workforce needs, including the needs of businesses with less  
16 than twenty-five employees; (~~and~~)

17 (e) Provide for specialized vocational training at a private career  
18 school or college at the request of a recipient eligible under  
19 subsection (1)(b) of this section. Available tuition for the training  
20 is limited to the amount that would otherwise be payable per enrolled  
21 quarter to a public institution; and

22 (f) Give priority in receipt of funds to those applicants working  
23 toward careers in the aerospace, health care, advanced manufacturing,  
24 construction, and renewable energy industries; high-demand occupations  
25 in strategic industry clusters identified in the state comprehensive  
26 plan and the workforce development councils' local comprehensive plans  
27 for workforce educational training as identified in RCW 28C.18.080 and  
28 28C.18.150; and occupations and industries identified by community and  
29 technical colleges in collaboration with local workforce development  
30 councils. For purposes of this section, health care includes long-term  
31 care.

32 (3) The executive director of the college board shall appoint a  
33 workforce training customer advisory committee by July 1, 1999, to:

34 (a) Assist in the development of the plan for the use of the  
35 college board worker retraining program funds and recommend guidelines  
36 to the college board for the operation of worker retraining programs;

37 (b) Recommend selection criteria for worker retraining programs and  
38 grant applicants for receipt of worker retraining program grants;

1 (c) Provide advice to the college board on other workforce  
2 development activities of the community and technical colleges;

3 (d) Recommend selection criteria for job skills grants, consistent  
4 with criteria established in this chapter and chapter 121, Laws of  
5 1999. Such criteria shall include a prioritization of job skills  
6 applicants in rural areas;

7 (e) Recommend guidelines to the college board for the operation of  
8 the job skills program; and

9 (f) Recommend grant applicants for receipt of job skills program  
10 grants.

11 (4) Members of the workforce training customer advisory committee  
12 shall consist of three college system representatives selected by the  
13 executive director of the college board, three representatives of  
14 business selected from nominations provided by statewide business  
15 organizations, and three representatives of labor selected from  
16 nominations provided by a statewide labor organization representing a  
17 cross-section of workers in the state.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50 RCW  
19 to read as follows:

20 By July 1, 2010, and within existing resources, the college board  
21 may create a single web site for the purpose of advertising the  
22 availability of opportunity express funding to Washington citizens;  
23 explaining that opportunity express helps people who want to pursue  
24 college and apprenticeship for certain targeted industries; and  
25 explaining that opportunity express includes the following tracks:  
26 Worker retraining for unemployed adults; training programs approved by  
27 the commissioner of the employment security department, training  
28 programs administered by labor and management partnerships, and  
29 training programs prioritized by industry, for unemployed adults and  
30 incumbent workers; opportunity internships for high school students;  
31 and opportunity grants for low-income adults. The web site may also  
32 direct interested individuals to the appropriate local intake office.  
33 The web site may also include a link to the Washington state department  
34 of labor and industries apprenticeship program.

35 **Sec. 4.** RCW 28C.18.164 and 2009 c 238 s 4 are each amended to read  
36 as follows:

1 (1) Opportunity internship consortia may apply to the board to  
2 offer an opportunity internship program.

3 (a) The board, in consultation with the Washington state  
4 apprenticeship and training council, may select those consortia that  
5 demonstrate the strongest commitment and readiness to implement a high  
6 quality opportunity internship program for low-income high school  
7 students. The board shall place a priority on consortia with  
8 demonstrated experience working with similar populations of students  
9 and demonstrated capacity to assist a large number of students through  
10 the progression of internship or preapprenticeship, high school  
11 graduation, postsecondary education, and retention in a high-demand  
12 occupation. The board shall place a priority on programs that  
13 emphasize secondary career and technical education and nonbaccalaureate  
14 postsecondary education; however, programs that target four-year  
15 postsecondary degrees are eligible to participate.

16 (b)(i) Except as provided in (b)(ii) of this subsection (1), the  
17 board shall enter into a contract with each consortium selected to  
18 participate in the program. No more than ten consortia per year shall  
19 be selected to participate in the program, and to the extent possible,  
20 the board shall assure a geographic distribution of consortia in  
21 regions across the state emphasizing a variety of targeted industries.  
22 Each consortium may select no more than one hundred low-income high  
23 school students per year to participate in the program.

24 (ii) For fiscal years 2011 through 2013, the board shall enter into  
25 a contract with each consortium selected to participate in the program.  
26 No more than twelve consortia per year shall be selected to participate  
27 in the program, and to the extent possible, the board shall assure a  
28 geographic distribution of consortia in regions across the state  
29 emphasizing a variety of targeted industries. No more than five  
30 thousand low-income high school students per year may be selected to  
31 participate in the program.

32 (2) Under the terms of an opportunity internship program contract,  
33 an opportunity internship consortium shall commit to the following  
34 activities which shall be conducted using existing federal, state,  
35 local, or private funds available to the consortium:

36 (a) Identify high-demand occupations in targeted industries for  
37 which opportunity internships or preapprenticeships shall be developed  
38 and provided;

1 (b) Develop and implement the components of opportunity  
2 internships, including paid or unpaid internships or preapprenticeships  
3 of at least ninety hours in length in high-demand occupations with  
4 employers in the consortium, mentoring and guidance for students who  
5 participate in the program, assistance with applications for  
6 postsecondary programs and financial aid, and a guarantee of a job  
7 interview with a participating employer for all opportunity internship  
8 graduates who successfully complete a postsecondary program of study;

9 (c) Once the internship or preapprenticeship components have been  
10 developed, conduct outreach efforts to inform low-income high school  
11 students about high-demand occupations, the opportunity internship  
12 program, options for postsecondary programs of study, and the  
13 incentives and opportunities provided to students who participate in  
14 the program;

15 (d) Obtain appropriate documentation of the low-income status of  
16 students who participate in the program;

17 (e) Maintain communication with opportunity internship graduates of  
18 the consortium who enroll in postsecondary programs of study; and

19 (f) Submit an annual report to the board on the progress of and  
20 participation in the opportunity internship program of the consortium.

21 (3) Opportunity internship consortia are encouraged to:

22 (a) Provide paid opportunity internships or preapprenticeships,  
23 including during the summer months to encourage students to stay  
24 enrolled in high school;

25 (b) Work with high schools to offer opportunity internships as  
26 approved worksite learning experiences where students can earn high  
27 school credit;

28 (c) Designate the local workforce development council as fiscal  
29 agent for the opportunity internship program contract;

30 (d) Work with area high schools to incorporate the opportunity  
31 internship program into comprehensive guidance and counseling programs  
32 such as the navigation 101 program; and

33 (e) Coordinate the opportunity internship program with other  
34 workforce development and postsecondary education programs, including  
35 opportunity grants, the college bound scholarship program, federal  
36 workforce investment act initiatives, and college access challenge  
37 grants.

1 (4) The board shall seek federal funds that may be used to support  
2 the opportunity internship program, including providing the incentive  
3 payments under RCW 28C.18.168.

4 NEW SECTION. **Sec. 5.** A new section is added to chapter 50.24 RCW  
5 to read as follows:

6 A separate and identifiable account, which shall be known as the  
7 opportunity express account, is established. Moneys in the account may  
8 be spent only after appropriation. Moneys in the account shall be used  
9 only for the worker retraining program, training programs approved by  
10 the commissioner of the employment security department, training  
11 programs administered by labor and management partnerships, industry-  
12 prioritized training programs, training programs that facilitate career  
13 progression in health care occupations, the opportunity internship  
14 program, and the opportunity grant program, and for administrative  
15 costs related to these programs and collection of voluntary  
16 contributions under this section. Moneys in the account shall be used  
17 to supplement, not supplant, existing funding for the opportunity grant  
18 program.

19 NEW SECTION. **Sec. 6.** This act is necessary for the immediate  
20 preservation of the public peace, health, or safety, or support of the  
21 state government and its existing public institutions, and takes effect  
22 immediately.

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