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**SUBSTITUTE SENATE BILL 5182**

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**State of Washington**

**62nd Legislature**

**2011 Regular Session**

**By** Senate Higher Education & Workforce Development (originally sponsored by Senators White, Tom, Hill, Zarelli, Murray, Ericksen, Prentice, Hobbs, and Nelson)

READ FIRST TIME 02/18/11.

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.76.020, 28B.76.090, 28B.76.120, 28B.76.500, 28B.76.505, 28B.76.510,  
5 28B.76.520, 28B.76.525, 28B.76.540, 28B.76.560, 28B.76.565, 28B.76.570,  
6 28B.76.575, 28B.76.605, 28B.76.610, 28B.76.615, 28B.76.620, 28B.76.640,  
7 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.10.020, 28B.15.460, 28B.20.130, 28B.20.280, 28B.30.150, 28B.30.500,  
12 28B.35.120, 28B.35.205, 28B.35.215, 28B.38.010, 28B.40.120, 28B.40.206,  
13 28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040, 28B.45.060, 28B.50.140,  
14 28B.50.810, 28B.65.050, 28B.85.010, 28B.85.020, 28B.85.030, 28B.85.040,  
15 28B.85.050, 28B.85.060, 28B.85.070, 28B.85.080, 28B.85.090, 28B.85.100,  
16 28B.85.130, 28B.85.170, 28B.110.030, 28B.110.040, 28B.90.010,  
17 28B.90.020, 28B.90.030, 28B.76.110, 28B.76.320, 35.104.020, 35.104.040,  
18 43.06.115, 9A.60.070, 18.260.110, 28A.600.280, 28A.600.290,  
19 28A.600.310, 28A.600.390, 28A.700.020, 28A.700.060, 28B.07.040,  
20 28B.10.056, 28B.10.125, 28B.10.682, 28B.10.784, 28B.15.068, 28B.15.069,  
21 28B.15.730, 28B.15.734, 28B.15.750, 28B.15.754, 28B.15.756, 28B.15.758,  
22 28B.20.308, 28B.20.478, 28B.30.530, 28B.45.080, 28B.65.040, 28B.67.010,  
23 28B.103.030, 28C.10.030, 28C.10.040, 28C.18.030, 28C.18.060,  
24 28C.18.132, 28C.18.134, 43.09.440, 43.43.934, 43.43.938, 43.60A.151,  
25 43.88.090, 43.88D.010, 43.105.400, 43.215.090, 43.330.310, 43.330.375,  
26 47.80.090, and 70.180.110; reenacting and amending RCW 28B.50.030,  
27 28B.92.030, 28B.115.110, 28A.230.100, and 43.330.280; adding a new  
28 section to chapter 41.06 RCW; adding new sections to chapter 43.41 RCW;  
29 adding a new section to chapter 28B.10 RCW; adding a new chapter to  
30 Title 28B RCW; creating new sections; recodifying RCW 28B.76.210,  
31 28B.76.300, and 28B.76.310; repealing RCW 28B.15.736, 28B.76.010,  
32 28B.76.030, 28B.76.040, 28B.76.050, 28B.76.060, 28B.76.070, 28B.76.080,  
33 28B.76.200, 28B.76.230, 28B.76.240, 28B.76.2401, 28B.76.250,  
34 28B.76.260, 28B.76.270, 28B.76.280, 28B.76.330, 28B.76.530,  
35 28B.115.060, 28B.10.920, 28B.10.921, 28B.10.922, 28B.76.335,  
36 28B.76.340, 28B.15.465, 28B.10.5691, and 28B.15.796; providing  
37 effective dates; providing expiration dates; and declaring an  
38 emergency.

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

2 NEW SECTION. **Sec. 1.** The legislature recognizes that the state's  
3 higher education system plays a critical role in assuring Washington's  
4 continued leadership role in driving economic prosperity, innovation,  
5 and opportunity. By educating citizens for living wage jobs, producing  
6 world-class research, and helping to create vibrant communities, the  
7 state's institutions of higher education form a foundational component  
8 in assuring prosperity for our citizens.

9 The legislature also recognizes the significant contributions made  
10 by the higher education coordinating board in coordinating higher  
11 education policy and planning, and administering the state's financial  
12 aid programs. The board has also recently finished several significant  
13 planning efforts that will provide guidance to the legislature and to  
14 the institutions in forming priorities and deploying resources.

15 However, the legislature also recognizes the importance of  
16 prioritizing scarce resources for the core, front-line services that  
17 institutions provide--namely instruction, research, and robust  
18 financial aid. During times of economic downturn, policymakers must  
19 focus on those areas of public service that have the most direct and  
20 immediate impact on students. Keeping class sections open, attracting  
21 the best professors and instructors, providing comprehensive support  
22 services, and offering meaningful financial help to offset the costs of  
23 attending school must be the main concerns of policymakers.

24 It is for these reasons that the legislature intends to create a  
25 new office dedicated entirely to the administration of student  
26 financial aid programs. By focusing financial and governance resources  
27 on direct aid to students, the state can provide the highest level of  
28 service in this area. The legislature further intends to eliminate  
29 many of the policy and planning functions of the higher education  
30 coordinating board and rededicate those resources to the higher  
31 education institutions that provide the core, front-line services  
32 associated with instruction and research. Given the unprecedented  
33 budget crises the state is facing, the state must take the opportunity  
34 to build on the recommendations of the board and use the dollars where  
35 they can make the most direct impact.

1 PART I

2 OFFICE OF STUDENT FINANCIAL ASSISTANCE

3 Sec. 101. RCW 28B.76.020 and 2010 c 245 s 4 are each amended to  
4 read as follows:

5 The definitions in this section apply throughout this chapter  
6 unless the context clearly requires otherwise.

7 (1) (~~"Board" means the higher education coordinating board.~~)  
8 "Council" means the council for performance and accountability in  
9 higher education.

10 (2) "Four-year institutions" means the University of Washington,  
11 Washington State University, Central Washington University, Eastern  
12 Washington University, Western Washington University, and The Evergreen  
13 State College.

14 (3) "Major expansion" means expansion of the higher education  
15 system that requires significant new capital investment, including  
16 building new institutions, campuses, branches, or centers or conversion  
17 of existing campuses, branches, or centers that would result in a  
18 mission change.

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

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

22 Sec. 102. RCW 28B.76.090 and 2007 c 458 s 102 are each amended to  
23 read as follows:

24 (1) The office of student financial assistance is created and shall  
25 be administered by the council.

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

30 (3) The (~~board~~) office shall employ a director (~~and may delegate~~  
31 agency management to the director. The director) who shall serve at  
32 the pleasure of the (~~board, shall be the executive officer of the~~  
33 board, and shall, under the board's supervision,)) governor and shall  
34 administer the provisions of this chapter. The (~~executive~~) director  
35 shall(~~, with the approval of the board~~): ((+1)) (a) Employ  
36 necessary deputy and assistant directors and other exempt staff under  
37 chapter 41.06 RCW who shall serve at his or her pleasure on such terms

1 and conditions as he or she determines and ((+2+)) (b) subject to the  
2 provisions of chapter 41.06 RCW, appoint and employ such other  
3 employees as may be required for the proper discharge of the functions  
4 of the ((board. The executive director shall exercise such additional  
5 powers, other than rule making, as may be delegated by the board by  
6 resolution. In fulfilling the duties under this chapter, the board  
7 shall make extensive use of those state agencies with responsibility  
8 for implementing and supporting postsecondary education plans and  
9 policies including but not limited to appropriate legislative groups,  
10 the postsecondary education institutions, the office of financial  
11 management, the workforce training and education coordinating board,  
12 the state board for community and technical colleges, and the office of  
13 the superintendent of public instruction. Outside consulting and  
14 service agencies may also be employed. The board may compensate these  
15 groups and consultants in appropriate ways)) office.

16 **Sec. 103.** RCW 28B.76.120 and 1985 c 370 s 8 are each amended to  
17 read as follows:

18 The ((board)) office shall have authority to adopt rules as  
19 necessary to implement this chapter.

20 **Sec. 104.** RCW 28B.76.300 and 2004 c 275 s 14 are each amended to  
21 read as follows:

22 (1) The ((board)) office shall annually develop information on the  
23 approximate amount of state support that students receive. For  
24 students at state-supported colleges and universities, the information  
25 shall include the approximate level of support received by students in  
26 each tuition category. That information may include consideration of  
27 the following: Expenditures included in the educational cost formula,  
28 revenue forgiven from waived tuition and fees, state-funded financial  
29 aid awarded to students at public institutions, and all or a portion of  
30 appropriated amounts not reflected in the educational cost formula for  
31 institutional programs and services that may affect or enhance the  
32 educational experience of students at a particular institution. For  
33 students attending a private college, university, or proprietary  
34 school, the information shall include the amount of state-funded  
35 financial aid awarded to students attending the institution.

1 (2) Beginning July 30, 1993, the ((~~board~~)) office shall annually  
2 provide information appropriate to each institution's student body to  
3 each state-supported four-year institution of higher education and to  
4 the state board for community and technical colleges for distribution  
5 to community colleges and technical colleges.

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

10 (4) Beginning with the 1997 fall academic term, each institution of  
11 higher education described in subsection (2) or (3) of this section  
12 shall provide to students at the institution information on the  
13 approximate amount that the state is contributing to the support of  
14 their education. Information provided to students at each state-  
15 supported college and university shall include the approximate amount  
16 of state support received by students in each tuition category at that  
17 institution. The amount of state support shall be based on the  
18 information provided by the ((~~board~~)) office under subsections (1)  
19 through (3) of this section. The information shall be provided to  
20 students at the beginning of each academic term through one or more of  
21 the following: Registration materials, class schedules, tuition and  
22 fee billing packets, student newspapers, or via e-mail or kiosk.

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

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

28 (2) Each of the student financial aid programs administered by the  
29 ((~~board~~)) office shall be labeled an "opportunity pathway." Loans  
30 provided by the federal government and aid granted to students outside  
31 of the financial aid package provided through institutions of higher  
32 education are not subject to the labeling provisions in this  
33 subsection. All communication materials, including, but not limited  
34 to, printed materials, presentations, and web content, shall include  
35 the "opportunity pathway" label.

36 (3) If the ((~~board~~)) office develops a one-stop college information  
37 web-based portal that includes financial, academic, and career planning

1 information, the portal shall display all available student financial  
2 aid programs, except federal student loans and aid granted to students  
3 outside of the financial aid package provided through institutions of  
4 higher education, under the "opportunity pathway" label. The portal  
5 shall also display information regarding federal tax credits related to  
6 higher education available for students or their families.

7 (4) The labeling requirements in this section do not change the  
8 source, eligibility requirements, or student obligations associated  
9 with each program. The (~~board~~) office shall customize its  
10 communications to differentiate between programs, eligibility  
11 requirements, and student obligations, so long as the reporting  
12 provisions of this chapter are also fulfilled.

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

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

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

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

27 (4) All investments made by the state investment board shall be  
28 made with the exercise of that degree of judgment and care pursuant to  
29 RCW 43.33A.140 and the investment policies established by the state  
30 investment board.

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

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

1           (7) The (~~higher education coordinating board~~) office may request  
2 and accept moneys from the state investment board. With the exception  
3 of expenses of the state investment board in subsection (2) of this  
4 section, disbursements from the fund shall be made only on the  
5 authorization of the (~~higher education coordinating board,~~) office  
6 and money in the fund may be spent only for the purposes of the  
7 endowment programs as specified in the authorizing chapter of each  
8 program.

9           (8) The state investment board shall routinely consult and  
10 communicate with the (~~higher education coordinating board~~) office on  
11 the investment policy, earnings of the scholarship endowment funds, and  
12 related needs of the programs.

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

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

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

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

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

25           (1) The state financial aid account is created in the custody of  
26 the state treasurer. The primary purpose of the account is to ensure  
27 that all appropriations designated for financial aid through statewide  
28 student financial aid programs are made available to eligible students.  
29 The account shall be a nontreasury account.

30           (2) The (~~higher education coordinating board~~) office shall  
31 deposit in the account all money received for the state need grant  
32 program established under RCW 28B.92.010, the state work-study program  
33 established under chapter 28B.12 RCW, the Washington scholars program  
34 established under RCW 28A.600.110, the Washington award for vocational  
35 excellence program established under RCW 28C.04.525, and the

1 educational opportunity grant program established under chapter 28B.101  
2 RCW. The account shall consist of funds appropriated by the  
3 legislature for the programs listed in this subsection and private  
4 contributions to the programs. Moneys deposited in the account do not  
5 lapse at the close of the fiscal period for which they were  
6 appropriated. Both during and after the fiscal period in which moneys  
7 were deposited in the account, the ((~~board~~)) office may expend moneys  
8 in the account only for the purposes for which they were appropriated,  
9 and the expenditures are subject to any other conditions or limitations  
10 placed on the appropriations.

11 (3) Expenditures from the account shall be used for scholarships to  
12 students eligible for the programs according to program rules and  
13 policies.

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

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

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

21 In addition to administrative responsibilities assigned in this  
22 chapter, the ((~~board~~)) office shall administer the programs set forth  
23 in the following statutes: RCW 28A.600.100 through 28A.600.150  
24 (Washington scholars); chapter 28B.85 RCW (degree-granting  
25 institutions); chapter 28B.92 RCW (state need grant); chapter 28B.12  
26 RCW (work study); RCW 28B.15.543 (tuition waivers for Washington  
27 scholars); RCW 28B.15.760 through 28B.15.766 (math and science loans);  
28 RCW 28B.15.100 (reciprocity agreement); RCW 28B.15.730 through  
29 ((~~28B.15.736~~)) 28B.15.734 (Oregon reciprocity); RCW 28B.15.750 through  
30 28B.15.754 (Idaho reciprocity); RCW 28B.15.756 and 28B.15.758 (British  
31 Columbia reciprocity); chapter 28B.101 RCW (educational opportunity  
32 grant); chapter 28B.102 RCW (future teachers conditional scholarship);  
33 chapter 28B.108 RCW (American Indian endowed scholarship); chapter  
34 28B.109 RCW (Washington international exchange scholarship); chapter  
35 28B.115 RCW (health professional conditional scholarship); chapter  
36 28B.119 RCW (Washington promise scholarship); and chapter 28B.133 RCW  
37 (gaining independence for students with dependents).

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

3       The Washington distinguished professorship trust fund program is  
4 established.

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

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

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

10       Funds appropriated by the legislature for the distinguished  
11 professorship program shall be deposited in the distinguished  
12 professorship trust fund. At the request of the (~~higher education~~  
13 ~~coordinating board~~) office under RCW 28B.76.575, the treasurer shall  
14 release the state matching funds to the designated institution's local  
15 endowment fund. No appropriation is required for expenditures from the  
16 fund. During the 2009-2011 fiscal biennium, the legislature may  
17 transfer from the distinguished professorship trust fund to the state  
18 general fund such amounts as reflect the excess fund balance in the  
19 account.

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

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

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

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

33       All state four-year institutions of higher education shall be  
34 eligible for matching trust funds. An institution may apply to the  
35 (~~higher education coordinating board~~) office for two hundred fifty

1 thousand dollars from the fund when the institution can match the state  
2 funds with an equal amount of pledged or contributed private donations  
3 or with funds received through legislative appropriation specifically  
4 for the G. Robert Ross distinguished faculty award and designated as  
5 being qualified to be matched from trust fund moneys. These donations  
6 shall be made specifically to the professorship program, and shall be  
7 donated after July 1, 1985.

8 Upon an application by an institution, the (~~board~~) office may  
9 designate two hundred fifty thousand dollars from the trust fund for  
10 that institution's pledged professorship. If the pledged two hundred  
11 fifty thousand dollars is not received within three years, the  
12 (~~board~~) office shall make the designated funds available for another  
13 pledged professorship.

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

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

20 The Washington graduate fellowship trust fund program is  
21 established. The program shall be administered by the (~~higher  
22 education coordinating board~~) office. The trust fund shall be  
23 administered by the state treasurer.

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

26 Funds appropriated by the legislature for the graduate fellowship  
27 program shall be deposited in the graduate fellowship trust fund. At  
28 the request of the (~~higher education coordinating board~~) office under  
29 RCW 28B.76.620, the treasurer shall release the state matching funds to  
30 the designated institution's local endowment fund. No appropriation is  
31 required for expenditures from the fund. During the 2009-2011 fiscal  
32 biennium, the legislature may transfer from the graduate fellowship  
33 trust fund to the state general fund such amounts as reflect the excess  
34 fund balance in the account.

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

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

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

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

14       (1) All state four-year institutions of higher education shall be  
15 eligible for matching trust funds. Institutions may apply to the  
16 (~~higher education coordinating board~~) office for twenty-five thousand  
17 dollars from the fund when they can match the state funds with equal  
18 pledged or contributed private donations. These donations shall be  
19 made specifically to the graduate fellowship program, and shall be  
20 donated after July 1, 1987.

21       (2) Upon an application by an institution, the (~~board~~) office may  
22 designate twenty-five thousand dollars from the trust fund for that  
23 institution's pledged graduate fellowship fund. If the pledged twenty-  
24 five thousand dollars is not received within two years, the (~~board~~)  
25 office shall make the designated funds available for another pledged  
26 graduate fellowship fund.

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

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

33       The (~~board~~) office is hereby specifically directed to develop  
34 such state plans as are necessary to coordinate the state of  
35 Washington's participation within the student exchange compact programs  
36 under the auspices of the Western Interstate Commission for Higher

1 Education, as provided by chapter 28B.70 RCW. In addition to  
2 establishing such plans the ((board)) office shall designate the state  
3 certifying officer for student programs.

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

6 In the development of any such plans as called for within RCW  
7 28B.76.640, the ((board)) office shall use at least the following  
8 criteria:

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

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

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

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

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

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

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

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

12           (1) Recipients of the Washington scholars award or the Washington  
13 scholars-alternate award under RCW 28A.600.100 through 28A.600.150 who  
14 choose to attend an independent college or university in this state, as  
15 defined in subsection (4) of this section, and recipients of the award  
16 named after June 30, 1994, who choose to attend a public college or  
17 university in the state may receive grants under this section if moneys  
18 are available. The ((~~higher education coordinating board~~)) office  
19 shall distribute grants to eligible students under this section from  
20 moneys appropriated for this purpose. The individual grants shall not  
21 exceed, on a yearly basis, the yearly, full-time, resident,  
22 undergraduate tuition and service and activities fees in effect at the  
23 state-funded research universities. Grants to recipients attending an  
24 independent institution shall be contingent upon the institution  
25 matching on at least a dollar-for-dollar basis, either with actual  
26 money or by a waiver of fees, the amount of the grant received by the  
27 student from the state. The ((~~higher education coordinating board~~))  
28 office shall establish procedures, by rule, to disburse the awards as  
29 direct grants to the students.

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

1           Beginning with scholars selected in the year 2000, if the  
2 recipients of grants fail to demonstrate in a timely manner that they  
3 will enroll in a Washington institution of higher education in the fall  
4 term of the academic year following the award of the grant or are  
5 deemed by the (~~higher education coordinating board~~) office to have  
6 withdrawn from college during the first academic year following the  
7 award, then the grant shall be considered relinquished. The (~~higher  
8 education coordinating board~~) office may then award any remaining  
9 grant amounts to the Washington scholars-alternate from the same  
10 legislative district if the grants are awarded within one calendar year  
11 of the recipient being named a Washington scholars-alternate.  
12 Washington scholars-alternates named as recipients of the grant must  
13 also demonstrate in a timely manner that they will enroll in a  
14 Washington institution of higher education during the next available  
15 term, as determined by the (~~higher education coordinating board~~)  
16 office. The (~~board~~) office may accept appeals and grant waivers to  
17 the enrollment requirements of this section based on exceptional  
18 mitigating circumstances of individual grant recipients.

19           To maintain eligibility for the grants, recipients must maintain a  
20 minimum grade point average at the college or university equivalent to  
21 3.30. Students shall be eligible to receive a maximum of twelve  
22 quarters or eight semesters of grants for undergraduate study and may  
23 transfer among in-state public and independent colleges and  
24 universities during that period and continue to receive the grant as  
25 provided under RCW 28B.76.665. If the student's cumulative grade point  
26 average falls below 3.30 during the first three quarters or two  
27 semesters, that student may petition the (~~higher education  
28 coordinating board~~) office which shall have the authority to establish  
29 a probationary period until such time as the student's grade point  
30 average meets required standards.

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

33           (4) As used in this section, "independent college or university"  
34 means a private, nonprofit educational institution, the main campus of  
35 which is permanently situated in the state, open to residents of the  
36 state, providing programs of education beyond the high school level  
37 leading at least to the baccalaureate degree, and accredited by the  
38 northwest association of schools and colleges as of June 9, 1988, and

1 other institutions as may be developed that are approved by the  
2 (~~higher education coordinating board~~) office of financial management  
3 as meeting equivalent standards as those institutions accredited under  
4 this section.

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

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

9 (1) Recipients of the Washington award for vocational excellence  
10 under RCW 28C.04.520 through 28C.04.550, who receive the award after  
11 June 30, 1994, may receive a grant, if funds are available. The grant  
12 shall be used to attend a postsecondary institution located in the  
13 state of Washington. Recipients may attend an institution of higher  
14 education as defined in RCW 28B.10.016, or an independent college or  
15 university, or a licensed private vocational school. The (~~higher  
16 education coordinating board~~) office shall distribute grants to  
17 eligible students under this section from moneys appropriated for this  
18 purpose. The individual grants shall not exceed, on a yearly basis,  
19 the yearly, full-time, resident, undergraduate tuition and service and  
20 activities fees in effect at the state-funded research universities.  
21 In consultation with the workforce training and education coordinating  
22 board, the (~~higher education coordinating board~~) office shall  
23 establish procedures, by rule, to disburse the awards as direct grants  
24 to the students.

25 (2) To qualify for the grant, recipients shall enter the  
26 postsecondary institution within three years of high school graduation  
27 and maintain a minimum grade point average at the institution  
28 equivalent to 3.00, or, at a technical college, an above average  
29 rating. Students shall be eligible to receive a maximum of two years  
30 of grants for undergraduate study and may transfer among in-state  
31 eligible postsecondary institutions during that period and continue to  
32 receive the grant.

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

35 (4) As used in this section, "independent college or university"  
36 means a private, nonprofit educational institution, the main campus of  
37 which is permanently situated in the state, open to residents of the

1 state, providing programs of education beyond the high school level  
2 leading at least to the baccalaureate degree, and accredited by the  
3 Northwest association of schools and colleges as of June 9, 1988, and  
4 other institutions as may be developed that are approved by the  
5 (~~higher education coordinating board~~) office of financial management  
6 as meeting equivalent standards as those institutions accredited under  
7 this section.

8 (5) As used in this section, "licensed private vocational school"  
9 means a private postsecondary institution, located in the state,  
10 licensed by the workforce training and education coordinating board  
11 under chapter 28C.10 RCW, and offering postsecondary education in order  
12 to prepare persons for a vocation or profession, as defined in RCW  
13 28C.10.020(7).

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

16 The (~~higher education coordinating board~~) office shall administer  
17 Washington's participation in the border county higher education  
18 opportunity project.

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

21 The (~~higher education coordinating board~~) office of student  
22 financial assistance shall have the responsibility for administration  
23 of the Washington scholars program. The program will be developed  
24 cooperatively with the Washington association of secondary school  
25 principals, a voluntary professional association of secondary school  
26 principals. The cooperation of other state agencies and private  
27 organizations having interest and responsibility in public and private  
28 education shall be sought for planning assistance.

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

31 The (~~higher education coordinating board~~) office of student  
32 financial assistance shall establish a planning committee to develop  
33 criteria for screening and selection of the Washington scholars each  
34 year in accordance with RCW 28A.600.110(1). It is the intent that  
35 these criteria shall emphasize scholastic achievement but not exclude

1 such criteria as leadership ability and community contribution in final  
2 selection procedures. The Washington scholars planning committee shall  
3 have members from selected state agencies and private organizations  
4 having an interest and responsibility in education, including but not  
5 limited to, the office of superintendent of public instruction, the  
6 council of presidents, the state board for community and technical  
7 colleges, and the Washington friends of higher education.

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

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

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

18 Each year, three Washington scholars and one Washington scholars-  
19 alternate shall be selected from the students nominated under RCW  
20 28A.600.140, except that during fiscal year 2007, no more than two  
21 scholars plus one alternate may be selected. The (~~higher education~~  
22 ~~coordinating board~~) office of student financial assistance shall  
23 notify the students so designated, their high school principals, the  
24 legislators of their respective districts, and the governor when final  
25 selections have been made.

26 The (~~board~~) office, in conjunction with the governor's office,  
27 shall prepare appropriate certificates to be presented to the  
28 Washington scholars and the Washington scholars-alternates. An awards  
29 ceremony at an appropriate time and place shall be planned by the  
30 (~~board~~) office in cooperation with the Washington association of  
31 secondary school principals, and with the approval of the governor.

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

34 (1) The superintendent of public instruction, in consultation with  
35 the (~~higher education coordinating board~~) four-year institutions as

1 defined in RCW 28B.76.020, the state board for community and technical  
2 colleges, and the workforce training and education coordinating board,  
3 shall develop for use by all public school districts a standardized  
4 high school transcript. The superintendent shall establish clear  
5 definitions for the terms "credits" and "hours" so that school programs  
6 operating on the quarter, semester, or trimester system can be  
7 compared.

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

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

13 The superintendent of public instruction and the (~~higher education~~  
14 ~~coordinating board~~) office of student financial assistance shall  
15 develop advising guidelines to assure that students and parents  
16 understand that college credits earned in high school dual credit  
17 programs may impact eligibility for financial aid.

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

20 (1) The professional educator standards board and the state board  
21 for community and technical colleges, in consultation with the  
22 superintendent of public instruction, (~~the higher education~~  
23 ~~coordinating board,~~) the state apprenticeship training council, and  
24 community colleges, shall adopt rules as necessary under chapter 34.05  
25 RCW to implement the paraeducator associate of arts degree.

26 (2) As used in this section, a "paraeducator" is an individual who  
27 has completed an associate of arts degree for a paraeducator. The  
28 paraeducator may be hired by a school district to assist certificated  
29 instructional staff in the direct instruction of children in small and  
30 large groups, individualized instruction, testing of children,  
31 recordkeeping, and preparation of materials. The paraeducator shall  
32 work under the direction of instructional certificated staff.

33 (3) The training program for a paraeducator associate of arts  
34 degree shall include, but is not limited to, the general requirements  
35 for receipt of an associate of arts degree and training in the areas of  
36 introduction to childhood education, orientation to children with

1 disabilities, fundamentals of childhood education, creative activities  
2 for children, instructional materials for children, fine art  
3 experiences for children, the psychology of learning, introduction to  
4 education, child health and safety, child development and guidance,  
5 first aid, and a practicum in a school setting.

6 (4) Consideration shall be given to transferability of credit  
7 earned in this program to teacher preparation programs at colleges and  
8 universities.

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

11 (1) The superintendent of public instruction, to the extent funds  
12 are appropriated, shall develop and implement a Washington state K-12  
13 education technology plan. The technology plan shall be updated on at  
14 least a biennial basis, shall be developed to coordinate and expand the  
15 use of education technology in the common schools of the state. The  
16 plan shall be consistent with applicable provisions of chapter 43.105  
17 RCW. The plan, at a minimum, shall address:

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

21 (b) The continued development of a network to connect school  
22 districts, institutions of higher learning, and other sources of online  
23 information; and

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

26 (2) The superintendent of public instruction shall appoint an  
27 educational technology advisory committee to assist in the development  
28 and implementation of the technology plan in subsection (1) of this  
29 section. The committee shall include, but is not limited to, persons  
30 representing: The department of information services, educational  
31 service districts, school directors, school administrators, school  
32 principals, teachers, classified staff, higher education faculty,  
33 parents, students, business, labor, scientists and mathematicians,  
34 (~~the higher education coordinating board,~~) the workforce training and  
35 education coordinating board, and the state library.

36 (3) The plan adopted and implemented under this section may not  
37 impose on school districts any requirements that are not specifically

1 required by federal law or regulation, including requirements to  
2 maintain eligibility for the federal schools and libraries program of  
3 the universal service fund.

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

6 Subject to the availability of amounts appropriated for these  
7 purposes, the conditional scholarship programs in this chapter are  
8 created under the following guidelines:

9 (1) The programs shall be administered by the (~~higher education~~  
10 ~~coordinating board~~) office of student financial assistance. In  
11 administering the programs, the (~~higher education coordinating board~~)  
12 office has the following powers and duties:

13 (a) To adopt necessary rules and develop guidelines to administer  
14 the programs;

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

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

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

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

27 (i) Be accepted and maintain enrollment in alternative  
28 certification routes through a professional educator standards board-  
29 approved program;

30 (ii) Continue to make satisfactory progress toward completion of  
31 the alternative route certification program and receipt of a residency  
32 teaching certificate; and

33 (iii) Receive no more than the annual amount of the scholarship,  
34 not to exceed eight thousand dollars, for the cost of tuition, fees,  
35 and educational expenses, including books, supplies, and transportation  
36 for the alternative route certification program in which the recipient

1 is enrolled. The board may adjust the annual award by the average rate  
2 of resident undergraduate tuition and fee increases at the state  
3 universities as defined in RCW 28B.10.016.

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

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

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

15 (iii) Receive no more than the annual amount of the scholarship,  
16 not to exceed four thousand dollars, for the cost of tuition, fees, and  
17 educational expenses, including books, supplies, and transportation for  
18 the alternative route certification program in which the recipient is  
19 enrolled. The board may adjust the annual award by the average rate of  
20 tuition and fee increases at the state community and technical  
21 colleges.

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

25 (i) Individuals currently employed as teachers shall pursue a  
26 middle level mathematics or science, or secondary mathematics or  
27 science endorsement; or

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

31 (iii) Individuals shall use one of the pathways to endorsement  
32 processes to receive a mathematics or science endorsement, or both,  
33 which shall include passing a mathematics or science endorsement test,  
34 or both tests, plus observation and completing applicable coursework to  
35 attain the proper endorsement; and

36 (iv) Individuals shall receive no more than the annual amount of  
37 the scholarship, not to exceed three thousand dollars, for the cost of

1 tuition, test fees, and educational expenses, including books,  
2 supplies, and transportation for the endorsement pathway being pursued.

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

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

16 (5) Recipients who fail to fulfill the required teaching obligation  
17 are required to repay the remaining loan principal with interest and  
18 any other applicable fees. The (~~higher education coordinating board~~)  
19 office of student financial assistance shall adopt rules to define the  
20 terms for repayment, including applicable interest rates, fees, and  
21 deferments.

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

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

28 (1) The board shall consult and cooperate with the department of  
29 social and health services; (~~the higher education coordinating~~  
30 ~~board~~); the superintendent of public instruction; the workforce  
31 training and education coordinating board; the employment security  
32 department; the department of labor and industries; sponsoring agencies  
33 under the federal comprehensive employment and training act (87 Stat.  
34 839; 29 U.S.C. Sec. 801 et seq.), and any other persons or agencies as  
35 the board deems appropriate to facilitate the coordination of centers  
36 established under this chapter with existing programs of a similar  
37 nature.

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

5 (3) The board shall serve as a clearinghouse for displaced  
6 homemaker information and resources and shall compile and disseminate  
7 statewide information to the centers, related agencies, and interested  
8 persons upon request.

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

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

13 (1) "Authority" means the Washington higher education facilities  
14 authority created under RCW 28B.07.030 or any board, body, commission,  
15 department or officer succeeding to the principal functions of the  
16 authority or to whom the powers conferred upon the authority shall be  
17 given by law.

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

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

23 (4) "Higher education institution" means a private, nonprofit  
24 educational institution, the main campus of which is permanently  
25 situated in the state, which is open to residents of the state, which  
26 neither restricts entry on racial or religious grounds, which provides  
27 programs of education beyond high school leading at least to the  
28 baccalaureate degree, and which is accredited by the Northwest  
29 Association of Schools and Colleges or by an accrediting association  
30 recognized by the council for performance and accountability in higher  
31 education (~~coordinating board~~).

32 (5) "Participant" means a higher education institution which, under  
33 this chapter, undertakes the financing of a project or projects or  
34 undertakes the refunding or refinancing of obligations, mortgages, or  
35 advances previously incurred for a project or projects.

36 (6) "Project" means any land or any improvement, including, but not  
37 limited to, buildings, structures, fixtures, utilities, machinery,

1 excavations, paving, and landscaping, and any interest in such land or  
2 improvements, and any personal property pertaining or useful to such  
3 land and improvements, which are necessary, useful, or convenient for  
4 the operation of a higher education institution, including but not  
5 limited to, the following: Dormitories or other multi-unit housing  
6 facilities for students, faculty, officers, or employees; dining halls;  
7 student unions; administration buildings; academic buildings;  
8 libraries; laboratories; research facilities; computer facilities;  
9 classrooms; athletic facilities; health care facilities; maintenance,  
10 storage, or utility facilities; parking facilities; or any combination  
11 thereof, or any other structures, facilities, or equipment so related.

12 (7) "Project cost" means any cost related to the acquisition,  
13 construction, improvement, alteration, or rehabilitation by a  
14 participant or the authority of any project and the financing of the  
15 project through the authority, including, but not limited to, the  
16 following costs paid or incurred: Costs of acquisition of land or  
17 interests in land and any improvement; costs of contractors, builders,  
18 laborers, material suppliers, and suppliers of tools and equipment;  
19 costs of surety and performance bonds; fees and disbursements of  
20 architects, surveyors, engineers, feasibility consultants, accountants,  
21 attorneys, financial consultants, and other professionals; interest on  
22 bonds issued by the authority during any period of construction;  
23 principal of and interest on interim financing of any project; debt  
24 service reserve funds; depreciation funds, costs of the initial start-  
25 up operation of any project; fees for title insurance, document  
26 recording, or filing; fees of trustees and the authority; taxes and  
27 other governmental charges levied or assessed on any project; and any  
28 other similar costs. Except as specifically set forth in this  
29 definition, the term "project cost" does not include books, fuel,  
30 supplies, and similar items which are required to be treated as a  
31 current expense under generally accepted accounting principles.

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

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

37 (1) The Washington higher education facilities authority is hereby

1 established as a public body corporate and politic, with perpetual  
2 corporate succession, constituting an agency of the state of Washington  
3 exercising essential governmental functions. The authority is a  
4 "public body" within the meaning of RCW 39.53.010.

5 (2) The authority shall consist of (~~seven~~) six members as  
6 follows: The governor, lieutenant governor, (~~executive director of~~  
7 ~~the higher education coordinating board,~~) and four public members, one  
8 of whom shall be the president of a higher education institution at the  
9 time of appointment. The public members shall be residents of the  
10 state and appointed by the governor, subject to confirmation by the  
11 senate, on the basis of their interest or expertise in the provision of  
12 higher education and the financing of higher education. The public  
13 members of the authority shall serve for terms of four years. The  
14 initial terms of the public members shall be staggered in a manner  
15 determined by the governor. In the event of a vacancy on the authority  
16 due to death, resignation, or removal of one of the public members, and  
17 upon the expiration of the term of any public member, the governor  
18 shall appoint a successor for a term expiring on the fourth anniversary  
19 of the successor's date of the appointment. If any of the state  
20 offices are abolished, the resulting vacancy on the authority shall be  
21 filled by the state officer who shall succeed substantially to the  
22 power and duties of the abolished office. Any public member of the  
23 authority may be removed by the governor for misfeasance, malfeasance,  
24 (~~wilful~~) willful neglect of duty, or any other cause after notice and  
25 a public hearing, unless such notice and hearing shall be expressly  
26 waived in writing.

27 (3) The governor shall serve as chairperson of the authority. The  
28 authority shall elect annually one of its members as secretary. If the  
29 governor shall be absent from a meeting of the authority, the secretary  
30 shall preside. However, the governor may designate an employee of the  
31 governor's office to act on the governor's behalf in all other respects  
32 during the absence of the governor at any meeting of the authority. If  
33 the designation is in writing and is presented to the person presiding  
34 at the meetings of the authority who is included in the designation,  
35 the vote of the designee has the same effect as if cast by the  
36 governor.

37 (4) Any person designated by resolution of the authority shall keep  
38 a record of the proceedings of the authority and shall be the custodian

1 of all books, documents, and papers filed with the authority, the  
2 minute book or a journal of the authority, and the authority's official  
3 seal, if any. The person may cause copies to be made of all minutes  
4 and other records and documents of the authority, and may give  
5 certificates to the effect that such copies are true copies. All  
6 persons dealing with the authority may rely upon the certificates.

7 (5) Four members of the authority constitute a quorum. Members  
8 participating in a meeting through the use of any means of  
9 communication by which all members participating can hear each other  
10 during the meeting shall be deemed to be present in person at the  
11 meeting for all purposes. The authority may act on the basis of a  
12 motion except when authorizing the issuance and sale of bonds, in which  
13 case the authority shall act by resolution. Bond resolutions and other  
14 resolutions shall be adopted upon the affirmative vote of four members  
15 of the authority, and shall be signed by those members voting yes.  
16 Motions shall be adopted upon the affirmative vote of a majority of a  
17 quorum of members present at any meeting of the authority. All actions  
18 taken by the authority shall take effect immediately without need for  
19 publication or other public notice. A vacancy in the membership of the  
20 authority does not impair the power of the authority to act under this  
21 chapter.

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

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

28 It is the policy of the state of Washington that financial need not  
29 be a barrier to participation in higher education. It is also the  
30 policy of the state of Washington that the essential requirements level  
31 budget calculation include funding for state student financial aid  
32 programs. The calculation should, at a minimum, include a funding  
33 level equal to the amount provided in the second year of the previous  
34 biennium in the omnibus appropriations act, adjusted for the percentage  
35 of needy resident students, by educational sector, likely to be  
36 included in any enrollment increases necessary to maintain, by  
37 educational sector, the participation rate funded in the 1993 fiscal

1 year. The calculation should also be adjusted to reflect, by  
2 educational sector, any increases in cost of attendance. The cost of  
3 attendance figures should be calculated by the (~~higher education~~  
4 ~~coordinating board and provided to the~~) office of financial management  
5 and provided to the appropriate legislative committees by June 30th of  
6 each even-numbered year.

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

9 Washington residents attending any nonprofit college or university  
10 in another state which has a reciprocity agreement with the state of  
11 Washington shall be eligible for the student financial aid program  
12 outlined in chapter 28B.92 RCW if (1) they qualify as a "needy student"  
13 under RCW 28B.92.030(~~(+3)~~) (5), and (2) the institution attended is a  
14 member institution of an accrediting association recognized by rule of  
15 the council for performance and accountability in higher education  
16 (~~coordinating board~~) for the purposes of this section and is  
17 specifically encompassed within or directly affected by such  
18 reciprocity agreement and agrees to and complies with program rules and  
19 regulations pertaining to such students and institutions adopted  
20 pursuant to RCW 28B.92.150.

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

23 The (~~higher education coordinating board~~) office of student  
24 financial assistance shall develop guidelines for determining the  
25 conditions under which an institution can be determined to be directly  
26 affected by a reciprocity agreement for the purposes of RCW 28B.10.790:  
27 PROVIDED, That no institution shall be determined to be directly  
28 affected unless students from the county in which the institution is  
29 located are provided, pursuant to a reciprocity agreement, access to  
30 Washington institutions at resident tuition and fee rates to the extent  
31 authorized by Washington law.

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

34 The term "institution of higher education" whenever used in RCW  
35 28B.10.840 through 28B.10.844, shall be held and construed to mean any

1 public institution of higher education in Washington. The term  
2 "educational board" whenever used in RCW 28B.10.840 through 28B.10.844,  
3 shall be held and construed to mean the state board for community and  
4 technical colleges (~~(education and the higher education coordinating~~  
5 ~~board)~~).

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

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

11 (1) The term "needy student" shall mean a student enrolled or  
12 accepted for enrollment at a (~~(post-secondary))~~ postsecondary  
13 institution who, according to a system of need analysis approved by the  
14 (~~(higher education coordinating board))~~ office of student financial  
15 assistance, demonstrates a financial inability, either parental,  
16 familial, or personal, to bear the total cost of education for any  
17 semester or quarter.

18 (2) The term "eligible institution" shall mean any (~~(post-~~  
19 ~~secondary))~~ postsecondary institution in this state accredited by the  
20 Northwest Association of Schools and Colleges, or a branch of a member  
21 institution of an accrediting association recognized by rule of the  
22 (~~(board))~~ council for performance and accountability in higher  
23 education for purposes of this section, that is eligible for federal  
24 student financial aid assistance and has operated as a nonprofit  
25 college or university delivering on-site classroom instruction for a  
26 minimum of twenty consecutive years within the state of Washington, or  
27 any public technical college in the state.

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

30 The (~~(higher education coordinating board))~~ office of student  
31 financial assistance shall develop and administer the state work-study  
32 program. The board shall be authorized to enter into agreements with  
33 employers and eligible institutions for the operation of the program.  
34 These agreements shall include such provisions as the (~~(higher~~  
35 ~~education coordinating board))~~ office may deem necessary or appropriate  
36 to carry out the purposes of this chapter.

1 With the exception of off-campus community service placements, the  
2 share from moneys disbursed under the state work-study program of the  
3 compensation of students employed under such program in accordance with  
4 such agreements shall not exceed eighty percent of the total such  
5 compensation paid such students.

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

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

11 The (~~higher education coordinating board~~) office of student  
12 financial assistance shall disburse state work-study funds. In  
13 performing its duties under this section, the (~~board~~) office shall  
14 consult eligible institutions and (~~post-secondary~~) postsecondary  
15 education advisory and governing bodies. The (~~board~~) office shall  
16 establish criteria designed to achieve such distribution of assistance  
17 under this chapter among students attending eligible institutions as  
18 will most effectively carry out the purposes of this chapter.

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

21 (1) Within existing resources, the (~~higher education coordinating~~  
22 ~~board~~) office of student financial assistance shall establish the  
23 work-study opportunity grant for high-demand occupations, a competitive  
24 grant program to encourage job placements in high-demand fields. The  
25 (~~board~~) office shall award grants to eligible institutions of higher  
26 education that have developed a partnership with a proximate  
27 organization willing to host work-study placements. Partner  
28 organizations may be nonprofit organizations, for-profit firms, or  
29 public agencies. Eligible institutions of higher education must verify  
30 that all job placements will last for a minimum of one academic quarter  
31 or one academic semester, depending on the system used by the eligible  
32 institution of higher education.

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

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

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

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

10           The (~~higher education coordinating board~~) office of student  
11 financial assistance shall adopt rules as may be necessary or  
12 appropriate for effecting the provisions of this chapter, and not in  
13 conflict with this chapter, in accordance with the provisions of  
14 chapter 34.05 RCW, the (~~state higher education~~) administrative  
15 procedure act. Such rules shall include provisions designed to make  
16 employment under the work-study program reasonably available, to the  
17 extent of available funds, to all eligible needy students in eligible  
18 postsecondary institutions. The rules shall include:

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

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

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

26           (b) Has been accepted for enrollment as at least a half-time  
27 student at the eligible institution or, in the case of a student  
28 already enrolled in and attending the eligible institution, is in good  
29 standing and in at least half-time attendance there either as an  
30 undergraduate, graduate or professional student; and

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

32           (3) Placing priority on providing:

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

36           (b) Job placements in fields related to each student's academic or

1 vocational pursuits, with an emphasis on off-campus job placements  
2 whenever appropriate; and

3 (c) Off-campus community service placements;

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

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

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

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

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

16 (d) That work study positions shall only be established at entry  
17 level positions of the classified service unless the overall scope and  
18 responsibilities of the position indicate a higher level; and

19 (6) Provisions to encourage job placements in high employer demand  
20 occupations that meet Washington's economic development goals,  
21 including those in international trade and international relations.  
22 The ((board)) office shall permit appropriate job placements in other  
23 states and other countries.

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

26 Each eligible institution shall submit to the ((higher education  
27 coordinating board)) office of student financial assistance an annual  
28 report in accordance with such requirements as are adopted by the  
29 ((board)) office.

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

32 Whenever used in this chapter:

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

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

1 (a) A financially independent student who has had a domicile in the  
2 state of Washington for the period of one year immediately prior to the  
3 time of commencement of the first day of the semester or quarter for  
4 which the student has registered at any institution and has in fact  
5 established a bona fide domicile in this state primarily for purposes  
6 other than educational;

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

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

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

25 (e) Any person who has completed the full senior year of high  
26 school and obtained a high school diploma, both at a Washington public  
27 high school or private high school approved under chapter 28A.195 RCW,  
28 or a person who has received the equivalent of a diploma; who has lived  
29 in Washington for at least three years immediately prior to receiving  
30 the diploma or its equivalent; who has continuously lived in the state  
31 of Washington after receiving the diploma or its equivalent and until  
32 such time as the individual is admitted to an institution of higher  
33 education under subsection (1) of this section; and who provides to the  
34 institution an affidavit indicating that the individual will file an  
35 application to become a permanent resident at the earliest opportunity  
36 the individual is eligible to do so and a willingness to engage in any  
37 other activities necessary to acquire citizenship, including but not  
38 limited to citizenship or civics review courses;

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

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

12 (h) A student who is the spouse or a dependent of a person who is  
13 on active military duty stationed in the state. If the person on  
14 active military duty is reassigned out-of-state, the student maintains  
15 the status as a resident student so long as the student is continuously  
16 enrolled in a degree program;

17 (i) A student who resides in the state of Washington and is the  
18 spouse or a dependent of a person who is a member of the Washington  
19 national guard;

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

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

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

35 (m) A student who resides in Washington and is the spouse or a  
36 dependent of a person who resides in Washington and is on active  
37 military duty stationed in the Oregon counties of Columbia, Gilliam,  
38 Hood River, Multnomah, Clatsop, Clackamas, Morrow, Sherman, Umatilla,

1 Union, Wallowa, Wasco, or Washington. If the person on active military  
2 duty moves from Washington or is reassigned out of the Oregon counties  
3 of Columbia, Gilliam, Hood River, Multnomah, Clatsop, Clackamas,  
4 Morrow, Sherman, Umatilla, Union, Wallowa, Wasco, or Washington, the  
5 student maintains the status as a resident student so long as the  
6 student resides in Washington and is continuously enrolled in a degree  
7 program.

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

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

17 (b) A person who is not a citizen of the United States of America  
18 who does not have permanent or temporary resident status or does not  
19 hold "Refugee-Parolee" or "Conditional Entrant" status with the United  
20 States (~~(citizen and)~~) citizenship immigration services or is not  
21 otherwise permanently residing in the United States under color of law  
22 and who does not also meet and comply with all the applicable  
23 requirements in this section and RCW 28B.15.013.

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

31 (5) The term "dependent" shall mean a person who is not financially  
32 independent. Factors to be considered in determining whether a person  
33 is financially independent shall be set forth in rules (~~and~~  
34 ~~regulations~~) adopted by the (~~higher education coordinating board~~)  
35 office of student financial assistance and shall include, but not be  
36 limited to, the state and federal income tax returns of the person  
37 and/or the student's parents or legal guardian filed for the calendar

1 year prior to the year in which application is made and such other  
2 evidence as the board may require.

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

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

6 (b) The Washington national guard; or

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

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

12 (1) The establishment of a new domicile in the state of Washington  
13 by a person formerly domiciled in another state has occurred if such  
14 person is physically present in Washington primarily for purposes other  
15 than educational and can show satisfactory proof that such person is  
16 without a present intention to return to such other state or to acquire  
17 a domicile at some other place outside of Washington.

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

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

22 (b) A person does not lose a domicile in the state of Washington by  
23 reason of residency in any state or country while a member of the civil  
24 or military service of this state or of the United States, nor while  
25 engaged in the navigation of the waters of this state or of the United  
26 States or of the high seas if that person returns to the state of  
27 Washington within one year of discharge from said service with the  
28 intent to be domiciled in the state of Washington; any resident  
29 dependent student who remains in this state when such student's  
30 parents, having theretofore been domiciled in this state for a period  
31 of one year immediately prior to the time of commencement of the first  
32 day of the semester or quarter for which the student has registered at  
33 any institution, remove from this state, shall be entitled to continued  
34 classification as a resident student so long as such student's  
35 attendance (except summer sessions) at an institution in this state is  
36 continuous.

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

7 (a) Registration or payment of Washington taxes or fees on a motor  
8 vehicle, mobile home, travel trailer, boat, or any other item of  
9 personal property owned or used by the person for which state  
10 registration or the payment of a state tax or fee is required will be  
11 a factor in considering evidence of the establishment of a Washington  
12 domicile.

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

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

17 (4) After a student has registered at an institution such student's  
18 classification shall remain unchanged in the absence of satisfactory  
19 evidence to the contrary. A student wishing to apply for a change in  
20 classification shall reduce such evidence to writing and file it with  
21 the institution. In any case involving an application for a change  
22 from nonresident to resident status, the burden of proof shall rest  
23 with the applicant. Any change in classification, either nonresident  
24 to resident, or the reverse, shall be based upon written evidence  
25 maintained in the files of the institution and, if approved, shall take  
26 effect the semester or quarter such evidence was filed with the  
27 institution: PROVIDED, That applications for a change in  
28 classification shall be accepted up to the thirtieth calendar day  
29 following the first day of instruction of the quarter or semester for  
30 which application is made.

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

33 The (~~higher education coordinating board, upon consideration of~~  
34 ~~advice from representatives of the~~) state's institutions, with the  
35 advice of the attorney general, shall adopt rules and regulations to be  
36 used by the state's institutions for determining a student's resident

1 and nonresident status and for recovery of fees for improper  
2 classification of residency.

3 **Sec. 150.** RCW 28B.15.100 and 2003 c 232 s 6 are each amended to  
4 read as follows:

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

13 (2) Part-time students shall be charged tuition and services and  
14 activities fees proportionate to full-time student rates established  
15 for residents and nonresidents: PROVIDED, That except for students  
16 registered at community colleges, students registered for fewer than  
17 two credit hours shall be charged tuition and services and activities  
18 fees at the rate established for two credit hours: PROVIDED FURTHER,  
19 That, subject to the limitations of RCW 28B.15.910, residents of Idaho  
20 or Oregon who are enrolled in community college district number twenty  
21 for six or fewer credits during any quarter or semester may be exempted  
22 from payment of all or a portion of the nonresident tuition fees  
23 differential upon a declaration by the (~~higher education coordinating~~  
24 ~~board~~) office of student financial assistance that it finds Washington  
25 residents from the community college district are afforded  
26 substantially equivalent treatment by such other states.

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

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

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

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

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

32           Prior to January 1<sup>st</sup> of each odd-numbered year the (~~higher  
33 education coordinating board, in cooperation with the state board for  
34 community college education, and~~) office of student financial  
35 assistance, in consultation with appropriate agencies and officials in  
36 the state of Oregon, shall determine for the purposes of RCW 28B.15.730  
37 the number of students for whom nonresident tuition and fees have been

1 waived for the first academic year of the biennium and the fall term of  
2 the second academic year, and make an estimate of the number of such  
3 students for the remainder of the second academic year, and the  
4 difference between the aggregate amount of tuition and fees that would  
5 have been paid to the respective states by residents of the other state  
6 had such waivers not been made, and the aggregate amount of tuition and  
7 fees paid by residents of the other state. Should the ((board)) office  
8 of student financial assistance determine that the state of Oregon has  
9 experienced a greater net tuition and fee revenue loss than  
10 institutions in Washington, it shall pay from funds appropriated for  
11 this purpose to the appropriate agency or institutions in Oregon an  
12 amount determined by subtracting the net tuition and fee revenue loss  
13 of Washington from the net tuition and fee revenue loss of Oregon,  
14 minus twenty-five thousand dollars for each year of the biennium:  
15 PROVIDED, That appropriate officials in the state of Oregon agree to  
16 make similar restitution to the state of Washington should the net  
17 tuition and fee revenue loss in Washington be greater than that in  
18 Oregon.

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

21 Prior to January 1<sup>st</sup> of each odd-numbered year, the ((higher  
22 education coordinating board, in cooperation with the state board for  
23 community college education and)) office of student financial  
24 assistance in consultation with appropriate agencies and officials in  
25 the state of Idaho, shall determine for the purposes of RCW 28B.15.750  
26 the number of students for whom nonresident tuition and fees have been  
27 waived for the first academic year of the biennium and the fall term of  
28 the second academic year, and make an estimate of the number of such  
29 students for the remainder of the second academic year, and the  
30 difference between the aggregate amount of tuition and fees that would  
31 have been paid to the respective states by residents of the other state  
32 had such waivers not been made, and the aggregate amount of tuition and  
33 fees paid by residents of the other state. Should the ((board)) office  
34 of student financial assistance determine that the state of Idaho has  
35 experienced a greater net tuition and fee revenue loss than  
36 institutions in Washington, it shall pay from funds appropriated for  
37 this purpose to the appropriate agency or institution in Idaho an

1 amount determined by subtracting the net tuition and fee revenue loss  
2 of Washington from the net tuition and fee revenue loss of Idaho, minus  
3 twenty-five thousand dollars for each year of the biennium if the  
4 appropriate officials in the state of Idaho agree to make similar  
5 restitution to the state of Washington should the net tuition and fee  
6 revenue loss in Washington be greater than that in Idaho.

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

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

11 (1) "Institution of higher education" or "institution" means a  
12 college or university in the state of Washington which is a member  
13 institution of an accrediting association recognized as such by rule of  
14 the council for performance and accountability in higher education  
15 (~~coordinating board~~).

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

17 ~~(3)~~) "Eligible student" means a student registered for at least  
18 ten credit hours or the equivalent and demonstrates achievement of a  
19 3.00 grade point average for each academic year, who is a resident  
20 student as defined by RCW 28B.15.012 through 28B.15.015, who is a  
21 "needy student" as defined in RCW 28B.92.030, and who has a declared  
22 major in a program leading to a degree in teacher education in a field  
23 of science or mathematics, or a certificated teacher who meets the same  
24 credit hour and "needy student" requirements and is seeking an  
25 additional degree in science or mathematics.

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

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

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

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

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

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

3           (1) The ((~~board~~)) office may make long-term loans to eligible  
4 students at institutions of higher education from the funds  
5 appropriated to the ((~~board~~)) office for this purpose. The amount of  
6 any such loan shall not exceed the demonstrated financial need of the  
7 student or two thousand five hundred dollars for each academic year  
8 whichever is less, and the total amount of such loans to an eligible  
9 student shall not exceed ten thousand dollars. The interest rates and  
10 terms of deferral of such loans shall be consistent with the terms of  
11 the guaranteed loan program established by 20 U.S.C. Sec. 1701 et seq.  
12 The period for repaying the loan principal and interest shall be ten  
13 years with payments accruing quarterly commencing nine months from the  
14 date the borrower graduated. The entire principal and interest of each  
15 loan payment shall be forgiven for each payment period in which the  
16 borrower teaches science or mathematics in a public school in this  
17 state until the entire loan is satisfied or the borrower ceases to  
18 teach science or mathematics at a public school in this state. Should  
19 the borrower cease to teach science or mathematics at a public school  
20 in this state before the time in which the principal and interest on  
21 the loan are satisfied, payments on the unsatisfied portion of the  
22 principal and interest on the loan shall begin the next payment period  
23 and continue until the remainder of the loan is paid.

24           (2) The ((~~board~~)) office is responsible for collection of loans  
25 made under subsection (1) of this section and shall exercise due  
26 diligence in such collection, maintaining all necessary records to  
27 insure that maximum repayments are made. Collection and servicing of  
28 loans under subsection (1) of this section shall be pursued using the  
29 full extent of the law, including wage garnishment if necessary, and  
30 shall be performed by entities approved for such servicing by the  
31 Washington student loan guaranty association or its successor agency.  
32 The board is responsible to forgive all or parts of such loans under  
33 the criteria established in subsection (1) of this section and shall  
34 maintain all necessary records of forgiven payments.

35           (3) Receipts from the payment of principal or interest or any other  
36 subsidies to which the board as lender is entitled, which are paid by  
37 or on behalf of borrowers under subsection (1) of this section, shall  
38 be deposited with the ((~~higher education coordinating board~~)) office

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

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

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

12 **Sec. 156.** RCW 28B.50.030 and 2009 c 353 s 1, 2009 c 151 s 3, and  
13 2009 c 64 s 3 are each reenacted and amended to read as follows:

14 The definitions in this section apply throughout this chapter  
15 unless the context clearly requires otherwise.

16 (1) "Adult education" means all education or instruction, including  
17 academic, vocational education or training, basic skills and literacy  
18 training, and "occupational education" provided by public educational  
19 institutions, including common school districts for persons who are  
20 eighteen years of age and over or who hold a high school diploma or  
21 certificate. However, "adult education" shall not include academic  
22 education or instruction for persons under twenty-one years of age who  
23 do not hold a high school degree or diploma and who are attending a  
24 public high school for the sole purpose of obtaining a high school  
25 diploma or certificate, nor shall "adult education" include education  
26 or instruction provided by any four-year public institution of higher  
27 education.

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

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

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

- 1 (3) "Board" means the workforce training and education coordinating  
2 board.
- 3 (4) "Board of trustees" means the local community and technical  
4 college board of trustees established for each college district within  
5 the state.
- 6 (5) "Center of excellence" means a community or technical college  
7 designated by the college board as a statewide leader in  
8 industry-specific, community and technical college workforce education  
9 and training.
- 10 (6) "College board" means the state board for community and  
11 technical colleges created by this chapter.
- 12 (7) "Common school board" means a public school district board of  
13 directors.
- 14 (8) "Community college" includes those higher education  
15 institutions that conduct education programs under RCW 28B.50.020.
- 16 (9) "Director" means the administrative director for the state  
17 system of community and technical colleges.
- 18 (10) "Dislocated forest product worker" means a forest products  
19 worker who: (a)(i) Has been terminated or received notice of  
20 termination from employment and is unlikely to return to employment in  
21 the individual's principal occupation or previous industry because of  
22 a diminishing demand for his or her skills in that occupation or  
23 industry; or (ii) is self-employed and has been displaced from his or  
24 her business because of the diminishing demand for the business'  
25 services or goods; and (b) at the time of last separation from  
26 employment, resided in or was employed in a rural natural resources  
27 impact area.
- 28 (11) "Dislocated salmon fishing worker" means a finfish products  
29 worker who: (a)(i) Has been terminated or received notice of  
30 termination from employment and is unlikely to return to employment in  
31 the individual's principal occupation or previous industry because of  
32 a diminishing demand for his or her skills in that occupation or  
33 industry; or (ii) is self-employed and has been displaced from his or  
34 her business because of the diminishing demand for the business's  
35 services or goods; and (b) at the time of last separation from  
36 employment, resided in or was employed in a rural natural resources  
37 impact area.

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

3 (13) "Forest products worker" means a worker in the forest products  
4 industries affected by the reduction of forest fiber enhancement,  
5 transportation, or production. The workers included within this  
6 definition shall be determined by the employment security department,  
7 but shall include workers employed in the industries assigned the major  
8 group standard industrial classification codes "24" and "26" and the  
9 industries involved in the harvesting and management of logs,  
10 transportation of logs and wood products, processing of wood products,  
11 and the manufacturing and distribution of wood processing and logging  
12 equipment. The commissioner may adopt rules further interpreting these  
13 definitions. For the purposes of this subsection, "standard industrial  
14 classification code" means the code identified in RCW 50.29.025(3).

15 (14) "High employer demand program of study" means an  
16 apprenticeship, or an undergraduate or graduate certificate or degree  
17 program in which the number of students prepared for employment per  
18 year from in-state institutions is substantially less than the number  
19 of projected job openings per year in that field, statewide or in a  
20 substate region.

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

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

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

29 (a) Washington public community and technical colleges;

30 (b) Private career schools that are members of an accrediting  
31 association recognized by rule of the council for performance and  
32 accountability in higher education (~~(coordinating board)~~) for the  
33 purposes of chapter 28B.92 RCW; and

34 (c) Washington state apprenticeship and training council-approved  
35 apprenticeship programs.

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

37 (a) A nonmetropolitan county, as defined by the 1990 decennial

1 census, that meets three of the five criteria set forth in subsection  
2 (19) of this section;

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

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

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

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

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

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

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

19 (e) An unemployment rate twenty percent or more above the state  
20 average. The counties that meet these criteria shall be determined by  
21 the employment security department for the most recent year for which  
22 data is available. For the purposes of administration of programs  
23 under this chapter, the United States post office five-digit zip code  
24 delivery areas will be used to determine residence status for  
25 eligibility purposes. For the purpose of this definition, a zip code  
26 delivery area of which any part is ten miles or more from an urbanized  
27 area is considered nonurbanized. A zip code totally surrounded by zip  
28 codes qualifying as nonurbanized under this definition is also  
29 considered nonurbanized. The office of financial management shall make  
30 available a zip code listing of the areas to all agencies and  
31 organizations providing services under this chapter.

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

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

3 (22) "Technical college" includes those higher education  
4 institutions with the mission of conducting occupational education,  
5 basic skills, literacy programs, and offering on short notice, when  
6 appropriate, programs that meet specific industry needs. For purposes  
7 of this chapter, technical colleges shall include Lake Washington  
8 Vocational-Technical Institute, Renton Vocational-Technical Institute,  
9 Bates Vocational-Technical Institute, Clover Park Vocational Institute,  
10 and Bellingham Vocational-Technical Institute.

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

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

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

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

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

25 (2) Upon enrolling, the student must provide evidence of commitment  
26 to complete the program. The student must make satisfactory progress  
27 and maintain a cumulative 2.0 grade point average for continued  
28 eligibility. If a student's cumulative grade point average falls below  
29 2.0, the student may petition the institution of higher education of  
30 attendance. The qualified institution of higher education has the  
31 authority to establish a probationary period until such time as the  
32 student's grade point average reaches required standards.

33 (3) Subject to funds appropriated for this specific purpose, public  
34 qualified institutions of higher education shall receive an enhancement  
35 of one thousand five hundred dollars for each full-time equivalent  
36 student enrolled in the opportunity grant program whose income is below  
37 two hundred percent of the federal poverty level. The funds shall be

1 used for individualized support services which may include, but are not  
2 limited to, college and career advising, tutoring, emergency child  
3 care, and emergency transportation. The qualified institution of  
4 higher education is expected to help students access all financial  
5 resources and support services available to them through alternative  
6 sources.

7 (4) The college board shall be accountable for student retention  
8 and completion of opportunity grant-eligible programs of study. It  
9 shall set annual performance measures and targets and monitor the  
10 performance at all qualified institutions of higher education. The  
11 college board must reduce funding at institutions of higher education  
12 that do not meet targets for two consecutive years, based on criteria  
13 developed by the college board.

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

19 (6) The college board and (~~higher education coordinating board~~)  
20 office of student financial assistance shall document the amount of  
21 opportunity grant assistance and the types and amounts of other sources  
22 of financial aid received by participating students. Annually, they  
23 shall produce a summary of the data.

24 (7) The college board shall:

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

27 (b) Submit a progress report to the legislature by December 1,  
28 2008.

29 (8) The college board may, in implementing the opportunity grant  
30 program, accept, use, and expend or dispose of contributions of money,  
31 services, and property. All such moneys received by the college board  
32 for the program must be deposited in an account at a depository  
33 approved by the state treasurer. Only the college board or a duly  
34 authorized representative thereof may authorize expenditures from this  
35 account. In order to maintain an effective expenditure and revenue  
36 control, the account is subject in all respects to chapter 43.88 RCW,  
37 but no appropriation is required to permit expenditure of moneys in the  
38 account.

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

3           (1) The legislature finds that the (~~higher education coordinating~~  
4 ~~board, in consultation with the~~) higher education community, has  
5 completed a review of the state need grant program. It is the intent  
6 of the legislature to endorse the (~~board's~~) proposed changes to the  
7 state need grant program, including:

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

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

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

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

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

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

30           (3) The legislature also finds that:

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

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

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

3       As used in this chapter:

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

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

16       ~~((4))~~ (3) "Institution" or "institutions of higher education"  
17 means:

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

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

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

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

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

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

17 The ((~~board~~)) office shall be cognizant of the following guidelines  
18 in the performance of its duties:

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

21 (2) The ((~~board~~)) office shall coordinate all existing programs of  
22 financial aid except those specifically dedicated to a particular  
23 institution by the donor.

24 (3) The ((~~board~~)) office shall take the initiative and  
25 responsibility for coordinating all federal student financial aid  
26 programs to ensure that the state recognizes the maximum potential  
27 effect of these programs, and shall design state programs that  
28 complement existing federal, state, and institutional programs. The  
29 ((~~board~~)) office shall ensure that state programs continue to follow  
30 the principle that state financial aid funding follows the student to  
31 the student's choice of institution of higher education.

32 (4) Counseling is a paramount function of the state need grant and  
33 other state student financial aid programs, and in most cases could  
34 only be properly implemented at the institutional levels; therefore,  
35 state student financial aid programs shall be concerned with the  
36 attainment of those goals which, in the judgment of the ((~~board~~))

1 office, are the reasons for the existence of a student financial aid  
2 program, and not solely with administration of the program on an  
3 individual basis.

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

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

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

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

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

15 (a) Fulfilling educational aspirations of students of the state of  
16 Washington, and

17 (b) Improving the general, social, cultural, and economic character  
18 of the state.

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

24 (2) Design a state program of student financial aid based on the  
25 data of the study referred to in this section. The state programs will  
26 supplement available federal and local aid programs. The state  
27 programs of student financial aid will not exceed the difference  
28 between the budgetary costs of attending an institution of higher  
29 education and the student's total resources, including family support,  
30 personal savings, employment, and federal, state, and local aid  
31 programs.

32 (3) Determine and establish criteria for financial need of the  
33 individual applicant based upon the consideration of that particular  
34 applicant. In making this determination the ((~~board~~)) office shall  
35 consider the following:

36 (a) Assets and income of the student.

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

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

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

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

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

12 (6) Review the need and eligibility of all applications on an  
13 annual basis and adjust financial aid to reflect changes in the  
14 financial need of the recipients and the cost of attending the  
15 institution of higher education.

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

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

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

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

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

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

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

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

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

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

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

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

35 (ii) The student completes the required free application for  
36 federal student aid;

37 (iii) The institution has reviewed the student's financial

1 condition, and the financial condition of the student's family if the  
2 student is a dependent student, and has determined that the student is  
3 likely eligible for a state need grant; and

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

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

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

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

19 (2) If an opportunity internship graduate enrolls within one year  
20 of high school graduation in a postsecondary program of study in an  
21 institution of higher education, including in an apprenticeship program  
22 with related and supplemental instruction provided through an  
23 institution of higher education, the graduate is eligible to receive a  
24 state need grant for up to one year. The graduate shall not be  
25 required to be enrolled on at least a half-time basis. The related and  
26 supplemental instruction provided to a graduate through an  
27 apprenticeship program shall not be required to lead to a degree or  
28 certificate.

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

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

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

3           Funds appropriated for student financial assistance to be granted  
4 pursuant to this chapter shall be disbursed as determined by the  
5 ((board)) office.

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

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

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

14           The state educational trust fund is hereby established in the state  
15 treasury. The primary purpose of the trust is to pledge statewide  
16 available college student assistance to needy or disadvantaged  
17 students, especially middle and high school youth, considered at-risk  
18 of dropping out of secondary education who participate in  
19 ((board-)) approved early awareness and outreach programs and who enter  
20 any accredited Washington institution of postsecondary education within  
21 two years of high school graduation.

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

26           Expenditures from the fund shall be for financial aid to needy or  
27 disadvantaged students. The ((board)) office may annually expend such  
28 sums from the fund as may be necessary to fulfill the purposes of this  
29 section, including not more than three percent for the costs to  
30 administer aid programs supported by the fund. All earnings of  
31 investments of balances in the state educational trust fund shall be  
32 credited to the trust fund. Expenditures from the fund shall not be  
33 subject to appropriation but are subject to allotment procedures under  
34 chapter 43.88 RCW.



1 units at the time of redemption as they were worth at the time of the  
2 purchase.

3 (7) "Eligible beneficiary" means the person for whom the tuition  
4 unit will be redeemed for attendance at an institution of higher  
5 education. The beneficiary is that person named by the purchaser at  
6 the time that a tuition unit contract is accepted by the governing  
7 body. Qualified organizations, as allowed under section 529 of the  
8 federal internal revenue code, purchasing tuition unit contracts as  
9 future scholarships need not designate a beneficiary at the time of  
10 purchase.

11 (8) "Eligible purchaser" means an individual or organization that  
12 has entered into a tuition unit contract with the governing body for  
13 the purchase of tuition units for an eligible beneficiary. The state  
14 of Washington may be an eligible purchaser for purposes of purchasing  
15 tuition units to be held for granting Washington college bound  
16 scholarships.

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

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

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

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

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

35 (14) "Tuition unit contract" means a contract between an eligible  
36 purchaser and the governing body, or a successor agency appointed for  
37 administration of this chapter, for the purchase of tuition units for

1 a specified beneficiary that may be redeemed at a later date for an  
2 equal number of tuition units.

3 (15) "Unit purchase price" means the minimum cost to purchase one  
4 tuition unit for an eligible beneficiary. Generally, the minimum  
5 purchase price is one percent of the undergraduate tuition and fees for  
6 the current year, rounded to the nearest whole dollar, adjusted for the  
7 costs of administration and adjusted to ensure the actuarial soundness  
8 of the account. The analysis for price setting shall also include, but  
9 not be limited to consideration of past and projected patterns of  
10 tuition increases, program liability, past and projected investment  
11 returns, and the need for a prudent stabilization reserve.

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

14 The ((~~board~~)) office shall maintain appropriate offices and employ  
15 and fix compensation of such personnel as may be necessary to perform  
16 the advanced college tuition payment program duties. The ((~~board~~))  
17 office shall consult with the governing body on the selection,  
18 compensation, and other issues relating to the employment of the  
19 program director. The positions are exempt from classified service  
20 under chapter 41.06 RCW. The employees shall be employees of the  
21 ((~~higher education coordinating board~~)) office.

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

24 (1) The Washington advanced college tuition payment program shall  
25 be administered by the committee on advanced tuition payment which  
26 shall be chaired by the ((~~executive~~)) director of the ((~~board~~)) office.  
27 The committee shall be supported by staff of the ((~~board~~)) office.

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

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

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

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

12 (e) While the Washington advanced college tuition payment program  
13 is designed to help all citizens of the state of Washington, the  
14 governing body may determine residency requirements for eligible  
15 purchasers and eligible beneficiaries to ensure the actuarial soundness  
16 and integrity of the program.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29 (k) Contract with financial consultants, actuaries, auditors, and  
30 other consultants as necessary to carry out its responsibilities under  
31 this chapter;

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

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

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

1 The governing body may, at its discretion, allow an organization to  
2 purchase tuition units for future use as scholarships. Such  
3 organizations electing to purchase tuition units for this purpose must  
4 enter into a contract with the governing body which, at a minimum,  
5 ensures that the scholarship shall be freely given by the purchaser to  
6 a scholarship recipient. For such purchases, the purchaser need not  
7 name a beneficiary until four months before the date when the tuition  
8 units are first expected to be used.

9 The governing body shall formulate and adopt such rules as are  
10 necessary to determine which organizations may qualify to purchase  
11 tuition units for scholarships under this section. The governing body  
12 also may consider additional rules for the use of tuition units if  
13 purchased as scholarships.

14 The governing body may establish a scholarship fund with moneys  
15 from the Washington advanced college tuition payment program account.  
16 A scholarship fund established under this authority shall be  
17 administered by the (~~higher education coordinating board~~) office and  
18 shall be provided to students who demonstrate financial need.  
19 Financial need is not a criterion that any other organization need  
20 consider when using tuition units as scholarships. The (~~board~~)  
21 office also may establish its own corporate-sponsored scholarship fund  
22 under this chapter.

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

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

29 (2)(a) Except as provided in (b) of this subsection, the governing  
30 body shall deposit in the account all money received for the program.  
31 The account shall be self-sustaining and consist of payments received  
32 from purchasers of tuition units and funds received from other sources,  
33 public or private. With the exception of investment and operating  
34 costs associated with the investment of money by the investment board  
35 paid under RCW 43.33A.160 and 43.84.160, the account shall be credited  
36 with all investment income earned by the account. Disbursements from  
37 the account are exempt from appropriations and the allotment provisions

1 of chapter 43.88 RCW. Money used for program administration is subject  
2 to the allotment of all expenditures. However, an appropriation is not  
3 required for such expenditures. Program administration shall include,  
4 but not be limited to: The salaries and expenses of the program  
5 personnel including lease payments, travel, and goods and services  
6 necessary for program operation; contracts for program promotion and  
7 advertisement, audits, and account management; and other general costs  
8 of conducting the business of the program.

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

13 (3) The assets of the account may be spent without appropriation  
14 for the purpose of making payments to institutions of higher education  
15 on behalf of the qualified beneficiaries, making refunds, transfers, or  
16 direct payments upon the termination of the Washington advanced college  
17 tuition payment program. Disbursements from the account shall be made  
18 only on the authorization of the governing body.

19 (4) With regard to the assets of the account, the state acts in a  
20 fiduciary, not ownership, capacity. Therefore the assets of the  
21 program are not considered state money, common cash, or revenue to the  
22 state.

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

25 Ownership of tuition units purchased by the (~~higher education~~  
26 ~~coordinating board~~) office for the GET ready for math and science  
27 scholarship program under RCW 28B.105.070 shall be in the name of the  
28 state of Washington and may be redeemed by the state of Washington on  
29 behalf of recipients of GET ready for math and science scholarship  
30 program scholarships for tuition and fees.

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

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

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

3 (a) Periodically assess the needs and target the benefits to  
4 selected students;

5 (b) Devise a program to address the following issues related to  
6 loans:

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

8 (ii) Determining loan repayment obligations and options;

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

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

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

14 (c) Accept public and private contributions;

15 (d) Publicize the program; and

16 (e) Work with public and private colleges and universities, the  
17 state board for community and technical colleges, the workforce  
18 training and education coordinating board, and with students, to  
19 conduct periodic assessment of program needs. The ((board)) office may  
20 also consult with other groups and individuals as needed.

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

23 The definitions in this section apply throughout this chapter  
24 unless the context clearly requires otherwise.

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

26 ~~+2+))~~ "Institution of higher education" means a college or  
27 university in the state of Washington that is accredited by an  
28 accrediting association recognized as such by rule of the board.

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

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

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

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

35 Unless the context clearly requires otherwise, the definitions in  
36 this section apply throughout this chapter.

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

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

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

11 (4) "Eligible student" means a student who is registered for at  
12 least six credit hours or the equivalent, demonstrates high academic  
13 achievement, is a resident student as defined by RCW 28B.15.012 and  
14 28B.15.013, and has a declared intention to complete an approved  
15 preparation program leading to initial teacher certification or  
16 required for earning an additional endorsement, and commits to teaching  
17 service in the state of Washington.

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

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

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

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

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

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

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

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

37 (11) "Equalization fee" means the additional amount added to the

1 principal of a loan under this chapter to equate the debt to that which  
2 the student would have incurred if the loan had been received through  
3 the federal subsidized Stafford student loan program.

4 (12) "Teacher shortage area" means a shortage of elementary or  
5 secondary school teachers in a specific subject area, discipline,  
6 classification, or geographic area as defined by the office of the  
7 superintendent of public instruction.

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

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

- 14 (1) Select students to receive conditional scholarships or loan  
15 repayments;
- 16 (2) Adopt necessary rules and guidelines;
- 17 (3) Publicize the program;
- 18 (4) Collect and manage repayments from students who do not meet  
19 their teaching obligations under this chapter; and
- 20 (5) Solicit and accept grants and donations from public and private  
21 sources for the program.

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

24 (1) The (~~board~~) office may select participants based on an  
25 application process conducted by the (~~board~~) office or the (~~board~~)  
26 office may utilize selection processes for similar students in  
27 cooperation with the professional educator standards board or the  
28 office of the superintendent of public instruction.

29 (2) If the (~~board~~) office selects participants for the program,  
30 it shall establish a selection committee for screening and selecting  
31 recipients of the conditional scholarships. The criteria shall  
32 emphasize factors demonstrating excellence including but not limited to  
33 superior scholastic achievement, leadership ability, community  
34 contributions, bilingual ability, willingness to commit to providing  
35 teaching service in shortage areas, and an ability to act as a role  
36 model for students. Priority will be given to individuals seeking

1 certification or an additional endorsement in math, science, technology  
2 education, agricultural education, business and marketing education,  
3 family and consumer science education, or special education.

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

6 The ((~~board~~)) office may award conditional scholarships or provide  
7 loan repayments to eligible participants from the funds appropriated to  
8 the ((~~board~~)) office for this purpose, or from any private donations,  
9 or any other funds given to the ((~~board~~)) office for this program. The  
10 amount of the conditional scholarship or loan repayment awarded an  
11 individual shall not exceed the amount of tuition and fees at the  
12 institution of higher education attended by the participant or resident  
13 undergraduate tuition and fees at the University of Washington per  
14 academic year for a full-time student, whichever is lower.  
15 Participants are eligible to receive conditional scholarships or loan  
16 repayments for a maximum of five years.

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

19 (1) Upon documentation of federal student loan indebtedness, the  
20 ((~~board~~)) office may enter into agreements with participants to repay  
21 all or part of a federal student loan in exchange for teaching service  
22 in an approved educational program. The ratio of loan repayment to  
23 years of teaching service for the loan repayment program shall be the  
24 same as established for the conditional scholarship program.

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

30 (3) At the end of each school year, a participant under this  
31 section shall provide evidence to the ((~~board~~)) office that the  
32 requisite teaching service has been provided. Upon receipt of the  
33 evidence, the ((~~board~~)) office shall pay the participant the agreed-  
34 upon amount for one year of full-time teaching service or a prorated  
35 amount for less than full-time teaching service. To qualify for

1 additional loan repayments, the participant must be engaged in  
2 continuous teaching service as defined by the ((~~board~~)) office.

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

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

8 (a) The terms of the agreement have been fulfilled;

9 (b) The participant fails to maintain continuous teaching service  
10 as determined by the ((~~board~~)) office; or

11 (c) All of the participant's federal student loans have been  
12 repaid.

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

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

18 (1) Participants in the conditional scholarship program incur an  
19 obligation to repay the conditional scholarship, with interest and an  
20 equalization fee, unless they teach for two years in an approved  
21 education program for each year of scholarship received, under rules  
22 adopted by the ((~~board~~)) office. Participants who teach in a  
23 designated teacher shortage area shall have one year of loan canceled  
24 for each year they teach in the shortage area.

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

30 (3) The minimum payment shall be set by the ((~~board~~)) office. The  
31 maximum period for repayment shall be ten years, with payments of  
32 principal and interest accruing quarterly commencing six months from  
33 the date the participant completes or discontinues the course of study.  
34 Provisions for deferral of payment shall be determined by the ((~~board~~))  
35 office.

36 (4) The entire principal and interest of each payment shall be  
37 forgiven for each payment period in which the participant teaches in an

1 approved education program until the entire repayment obligation is  
2 satisfied. Should the participant cease to teach in an approved  
3 education program in this state before the participant's repayment  
4 obligation is completed, payments on the unsatisfied portion of the  
5 principal and interest shall begin the next payment period and continue  
6 until the remainder of the participant's repayment obligation is  
7 satisfied.

8 (5) The ((~~board~~)) office is responsible for collection of  
9 repayments made under this section and shall exercise due diligence in  
10 such collection, maintaining all necessary records to insure that  
11 maximum repayments are made. Collection and servicing of repayments  
12 under this section shall be pursued using the full extent of the law,  
13 including wage garnishment if necessary. The ((~~board~~)) office is  
14 responsible to forgive all or parts of such repayments under the  
15 criteria established in this section and shall maintain all necessary  
16 records of forgiven payments.

17 (6) Receipts from the payment of principal or interest or any other  
18 subsidies to which the ((~~board~~)) office as administrator is entitled,  
19 which are paid by or on behalf of participants under this section,  
20 shall be deposited in the future teachers conditional scholarship  
21 account and shall be used to cover the costs of granting the  
22 conditional scholarships, maintaining necessary records, and making  
23 collections under subsection (5) of this section. The ((~~board~~)) office  
24 shall maintain accurate records of these costs, and all receipts beyond  
25 those necessary to pay such costs shall be used to grant conditional  
26 scholarships to eligible students.

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

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

31 (1) The future teachers conditional scholarship account is created  
32 in the custody of the state treasurer. An appropriation is not  
33 required for expenditures of funds from the account. The account is  
34 not subject to allotment procedures under chapter 43.88 RCW except for  
35 moneys used for program administration.

36 (2) The ((~~board~~)) office shall deposit in the account all moneys  
37 received for the future teachers conditional scholarship and loan

1 repayment program and for conditional loan programs under chapter  
2 28A.660 RCW. The account shall be self-sustaining and consist of funds  
3 appropriated by the legislature for the future teachers conditional  
4 scholarship and loan repayment program, private contributions to the  
5 program, receipts from participant repayments from the future teachers  
6 conditional scholarship and loan repayment program, and conditional  
7 loan programs established under chapter 28A.660 RCW. Beginning July 1,  
8 2004, the (~~board~~) office shall also deposit into the account: (a)  
9 All funds from the institution of higher education loan account that  
10 are traceable to any conditional scholarship program for teachers or  
11 prospective teachers established by the legislature before June 10,  
12 2004; and (b) all amounts repaid by individuals under any such program.

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

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

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

25 **Sec. 183.** RCW 28B.105.020 and 2007 c 214 s 2 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+)) "GET units" means tuition units under the advanced college  
31 tuition payment program in chapter 28B.95 RCW.~~

32 (~~+3+)) (2) "Institution of higher education" has the same meaning  
33 as in RCW 28B.92.030.~~

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

35 (4) "Program administrator" means the private nonprofit corporation  
36 that is registered under Title 24 RCW and qualified as a tax-exempt

1 entity under section 501(c)(3) of the federal internal revenue code,  
2 that will serve as the private partner in the public-private  
3 partnership under this chapter.

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

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

11 (1) If the student enrolls in a qualified program or declares a  
12 qualified major and the program or major is subsequently removed from  
13 the list of qualified programs and qualified majors by the ((board))  
14 office and the program administrator, the student's eligibility to  
15 receive a GET ready for math and science scholarship shall not be  
16 affected.

17 (2) If a student who received a GET ready for math and science  
18 scholarship ceases to be enrolled in an institution of higher  
19 education, withdraws or is no longer enrolled in a qualified program,  
20 declares a major that is not a qualified major, or otherwise is no  
21 longer eligible to receive a GET ready for math and science  
22 scholarship, the student shall notify the program administrator as soon  
23 as practicable and is not eligible for further GET ready for math and  
24 science scholarship awards. Such a student shall also repay the amount  
25 of the GET ready for math and science scholarship awarded to the  
26 student as required by RCW 28B.105.050.

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

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

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

35 (b) Work in Washington in a mathematics, science, or related

1 occupation full time for at least three years following completion of  
2 a bachelor's degree, unless he or she is enrolled in a graduate degree  
3 program as provided in subsection (4) of this section.

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

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

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

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

19 The ((board)) office shall:

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

23 (2) Distribute scholarship funds, in the form of GET units or  
24 through direct payments from the GET ready for math and science  
25 scholarship account, to institutions of higher education on behalf of  
26 eligible recipients identified by the program administrator;

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

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

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

36 (6) Provide information to school districts in Washington, at least

1 once per year, about the GET ready for math and science scholarship  
2 program.

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

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

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

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

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

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

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

24 (3) Expenditures from the account shall be used for scholarships to  
25 eligible students and for purchases of GET units. Purchased GET units  
26 shall be owned and held in trust by the ((~~board~~)) office. Expenditures  
27 from the account shall be an equal match of state appropriations and  
28 private funds raised by the program administrator. During the 2009-  
29 2011 fiscal biennium, expenditures from the account not to exceed five  
30 percent may be used by the program administrator to carry out the  
31 provisions of RCW 28B.105.090.

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

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

3 (6) Disbursements from the account shall be made only on the  
4 authorization of the (~~board~~) office.

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

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

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

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

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

20 (2) (~~("Board")~~) "Office" means the (~~(higher education coordinating  
21 board)~~) office of student financial assistance, or any successor  
22 thereto.

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

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

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

30 Unless the context clearly requires otherwise, the definitions in  
31 this section apply throughout this chapter.

32 (1) "Institution of higher education" or "institution" means a  
33 college or university in the state of Washington which is accredited by  
34 an accrediting association recognized as such by rule of the council

1 for performance and accountability in higher education (~~coordinating~~  
2 ~~board~~)).

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

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

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

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

16 (1) Selecting students to receive scholarships, with the assistance  
17 of a screening committee composed of persons involved in helping  
18 American Indian students to obtain a higher education. The membership  
19 of the committee may include, but is not limited to representatives of:  
20 Indian tribes, urban Indians, the governor's office of Indian affairs,  
21 the Washington state Indian education association, and institutions of  
22 higher education;

23 (2) Adopting necessary rules and guidelines;

24 (3) Publicizing the program;

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

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

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

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

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

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

1 an advisory committee to assist in program design and to develop  
2 criteria for the screening and selection of scholarship recipients.  
3 The committee shall be composed of representatives of the same groups  
4 as the screening committee described in RCW 28B.108.020. The criteria  
5 shall assess the student's social and cultural ties to an American  
6 Indian community within the state. The criteria shall include a  
7 priority for upper-division or graduate students. The criteria may  
8 include a priority for students who are majoring in program areas in  
9 which expertise is needed by the state's American Indians.

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

12 The American Indian scholarship endowment fund is created in the  
13 custody of the state treasurer. The investment of the endowment fund  
14 shall be managed by the state investment board. Funds appropriated by  
15 the legislature for the endowment fund must be deposited into the fund.

16 (1) Moneys received from the (~~higher education coordinating~~  
17 ~~board~~) office, private donations, state moneys, and funds received  
18 from any other source may be deposited into the endowment fund.  
19 Private moneys received as a gift subject to conditions may be deposit-  
20 ed into the fund.

21 (2) At the request of the (~~higher education coordinating board~~)  
22 office, the state investment board shall release earnings from the  
23 endowment fund to the state treasurer. The state treasurer shall then  
24 release those funds at the request of the (~~higher education~~  
25 ~~coordinating board~~) office for scholarships. No appropriation is  
26 required for expenditures from the endowment fund.

27 (3) When notified by the (~~higher education coordinating board~~)  
28 office that a condition attached to a gift of private moneys in the  
29 fund has failed, the state investment board shall release those moneys  
30 to the (~~higher education coordinating board~~) office. The (~~higher~~  
31 ~~education coordinating board~~) office shall then release the moneys to  
32 the donors according to the terms of the conditional gift.

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

36 (5) The earnings on the fund shall be used solely for the purposes

1 set forth in RCW 28B.108.040, except when the terms of a conditional  
2 gift of private moneys in the fund require that a portion of earnings  
3 on such moneys be reinvested in the fund.

4 **Sec. 195.** RCW 28B.109.010 and 1996 c 253 s 401 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" means the higher education coordinating board.~~

9 ~~(2))~~) "Eligible participant" means an international student whose  
10 country of residence has a trade relationship with the state of  
11 Washington.

12 ~~((3))~~) (2) "Institution of higher education" or "institution"  
13 means a college or university in the state of Washington that is  
14 accredited by an accrediting association recognized as such by rule of  
15 the board.

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

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

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

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

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

33 (1) Convene an advisory committee that may include but need not be  
34 limited to representatives of the office of the superintendent of  
35 public instruction, the department of ~~((community, trade, and economic~~

1 development)) commerce, the secretary of state, private business, and  
2 institutions of higher education;

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

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

8 (4) Publicize the program;

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

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

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

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

17 The ((~~board~~)) office may negotiate and enter into a reciprocal  
18 agreement with foreign countries that have international students  
19 attending institutions in Washington. The goal of the reciprocal  
20 agreements shall be to allow Washington students enrolled in an  
21 institution of higher education to attend an international institution  
22 under similar terms and conditions.

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

25 If funds are available, the ((~~board~~)) office shall select students  
26 yearly to receive a Washington international exchange student  
27 scholarship from moneys earned from the Washington international  
28 exchange scholarship endowment fund created in RCW 28B.109.060, from  
29 funds appropriated to the ((~~board~~)) office for this purpose, or from  
30 any private donations, or from any other funds given to the ((~~board~~))  
31 office for this program.

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

34 The Washington international exchange trust fund is established in  
35 the custody of the state treasurer. Any funds appropriated by the

1 legislature for the trust fund shall be deposited into the fund. At  
2 the request of the (~~board~~) office, and when conditions set forth in  
3 RCW 28B.109.070 are met, the treasurer shall deposit state matching  
4 moneys from the Washington international exchange trust fund into the  
5 Washington international exchange scholarship endowment fund. No  
6 appropriation is required for expenditures from the trust fund.

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

9 The Washington international exchange scholarship endowment fund is  
10 established in the custody of the state treasurer. Moneys received  
11 from the private donations and funds received from any other source may  
12 be deposited into the endowment fund. At the request of the (~~board~~)  
13 office, the treasurer shall release earnings from the endowment fund to  
14 the (~~board~~) office for scholarships. No appropriation is required  
15 for expenditures from the endowment fund. The principal of the  
16 endowment fund shall not be invaded. The earnings on the fund shall be  
17 used solely for the purposes in this chapter.

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

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

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

26 Each Washington international exchange scholarship recipient shall  
27 agree to complete the service obligation as defined by the (~~board~~)  
28 office.

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

31 Unless the context clearly requires otherwise, the definitions in  
32 this section apply throughout this chapter.

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

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

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

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

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

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

16 (7) "Health professional shortage areas" means those areas where  
17 credentialed health care professionals are in short supply as a result  
18 of geographic maldistribution or as the result of a short supply of  
19 credentialed health care professionals in specialty health care areas  
20 and where vacancies exist in serious numbers that jeopardize patient  
21 care and pose a threat to the public health and safety. The department  
22 shall determine health professional shortage areas as provided for in  
23 RCW 28B.115.070(~~(, or until June 1, 1992, as provided for in RCW~~  
24 ~~28B.115.060)~~). In making health professional shortage area  
25 designations in the state the department may be guided by applicable  
26 federal standards for "health manpower shortage areas," and "medically  
27 underserved areas," and "medically underserved populations."

28 (8) "Credentialed health care profession" means a health care  
29 profession regulated by a disciplining authority in the state of  
30 Washington under RCW 18.130.040 or by the state board of pharmacy under  
31 chapter 18.64 RCW and designated by the department in RCW  
32 28B.115.070(~~(, or until June 1, 1992, as established in RCW~~  
33 ~~28B.115.060)~~) as a profession having shortages of credentialed health  
34 care professionals in the state.

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

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

4 (11) "Nonshortage rural area" means a nonurban area of the state of  
5 Washington that has not been designated as a rural physician shortage  
6 area. The department shall identify the nonshortage rural areas of the  
7 state.

8 (12) "Participant" means a credentialed health care professional  
9 who has received a loan repayment award and has commenced practice as  
10 a credentialed health care provider in a designated health professional  
11 shortage area or an eligible student who has received a scholarship  
12 under this program.

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

15 (14) "Required service obligation" means an obligation by the  
16 participant to provide health care services in a health professional  
17 shortage area for a period to be established as provided for in this  
18 chapter.

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

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

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

28 (18) "Sponsoring community" means a rural hospital or hospitals as  
29 authorized in chapter 70.41 RCW, a rural health care facility or  
30 facilities as authorized in chapter 70.175 RCW, or a city or county  
31 government or governments.

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

34 The health professional loan repayment and scholarship program is  
35 established for credentialed health professionals serving in health  
36 professional shortage areas. The program shall be administered by the

1 ((higher education coordinating board)) office. In ((administrating))  
2 administering this program, the ((board)) office shall:

3 (1) Select credentialed health care professionals to participate in  
4 the loan repayment portion of the loan repayment and scholarship  
5 program and select eligible students to participate in the scholarship  
6 portion of the loan repayment and scholarship program;

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

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

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

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

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

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

20 The ((board)) office shall establish a planning committee to assist  
21 it in developing criteria for the selection of participants. The  
22 ((board)) office shall include on the planning committee  
23 representatives of the department, the department of social and health  
24 services, appropriate representatives from health care facilities,  
25 provider groups, consumers, the state board for community and technical  
26 colleges, the superintendent of public instruction, and other  
27 appropriate public and private agencies and organizations. The  
28 criteria may require that some of the participants meet the definition  
29 of "needy student" under RCW 28B.92.030.

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

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

35 (1) Determine eligible credentialed health care professions for the  
36 purposes of the loan repayment and scholarship program authorized by

1 this chapter. Eligibility shall be based upon an assessment that  
2 determines that there is a shortage or insufficient availability of a  
3 credentialed profession so as to jeopardize patient care and pose a  
4 threat to the public health and safety. The department shall consider  
5 the relative degree of shortages among professions when determining  
6 eligibility. The department may add or remove professions from  
7 eligibility based upon the determination that a profession is no longer  
8 in shortage. Should a profession no longer be eligible, participants  
9 or eligible students who have received scholarships shall be eligible  
10 to continue to receive scholarships or loan repayments until they are  
11 no longer eligible or until their service obligation has been  
12 completed;

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

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

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

19 (1) Establish the annual award amount for each credentialed health  
20 care profession which shall be based upon an assessment of reasonable  
21 annual eligible expenses involved in training and education for each  
22 credentialed health care profession. The annual award amount may be  
23 established at a level less than annual eligible expenses. The annual  
24 award amount shall be established by the ((board)) office for each  
25 eligible health profession. The awards shall not be paid for more than  
26 a maximum of five years per individual;

27 (2) Determine any scholarship awards for prospective physicians in  
28 such a manner to require the recipients declare an interest in serving  
29 in rural areas of the state of Washington. Preference for scholarships  
30 shall be given to students who reside in a rural physician shortage  
31 area or a nonshortage rural area of the state prior to admission to the  
32 eligible education and training program in medicine. Highest  
33 preference shall be given to students seeking admission who are  
34 recommended by sponsoring communities and who declare the intent of  
35 serving as a physician in a rural area. The ((board)) office may  
36 require the sponsoring community located in a nonshortage rural area to

1 financially contribute to the eligible expenses of a medical student if  
2 the student will serve in the nonshortage rural area;

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

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

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

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

17 (1) The ((board)) office may grant loan repayment and scholarship  
18 awards to eligible participants from the funds appropriated for this  
19 purpose, or from any private or public funds given to the ((board))  
20 office for this purpose. Participants are ineligible to receive loan  
21 repayment if they have received a scholarship from programs authorized  
22 under this chapter or chapter 70.180 RCW or are ineligible to receive  
23 a scholarship if they have received loan repayment authorized under  
24 this chapter or chapter 28B.115 RCW.

25 (2) Funds appropriated for the program, including reasonable  
26 administrative costs, may be used by the ((board)) office for the  
27 purposes of loan repayments or scholarships. The ((board)) office  
28 shall annually establish the total amount of funding to be awarded for  
29 loan repayments and scholarships and such allocations shall be  
30 established based upon the best utilization of funding for that year.

31 (3) One portion of the funding appropriated for the program shall  
32 be used by the ((board)) office as a recruitment incentive for  
33 communities participating in the community-based recruitment and  
34 retention program as authorized by chapter 70.185 RCW; one portion of  
35 the funding shall be used by the ((board)) office as a recruitment  
36 incentive for recruitment activities in state-operated institutions,  
37 county public health departments and districts, county human service

1 agencies, federal and state contracted community health clinics, and  
2 other health care facilities, such as rural hospitals that have been  
3 identified by the department, as providing substantial amounts of  
4 charity care or publicly subsidized health care; one portion of the  
5 funding shall be used by the ((board)) office for all other awards.  
6 The ((board)) office shall determine the amount of total funding to be  
7 distributed between the three portions.

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

10 Participants in the health professional loan repayment and  
11 scholarship program who are awarded loan repayments shall receive  
12 payment from the program for the purpose of repaying educational loans  
13 secured while attending a program of health professional training which  
14 led to a credential as a credentialed health professional in the state  
15 of Washington.

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

18 (2) Repayment shall be limited to eligible educational and living  
19 expenses as determined by the ((board)) office and shall include  
20 principal and interest.

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

26 (4) Repayment of loans established pursuant to this program shall  
27 begin no later than ninety days after the individual has become a  
28 participant. Payments shall be made quarterly, or more frequently if  
29 deemed appropriate by the ((board)) office, to the participant until  
30 the loan is repaid or the participant becomes ineligible due to  
31 discontinued service in a health professional shortage area or after  
32 the required service obligation when eligibility discontinues,  
33 whichever comes first.

34 (5) Should the participant discontinue service in a health  
35 professional shortage area payments against the loans of the  
36 participants shall cease to be effective on the date that the  
37 participant discontinues service.

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

7 (7) The ((board)) office is responsible for the collection of  
8 payments made on behalf of participants from the participants who  
9 discontinue service before completion of the required service  
10 obligation. The ((board)) office shall exercise due diligence in such  
11 collection, maintaining all necessary records to ensure that the  
12 maximum amount of payment made on behalf of the participant is  
13 recovered. Collection under this section shall be pursued using the  
14 full extent of the law, including wage garnishment if necessary.

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

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

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

23 (1) Participants in the health professional loan repayment and  
24 scholarship program who are awarded scholarships incur an obligation to  
25 repay the scholarship, with interest, unless they serve the required  
26 service obligation in a health professional shortage area in the state  
27 of Washington.

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

31 (3) The period for repayment shall coincide with the required  
32 service obligation, with payments of principal and interest accruing  
33 quarterly commencing no later than nine months from the date the  
34 participant completes or discontinues the course of study or completes  
35 or discontinues the required residency. Provisions for deferral of  
36 payment shall be determined by the ((board)) office.

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

14           (5) The ((~~board~~)) office is responsible for collection of  
15 repayments made under this section and shall exercise due diligence in  
16 such collection, maintaining all necessary records to ensure that  
17 maximum repayments are made. Collection and servicing of repayments  
18 under this section shall be pursued using the full extent of the law,  
19 including wage garnishment if necessary, and shall be performed by  
20 entities approved for such servicing by the Washington student loan  
21 guaranty association or its successor agency. The ((~~board~~)) office is  
22 responsible to forgive all or parts of such repayments under the  
23 criteria established in this section and shall maintain all necessary  
24 records of forgiven payments.

25           (6) Receipts from the payment of principal or interest or any other  
26 subsidies to which the ((~~board~~)) office as administrator is entitled,  
27 which are paid by or on behalf of participants under this section,  
28 shall be deposited with the ((~~board~~)) office and shall be used to cover  
29 the costs of granting the scholarships, maintaining necessary records,  
30 and making collections under subsection (5) of this section. The  
31 ((~~board~~)) office shall maintain accurate records of these costs, and  
32 all receipts beyond those necessary to pay such costs shall be used to  
33 grant scholarships to eligible students.

34           (7) Sponsoring communities who financially contribute to the  
35 eligible financial expenses of eligible medical students may enter into  
36 agreements with the student to require repayment should the student not  
37 serve the required service obligation in the community as a primary

1 care physician. The ((~~board~~)) office may develop criteria for the  
2 content of such agreements with respect to reasonable provisions and  
3 obligations between communities and eligible students.

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

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

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

13 (2) The health professional loan repayment and scholarship program  
14 fund is created in custody of the state treasurer. All receipts from  
15 the program shall be deposited into the fund. Only the ((~~higher  
16 education coordinating board~~)) office, or its designee, may authorize  
17 expenditures from the fund. The fund is subject to allotment  
18 procedures under chapter 43.88 RCW, but no appropriation is required  
19 for expenditures.

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

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

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

27 Unless the context clearly requires otherwise, the definitions in  
28 this section apply throughout this chapter.

29 (1) "Institution of higher education" means a college or university  
30 in the state of Washington that is accredited by an accrediting  
31 association recognized as such by rule of the council for performance  
32 and accountability in higher education ((~~coordinating board~~)).

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

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

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

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

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

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

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

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

11 (3) "Cost of attendance" means the cost associated with the  
12 attendance of the institution of higher education as determined by the  
13 (~~higher education coordinating board~~) office of student financial  
14 assistance, including but not limited to tuition, room, board, and  
15 books.

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

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

19 (1) The foster care endowed scholarship program is created. The  
20 purpose of the program is to help students who were in foster care  
21 attend an institution of higher education in the state of Washington.  
22 The foster care endowed scholarship program shall be administered by  
23 the (~~higher education coordinating board~~) office.

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

27 (a) Adopting necessary rules and guidelines; and

28 (b) Administering the foster care endowed scholarship trust fund  
29 and the foster care scholarship endowment fund.

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

33 (a) Working with the department of social and health services and  
34 the superintendent of public instruction to provide information about  
35 the foster care endowed scholarship program to children in foster care  
36 in the state of Washington and to students over the age of sixteen who  
37 could be eligible for this program;

- 1 (b) Publicizing the program; and  
2 (c) Contracting with a private agency to perform outreach to the  
3 potentially eligible students.

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

6 (1) The ((higher education coordinating board)) office may award  
7 scholarships to eligible students from the foster care scholarship  
8 endowment fund in RCW 28B.116.060, from funds appropriated to the board  
9 for this purpose, from any private donations, or from any other funds  
10 given to the ((board)) office for the program.

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

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

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

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

35 (2) Funds appropriated by the legislature for the foster care  
36 endowed scholarship trust fund shall be deposited in the foster care

1 endowed scholarship trust fund. When conditions in RCW 28B.116.070 are  
2 met, the ((higher education coordinating board)) office shall deposit  
3 state matching moneys from the trust fund into the foster care  
4 scholarship endowment fund.

5 (3) No appropriation is required for expenditures from the trust  
6 fund.

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

9 The foster care scholarship endowment fund is created in the  
10 custody of the state treasurer. The investment of the endowment fund  
11 shall be managed by the state investment board.

12 (1) Moneys received from the ((higher education coordinating  
13 board)) office, private donations, state matching moneys, and funds  
14 received from any other source may be deposited into the foster care  
15 scholarship endowment fund. Private moneys received as a gift subject  
16 to conditions may be deposited into the endowment fund if the  
17 conditions do not violate state or federal law.

18 (2) At the request of the ((higher education coordinating board))  
19 office, the state investment board shall release earnings from the  
20 endowment fund to the state treasurer. The state treasurer shall then  
21 release those funds at the request of the ((higher education  
22 coordinating board)) office for scholarships. No appropriation is  
23 required for expenditures from the endowment fund.

24 (3) The ((higher education coordinating board)) office may disburse  
25 grants to eligible students from the foster care scholarship endowment  
26 fund. No appropriation is required for expenditures from the endowment  
27 fund.

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

33 (5) The principal of the foster care scholarship endowment fund  
34 shall not be invaded. For the purposes of this section, only the first  
35 twenty-five thousand dollars deposited into the foster care scholarship  
36 endowment fund shall be considered the principal. The release of

1 moneys under subsection (4) of this section shall not constitute an  
2 invasion of the corpus.

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

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

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

13 (2) After the initial match of twenty-five thousand dollars, state  
14 matching funds from the foster care endowed scholarship trust fund  
15 shall be released to the foster care scholarship endowment fund  
16 semiannually so long as there are funds available in the foster care  
17 endowed scholarship trust fund.

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

20 The definitions in this section apply throughout this chapter  
21 unless the context clearly requires otherwise.

22 (1) "Cost of attendance" means the cost associated with attending  
23 a particular institution of higher education as determined by the  
24 (~~higher education coordinating board~~) office, including but not  
25 limited to tuition, fees, room, board, books, personal expenses, and  
26 transportation, plus the cost of reasonable additional expenses  
27 incurred by an eligible student and approved by a financial aid  
28 administrator at the student's school of attendance.

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

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

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

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

10 (a) Any public university, college, community college, or technical  
11 college operated by the state of Washington or any political  
12 subdivision thereof; or

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

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

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

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

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

36 (1) The (~~higher education coordinating board~~) office shall design  
37 and, to the extent funds are appropriated for this purpose, implement,

1 a program of supplemental scholarship and student assistance for  
2 students who have emancipated from the state foster care system after  
3 having spent at least one year in care.

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

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

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

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

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

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

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

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

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

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

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

34 (5) An eligible student may receive a passport to college  
35 scholarship under this section for a maximum of five years after the  
36 student first enrolls with an institution of higher education or until  
37 the student turns age twenty-six, whichever occurs first. If a student  
38 turns age twenty-six during an academic year, and would otherwise be

1 eligible for a scholarship under this section, the student shall  
2 continue to be eligible for a scholarship for the remainder of the  
3 academic year.

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

11 (7) In designing and implementing the passport to college student  
12 support program under this section, the (~~board~~) office, in  
13 consultation with and with assistance from the state board for  
14 community and technical colleges, shall ensure that a participating  
15 college or university:

16 (a) Has a viable plan for identifying students eligible for  
17 assistance under this section, for tracking and enhancing their  
18 academic progress, for addressing their unique needs for assistance  
19 during school vacations and academic interims, and for linking them to  
20 appropriate sources of assistance in their transition to adulthood;

21 (b) Receives financial and other incentives for achieving  
22 measurable progress in the recruitment, retention, and graduation of  
23 eligible students.

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

26 Effective operation of the passport to college promise pilot  
27 program requires early and accurate identification of former foster  
28 care youth so that they can be linked to the financial and other  
29 assistance that will help them succeed in college. To that end:

30 (1) All institutions of higher education that receive funding for  
31 student support services under RCW 28B.117.030 shall include on their  
32 applications for admission or on their registration materials a  
33 question asking whether the applicant has been in foster care in  
34 Washington state for at least one year since his or her sixteenth  
35 birthday. All other institutions of higher education are strongly  
36 encouraged to include such a question. No institution may consider

1 whether an applicant may be eligible for a scholarship or student  
2 support services under this chapter when deciding whether the applicant  
3 will be granted admission.

4 (2) The department of social and health services shall devise and  
5 implement procedures for efficiently, promptly, and accurately  
6 identifying students and applicants who are eligible for services under  
7 RCW 28B.117.030, and for sharing that information with the (~~higher~~  
8 ~~education coordinating board~~) office and with institutions of higher  
9 education. The procedures shall include appropriate safeguards for  
10 consent by the applicant or student before disclosure.

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

13 (1) To the extent funds are appropriated for this purpose, the  
14 (~~higher education coordinating board~~) office, with input from the  
15 state board for community and technical colleges, the foster care  
16 partnership, and institutions of higher education, shall develop and  
17 maintain an internet web site and outreach program to serve as a  
18 comprehensive portal for foster care youth in Washington state to  
19 obtain information regarding higher education including, but not  
20 necessarily limited to:

- 21 (a) Academic, social, family, financial, and logistical information  
22 important to successful postsecondary educational success;
- 23 (b) How and when to obtain and complete college applications;
- 24 (c) What college placement tests, if any, are generally required  
25 for admission to college and when and how to register for such tests;
- 26 (d) How and when to obtain and complete a federal free application  
27 for federal student aid (FAFSA); and
- 28 (e) Detailed sources of financial aid likely available to eligible  
29 former foster care youth, including the financial aid provided by this  
30 chapter.

31 (2) The (~~board~~) office shall determine whether to design, build,  
32 and operate such program and web site directly or to use, support, and  
33 modify existing web sites created by government or nongovernmental  
34 entities for a similar purpose.

35 **Sec. 223.** RCW 28B.117.060 and 2007 c 314 s 7 are each amended to  
36 read as follows:

1 (1) To the extent funds are appropriated for this purpose, the  
2 department of social and health services, with input from the state  
3 board for community and technical colleges, the (~~higher education~~  
4 ~~coordinating board~~) office, and institutions of higher education,  
5 shall contract with at least one nongovernmental entity through a  
6 request for proposals process to develop, implement, and administer a  
7 program of supplemental educational transition planning for youth in  
8 foster care in Washington state.

9 (2) The nongovernmental entity or entities chosen by the department  
10 shall have demonstrated success in working with foster care youth and  
11 assisting foster care youth in successfully making the transition from  
12 foster care to independent adulthood.

13 (3) The selected nongovernmental entity or entities shall provide  
14 supplemental educational transition planning to foster care youth in  
15 Washington state beginning at age fourteen and then at least every six  
16 months thereafter. The supplemental transition planning shall include:

17 (a) Comprehensive information regarding postsecondary educational  
18 opportunities including, but not limited to, sources of financial aid,  
19 institutional characteristics and record of support for former foster  
20 care youth, transportation, housing, and other logistical  
21 considerations;

22 (b) How and when to apply to postsecondary educational programs;

23 (c) What precollege tests, if any, the particular foster care youth  
24 should take based on his or her postsecondary plans and when to take  
25 the tests;

26 (d) What courses to take to prepare the particular foster care  
27 youth to succeed at his or her postsecondary plans;

28 (e) Social, community, educational, logistical, and other issues  
29 that frequently impact college students and their success rates; and

30 (f) Which web sites, nongovernmental entities, public agencies, and  
31 other foster care youth support providers specialize in which services.

32 (4) The selected nongovernmental entity or entities shall work  
33 directly with the school counselors at the foster care youths' high  
34 schools to ensure that a consistent and complete transition plan has  
35 been prepared for each foster care youth who emancipates out of the  
36 foster care system in Washington state.

1           **Sec. 224.** RCW 28B.117.070 and 2007 c 314 s 8 are each amended to  
2 read as follows:

3           (1) The (~~higher education coordinating board~~) office of student  
4 financial assistance shall report to appropriate committees of the  
5 legislature by January 15, 2008, on the status of program design and  
6 implementation. The report shall include a discussion of proposed  
7 scholarship and student support service approaches; an estimate of the  
8 number of students who will receive such services; baseline information  
9 on the extent to which former foster care youth who meet the  
10 eligibility criteria in RCW 28B.117.030 have enrolled and persisted in  
11 postsecondary education; and recommendations for any statutory changes  
12 needed to promote achievement of program objectives.

13           (2) The state board for community and technical colleges and the  
14 (~~higher education coordinating board~~) office of student financial  
15 assistance shall monitor and analyze the extent to which eligible young  
16 people are increasing their participation, persistence, and progress in  
17 postsecondary education, and shall jointly submit a report on their  
18 findings to appropriate committees of the legislature by December 1,  
19 2009, and by December 1, 2011.

20           (3) The Washington state institute for public policy shall complete  
21 an evaluation of the passport to college promise pilot program and  
22 shall submit a report to appropriate committees of the legislature by  
23 December 1, 2012. The report shall estimate the impact of the program  
24 on eligible students' participation and success in postsecondary  
25 education, and shall include recommendations for program revision and  
26 improvement.

27           **Sec. 225.** RCW 28B.118.010 and 2008 c 321 s 9 are each amended to  
28 read as follows:

29           The (~~higher education coordinating board~~) office of student  
30 financial assistance shall design the Washington college bound  
31 scholarship program in accordance with this section.

32           (1) "Eligible students" are those students who qualify for free or  
33 reduced-price lunches. If a student qualifies in the seventh grade,  
34 the student remains eligible even if the student does not receive free  
35 or reduced-price lunches thereafter.

36           (2) Eligible students shall be notified of their eligibility for

1 the Washington college bound scholarship program beginning in their  
2 seventh grade year. Students shall also be notified of the  
3 requirements for award of the scholarship.

4 (3) To be eligible for a Washington college bound scholarship, a  
5 student must sign a pledge during seventh or eighth grade that includes  
6 a commitment to graduate from high school with at least a C average and  
7 with no felony convictions. Students who were in the eighth grade  
8 during the 2007-08 school year may sign the pledge during the 2008-09  
9 school year. The pledge must be witnessed by a parent or guardian and  
10 forwarded to the (~~higher education coordinating board~~) office of  
11 student financial assistance by mail or electronically, as indicated on  
12 the pledge form.

13 (4)(a) Scholarships shall be awarded to eligible students  
14 graduating from public high schools, approved private high schools  
15 under chapter 28A.195 RCW, or who received home-based instruction under  
16 chapter 28A.200 RCW.

17 (b) To receive the Washington college bound scholarship, a student  
18 must graduate with at least a "C" average from a public high school or  
19 an approved private high school under chapter 28A.195 RCW in Washington  
20 or have received home-based instruction under chapter 28A.200 RCW, must  
21 have no felony convictions, and must be a resident student as defined  
22 in RCW 28B.15.012(2) (a) through (d).

23 (5) A student's family income will be assessed upon graduation  
24 before awarding the scholarship.

25 (6) If at graduation from high school the student's family income  
26 does not exceed sixty-five percent of the state median family income,  
27 scholarship award amounts shall be as provided in this section.

28 (a) For students attending two or four-year institutions of higher  
29 education as defined in RCW 28B.10.016, the value of the award shall be  
30 (i) the difference between the student's tuition and required fees,  
31 less the value of any state-funded grant, scholarship, or waiver  
32 assistance the student receives; (ii) plus five hundred dollars for  
33 books and materials.

34 (b) For students attending private four-year institutions of higher  
35 education in Washington, the award amount shall be the representative  
36 average of awards granted to students in public research universities  
37 in Washington.

1 (c) For students attending private vocational schools in  
2 Washington, the award amount shall be the representative average of  
3 awards granted to students in public community and technical colleges  
4 in Washington.

5 (7) Recipients may receive no more than four full-time years' worth  
6 of scholarship awards.

7 (8) Institutions of higher education shall award the student all  
8 need-based and merit-based financial aid for which the student would  
9 otherwise qualify. The Washington college bound scholarship is  
10 intended to replace unmet need, loans, and, at the student's option,  
11 work-study award before any other grants or scholarships are reduced.

12 (9) The first scholarships shall be awarded to students graduating  
13 in 2012.

14 (10) The state of Washington retains legal ownership of tuition  
15 units awarded as scholarships under this chapter until the tuition  
16 units are redeemed. These tuition units shall remain separately held  
17 from any tuition units owned under chapter 28B.95 RCW by a Washington  
18 college bound scholarship recipient.

19 (11) The scholarship award must be used within five years of  
20 receipt. Any unused scholarship tuition units revert to the Washington  
21 college bound scholarship account.

22 (12) Should the recipient terminate his or her enrollment for any  
23 reason during the academic year, the unused portion of the scholarship  
24 tuition units shall revert to the Washington college bound scholarship  
25 account.

26 **Sec. 226.** RCW 28B.118.020 and 2007 c 405 s 3 are each amended to  
27 read as follows:

28 The office of the superintendent of public instruction shall:

29 (1) Notify elementary, middle, and junior high schools about the  
30 Washington college bound scholarship program using methods in place for  
31 communicating with schools and school districts; and

32 (2) Work with the (~~higher education coordinating board~~) office of  
33 student financial assistance to develop application collection and  
34 student tracking procedures.

35 **Sec. 227.** RCW 28B.118.040 and 2007 c 405 s 5 are each amended to  
36 read as follows:

1 The (~~higher education coordinating board~~) office of student  
2 financial assistance shall:

3 (1) With the assistance of the office of the superintendent of  
4 public instruction, implement and administer the Washington college  
5 bound scholarship program;

6 (2) Develop and distribute, to all schools with students enrolled  
7 in grade seven or eight, a pledge form that can be completed and  
8 returned electronically or by mail by the student or the school to the  
9 (~~higher education coordinating board~~) office of student financial  
10 assistance;

11 (3) Develop and implement a student application, selection, and  
12 notification process for scholarships;

13 (4) Track scholarship recipients to ensure continued eligibility  
14 and determine student compliance for awarding of scholarships;

15 (5) Subject to appropriation, deposit funds into the state  
16 educational trust fund;

17 (6) Purchase tuition units under the advanced college tuition  
18 payment program in chapter 28B.95 RCW to be owned and held in trust by  
19 the board, for the purpose of scholarship awards as provided for in  
20 this section; and

21 (7) Distribute scholarship funds, in the form of tuition units  
22 purchased under the advanced college tuition payment program in chapter  
23 28B.95 RCW or through direct payments from the state educational trust  
24 fund, to institutions of higher education on behalf of scholarship  
25 recipients identified by the (~~board~~) office, as long as recipients  
26 maintain satisfactory academic progress.

27 **Sec. 228.** RCW 28B.118.050 and 2007 c 405 s 6 are each amended to  
28 read as follows:

29 The (~~higher education coordinating board~~) office of student  
30 financial assistance may accept grants, gifts, bequests, and devises of  
31 real and personal property from any source for the purpose of granting  
32 financial aid in addition to that funded by the state.

33 **Sec. 229.** RCW 28B.118.060 and 2007 c 405 s 7 are each amended to  
34 read as follows:

35 The (~~higher education coordinating board~~) office of student  
36 financial assistance may adopt rules to implement this chapter.

1           **Sec. 230.** RCW 28B.119.010 and 2004 c 275 s 60 are each amended to  
2 read as follows:

3           The (~~higher education coordinating board~~) office of student  
4 financial assistance shall design the Washington promise scholarship  
5 program based on the following parameters:

6           (1) Scholarships shall be awarded to students graduating from  
7 public and approved private high schools under chapter 28A.195 RCW,  
8 students participating in home-based instruction as provided in chapter  
9 28A.200 RCW, and persons twenty-one years of age or younger receiving  
10 a GED certificate, who meet both an academic and a financial  
11 eligibility criteria.

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

13           (i) Beginning with the graduating class of 2002, students  
14 graduating from public and approved private high schools under chapter  
15 28A.195 RCW must be in the top fifteen percent of their graduating  
16 class, as identified by each respective high school at the completion  
17 of the first term of the student's senior year; or

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

26           (b) To meet the financial eligibility criteria, a student's family  
27 income shall not exceed one hundred thirty-five percent of the state  
28 median family income adjusted for family size, as determined by the  
29 (~~higher education coordinating board~~) office of student financial  
30 assistance for each graduating class. Students not meeting the  
31 eligibility requirements for the first year of scholarship benefits may  
32 reapply for the second year of benefits, but must still meet the income  
33 standard set by the (~~board~~) office for the student's graduating  
34 class.

35           (2) Promise scholarships are not intended to supplant any grant,  
36 scholarship, or tax program related to postsecondary education. If the  
37 (~~board~~) office of student financial assistance finds that promise  
38 scholarships supplant or reduce any grant, scholarship, or tax program

1 for categories of students, then the (~~board~~) office shall adjust the  
2 financial eligibility criteria or the amount of scholarship to the  
3 level necessary to avoid supplanting.

4 (3) Within available funds, each qualifying student shall receive  
5 two consecutive annual awards, the value of each not to exceed the  
6 full-time annual resident tuition rates charged by Washington's  
7 community colleges. The (~~higher education coordinating board~~) office  
8 of student financial assistance shall award scholarships to as many  
9 students as possible from among those qualifying under this section.

10 (4) By October 15th of each year, the (~~board~~) office of student  
11 financial assistance shall determine the award amount of the  
12 scholarships, after taking into consideration the availability of  
13 funds.

14 (5) The scholarships may only be used for undergraduate coursework  
15 at accredited institutions of higher education in the state of  
16 Washington.

17 (6) The scholarships may be used for undergraduate coursework at  
18 Oregon institutions of higher education that are part of the border  
19 county higher education opportunity project in RCW 28B.76.685 when  
20 those institutions offer programs not available at accredited  
21 institutions of higher education in Washington state.

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

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

27 (9) The (~~higher education coordinating board~~) office of student  
28 financial assistance may establish satisfactory progress standards for  
29 the continued receipt of the promise scholarship.

30 (10) The (~~higher education coordinating board~~) office of student  
31 financial assistance shall establish the time frame within which the  
32 student must use the scholarship.

33 **Sec. 231.** RCW 28B.119.020 and 2002 c 204 s 3 are each amended to  
34 read as follows:

35 The (~~higher education coordinating board~~) office of student  
36 financial assistance, with the assistance of the office of the

1 superintendent of public instruction, shall implement and administer  
2 the Washington promise scholarship program described in RCW 28B.119.010  
3 as follows:

4 (1) The first scholarships shall be awarded to eligible students  
5 enrolling in postsecondary education in the 2002-03 academic year.

6 (2) The office of the superintendent of public instruction shall  
7 provide information to the (~~higher education coordinating board~~)  
8 office of student financial assistance that is necessary for  
9 implementation of the program. The (~~higher education coordinating~~  
10 ~~board~~) office of student financial assistance and the office of the  
11 superintendent of public instruction shall jointly establish a timeline  
12 and procedures necessary for accurate and timely data reporting.

13 (a) For students meeting the academic eligibility criteria as  
14 provided in RCW 28B.119.010(1)(a), the office of the superintendent of  
15 public instruction shall provide the (~~higher education coordinating~~  
16 ~~board~~) office of student financial assistance with student names,  
17 addresses, birth dates, and unique numeric identifiers.

18 (b) Public and approved private high schools under chapter 28A.195  
19 RCW shall provide requested information necessary for implementation of  
20 the program to the office of the superintendent of public instruction  
21 within the established timeline.

22 (c) All student data is confidential and may be used solely for the  
23 purposes of providing scholarships to eligible students.

24 (3) The (~~higher education coordinating board~~) office of student  
25 financial assistance may adopt rules to implement this chapter.

26 **Sec. 232.** RCW 28B.119.030 and 2004 c 275 s 71 are each amended to  
27 read as follows:

28 The Washington promise scholarship program shall not be funded at  
29 the expense of the state need grant program as defined in chapter  
30 28B.92 RCW. In administering the state need grant and promise  
31 scholarship programs, the (~~higher education coordinating board~~)  
32 office of student financial assistance shall first ensure that  
33 eligibility for state need grant recipients is at least fifty-five  
34 percent of state median family income.

35 **Sec. 233.** RCW 28B.119.050 and 2002 c 204 s 6 are each amended to  
36 read as follows:

1 (1) The Washington promise scholarship account is created in the  
2 custody of the state treasurer. The account shall be a nontreasury  
3 account retaining its interest earnings in accordance with RCW  
4 43.79A.040.

5 (2) The (~~higher education coordinating board~~) office of student  
6 financial assistance shall deposit in the account all money received  
7 for the program. The account shall be self-sustaining and consist of  
8 funds appropriated by the legislature for the Washington promise  
9 scholarship program, private contributions to the program, and refunds  
10 of Washington promise scholarships.

11 (3) Expenditures from the account shall be used for scholarships to  
12 eligible students.

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

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

19 (6) Disbursements from the account shall be made only on the  
20 authorization of the (~~higher education coordinating board~~) office of  
21 student financial assistance.

22 **Sec. 234.** RCW 28B.120.010 and 2010 c 245 s 7 are each amended to  
23 read as follows:

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

1 to proposals that involve more than one sector of education.  
2 Institutions are encouraged to solicit nonstate funds to support these  
3 cooperative programs.

4 **Sec. 235.** RCW 28B.120.020 and 2010 c 245 s 8 are each amended to  
5 read as follows:

6 The council for performance and accountability in higher education  
7 (~~coordinating board~~) shall have the following powers and duties in  
8 administering the program for those proposals in which a four-year  
9 institution of higher education is named as the lead institution and  
10 fiscal agent:

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

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

14 (3) To establish each biennium specific guidelines for submitting  
15 grant proposals consistent with RCW 28B.120.005 and consistent with the  
16 strategic master plan for higher education, the system design plan, the  
17 overall goals of the program and the guidelines established by the  
18 state board for community and technical colleges under RCW 28B.120.025.

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

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

29 (5) To establish reporting, evaluation, accountability, monitoring,  
30 and dissemination requirements for the recipients of the grants awarded  
31 by the (~~higher education coordinating board~~) office of financial  
32 management.

33 **Sec. 236.** RCW 28B.120.025 and 1999 c 169 s 4 are each amended to  
34 read as follows:

35 The state board for community and technical colleges has the

1 following powers and duties in administering the program for those  
2 proposals in which a community or technical college is named as the  
3 lead institution and fiscal agent:

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

5 (2) To establish one or more review committees to assist in the  
6 evaluation of proposals for funding. The review committee shall  
7 include individuals with significant experience in higher education in  
8 areas relevant to one or more of the funding period priorities and  
9 shall include representatives from both the four-year and two-year  
10 sectors of higher education;

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

13 (4) To establish each biennium specific guidelines for submitting  
14 grant proposals consistent with the overall goals of the program and  
15 consistent with the guidelines established by the council for  
16 performance and accountability in higher education (~~coordinating~~  
17 ~~board~~)) under RCW 28B.120.020. During the 1999-01 biennium the  
18 guidelines shall be consistent with the following desired outcomes of:

19 (a) Minority and diversity initiatives that encourage the  
20 participation of minorities in higher education, including students  
21 with disabilities;

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

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

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

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

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

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

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

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

6 **Sec. 237.** RCW 28B.120.030 and 1999 c 169 s 6 are each amended to  
7 read as follows:

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

14 **Sec. 238.** RCW 28B.120.040 and 1999 c 169 s 7 are each amended to  
15 read as follows:

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

26 **Sec. 239.** RCW 28B.133.030 and 2003 c 19 s 4 are each amended to  
27 read as follows:

28 (1) The students with dependents grant account is created in the  
29 custody of the state treasurer. All receipts from the program shall be  
30 deposited into the account. Only the (~~higher education coordinating~~  
31 ~~board~~) office of student financial assistance, or its designee, may  
32 authorize expenditures from the account. Disbursements from the  
33 account are exempt from appropriations and the allotment procedures  
34 under chapter 43.88 RCW.

1 (2) The (~~board~~) office may solicit and receive gifts, grants, or  
2 endowments from private sources that are made from time to time, in  
3 trust or otherwise, for the use and benefit of the purposes of the  
4 educational assistance grant program. The (~~executive~~) director, or  
5 the (~~executive~~) director's designee, may spend gifts, grants, or  
6 endowments or income from the private sources according to their terms  
7 unless the receipt of the gifts, grants, or endowments violates RCW  
8 42.17.710.

9 (3) The earnings on the account shall be used solely for the  
10 purposes in RCW 28B.133.010, except when the terms of a conditional  
11 gift of private moneys in the account require that a portion of  
12 earnings on such moneys be reinvested in the account.

13 **Sec. 240.** RCW 28B.133.040 and 2003 c 19 s 5 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 educational  
17 assistance grant program for students with dependents. In  
18 administering the program, once the balance in the students with  
19 dependents grant account is five hundred thousand dollars, the  
20 (~~board's~~) office's powers and duties shall include but not be limited  
21 to:

- 22 (1) Adopting necessary rules and guidelines;
- 23 (2) Publicizing the program;
- 24 (3) Accepting and depositing donations into the grant account  
25 established in RCW 28B.133.030; and
- 26 (4) Soliciting and accepting grants and donations from private  
27 sources for the program.

28 **Sec. 241.** RCW 28B.133.050 and 2004 c 275 s 74 are each amended to  
29 read as follows:

30 The educational assistance grant program for students with  
31 dependents grants may be used by eligible participants to attend any  
32 public or private college or university in the state of Washington as  
33 defined in RCW 28B.92.030. Each participating student may receive an  
34 amount to be determined by the (~~higher education coordinating board~~)  
35 office of student financial assistance, with a minimum amount of one

1 thousand dollars per academic year, not to exceed the student's  
2 documented financial need for the course of study as determined by the  
3 institution.

4 Educational assistance grants for students with dependents are not  
5 intended to supplant any grant scholarship or tax program related to  
6 postsecondary education. If the (~~higher education coordinating~~  
7 ~~board~~) office of student financial assistance finds that the  
8 educational assistance grants for students with dependents supplant or  
9 reduce any grant, scholarship, or tax program for categories of  
10 students, then the (~~higher education coordinating board~~) office shall  
11 adjust the financial eligibility criteria or the amount of the grant to  
12 the level necessary to avoid supplanting.

13 **Sec. 242.** RCW 28B.135.010 and 2010 1st sp.s. c 9 s 5 are each  
14 amended to read as follows:

15 The four-year student child care in higher education account is  
16 established. The (~~higher education coordinating board~~) office of  
17 student financial assistance shall administer the program for the  
18 four-year institutions of higher education. Through (~~these~~) this  
19 program(~~s~~) the (~~board~~) office shall award either competitive or  
20 matching child care grants to state institutions of higher education to  
21 encourage programs to address the need for high quality, accessible,  
22 and affordable child care for students at higher education  
23 institutions. The grants shall be used exclusively for the provision  
24 of quality child care services for students at institutions of higher  
25 education. The university or college administration and student  
26 government association, or its equivalent, of each institution  
27 receiving the award may contribute financial support in an amount equal  
28 to or greater than the child care grant received by the institution.

29 **Sec. 243.** RCW 28B.135.030 and 2008 c 162 s 3 are each amended to  
30 read as follows:

31 The (~~higher education coordinating board~~) office of student  
32 financial assistance shall have the following powers and duties in  
33 administering the program for the four-year institutions of higher  
34 education:

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

1 (2) To establish one or more review committees to assist in the  
2 evaluation of proposals for funding. The review committees may receive  
3 input from parents, educators, and other experts in the field of early  
4 childhood education for this purpose;

5 (3) To establish each biennium specific guidelines for submitting  
6 grant proposals consistent with the overall goals of the program. The  
7 guidelines shall be consistent with the following desired outcomes of  
8 increasing access to quality child care for students, providing  
9 affordable child care alternatives for students, creating a partnership  
10 between university or college administrations, university or college  
11 foundations, and student government associations, or their equivalents;

12 (4) To proportionally distribute the amount of money available in  
13 the trust fund based on the financial support for child care received  
14 by the student government associations or their equivalents. Student  
15 government associations may solicit funds from private organizations  
16 and targeted fund-raising campaigns as part of their financial support  
17 for child care;

18 (5) To solicit grant proposals and provide information to the  
19 institutions of higher education about the program;

20 (6) To establish reporting, evaluation, accountability, monitoring,  
21 and dissemination requirements for the recipients of the grants; and

22 ~~((7) To report to the appropriate committees of the legislature by  
23 December 15, 2008, and every two years thereafter, on the status of  
24 program design and implementation at the four-year institutions of  
25 higher education. The report shall include but not be limited to  
26 summary information on the institutions receiving child care grant  
27 allocations, the amount contributed by each university or college  
28 administration and student government association for the purposes of  
29 child care including expenditures and reports for the previous  
30 biennium, services provided by each institutional child care center,  
31 the number of students using such services, and identifiable unmet  
32 need.))~~

33 **Sec. 244.** RCW 28B.135.040 and 2010 1st sp.s. c 9 s 4 are each  
34 amended to read as follows:

35 The four-year student child care in higher education account is  
36 established in the custody of the state treasurer. Moneys in the  
37 account may be spent only for the purposes of RCW 28B.135.010.

1 Disbursements from the account shall be on the authorization of the  
2 (~~higher education coordinating board~~) office of student financial  
3 assistance. The account is subject to the allotment procedures under  
4 chapter 43.88 RCW, but no appropriation is required for disbursements.

5 **Sec. 245.** RCW 28C.18.166 and 2009 c 238 s 5 are each amended to  
6 read as follows:

7 On an annual basis, each opportunity internship consortium shall  
8 provide the board with a list of the opportunity internship graduates  
9 from the consortium. The board shall compile the lists from all  
10 consortia and shall notify the (~~higher education coordinating board~~)  
11 office of student financial assistance of the eligibility of each  
12 graduate on the lists to receive a state need grant under chapter  
13 28B.92 RCW if the graduate enrolls in a postsecondary program of study  
14 within one year of high school graduation.

15 **Sec. 246.** RCW 39.86.130 and 2010 1st sp.s. c 6 s 7 are each  
16 amended to read as follows:

17 (1) In granting an allocation, reallocation, or carryforward of the  
18 state ceiling as provided in this chapter, the agency shall consider  
19 existing state priorities and other such criteria, including but not  
20 limited to, the following criteria:

21 (a) Need of issuers to issue bonds within a bond use category  
22 subject to a state ceiling;

23 (b) Amount of the state ceiling available;

24 (c) Public benefit and purpose to be satisfied, including economic  
25 development, educational opportunity, and public health, safety, or  
26 welfare;

27 (d) Cost or availability of alternative methods of financing for  
28 the project or program; and

29 (e) Certainty of using the allocation which is being requested.

30 (2) In determining whether to allocate an amount of the state  
31 ceiling to an issuer within any bond use category, the agency shall  
32 consider, but is not limited to, the following criteria for each of the  
33 bond use categories:

34 (a) Housing: Criteria which comply with RCW 43.180.200.

35 (b) Student loans: Criteria which comply with the applicable

1 provisions of Title 28B RCW and rules adopted by the (~~higher education~~  
2 ~~coordinating board~~) office of student financial assistance or  
3 applicable state agency dealing with student financial aid.

4 (c) Small issue: Factors which may include:

5 (i) The number of employment opportunities the project is likely to  
6 create or retain in relation to the amount of the bond issuance;

7 (ii) The level of unemployment existing in the geographic area  
8 likely to be affected by the project;

9 (iii) A commitment to providing employment opportunities to low-  
10 income persons in cooperation with the employment security department;

11 (iv) Geographic distribution of projects;

12 (v) The number of persons who will benefit from the project;

13 (vi) Consistency with criteria identified in subsection (1) of this  
14 section; and

15 (vii) Order in which requests were received.

16 (d) Exempt facility or redevelopment: Factors which may include:

17 (i) State issuance needs;

18 (ii) Consistency with criteria identified in subsection (1) of this  
19 section;

20 (iii) Order in which requests were received;

21 (iv) The proportionate number of persons in relationship to the  
22 size of the community who will benefit from the project; and

23 (v) The unique timing and issuance needs of large scale projects  
24 that may require allocations in more than one year.

25 (e) Public utility: Factors which may include:

26 (i) Consistency with criteria identified in subsection (1) of this  
27 section; and

28 (ii) Timing needs for issuance of bonds over a multi-year period.

29 **Sec. 247.** RCW 42.17.2401 and 2009 c 565 s 24 are each amended to  
30 read as follows:

31 For the purposes of RCW 42.17.240, the term "executive state  
32 officer" includes:

33 (1) The chief administrative law judge, the director of  
34 agriculture, the administrator of the Washington basic health plan, the  
35 director of the department of services for the blind, the director of  
36 the state system of community and technical colleges, the director of  
37 commerce, the secretary of corrections, the director of early learning,

1 the director of ecology, the commissioner of employment security, the  
2 chair of the energy facility site evaluation council, the secretary of  
3 the state finance committee, the director of financial management, the  
4 director of fish and wildlife, the executive secretary of the forest  
5 practices appeals board, the director of the gambling commission, the  
6 director of general administration, the secretary of health, the  
7 administrator of the Washington state health care authority, the  
8 executive secretary of the health care facilities authority, the  
9 executive secretary of the higher education facilities authority, the  
10 executive secretary of the horse racing commission, the executive  
11 secretary of the human rights commission, the executive secretary of  
12 the indeterminate sentence review board, the director of the department  
13 of information services, the executive director of the state investment  
14 board, the director of labor and industries, the director of licensing,  
15 the director of the lottery commission, the director of the office of  
16 minority and women's business enterprises, the director of parks and  
17 recreation, the director of personnel, the executive director of the  
18 public disclosure commission, the executive director of the Puget Sound  
19 partnership, the director of the recreation and conservation office,  
20 the director of retirement systems, the director of revenue, the  
21 secretary of social and health services, the chief of the Washington  
22 state patrol, the executive secretary of the board of tax appeals, the  
23 secretary of transportation, the secretary of the utilities and  
24 transportation commission, the director of veterans affairs, the  
25 president of each of the regional and state universities and the  
26 president of The Evergreen State College, and each district and each  
27 campus president of each state community college;

28 (2) Each professional staff member of the office of the governor;

29 (3) Each professional staff member of the legislature; and

30 (4) Central Washington University board of trustees, the boards of  
31 trustees of each community college and each technical college, each  
32 member of the state board for community and technical colleges, state  
33 convention and trade center board of directors, committee for deferred  
34 compensation, Eastern Washington University board of trustees,  
35 Washington economic development finance authority, The Evergreen State  
36 College board of trustees, executive ethics board, forest practices  
37 appeals board, forest practices board, gambling commission, life  
38 sciences discovery fund authority board of trustees, Washington health

1 care facilities authority, each member of the Washington health  
2 services commission, (~~higher education coordinating board,~~) higher  
3 education facilities authority, horse racing commission, state housing  
4 finance commission, human rights commission, indeterminate sentence  
5 review board, board of industrial insurance appeals, information  
6 services board, recreation and conservation funding board, state  
7 investment board, commission on judicial conduct, legislative ethics  
8 board, liquor control board, lottery commission, marine oversight  
9 board, Pacific Northwest electric power and conservation planning  
10 council, parks and recreation commission, board of pilotage  
11 commissioners, pollution control hearings board, public disclosure  
12 commission, public pension commission, shorelines hearings board,  
13 public employees' benefits board, salmon recovery funding board, board  
14 of tax appeals, transportation commission, University of Washington  
15 board of regents, utilities and transportation commission, Washington  
16 state maritime commission, Washington personnel resources board,  
17 Washington public power supply system executive board, Washington State  
18 University board of regents, Western Washington University board of  
19 trustees, and fish and wildlife commission.

20 **Sec. 248.** RCW 42.17A.705 and 2010 c 204 s 902 are each amended to  
21 read as follows:

22 For the purposes of RCW 42.17A.700, "executive state officer"  
23 includes:

24 (1) The chief administrative law judge, the director of  
25 agriculture, the director of the department of services for the blind,  
26 the director of the state system of community and technical colleges,  
27 the director of commerce, the secretary of corrections, the director of  
28 early learning, the director of ecology, the commissioner of employment  
29 security, the chair of the energy facility site evaluation council, the  
30 secretary of the state finance committee, the director of financial  
31 management, the director of fish and wildlife, the executive secretary  
32 of the forest practices appeals board, the director of the gambling  
33 commission, the director of general administration, the secretary of  
34 health, the administrator of the Washington state health care  
35 authority, the executive secretary of the health care facilities  
36 authority, the executive secretary of the higher education facilities  
37 authority, the executive secretary of the horse racing commission, the

1 executive secretary of the human rights commission, the executive  
2 secretary of the indeterminate sentence review board, the director of  
3 the department of information services, the executive director of the  
4 state investment board, the director of labor and industries, the  
5 director of licensing, the director of the lottery commission, the  
6 director of the office of minority and women's business enterprises,  
7 the director of parks and recreation, the director of personnel, the  
8 executive director of the public disclosure commission, the executive  
9 director of the Puget Sound partnership, the director of the recreation  
10 and conservation office, the director of retirement systems, the  
11 director of revenue, the secretary of social and health services, the  
12 chief of the Washington state patrol, the executive secretary of the  
13 board of tax appeals, the secretary of transportation, the secretary of  
14 the utilities and transportation commission, the director of veterans  
15 affairs, the president of each of the regional and state universities  
16 and the president of The Evergreen State College, and each district and  
17 each campus president of each state community college;

18 (2) Each professional staff member of the office of the governor;

19 (3) Each professional staff member of the legislature; and

20 (4) Central Washington University board of trustees, the boards of  
21 trustees of each community college and each technical college, each  
22 member of the state board for community and technical colleges, state  
23 convention and trade center board of directors, Eastern Washington  
24 University board of trustees, Washington economic development finance  
25 authority, Washington energy northwest executive board, The Evergreen  
26 State College board of trustees, executive ethics board, fish and  
27 wildlife commission, forest practices appeals board, forest practices  
28 board, gambling commission, Washington health care facilities  
29 authority, (~~higher education coordinating board,~~) higher education  
30 facilities authority, horse racing commission, state housing finance  
31 commission, human rights commission, indeterminate sentence review  
32 board, board of industrial insurance appeals, information services  
33 board, state investment board, commission on judicial conduct,  
34 legislative ethics board, life sciences discovery fund authority board  
35 of trustees, liquor control board, lottery commission, Pacific  
36 Northwest electric power and conservation planning council, parks and  
37 recreation commission, Washington personnel resources board, board of  
38 pilotage commissioners, pollution control hearings board, public

1 disclosure commission, public employees' benefits board, recreation and  
2 conservation funding board, salmon recovery funding board, shorelines  
3 hearings board, board of tax appeals, transportation commission,  
4 University of Washington board of regents, utilities and transportation  
5 commission, Washington State University board of regents, and Western  
6 Washington University board of trustees.

7 **Sec. 249.** RCW 43.41.400 and 2009 c 548 s 201 are each amended to  
8 read as follows:

9 (1) An education data center shall be established in the office of  
10 financial management. The education data center shall jointly, with  
11 the legislative evaluation and accountability program committee,  
12 conduct collaborative analyses of early learning, K-12, and higher  
13 education programs and education issues across the P-20 system, which  
14 includes the department of early learning, the superintendent of public  
15 instruction, the professional educator standards board, the state board  
16 of education, the state board for community and technical colleges, the  
17 workforce training and education coordinating board, the (~~higher~~  
18 ~~education coordinating board~~) office of student financial assistance,  
19 public and private nonprofit four-year institutions of higher  
20 education, and the employment security department. The education data  
21 center shall conduct collaborative analyses under this section with the  
22 legislative evaluation and accountability program committee and provide  
23 data electronically to the legislative evaluation and accountability  
24 program committee, to the extent permitted by state and federal  
25 confidentiality requirements. The education data center shall be  
26 considered an authorized representative of the state educational  
27 agencies in this section under applicable federal and state statutes  
28 for purposes of accessing and compiling student record data for  
29 research purposes.

30 (2) The education data center shall:

31 (a) In consultation with the legislative evaluation and  
32 accountability program committee and the agencies and organizations  
33 participating in the education data center, identify the critical  
34 research and policy questions that are intended to be addressed by the  
35 education data center and the data needed to address the questions;

36 (b) Coordinate with other state education agencies to compile and

1 analyze education data, including data on student demographics that is  
2 disaggregated by distinct ethnic categories within racial subgroups,  
3 and complete P-20 research projects;

4 (c) Collaborate with the legislative evaluation and accountability  
5 program committee and the education and fiscal committees of the  
6 legislature in identifying the data to be compiled and analyzed to  
7 ensure that legislative interests are served;

8 (d) Annually provide to the K-12 data governance group a list of  
9 data elements and data quality improvements that are necessary to  
10 answer the research and policy questions identified by the education  
11 data center and have been identified by the legislative committees in  
12 (c) of this subsection. Within three months of receiving the list, the  
13 K-12 data governance group shall develop and transmit to the education  
14 data center a feasibility analysis of obtaining or improving the data,  
15 including the steps required, estimated time frame, and the financial  
16 and other resources that would be required. Based on the analysis, the  
17 education data center shall submit, if necessary, a recommendation to  
18 the legislature regarding any statutory changes or resources that would  
19 be needed to collect or improve the data;

20 (e) Monitor and evaluate the education data collection systems of  
21 the organizations and agencies represented in the education data center  
22 ensuring that data systems are flexible, able to adapt to evolving  
23 needs for information, and to the extent feasible and necessary,  
24 include data that are needed to conduct the analyses and provide  
25 answers to the research and policy questions identified in (a) of this  
26 subsection;

27 (f) Track enrollment and outcomes through the public centralized  
28 higher education enrollment system;

29 (g) Assist other state educational agencies' collaborative efforts  
30 to develop a long-range enrollment plan for higher education including  
31 estimates to meet demographic and workforce needs;

32 (h) Provide research that focuses on student transitions within and  
33 among the early learning, K-12, and higher education sectors in the P-  
34 20 system; and

35 (i) Make recommendations to the legislature as necessary to help  
36 ensure the goals and objectives of this section and RCW 28A.655.210 and  
37 28A.300.507 are met.

1 (3) The department of early learning, superintendent of public  
2 instruction, professional educator standards board, state board of  
3 education, state board for community and technical colleges, workforce  
4 training and education coordinating board, (~~higher education~~  
5 ~~coordinating board~~) office of student financial assistance, public  
6 four-year institutions of higher education, and employment security  
7 department shall work with the education data center to develop data-  
8 sharing and research agreements, consistent with applicable security  
9 and confidentiality requirements, to facilitate the work of the center.  
10 Private, nonprofit institutions of higher education that provide  
11 programs of education beyond the high school level leading at least to  
12 the baccalaureate degree and are accredited by the Northwest  
13 association of schools and colleges or their peer accreditation bodies  
14 may also develop data-sharing and research agreements with the  
15 education data center, consistent with applicable security and  
16 confidentiality requirements. The education data center shall make  
17 data from collaborative analyses available to the education agencies  
18 and institutions that contribute data to the education data center to  
19 the extent allowed by federal and state security and confidentiality  
20 requirements applicable to the data of each contributing agency or  
21 institution.

22 **Sec. 250.** RCW 43.105.825 and 2004 c 275 s 62 are each amended to  
23 read as follows:

24 (1) In overseeing the technical aspects of the K-20 network, the  
25 information services board is not intended to duplicate the statutory  
26 responsibilities of the (~~higher education coordinating board~~) office  
27 of student financial assistance, the superintendent of public  
28 instruction, the information services board, the state librarian, or  
29 the governing boards of the institutions of higher education.

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

32 (3) The responsibility to review and approve standards and common  
33 specifications for the network remains the responsibility of the  
34 information services board under RCW 43.105.041.

35 (4) The coordination of telecommunications planning for the common  
36 schools remains the responsibility of the superintendent of public

1 instruction. Except as set forth in RCW 43.105.041(1)(d), the board  
2 may recommend, but not require, revisions to the superintendent's  
3 telecommunications plans.

4 **Sec. 251.** RCW 74.13.570 and 2005 c 93 s 2 are each amended to read  
5 as follows:

6 (1) The department shall establish an oversight committee composed  
7 of staff from the children's administration of the department, the  
8 office of the superintendent of public instruction, the (~~higher~~  
9 ~~education coordinating board~~) office of student financial assistance,  
10 foster youth, former foster youth, foster parents, and advocacy  
11 agencies to develop strategies for maintaining foster children in the  
12 schools they were attending at the time they entered foster care and to  
13 promote opportunities for foster youth to participate in postsecondary  
14 education or training.

15 (2) The duties of the oversight committee shall include, but are  
16 not limited to:

17 (a) Developing strategies for school-based recruitment of foster  
18 homes;

19 (b) Monitoring the progress of current pilot projects that assist  
20 foster children to continue attending the schools they were attending  
21 at the time they entered foster care;

22 (c) Overseeing the expansion of the number of pilot projects;

23 (d) Promoting the use of best practices, throughout the state,  
24 demonstrated by the pilot projects and other programs relating to  
25 maintaining foster children in the schools they were attending at the  
26 time they entered foster care;

27 (e) Informing the legislature of the status of efforts to maintain  
28 foster children in the schools they were attending at the time they  
29 entered foster care;

30 (f) Assessing the scope and nature of statewide need among current  
31 and former foster youth for assistance to pursue and participate in  
32 postsecondary education or training opportunities;

33 (g) Identifying available sources of funding available in the state  
34 for services to former foster youth to pursue and participate in  
35 postsecondary education or training opportunities;

36 (h) Reviewing the effectiveness of activities in the state to

1 support former foster youth to pursue and participate in postsecondary  
2 education or training opportunities;

3 (i) Identifying new activities, or existing activities that should  
4 be modified or expanded, to best meet statewide needs; and

5 (j) Reviewing on an ongoing basis the progress toward improving  
6 educational and vocational outcomes for foster youth.

7 NEW SECTION. **Sec. 252.** The following acts or parts of acts are  
8 each repealed:

9 (1) RCW 28B.15.736 (Washington/Oregon reciprocity tuition and fee  
10 program--Program review) and 1985 c 370 s 72, 1983 c 104 s 2, & 1979 c  
11 80 s 4;

12 (2) RCW 28B.76.010 (Board created) and 1985 c 370 s 1;

13 (3) RCW 28B.76.030 (Purpose) and 2004 c 275 s 1;

14 (4) RCW 28B.76.040 (Members--Appointment) and 2002 c 348 s 1, 2002  
15 c 129 s 1, & 1985 c 370 s 10;

16 (5) 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 (6) RCW 28B.76.060 (Members--Vacancies) and 1985 c 370 s 12;

19 (7) RCW 28B.76.070 (Bylaws--Meetings) and 1985 c 370 s 13;

20 (8) 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 (9) 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 (10) 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 (11) 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 (12) 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 (13) RCW 28B.76.250 (Transfer associate degrees--Work groups--  
35 Implementation--Progress reports) and 2004 c 55 s 2;

36 (14) RCW 28B.76.260 (Statewide system of course equivalency--Work  
37 group) and 2004 c 55 s 3;

1 (15) 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 (16) 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 (17) 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 (18) RCW 28B.76.530 (Board may develop and administer demonstration  
10 projects) and 1989 c 306 s 2; and

11 (19) 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 (3) Administer state and federal financial aid and other assigned  
2 programs through the office of student financial assistance.

3 NEW SECTION. **Sec. 304.** (1) Beginning 2013, and every four years  
4 thereafter, the council shall convene a work group consisting of three  
5 representatives from the four-year institutions of higher education;  
6 three representatives from the community and technical college system;  
7 two faculty representatives, one from a four-year institution of higher  
8 education and one from a community or technical college; and two  
9 student representatives.

10 (2) The work group shall identify and use models of regional  
11 planning and decision making before initiating a statewide planning  
12 process. The work group shall also seek input, when appropriate, from  
13 students, faculty organizations, community and business leaders in the  
14 state, the workforce training and education coordinating board, the  
15 superintendent of public instruction, the independent higher education  
16 institutions, the business sector, labor, members of the legislature,  
17 and the governor.

18 (3) The purpose of the work group is to identify measureable and  
19 feasible goals and priorities for the system of higher education in  
20 Washington for a ten-year period of time and a plan to achieve them.  
21 The plan shall encompass all sectors of higher education, including the  
22 two-year system, workforce training, and the four-year institutions of  
23 higher education. The work group shall also identify strategies for  
24 expanding access, affordability, quality, efficiency, and  
25 accountability among the various institutions of higher education.

26 (4) Every four years by December 15th, beginning December 15, 2013,  
27 the council shall submit an update of the ten-year statewide plan to  
28 the governor and the legislature. The updated plan must reflect the  
29 expectations and policy directions of the legislative higher education  
30 and fiscal committees, and must provide a timely and relevant framework  
31 for the development of future budgets and policy proposals. The  
32 legislature shall, by concurrent resolution, approve or recommend  
33 changes to the updated plan, following public hearings. The council  
34 shall submit the final plan, incorporating legislative changes, to the  
35 governor and the legislature by June of the year in which the  
36 legislature approves the concurrent resolution. The plan shall then

1 become state higher education policy unless legislation is enacted to  
2 alter the policies set forth in the plan.

3 (5) Staff for the work group shall be provided by the council.

4 NEW SECTION. **Sec. 305.** (1) The council shall adopt bylaws and  
5 shall meet at least four times each year and at such other times as  
6 determined by the chair who shall give reasonable prior notice to the  
7 members.

8 (2) All votes on nonprocedural matters must be recorded and the  
9 record must be preserved in a manner that reflects the vote of each  
10 individual member of the council.

11 NEW SECTION. **Sec. 306.** (1) The council may employ an executive  
12 director and may delegate agency management to the executive director.  
13 The executive director shall serve at the pleasure of the council and  
14 shall, under the council's supervision, administer the provisions of  
15 this chapter.

16 (2) The executive director shall, with the approval of the council,  
17 appoint and employ such other employees as may be required for the  
18 proper discharge of the functions of the council.

19 (3) The executive director shall exercise such additional powers,  
20 other than rule making, as may be delegated by the council by  
21 resolution.

22 (4) In fulfilling the duties under this chapter, the council shall  
23 make extensive use of those state agencies with responsibility for  
24 implementing and supporting postsecondary education plans and policies  
25 including, but not limited to, appropriate legislative groups, the  
26 postsecondary education institutions, the office of financial  
27 management, the workforce training and education coordinating board,  
28 the state board for community and technical colleges, and the office of  
29 the superintendent of public instruction and may also employ outside  
30 consulting and service agencies. The council may compensate these  
31 groups and consultants in appropriate ways.

32 NEW SECTION. **Sec. 307.** Members of the council shall be  
33 compensated in accordance with RCW 43.03.240 and shall receive travel  
34 expenses in accordance with RCW 43.03.050 and 43.03.060.

1        NEW SECTION.    **Sec. 308.**    The council may adopt rules as necessary  
2 to implement this chapter.

3        NEW SECTION.    **Sec. 309.**    The council is designated as the state  
4 commission as provided for in section 1202 of the education amendments  
5 of 1972 (P.L. 92-318), as now or hereafter amended; and shall perform  
6 such functions as is necessary to comply with federal directives  
7 pertaining to the provisions of that law.

8        NEW SECTION.    **Sec. 310.**    A new section is added to chapter 41.06  
9 RCW to read as follows:

10        In addition to the exemptions under RCW 41.06.070, the provisions  
11 of this chapter shall not apply in the council for performance and  
12 accountability in higher education to the executive director and one  
13 confidential secretary.

14        **Sec. 311.**    RCW 28B.76.210 and 2010 c 245 s 10 are each amended to  
15 read as follows:

16        (1) ~~((The board shall collaborate with the four-year institutions~~  
17 ~~including the council of presidents, the community and technical~~  
18 ~~college system, and when appropriate the workforce training and~~  
19 ~~education coordinating board, the superintendent of public instruction,~~  
20 ~~and the independent higher educational institutions to identify budget~~  
21 ~~priorities and levels of funding for higher education, including the~~  
22 ~~two and four-year institutions of higher education and state financial~~  
23 ~~aid programs. It is the intent of the legislature that recommendations~~  
24 ~~from the board reflect not merely the sum of budget requests from~~  
25 ~~multiple institutions, but prioritized funding needs for the overall~~  
26 ~~system of higher education.~~

27        (2) ~~By December of each odd-numbered year, the board shall~~  
28 ~~distribute guidelines which outline the board's fiscal priorities to~~  
29 ~~the institutions and the state board for community and technical~~  
30 ~~colleges.~~

31        (a) ~~The institutions and the state board for community and~~  
32 ~~technical colleges shall submit an outline of their proposed operating~~  
33 ~~budgets to the board no later than July 1st of each even-numbered year.~~  
34 ~~Pursuant to guidelines developed by the board, operating budget~~  
35 ~~outlines submitted by the institutions and the state board for~~

1 ~~community and technical colleges after January 1, 2007, shall include~~  
2 ~~all policy changes and enhancements that will be requested by the~~  
3 ~~institutions and the state board for community and technical colleges~~  
4 ~~in their respective biennial budget requests. Operating budget~~  
5 ~~outlines shall include a description of each policy enhancement, the~~  
6 ~~dollar amount requested, and the fund source being requested.~~

7 ~~(b))~~ Capital budget outlines for the two-year institutions shall  
8 be submitted by the state board for community and technical colleges to  
9 the office by August 15th of each even-numbered year, and shall include  
10 the prioritized ranking of the capital projects being requested, a  
11 description of each capital project, and the amount and fund source  
12 being requested.

13 ~~((c))~~ (2) Capital budget outlines for the four-year institutions  
14 must be submitted by each four-year institution to the office by August  
15 15th of each even-numbered year, and must include: The institutions'  
16 priority ranking of the project; the capital budget category within  
17 which the project will be submitted ~~((to the office of financial~~  
18 ~~management))~~ in accordance with RCW 43.88D.010; a description of each  
19 capital project; and the amount and fund source being requested.

20 ~~((d))~~ (3) The office ~~((of financial management))~~ shall reference  
21 these reporting requirements in its budget instructions.

22 ~~((3))~~ (4) The ~~((board))~~ office shall review and evaluate the  
23 operating and capital budget requests from four-year institutions and  
24 the community and technical college system based on how the requests  
25 align with the ~~((board's))~~ budget priorities~~((7))~~ and the missions of  
26 the institutions~~((7 and the statewide strategic master plan for higher~~  
27 ~~education under RCW 28B.76.200))~~.

28 ~~((4) The board shall submit recommendations on the proposed~~  
29 ~~operating budget and priorities to the office of financial management~~  
30 ~~by October 1st of each even-numbered year, and to the legislature by~~  
31 ~~January 1st of each odd-numbered year.))~~

32 (5) The ~~((board's))~~ capital budget recommendations for the  
33 community and technical college system and the four-year institutions  
34 must be submitted to the ~~((office of financial management and to the))~~  
35 legislature by November 15th of each even-numbered year. The  
36 ~~((board's))~~ recommendations for the four-year institutions must include  
37 a single, prioritized list of the major projects that the ~~((board))~~

1 office recommends be funded with state bond and building account  
2 appropriations during the forthcoming fiscal biennium. In developing  
3 this single prioritized list, the (~~board~~) office shall:

4 (a) Seek to identify the combination of projects that will most  
5 cost-effectively achieve the state's goals. These goals include  
6 increasing baccalaureate and graduate degree production, particularly  
7 in high-demand fields; promoting economic development through research  
8 and innovation; providing quality, affordable educational environments;  
9 preserving existing assets; and maximizing the efficient utilization of  
10 instructional space;

11 (b) Be guided by the objective analysis and scoring of capital  
12 budget projects (~~completed by the office of financial management~~)  
13 pursuant to chapter 43.88D RCW;

14 (c) Anticipate (i) that state bond and building account  
15 appropriations continue at the same level during each of the two  
16 subsequent fiscal biennia as has actually been appropriated for the  
17 baccalaureate institutions during the current one; (ii) that major  
18 projects funded for design during a biennium are funded for  
19 construction during the subsequent one before state appropriations are  
20 provided for new major projects; and (iii) that minor health, safety,  
21 code, and preservation projects are funded at the same average level as  
22 in recent biennia before state appropriations are provided for new  
23 major projects.

24 (~~(6) Institutions and the state board for community and technical  
25 colleges shall submit any supplemental budget requests and revisions to  
26 the board at the same time they are submitted to the office of  
27 financial management. The board shall submit recommendations on the  
28 proposed supplemental budget requests to the office of financial  
29 management by November 1st and to the legislature by January 1st.~~)

30 **Sec. 312.** RCW 28B.76.290 and 1993 c 77 s 2 are each amended to  
31 read as follows:

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

1 shall coordinate information and activities with the ((board)) council.  
2 The ((board)) council shall have the following additional  
3 responsibilities:

4 (1) Promote interinstitutional cooperation;

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

11 (3) Establish transfer policies;

12 (4) Adopt rules implementing statutory residency requirements;

13 (5) Develop and administer reciprocity agreements with bordering  
14 states and the province of British Columbia;

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

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

20 ~~((+8))~~ (7) Arbitrate disputes between and among four-year  
21 institutions or between and among four-year institutions and community  
22 colleges at the request of one or more of the institutions involved, or  
23 at the request of the governor, or from a resolution adopted by the  
24 legislature. The decision of the ((board)) council shall be binding on  
25 the participants in the dispute; and

26 ~~((+9))~~ (8) Establish and implement a state system for collecting,  
27 analyzing, and distributing information(~~(+~~

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

31 ~~(11) Make recommendations to increase minority participation, and  
32 monitor and report on the progress of minority participation in higher  
33 education)).~~

34 **Sec. 313.** RCW 28B.76.310 and 2004 c 275 s 15 are each amended to  
35 read as follows:

36 (1) The ((board)) education data center, in consultation with the  
37 house of representatives and senate committees responsible for higher

1 education, the respective fiscal committees of the house of  
2 representatives and senate, (~~the office of financial management,~~) the  
3 state board for community and technical colleges, and the state  
4 institutions of higher education, shall develop standardized methods  
5 and protocols for measuring the undergraduate and graduate educational  
6 costs for the state universities, regional universities, The Evergreen  
7 State College, and community colleges, including but not limited to the  
8 costs of instruction, costs to provide degrees in specific fields, and  
9 costs for precollege remediation.

10 (2) (~~By December 1, 2004, the board must propose a schedule of~~  
11 ~~regular cost study reports intended to meet the information needs of~~  
12 ~~the governor's office and the legislature and the requirements of RCW~~  
13 ~~28B.76.300 and submit the proposed schedule to the higher education and~~  
14 ~~fiscal committees of the house of representatives and the senate for~~  
15 ~~their review.~~

16 (3)) The institutions of higher education, as defined in RCW  
17 28B.10.016, shall participate in the development of cost study methods  
18 and shall provide all necessary data in a timely fashion consistent  
19 with the protocols developed.

20 **Sec. 314.** RCW 28B.10.020 and 2004 c 275 s 47 are each amended to  
21 read as follows:

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

35 **Sec. 315.** RCW 28B.15.460 and 1997 c 5 s 2 are each amended to read  
36 as follows:

1 (1) An institution of higher education shall not grant any waivers  
2 for the purpose of achieving gender equity until the 1991-92 academic  
3 year, and may grant waivers for the purpose of achieving gender equity  
4 in intercollegiate athletic programs as authorized in RCW 28B.15.740,  
5 for the 1991-92 academic year only if the institution's governing board  
6 has adopted a plan for complying with the provisions of RCW 28B.15.455  
7 and submitted the plan to the council for performance and  
8 accountability in higher education ((~~coordinating board~~)).

9 (2)(a) Beginning in the 1992-93 academic year, an institution of  
10 higher education shall not grant any waiver for the purpose of  
11 achieving gender equity in intercollegiate athletic programs as  
12 authorized in RCW 28B.15.740 unless the institution's plan has been  
13 approved by the council for performance and accountability in higher  
14 education ((~~coordinating board~~)).

15 (b) Beginning in the 1999-2000 academic year, an institution that  
16 did not provide, by June 30, 1998, athletic opportunities for an  
17 historically underrepresented gender class at a rate that meets or  
18 exceeds the current rate at which that class participates in high  
19 school athletics in Washington state shall have a new institutional  
20 plan approved by the council for performance and accountability in  
21 higher education ((~~coordinating board~~)) before granting further  
22 waivers.

23 (c) Beginning in the 2003-04 academic year, an institution of  
24 higher education that was not within five percent of the ratio of  
25 undergraduates described in RCW 28B.15.470 by June 30, 2002, shall have  
26 a new plan for achieving gender equity in intercollegiate athletic  
27 programs approved by the council for performance and accountability in  
28 higher education ((~~coordinating board~~)) before granting further  
29 waivers.

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

31 (a) For any institution with an historically underrepresented  
32 gender class described in subsection (2)(b) of this section, provisions  
33 that ensure that by July 1, 2000, the institution shall provide  
34 athletic opportunities for the underrepresented gender class at a rate  
35 that meets or exceeds the current rate at which that class participates  
36 in high school interscholastic athletics in Washington state not to  
37 exceed the point at which the underrepresented gender class is no  
38 longer underrepresented;

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

5 (c) Activities to be undertaken by the institution to increase  
6 participation rates of any underrepresented gender class in  
7 interscholastic and intercollegiate athletics. These activities may  
8 include, but are not limited to: Sponsoring equity conferences,  
9 coaches clinics and sports clinics; and taking a leadership role in  
10 working with athletic conferences to reduce barriers to participation  
11 by those gender classes in interscholastic and intercollegiate  
12 athletics;

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

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

17 **Sec. 316.** RCW 28B.20.130 and 2010 c 51 s 1 are each amended to  
18 read as follows:

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

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

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

26 (3) Establish entrance requirements for students seeking admission  
27 to the university which meet or exceed the standards (~~specified under~~  
28 ~~RCW 28B.76.290(2)~~) adopted by the council for performance and  
29 accountability in higher education. Completion of examinations  
30 satisfactory to the university may be a prerequisite for entrance by  
31 any applicant at the university's discretion. Evidence of completion  
32 of public high schools and other educational institutions whose courses  
33 of study meet the approval of the university may be acceptable for  
34 entrance.

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

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

4 (6) Grant to students such certificates or degrees as recommended  
5 for such students by the faculty. The board, upon recommendation of  
6 the faculty, may also confer honorary degrees upon persons other than  
7 graduates of this university in recognition of their learning or  
8 devotion to literature, art, or science: PROVIDED, That no degree  
9 shall ever be conferred in consideration of the payment of money or the  
10 giving of property of whatsoever kind.

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

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

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

25 (10) Subject to the approval of the council for performance and  
26 accountability in higher education (~~coordinating board pursuant to RCW~~  
27 ~~28B.76.230~~), offer new degree programs, offer off-campus programs,  
28 participate in consortia or centers, contract for off-campus  
29 educational programs, and purchase or lease major off-campus  
30 facilities.

31 (11) To confer honorary degrees upon persons who request an  
32 honorary degree if they were students at the university in 1942 and did  
33 not graduate because they were ordered into an internment camp. The  
34 honorary degree may also be requested by a representative of deceased  
35 persons who meet these requirements. For the purposes of this  
36 subsection, "internment camp" means a relocation center to which  
37 persons were ordered evacuated by Presidential Executive Order 9066,  
38 signed February 19, 1942.



1 departments of the institution and publish the necessary catalogues  
2 thereof.

3 (7) Collect such information as the (~~board~~) council for  
4 performance and accountability in higher education deems desirable as  
5 to the schemes of technical instruction adopted in other parts of the  
6 United States and foreign countries.

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

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

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

15 (11) Establish a department of elementary science and in connection  
16 therewith provide instruction in elementary mathematics, including  
17 elementary trigonometry, elementary mechanics, elementary and  
18 mechanical drawing, and land surveying.

19 (12) Establish a department of agriculture and in connection  
20 therewith provide instruction in physics with special application of  
21 its principles to agriculture, chemistry with special application of  
22 its principles to agriculture, morphology and physiology of plants with  
23 special reference to common grown crops and fungus enemies, morphology  
24 and physiology of the lower forms of animal life, with special  
25 reference to insect pests, morphology and physiology of the higher  
26 forms of animal life and in particular of the horse, cow, sheep, and  
27 swine, agriculture with special reference to the breeding and feeding  
28 of livestock and the best mode of cultivation of farm produce, and  
29 mining and metallurgy, appointing demonstrators in each of these  
30 subjects to superintend the equipment of a laboratory and to give  
31 practical instruction therein.

32 (13) Establish agricultural experiment stations in connection with  
33 the department of agriculture, including at least one in the western  
34 portion of the state, and appoint the officers and prescribe  
35 regulations for their management.

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

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

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

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

21 (18) Receive and expend the money appropriated under the act of  
22 congress approved May 8, 1914, entitled "An Act to provide for  
23 cooperative agricultural extension work between the agricultural  
24 colleges in the several States receiving the benefits of the Act of  
25 Congress approved July 2, 1862, and Acts supplemental thereto and the  
26 United States Department of Agriculture" and organize and conduct  
27 agricultural extension work in connection with the state university in  
28 accordance with the terms and conditions expressed in the acts of  
29 congress.

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

32 (20) Acquire by lease, gift, or otherwise, lands necessary to  
33 further the work of the university or for experimental or  
34 demonstrational purposes.

35 (21) Establish and maintain at least one agricultural experiment  
36 station in an irrigation district to conduct investigational work upon  
37 the principles and practices of irrigational agriculture including the  
38 utilization of water and its relation to soil types, crops, climatic

1 conditions, ditch and drain construction, fertility investigations,  
2 plant disease, insect pests, marketing, farm management, utilization of  
3 fruit by-products, and general development of agriculture under  
4 irrigation conditions.

5 (22) Supervise and control the agricultural experiment station at  
6 Puyallup.

7 (23) Establish and maintain at Wenatchee an agricultural experiment  
8 substation for the purpose of conducting investigational work upon the  
9 principles and practices of orchard culture, spraying, fertilization,  
10 pollenization, new fruit varieties, fruit diseases and pests, by-  
11 products, marketing, management, and general horticultural problems.

12 (24) Accept such gifts, grants, conveyances, devises, and bequests,  
13 whether real or personal property, in trust or otherwise, for the use  
14 or benefit of the university, its colleges, schools, or departments;  
15 and sell, lease or exchange, invest or expend the same or the proceeds,  
16 rents, profits, and income thereof except as limited by the terms of  
17 said gifts, grants, conveyances, bequests, and devises; and adopt  
18 proper rules to govern and protect the receipt and expenditure of the  
19 proceeds of all fees, and the proceeds, rents, profits, and income of  
20 all gifts, grants, conveyances, bequests, and devises.

21 (25) Construct when the board so determines a new foundry and a  
22 mining, physical, technological building, and fabrication shop at the  
23 university, or add to the present foundry and other buildings, in order  
24 that both instruction and research be expanded to include permanent  
25 molding and die casting with a section for new fabricating techniques,  
26 especially for light metals, including magnesium and aluminum; purchase  
27 equipment for the shops and laboratories in mechanical, electrical, and  
28 civil engineering; establish a pilot plant for the extraction of  
29 alumina from native clays and other possible light metal research;  
30 purchase equipment for a research laboratory for technological research  
31 generally; and purchase equipment for research in electronics,  
32 instrumentation, energy sources, plastics, food technology, mechanics  
33 of materials, hydraulics, and similar fields.

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

37 (27) Confer honorary degrees upon persons who request an honorary  
38 degree if they were students at the university in 1942 and did not

1 graduate because they were ordered into an internment camp. The  
2 honorary degree may also be requested by a representative of deceased  
3 persons who meet these requirements. For the purposes of this  
4 subsection, "internment camp" means a relocation center to which  
5 persons were ordered evacuated by Presidential Executive Order 9066,  
6 signed February 19, 1942.

7 **Sec. 319.** RCW 28B.30.500 and 1985 c 370 s 83 are each amended to  
8 read as follows:

9 The board of regents of Washington State University may offer  
10 masters level and doctorate level degrees in technology subject to  
11 review and approval by the council for performance and accountability  
12 in higher education (~~coordinating board~~).

13 **Sec. 320.** RCW 28B.35.120 and 2006 c 263 s 824 are each amended to  
14 read as follows:

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

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

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

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

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

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

1 (6) May acquire real and other property as provided in RCW  
2 28B.10.020, as now or hereafter amended.

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

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

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

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

21 (11) Subject to the approval of the council for performance and  
22 accountability in higher education (~~coordinating board pursuant to RCW~~  
23 ~~28B.76.230~~)), offer new degree programs, offer off-campus programs,  
24 participate in consortia or centers, contract for off-campus  
25 educational programs, and purchase or lease major off-campus  
26 facilities.

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

31 **Sec. 321.** RCW 28B.35.205 and 2010 c 51 s 3 are each amended to  
32 read as follows:

33 (1) In addition to all other powers and duties given to them by  
34 law, Central Washington University, Eastern Washington University, and  
35 Western Washington University are hereby authorized to grant any degree  
36 through the master's degree to any student who has completed a program  
37 of study and/or research in those areas which are determined by the

1 faculty and board of trustees of the college to be appropriate for the  
2 granting of such degree: PROVIDED, That before any degree is  
3 authorized under this section it shall be subject to the review and  
4 approval of the council for performance and accountability in higher  
5 education (~~coordinating board~~)).

6 (2) The board of trustees, upon recommendation of the faculty, may  
7 also confer honorary bachelor's, master's, or doctorate level degrees  
8 upon persons in recognition of their learning or devotion to education,  
9 literature, art, or science. No degree may be conferred in  
10 consideration of the payment of money or the donation of any kind of  
11 property.

12 (3) The board of trustees may also confer honorary degrees upon  
13 persons who request an honorary degree if they were students at the  
14 university in 1942 and did not graduate because they were ordered into  
15 an internment camp. The honorary degree may also be requested by a  
16 representative of deceased persons who meet these requirements. For  
17 the purposes of this subsection, "internment camp" means a relocation  
18 center to which persons were ordered evacuated by Presidential  
19 Executive Order 9066, signed February 19, 1942.

20 **Sec. 322.** RCW 28B.35.215 and 2001 c 252 s 1 are each amended to  
21 read as follows:

22 The board of trustees of Eastern Washington University may offer  
23 applied, but not research, doctorate level degrees in physical therapy  
24 subject to review and approval by the council for performance and  
25 accountability in higher education (~~coordinating board~~)).

26 **Sec. 323.** RCW 28B.38.010 and 2004 c 275 s 55 are each amended to  
27 read as follows:

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

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

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

3 (4) The establishment of any education program at the institute and  
4 the lease, purchase, or construction of any site or facility for the  
5 institute is subject to the approval of the council for performance and  
6 accountability in higher education (~~coordinating board under RCW~~  
7 ~~28B.76.230~~)).

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

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

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

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

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

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

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

29 **Sec. 324.** RCW 28B.40.120 and 2006 c 263 s 825 are each amended to  
30 read as follows:

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

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

35 (2) Shall employ the president of the state college, (~~his~~) the  
36 president's assistants, members of the faculty, and other employees of

1 the institution, who, except as otherwise provided by law, shall hold  
2 their positions, until discharged therefrom by the board for good and  
3 lawful reason.

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

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

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

16 (6) May acquire real and other property as provided in RCW  
17 28B.10.020, as now or hereafter amended.

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

21 (8) May establish, lease, operate, equip and maintain self-  
22 supporting facilities in the manner provided in RCW 28B.10.300 through  
23 28B.10.330, as now or hereafter amended.

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

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

35 (11) Subject to the approval of the council for performance and  
36 accountability in higher education (~~(coordinating board pursuant to RCW~~  
37 ~~28B.76.230))~~), offer new degree programs, offer off-campus programs,

1 participate in consortia or centers, contract for off-campus  
2 educational programs, and purchase or lease major off-campus  
3 facilities.

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

8 **Sec. 325.** RCW 28B.40.206 and 1991 c 58 s 3 are each amended to  
9 read as follows:

10 In addition to all other powers and duties given to them by law,  
11 the board of trustees of The Evergreen State College is hereby  
12 authorized to grant any degree through the master's degree to any  
13 student who has completed a program of study and/or research in those  
14 areas which are determined by the faculty and board of trustees of the  
15 college to be appropriate for the granting of such degree: PROVIDED,  
16 That any degree authorized under this section shall be subject to the  
17 review and approval of the council for performance and accountability  
18 in higher education (~~coordinating board~~).

19 The board of trustees, upon recommendation of the faculty, may also  
20 confer honorary bachelor's or master's degrees upon persons other than  
21 graduates of the institution, in recognition of their learning or  
22 devotion to education, literature, art, or science. No degree may be  
23 conferred in consideration of the payment of money or the donation of  
24 any kind of property.

25 **Sec. 326.** RCW 28B.45.014 and 2005 c 258 s 2 are each amended to  
26 read as follows:

27 (1) The primary mission of the higher education branch campuses  
28 created under this chapter remains to expand access to baccalaureate  
29 and master's level graduate education in underserved urban areas of the  
30 state in collaboration with community and technical colleges. The top  
31 priority for each of the campuses is to expand courses and degree  
32 programs for transfer and graduate students. New degree programs  
33 should be driven by the educational needs and demands of students and  
34 the community, as well as the economic development needs of local  
35 businesses and employers.

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

8 (3) In communities where a private postsecondary institution is  
9 located, representatives of the private institution may be invited to  
10 participate in the conversation about meeting the baccalaureate and  
11 master's level graduate needs in underserved urban areas of the state.

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

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

28 (6) In consultation with the council for performance and  
29 accountability in higher education (~~coordinating board~~), a branch  
30 campus may propose legislation to authorize practice-oriented or  
31 professional doctoral programs if: (a) Unique research facilities and  
32 equipment are located near the campus; or (b) the campus can clearly  
33 demonstrate student and employer demand in the region that is linked to  
34 regional economic development.

35 (7) It is not the legislature's intent to have each campus chart  
36 its own future path without legislative guidance. Instead, the  
37 legislature intends to consider carefully the mission and model of  
38 education that best suits each campus and best meets the needs of

1 students, the community, and the region. The council for performance  
2 and accountability in higher education (~~coordinating board~~) shall  
3 monitor and evaluate the addition of lower division students to the  
4 branch campuses and periodically report and make recommendations to the  
5 higher education committees of the legislature to ensure the campuses  
6 continue to follow the priorities established under this chapter.

7 **Sec. 327.** RCW 28B.45.020 and 2005 c 258 s 3 are each amended to  
8 read as follows:

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

20 (2) At the University of Washington Tacoma, a top priority is  
21 expansion of upper division capacity for transfer students and graduate  
22 capacity and programs. Beginning in the fall of 2006, the campus may  
23 offer lower division courses linked to specific majors in fields not  
24 addressed at local community colleges. The campus shall admit lower  
25 division students through coadmission or coenrollment agreements with  
26 a community college, or through direct transfer for students who have  
27 accumulated approximately one year of transferable college credits. In  
28 addition to offering lower division courses linked to specific majors  
29 as addressed above, the campus may also directly admit freshmen and  
30 sophomores gradually and deliberately in accordance with the campus  
31 plan submitted to the higher education coordinating board in 2004.

32 (3) At the University of Washington Bothell, a top priority is  
33 expansion of upper division capacity for transfer students and graduate  
34 capacity and programs. The campus shall also seek additional  
35 opportunities to collaborate with and maximize its (~~collocation~~  
36 ~~relocation~~) colocation with Cascadia Community College. Beginning  
37 in the fall of 2006, the campus may offer lower division courses linked

1 to specific majors in fields not addressed at local community colleges.  
2 The campus may admit lower division students through coadmission or  
3 coenrollment agreements with a community college, or through direct  
4 transfer for students who have accumulated approximately one year of  
5 transferable college credits. In addition to offering lower division  
6 courses linked to specific majors as addressed above, the campus may  
7 also directly admit freshmen and sophomores gradually and deliberately  
8 in accordance with the campus plan submitted to the higher education  
9 coordinating board in 2004.

10 **Sec. 328.** RCW 28B.45.030 and 2006 c 166 s 1 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 Tri-Cities area, under rules or guidelines adopted by  
15 the council for performance and accountability in higher education  
16 (~~coordinating board~~) and in accordance with proportionality  
17 agreements emphasizing access for transfer students developed with the  
18 state board for community and technical colleges. Washington State  
19 University shall meet that responsibility through the operation of a  
20 branch campus in the Tri-Cities area. The branch campus shall replace  
21 and supersede the Tri-Cities university center. All land, facilities,  
22 equipment, and personnel of the Tri-Cities university center shall be  
23 transferred from the University of Washington to Washington State  
24 University.

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

1 committed to exploring the further expansion of Washington State  
2 University Tri-Cities branch campus into a four-year institution and  
3 considers this issue to be a top priority for the larger Tri-Cities  
4 region.

5 (3) Washington State University Tri-Cities shall continue providing  
6 innovative coadmission and coenrollment options with Columbia Basin  
7 College, and expand its upper division capacity for transfer students  
8 and graduate capacity and programs. The campus shall also seek  
9 additional opportunities to collaborate with the Pacific Northwest  
10 national laboratory. Beginning in the fall of 2006, the campus may  
11 offer lower division courses linked to specific majors in fields not  
12 addressed at local community colleges. The campus may admit lower  
13 division students through coadmission or coenrollment agreements with  
14 a community college, or through direct transfer for students who have  
15 accumulated approximately one year of transferable college credits. In  
16 addition to offering lower division courses linked to specific majors  
17 as addressed above, the campus may also directly admit freshmen and  
18 sophomores for a bachelor's degree program in biotechnology subject to  
19 approval by the council for performance and accountability in higher  
20 education (~~coordinating board~~)).

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

32 (5) Beginning in the fall of 2007, the Washington State University  
33 Tri-Cities branch campus may begin, subject to approval by the council  
34 for performance and accountability in higher education (~~coordinating~~  
35 ~~board~~)), admitting lower-division students directly into programs  
36 beyond the biotechnology field that are identified in its plan as being  
37 in high need in southeastern Washington. Such fields may include but  
38 need not be limited to science, engineering and technology, biomedical

1 sciences, alternative energy, and computational and information  
2 sciences. By gradually and deliberately admitting freshmen and  
3 sophomores in accordance with its plan, increasing transfer enrollment,  
4 and coadmitting transfer students, the campus shall develop into a  
5 four-year institution serving the southeastern Washington region.

6 **Sec. 329.** RCW 28B.45.040 and 2005 c 258 s 5 are each amended to  
7 read as follows:

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

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

26 **Sec. 330.** RCW 28B.45.060 and 1989 1st ex.s. c 7 s 7 are each  
27 amended to read as follows:

28 Central Washington University is responsible for providing upper-  
29 division and graduate level higher education programs to the citizens  
30 of the Yakima area, under rules or guidelines adopted by the council  
31 for performance and accountability in higher education (~~coordinating~~  
32 ~~board~~)).

33 **Sec. 331.** RCW 28B.50.140 and 2010 c 51 s 4 are each amended to  
34 read as follows:

35 Each board of trustees:

- 1           (1) Shall operate all existing community and technical colleges in  
2 its district;
- 3           (2) Shall create comprehensive programs of community and technical  
4 college education and training and maintain an open-door policy in  
5 accordance with the provisions of RCW 28B.50.090(3);
- 6           (3) Shall employ for a period to be fixed by the board a college  
7 president for each community and technical college and, may appoint a  
8 president for the district, and fix their duties and compensation,  
9 which may include elements other than salary. Compensation under this  
10 subsection shall not affect but may supplement retirement, health care,  
11 and other benefits that are otherwise applicable to the presidents as  
12 state employees. The board shall also employ for a period to be fixed  
13 by the board members of the faculty and such other administrative  
14 officers and other employees as may be necessary or appropriate and fix  
15 their salaries and duties. Compensation and salary increases under  
16 this subsection shall not exceed the amount or percentage established  
17 for those purposes in the state appropriations act by the legislature  
18 as allocated to the board of trustees by the state board for community  
19 and technical colleges. The state board for community and technical  
20 colleges shall adopt rules defining the permissible elements of  
21 compensation under this subsection;
- 22           (4) May establish, under the approval and direction of the college  
23 board, new facilities as community needs and interests demand.  
24 However, the authority of boards of trustees to purchase or lease major  
25 off-campus facilities shall be subject to the approval of the council  
26 for performance and accountability in higher education (~~coordinating~~  
27 ~~board pursuant to RCW 28B.76.230~~));
- 28           (5) May establish or lease, operate, equip and maintain  
29 dormitories, food service facilities, bookstores and other self-  
30 supporting facilities connected with the operation of the community and  
31 technical college;
- 32           (6) May, with the approval of the college board, borrow money and  
33 issue and sell revenue bonds or other evidences of indebtedness for the  
34 construction, reconstruction, erection, equipping with permanent  
35 fixtures, demolition and major alteration of buildings or other capital  
36 assets, and the acquisition of sites, rights-of-way, easements,  
37 improvements or appurtenances, for dormitories, food service

1 facilities, and other self-supporting facilities connected with the  
2 operation of the community and technical college in accordance with the  
3 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

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

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

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

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

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

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

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

37 (12) May grant to every student, upon graduation or completion of  
38 a course of study, a suitable diploma, degree, or certificate under the

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

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

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

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

1 (16) Notwithstanding any other provision of law, may offer  
2 educational services on a contractual basis other than the tuition and  
3 fee basis set forth in chapter 28B.15 RCW for a special fee to private  
4 or governmental entities, consistent with rules adopted by the state  
5 board for community and technical colleges: PROVIDED, That the whole  
6 of such special fee shall go to the college district and be not less  
7 than the full instructional costs of such services including any salary  
8 increases authorized by the legislature for community and technical  
9 college employees during the term of the agreement: PROVIDED FURTHER,  
10 That enrollments generated hereunder shall not be counted toward the  
11 official enrollment level of the college district for state funding  
12 purposes;

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

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

33 (19) May participate in higher education centers and consortia that  
34 involve any four-year public or independent college or university:  
35 PROVIDED, That new degree programs or off-campus programs offered by a  
36 four-year public or independent college or university in collaboration  
37 with a community or technical college are subject to approval by the

1 council for performance and accountability in higher education  
2 (~~coordinating board under RCW 28B.76.230~~);

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

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

13 **Sec. 332.** RCW 28B.50.810 and 2010 c 245 s 3 are each amended to  
14 read as follows:

15 (1) The college board may select community or technical colleges to  
16 develop and offer programs of study leading to applied baccalaureate  
17 degrees. Colleges may submit applications to the college board. The  
18 college board and the higher education coordinating board shall review  
19 the applications and select the colleges using objective criteria,  
20 including, but not limited to:

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

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

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

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

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

35 (2) A college selected under this section may develop the  
36 curriculum for and design and deliver courses leading to an applied  
37 baccalaureate degree. However, degree programs developed under this

1 section are subject to approval by the college board under RCW  
2 28B.50.090 and by the council for performance and accountability in  
3 higher education ((~~coordinating board pursuant to RCW 28B.76.230~~))  
4 before a college may enroll students in upper division courses.

5 **Sec. 333.** RCW 28B.65.050 and 1998 c 245 s 22 are each amended to  
6 read as follows:

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

9 (2) The board shall:

10 (a) Determine the specific high-technology occupational fields in  
11 which technical training is needed and advise the institutions of  
12 higher education ((~~and the higher education coordinating board~~)) on  
13 their findings;

14 (b) Identify economic areas and high-technology industries in need  
15 of technical training and research and development critical to economic  
16 development and advise the institutions of higher education ((~~and the~~  
17 ~~higher education coordinating board~~)) on their findings;

18 (c) Oversee and coordinate the Washington high-technology education  
19 and training program to ensure high standards, efficiency, and  
20 effectiveness;

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

24 (e) Work cooperatively with and provide any information or advice  
25 which may be requested by the council for performance and  
26 accountability in higher education ((~~coordinating board~~)) during the  
27 board's review of new baccalaureate degree program proposals which are  
28 submitted under this chapter. Nothing in this chapter shall be  
29 construed as altering or superseding the powers or prerogatives of the  
30 council for performance and accountability in higher education  
31 ((~~coordinating board~~)) over the review of new degree programs as  
32 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. 334.** 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 "Council" means the council for performance and accountability in  
22 higher education.

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

28 (3) "Degree-granting institution" means an entity that offers  
29 educational credentials, instruction, or services prerequisite to or  
30 indicative of an academic or professional degree beyond the secondary  
31 level.

32 **Sec. 335.** RCW 28B.85.020 and 2006 c 234 s 3 are each amended to  
33 read as follows:

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

35 (a) Shall adopt by rule, in accordance with chapter 34.05 RCW,  
36 minimum standards for degree-granting institutions concerning granting

1 of degrees, quality of education, unfair business practices, financial  
2 stability, and other necessary measures to protect citizens of this  
3 state against substandard, fraudulent, or deceptive practices. The  
4 rules shall require that an institution operating in Washington:

5 (i) Be accredited;

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

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

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

12 (b) May investigate any entity the ((~~board~~)) council reasonably  
13 believes to be subject to the jurisdiction of this chapter. In  
14 connection with the investigation, the ((~~board~~)) council may administer  
15 oaths and affirmations, issue subpoenas and compel attendance, take  
16 evidence, and require the production of any books, papers,  
17 correspondence, memorandums, or other records which the ((~~board~~))  
18 council deems relevant or material to the investigation. The ((~~board~~))  
19 council, including its staff and any other authorized persons, may  
20 conduct site inspections, the cost of which shall be borne by the  
21 institution, and examine records of all institutions subject to this  
22 chapter;

23 (c) Shall develop an interagency agreement with the workforce  
24 training and education coordinating board to regulate degree-granting  
25 private vocational schools with respect to degree and nondegree  
26 programs; and

27 (d) Shall develop and disseminate information to the public about  
28 entities that sell or award degrees without requiring appropriate  
29 academic achievement at the postsecondary level, including but not  
30 limited to, a description of the substandard and potentially fraudulent  
31 practices of these entities, and advice about how the public can  
32 recognize and avoid the entities. To the extent feasible, the  
33 information shall include links to additional resources that may assist  
34 the public in identifying specific institutions offering substandard or  
35 fraudulent degree programs.

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

1           **Sec. 336.** 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~~)) council.

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. 337.** 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~~)) council shall periodically review exempted degree-  
26 granting institutions and degree-granting institutions granted a  
27 waiver, and continue exemptions or waivers only if an institution meets  
28 the statutory or ((~~board~~)) council requirements for exemption or waiver  
29 in 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. 338.** 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)) council as the ((board)) council may  
20 require.

21 **Sec. 339.** RCW 28B.85.060 and 1986 c 136 s 6 are each amended to  
22 read as follows:

23 The ((board)) council 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)) council 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. 340.** RCW 28B.85.070 and 1986 c 136 s 7 are each amended to  
29 read as follows:

30 (1) The ((board)) council may require any degree-granting  
31 institution to have on file with the ((board)) council an approved  
32 surety bond or other security in lieu of a bond in an amount determined  
33 by the ((board)) council.

34 (2) In lieu of a surety bond, an institution may deposit with the  
35 ((board)) council a cash deposit or other negotiable security

1 acceptable to the ((~~board~~)) council. The security deposited with the  
2 ((~~board~~)) council in lieu of the surety bond shall be returned to the  
3 institution one year after the institution's authorization has expired  
4 or been revoked if legal action has not been instituted against the  
5 institution or the security deposit at the expiration of the year. The  
6 obligations and remedies relating to surety bonds authorized by this  
7 section, including but not limited to the settlement of claims  
8 procedure in subsection (5) of this section, shall apply to deposits  
9 filed with the ((~~board~~)) council, 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~~)) council's rules adopted under this chapter;

18 (d) Require the surety to give written notice to the ((~~board~~))  
19 council 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 council 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~~)) council another approved surety  
27 bond or other security. The ((~~board~~)) council may suspend or revoke  
28 the authorization at an earlier date if it has reason to believe that  
29 such 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~~)) council 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~~)) council 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~~)) council to ascertain the  
37 names and addresses of all the claimants, the ((~~board~~)) council 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 council's possession. The (~~board~~) council is not liable or  
4 responsible for claims or the handling of claims that may subsequently  
5 appear or be discovered.

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

10 (c) After reviewing the claims, the (~~board~~) council may make  
11 demands upon the bond on behalf of those claimants whose claims have  
12 been filed. The (~~board~~) council 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~~) council  
16 may bring an action on the bond in behalf of the claimants. If an  
17 action is commenced on the bond, the (~~board~~) council may require a  
18 new 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. 341.** RCW 28B.85.080 and 1986 c 136 s 8 are each amended to  
25 read as follows:

26 The (~~board~~) council 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. 342.** 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 council. The complaint shall set forth the alleged violation and shall  
3 contain information required by the ((~~board~~)) council. A complaint may  
4 also be filed with the ((~~board~~)) council by an authorized staff member  
5 of the ((~~board~~)) council or by the attorney general.

6 (2) The ((~~board~~)) council shall investigate any complaint under  
7 this section and may attempt to bring about a settlement. The  
8 ((~~board~~)) council may hold a hearing pursuant to the administrative  
9 procedure act, chapter 34.05 RCW, in order to determine whether a  
10 violation has occurred. If the ((~~board~~)) council prevails, the degree-  
11 granting institution shall pay the costs of the administrative hearing.

12 (3) If, after the hearing, the ((~~board~~)) council finds that the  
13 institution or its agent engaged in or is engaging in any unfair  
14 business practice, the ((~~board~~)) council 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~~)) council finds that the complainant has  
18 suffered loss as a result of the act or practice, the ((~~board~~)) council  
19 may order full or partial restitution for the loss. The complainant is  
20 not bound by the ((~~board's~~)) council's determination of restitution and  
21 may pursue any other legal remedy.

22 **Sec. 343.** 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 ((~~wilfully~~)) 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~~)) council or by any court of competent jurisdiction.

31 **Sec. 344.** 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~~)) council the original or legible true copies of all  
36 educational records required by the ((~~board~~)) council. If the

1 ((board)) council determines that any educational records are in danger  
2 of being made unavailable to the ((board)) council, the ((board))  
3 council may seek a court order to protect and if necessary take  
4 possession of the records. The ((board)) council shall cause to be  
5 maintained a permanent file of educational records coming into its  
6 possession.

7 **Sec. 345.** RCW 28B.85.170 and 1986 c 136 s 17 are each amended to  
8 read as follows:

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

20 **Sec. 346.** RCW 28B.110.030 and 1989 c 341 s 3 are each amended to  
21 read as follows:

22 ((In consultation with)) The institutions of higher education(~~(-~~  
23 ~~the higher education coordinating board))~~) shall develop rules and  
24 guidelines to eliminate possible gender discrimination to students,  
25 including sexual harassment, at institutions of higher education as  
26 defined in RCW 28B.10.016. The rules and guidelines shall include but  
27 not be limited to access to academic programs, student employment,  
28 counseling and guidance services, financial aid, recreational  
29 activities including club sports, and intercollegiate athletics.

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

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

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

1 (c) Provide the same opportunities for advancement to males and  
2 females; and

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

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

8 (3) Counseling and guidance services for students shall be made  
9 available to all students without regard to gender. All academic and  
10 counseling personnel shall be required to stress access to all career  
11 and vocational opportunities to students without regard to gender.

12 (4) All academic programs shall be available to students without  
13 regard to gender.

14 (5) With respect to recreational activities, recreational  
15 activities shall be offered to meet the interests of students.  
16 Institutions which provide the following shall do so with no  
17 disparities based on gender: Equipment and supplies; medical care;  
18 services and insurance; transportation and per diem allowances;  
19 opportunities to receive coaching and instruction; laundry services;  
20 assignment of game officials; opportunities for competition, publicity,  
21 and awards; and scheduling of games and practice times, including use  
22 of courts, gyms, and pools. Each institution which provides showers,  
23 toilets, lockers, or training room facilities for recreational purposes  
24 shall provide comparable facilities for both males and females.

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

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

29 (a) Benefits and services including, but not limited to, equipment  
30 and supplies; medical services; services and insurance; transportation  
31 and per diem allowances; opportunities to receive coaching and  
32 instruction; scholarships and other forms of financial aid;  
33 conditioning programs; laundry services; assignment of game officials;  
34 opportunities for competition, publicity, and awards; and scheduling of  
35 games and practice times, including use of courts, gyms, and pools.  
36 Each institution which provides showers, toilets, lockers, or training  
37 room facilities for athletic purposes shall provide comparable  
38 facilities for both males and females.

1 (b) Opportunities to participate in intercollegiate athletics.  
2 Institutions shall provide equitable opportunities to male and female  
3 students.

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

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

9 **Sec. 347.** RCW 28B.110.040 and 1997 c 5 s 5 are each amended to  
10 read as follows:

11 The (~~executive~~) director of the (~~higher education coordinating~~  
12 ~~board~~) office of financial management, in consultation with the  
13 council of presidents and the state board for community and technical  
14 colleges, shall monitor the compliance by institutions of higher  
15 education with this chapter.

16 (1) The (~~board~~) office of financial management shall establish a  
17 timetable and guidelines for compliance with this chapter.

18 (2) By November 30, 1990, each institution shall submit to the  
19 (~~board~~) office of financial management for approval a plan to comply  
20 with the requirements of RCW 28B.110.030. The plan shall contain  
21 measures to ensure institutional compliance with the provisions of this  
22 chapter by September 30, 1994. If participation in activities, such as  
23 intercollegiate athletics and matriculation in academic programs is not  
24 proportionate to the percentages of male and female enrollment, the  
25 plan should outline efforts to identify barriers to equal participation  
26 and to encourage gender equity in all aspects of college and university  
27 life.

28 (3) (~~The board shall report every four years, beginning December~~  
29 ~~31, 1998, to the governor and the higher education committees of the~~  
30 ~~house of representatives and the senate on institutional efforts to~~  
31 ~~comply with this chapter. The report shall include recommendations on~~  
32 ~~measures to assist institutions with compliance. This report may be~~  
33 ~~combined with the report required 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. 348.**    The following sections are each recodified  
2 as sections in chapter 43.41 RCW.

3        RCW 28B.76.210

4        RCW 28B.76.300

5        RCW 28B.76.310

6        NEW SECTION.    **Sec. 349.**    The following acts or parts of acts are  
7 each repealed:

8        (1) RCW 28B.10.920 (Performance agreements--Generally) and 2008 c  
9 160 s 2;

10       (2) RCW 28B.10.921 (Performance agreements--Contents) and 2008 c  
11 160 s 3;

12       (3) RCW 28B.10.922 (Performance agreements--State committee--  
13 Development of final proposals--Implementation--Updates) and 2008 c 160  
14 s 4;

15       (4) RCW 28B.76.335 (Teacher preparation degree and certificate  
16 programs--Needs assessment) and 2010 c 235 s 507 & 2007 c 396 s 17;

17       (5) RCW 28B.76.340 (Service regions for educator preparation  
18 programs) and 2010 c 235 s 508; and

19       (6) RCW 28B.15.465 (Gender equity--Reports) and 1997 c 5 s 3 & 1989  
20 c 340 s 5.

21       NEW SECTION.    **Sec. 350.**    (1) All powers, duties, and functions of  
22 the higher education coordinating board pertaining to the adoption of  
23 statewide gender equity rules, adoption of minimum college admission  
24 standards, program approval, branch campus expansion, the education  
25 cost study, and the purchase or lease of major off-campus facilities  
26 are transferred to the council for performance and accountability in  
27 higher education.

28       (2)(a) All reports, documents, surveys, books, records, files,  
29 papers, or written material in the possession of the higher education  
30 coordinating board pertaining to the powers, functions, and duties  
31 transferred shall be delivered to the custody of the council for  
32 performance and accountability in higher education. All cabinets,  
33 furniture, office equipment, motor vehicles, and other tangible  
34 property employed by the higher education coordinating board in  
35 carrying out the powers, functions, and duties transferred shall be  
36 made available to the council for performance and accountability in

1 higher education. All funds, credits, or other assets held in  
2 connection with the powers, functions, and duties transferred shall be  
3 assigned to the council for performance and accountability in higher  
4 education.

5 (b) Any appropriations made to the higher education coordinating  
6 board for carrying out the powers, functions, and duties transferred  
7 shall, on the effective date of this section, be transferred and  
8 credited to the council for performance and accountability in higher  
9 education.

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

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

26 (4) All rules and all pending business before the higher education  
27 coordinating board pertaining to the powers, functions, and duties  
28 transferred shall be continued and acted upon by the council for  
29 performance and accountability in higher education. All existing  
30 contracts and obligations shall remain in full force and shall be  
31 performed by the council for performance and accountability in higher  
32 education.

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

36 (6) If apportionments of budgeted funds are required because of the  
37 transfers directed by this section, the director of financial  
38 management shall certify the apportionments to the agencies affected,

1 the state auditor, and the state treasurer. Each of these shall make  
2 the appropriate transfer and adjustments in funds and appropriation  
3 accounts and equipment records in accordance with the certification.

4 **PART III**

5 **WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD**

6 **Sec. 401.** RCW 28B.90.010 and 1993 c 181 s 2 are each amended to  
7 read as follows:

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

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

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

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

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

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

23 (3) "Approved branch campus" means a foreign degree-granting  
24 institution's branch campus that has been approved by the council for  
25 performance and accountability in higher education (~~coordinating~~  
26 ~~board~~) to operate in the state.

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

29 (a) Is either owned and operated directly by a foreign degree-  
30 granting institution or indirectly through a Washington profit or  
31 nonprofit corporation in which the foreign degree-granting institution  
32 is the sole or controlling shareholder or member; and

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

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

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

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

9 (5) (~~"Board"~~) "Council" means the council for performance and  
10 accountability in higher education (~~(coordinating board)~~).

11 **Sec. 402.** RCW 28B.90.020 and 1999 c 85 s 1 are each amended to  
12 read as follows:

13 A foreign degree-granting institution that submits evidence  
14 satisfactory to the (~~board~~) council of its authorized status in its  
15 country of domicile and its intent to establish an educational facility  
16 in the state is entitled to operate a branch campus as defined in RCW  
17 28B.90.010. Upon receipt of the satisfactory evidence, the (~~board~~)  
18 council may certify that the branch campus of the foreign degree-  
19 granting institution is approved to operate in the state under this  
20 chapter, for as long as the foreign degree-granting institution retains  
21 its authorized status in its country of domicile.

22 **Sec. 403.** RCW 28B.90.030 and 1993 c 181 s 4 are each amended to  
23 read as follows:

24 A branch campus of a foreign degree-granting institution previously  
25 found by the (~~board~~) council to be exempt from chapter 28B.85 RCW may  
26 continue to operate in the state. However, within one year of July 25,  
27 1993, the institution shall provide evidence of authorization as  
28 required under RCW 28B.90.020. Upon receipt of the satisfactory  
29 evidence, the (~~board~~) council shall certify that the branch campus of  
30 the foreign degree-granting institution is approved to operate in the  
31 state under this chapter.

32 **Sec. 404.** RCW 28B.76.110 and 2004 c 275 s 5 are each amended to  
33 read as follows:

34 The council for performance and accountability in higher education  
35 (~~(coordinating board)~~) is designated as the state commission as

1 provided for in Section 1202 of the education amendments of 1972  
2 (Public Law 92-318), as now or hereafter amended; and shall perform  
3 such functions as is necessary to comply with federal directives  
4 pertaining to the provisions of such law.

5 **Sec. 405.** RCW 28B.76.320 and 2004 c 275 s 16 are each amended to  
6 read as follows:

7 The (~~board~~) council for performance and accountability in higher  
8 education shall determine and transmit amounts constituting approved  
9 undergraduate and graduate educational costs to the several boards of  
10 regents and trustees of the state institutions of higher education by  
11 November 10 of each even-numbered year.

12 **Sec. 406.** RCW 35.104.020 and 2007 c 251 s 1 are each amended to  
13 read as follows:

14 The definitions in this section apply throughout this chapter  
15 unless the context clearly requires otherwise.

16 (1) "Authority" means a health sciences and services authority  
17 created pursuant to this chapter.

18 (2) "Board" means the governing board of trustees of an authority.

19 (3) "Director" means (~~{the director of}~~) the director of the  
20 (~~higher~~) workforce training and education coordinating board.

21 (4) "Health sciences and services" means biosciences that advance  
22 new therapies and procedures to combat disease and promote public  
23 health.

24 (5) "Local government" means a city, town, or county.

25 (6) "Sponsoring local government" means a city, town, or county  
26 that creates a health sciences and services authority.

27 **Sec. 407.** RCW 35.104.040 and 2010 1st sp.s. c 33 s 2 are each  
28 amended to read as follows:

29 (1) The (~~higher~~) workforce training and education coordinating  
30 board may approve applications submitted by local governments for an  
31 area's designation as a health sciences and services authority under  
32 this chapter. The director must determine the division to review  
33 applications submitted by local governments under this chapter. The  
34 application for designation must be in the form and manner and contain

1 such information as the ((higher)) workforce training and education  
2 coordinating board may prescribe, provided the application:

3 (a) Contains sufficient information to enable the director to  
4 determine the viability of the proposal;

5 (b) Demonstrates that an ordinance or resolution has been passed by  
6 the legislative authority of a local government that delineates the  
7 boundaries of an area that may be designated an authority;

8 (c) Is submitted on behalf of the local government, or, if that  
9 office does not exist, by the legislative body of the local government;

10 (d) Demonstrates that the public funds directed to programs or  
11 facilities in the authority will leverage private sector resources and  
12 contributions to activities to be performed;

13 (e) Provides a plan or plans for the development of the authority  
14 as an entity to advance as a cluster for health sciences education,  
15 health sciences research, biotechnology development, biotechnology  
16 product commercialization, and/or health care services; and

17 (f) Demonstrates that the state has previously provided funds to  
18 health sciences and services programs or facilities in the applicant  
19 city, town, or county.

20 (2) The director must determine the division to develop criteria to  
21 evaluate the application. The criteria must include:

22 (a) The presence of infrastructure capable of spurring development  
23 of the area as a center of health sciences and services;

24 (b) The presence of higher education facilities where undergraduate  
25 or graduate coursework or research is conducted; and

26 (c) The presence of facilities in which health services are  
27 provided.

28 (3) There may be no more than two authorities statewide.

29 (4) An authority may only be created in a county with a population  
30 of less than one million persons and located east of the crest of the  
31 Cascade mountains.

32 (5) The director may reject or approve an application. When  
33 denying an application, the director must specify the application's  
34 deficiencies. The decision regarding such designation as it relates to  
35 a specific local government is final; however, a rejected application  
36 may be resubmitted.

37 (6) Applications are due by December 31, 2010, and must be  
38 processed within sixty days of submission.

1 (7) The director may, at his or her discretion, amend the  
2 boundaries of an authority upon the request of the local government.

3 (8) The ((higher)) workforce training and education coordinating  
4 board may adopt any rules necessary to implement this chapter.

5 (9) The ((higher)) workforce training and education coordinating  
6 board must develop evaluation and performance measures in order to  
7 evaluate the effectiveness of the programs in the authorities that are  
8 funded with public resources. A report to the legislature is due on a  
9 biennial basis beginning December 1, 2009. In addition, the ((higher))  
10 workforce training and education coordinating board must develop  
11 evaluation criteria that enables the local governments to measure the  
12 effectiveness of the program.

13 **Sec. 408.** RCW 43.06.115 and 1998 c 245 s 47 are each amended to  
14 read as follows:

15 (1) The governor may, by executive order, after consultation with  
16 or notification of the executive-legislative committee on economic  
17 development created by chapter . . . (Senate Bill No. 5300), Laws of  
18 1993, declare a community to be a "military impacted area." A  
19 "military impacted area" means a community or communities, as  
20 identified in the executive order, that experience serious social and  
21 economic hardships because of a change in defense spending by the  
22 federal government in that community or communities.

23 (2) If the governor executes an order under subsection (1) of this  
24 section, the governor shall establish a response team to coordinate  
25 state efforts to assist the military impacted community. The response  
26 team may include, but not be limited to, one member from each of the  
27 following agencies: (a) The department of ((community, trade, and  
28 economic development)) commerce; (b) the department of social and  
29 health services; (c) the employment security department; (d) the state  
30 board for community and technical colleges; (e) the ((higher))  
31 workforce training and education coordinating board; and (f) the  
32 department of transportation. The governor may appoint a response team  
33 coordinator. The governor shall seek to actively involve the impacted  
34 community or communities in planning and implementing a response to the  
35 crisis. The governor may seek input or assistance from the community  
36 diversification advisory committee, and the governor may establish task  
37 forces in the community or communities to assist in the coordination

1 and delivery of services to the local community. The state and  
2 community response shall consider economic development, human service,  
3 and training needs of the community or communities impacted.

4 NEW SECTION. **Sec. 409.** (1) All powers, duties, and functions of  
5 the higher education coordinating board pertaining to degree-granting  
6 institutions, approval of health sciences and services authorities, and  
7 the approval of veterans' programs are transferred to the workforce  
8 training and education coordinating board, unless and until the  
9 governor designates an alternate state approving agency for purposes of  
10 approving veterans' programs pursuant to 38 U.S.C. Sec. 3671(a).

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

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

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

33 (3) All employees of the higher education coordinating board  
34 engaged in performing the powers, functions, and duties transferred are  
35 transferred to the jurisdiction of the workforce training and education  
36 coordinating board. All employees classified under chapter 41.06 RCW,  
37 the state civil service law, are assigned to the workforce training and

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

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

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

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

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

28 **PART IV**

29 **MISCELLANEOUS REFERENCES**

30 **Sec. 501.** RCW 9A.60.070 and 2006 c 234 s 2 are each amended to  
31 read as follows:

32 (1) A person is guilty of issuing a false academic credential if  
33 the person knowingly:

34 (a) Grants or awards a false academic credential or offers to grant  
35 or award a false academic credential in violation of this section;

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

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

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

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

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

16 (b) With the intent to:

17 (i) Obtain employment;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24 (5) Knowingly using a false academic credential is a gross  
25 misdemeanor.

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

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

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

34 (2) Expanded function dental auxiliary education and training  
35 programs approved by the commission and the practice as an expanded  
36 function dental auxiliary by students in expanded function dental

1 auxiliary education and training programs approved by the commission,  
2 when acting under the direction and supervision of persons licensed  
3 under chapter 18.29 or 18.32 RCW;

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

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

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

19 The superintendent of public instruction, in consultation with  
20 (~~the higher education coordinating board,~~) the state board for  
21 community and technical colleges(~~(7)~~) and the workforce training and  
22 education coordinating board, shall adopt rules pursuant to chapter  
23 34.05 RCW, to implement the course requirements set forth in RCW  
24 28A.230.090. The rules shall include, as the superintendent deems  
25 necessary, granting equivalencies for and temporary exemptions from the  
26 course requirements in RCW 28A.230.090 and special alterations of the  
27 course requirements in RCW 28A.230.090. In developing such rules the  
28 superintendent shall recognize the relevance of vocational and applied  
29 courses and allow such courses to fulfill in whole or in part the  
30 courses required for graduation in RCW 28A.230.090, as determined by  
31 the high school or school district in accordance with RCW 28A.230.097.  
32 The rules may include provisions for competency testing in lieu of such  
33 courses required for graduation in RCW 28A.230.090 or demonstration of  
34 specific skill proficiency or understanding of concepts through work or  
35 experience.

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

3           (1) The office of the superintendent of public instruction, in  
4 collaboration with the state board for community and technical  
5 colleges, the Washington state apprenticeship and training council, the  
6 workforce training and education coordinating board, (~~the higher  
7 education coordinating board,~~) and the public baccalaureate  
8 institutions, shall report by September 1, 2010, and annually  
9 thereafter to the education and higher education committees of the  
10 legislature regarding participation in dual credit programs. The  
11 report shall include:

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

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

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

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

23           **Sec. 505.** RCW 28A.600.290 and 2009 c 450 s 3 are each amended to  
24 read as follows:

25           (1) The superintendent of public instruction, the state board for  
26 community and technical colleges, (~~the higher education coordinating  
27 board,~~) and the public baccalaureate institutions shall jointly  
28 develop and each adopt rules governing the college in the high school  
29 program. The association of Washington school principals shall be  
30 consulted during the rules development. The rules shall be written to  
31 encourage the maximum use of the program and may not narrow or limit  
32 the enrollment options.

33           (2) College in the high school programs shall each be governed by  
34 a local contract between the district and the institution of higher  
35 education, in compliance with the guidelines adopted by the  
36 superintendent of public instruction, the state board for community and  
37 technical colleges, and the public baccalaureate institutions.

1 (3) The college in the high school program must include the  
2 provisions in this subsection.

3 (a) The high school and institution of higher education together  
4 shall define the criteria for student eligibility. The institution of  
5 higher education may charge tuition fees to participating students.

6 (b) School districts shall report no student for more than one  
7 full-time equivalent including college in the high school courses.

8 (c) The funds received by the institution of higher education may  
9 not be deemed tuition or operating fees and may be retained by the  
10 institution of higher education.

11 (d) Enrollment information on persons registered under this section  
12 must be maintained by the institution of higher education separately  
13 from other enrollment information and may not be included in official  
14 enrollment reports, nor may such persons be considered in any  
15 enrollment statistics that would affect higher education budgetary  
16 determinations.

17 (e) A school district must grant high school credit to a student  
18 enrolled in a program course if the student successfully completes the  
19 course. If no comparable course is offered by the school district, the  
20 school district superintendent shall determine how many credits to  
21 award for the course. The determination shall be made in writing  
22 before the student enrolls in the course. The credits shall be applied  
23 toward graduation requirements and subject area requirements. Evidence  
24 of successful completion of each program course shall be included in  
25 the student's secondary school records and transcript.

26 (f) An institution of higher education must grant college credit to  
27 a student enrolled in a program course if the student successfully  
28 completes the course. The college credit shall be applied toward  
29 general education requirements or major requirements. If no comparable  
30 course is offered by the college, the institution of higher education  
31 at which the teacher of the program course is employed shall determine  
32 how many credits to award for the course and whether the course  
33 fulfills general education or major requirements. Evidence of  
34 successful completion of each program course must be included in the  
35 student's college transcript.

36 (g) Eleventh and twelfth grade students or students who have not  
37 yet received a high school diploma or its equivalent and are eligible

1 to be in the eleventh or twelfth grades may participate in the college  
2 in the high school program.

3 (h) Participating school districts must provide general information  
4 about the college in the high school program to all students in grades  
5 ten, eleven, and twelve and to the parents and guardians of those  
6 students.

7 (i) Full-time and part-time faculty at institutions of higher  
8 education, including adjunct faculty, are eligible to teach program  
9 courses.

10 (4) The definitions in this subsection apply throughout this  
11 section.

12 (a) "Institution of higher education" has the meaning in RCW  
13 28B.10.016 and also includes a public tribal college located in  
14 Washington and accredited by the Northwest commission on colleges and  
15 universities or another accrediting association recognized by the  
16 United States department of education.

17 (b) "Program course" means a college course offered in a high  
18 school under the college in the high school program.

19 **Sec. 506.** RCW 28A.600.310 and 2009 c 450 s 8 are each amended to  
20 read as follows:

21 (1) Eleventh and twelfth grade students or students who have not  
22 yet received the credits required for the award of a high school  
23 diploma and are eligible to be in the eleventh or twelfth grades may  
24 apply to a participating institution of higher education to enroll in  
25 courses or programs offered by the institution of higher education. A  
26 student receiving home-based instruction enrolling in a public high  
27 school for the sole purpose of participating in courses or programs  
28 offered by institutions of higher education shall not be counted by the  
29 school district in any required state or federal accountability  
30 reporting if the student's parents or guardians filed a declaration of  
31 intent to provide home-based instruction and the student received home-  
32 based instruction during the school year before the school year in  
33 which the student intends to participate in courses or programs offered  
34 by the institution of higher education. Students receiving home-based  
35 instruction under chapter 28A.200 RCW and students attending private  
36 schools approved under chapter 28A.195 RCW shall not be required to  
37 meet the student learning goals, obtain a certificate of academic

1 achievement or a certificate of individual achievement to graduate from  
2 high school, or to master the essential academic learning requirements.  
3 However, students are eligible to enroll in courses or programs in  
4 participating universities only if the board of directors of the  
5 student's school district has decided to participate in the program.  
6 Participating institutions of higher education, in consultation with  
7 school districts, may establish admission standards for these students.  
8 If the institution of higher education accepts a secondary school pupil  
9 for enrollment under this section, the institution of higher education  
10 shall send written notice to the pupil and the pupil's school district  
11 within ten days of acceptance. The notice shall indicate the course  
12 and hours of enrollment for that pupil.

13 (2) In lieu of tuition and fees, as defined in RCW 28B.15.020 and  
14 28B.15.041, running start students shall pay to the community or  
15 technical college all other mandatory fees as established by each  
16 community or technical college; and all other institutions of higher  
17 education operating a running start program may charge technology fees.  
18 The fees charged shall be prorated based on credit load.

19 (3) The institutions of higher education must make available fee  
20 waivers for low-income running start students. Each institution must  
21 establish a written policy for the determination of low-income students  
22 before offering the fee waiver. A student shall be considered low  
23 income and eligible for a fee waiver upon proof that the student is  
24 currently qualified to receive free or reduced-price lunch. Acceptable  
25 documentation of low-income status may also include, but is not limited  
26 to, documentation that a student has been deemed eligible for free or  
27 reduced-price lunches in the last five years, or other criteria  
28 established in the institution's policy.

29 (4) The pupil's school district shall transmit to the institution  
30 of higher education an amount per each full-time equivalent college  
31 student at statewide uniform rates for vocational and nonvocational  
32 students. The superintendent of public instruction shall separately  
33 calculate and allocate moneys appropriated for basic education under  
34 RCW 28A.150.260 to school districts for purposes of making such  
35 payments and for granting school districts seven percent thereof to  
36 offset program related costs. The calculations and allocations shall  
37 be based upon the estimated statewide annual average per full-time  
38 equivalent high school student allocations under RCW 28A.150.260,

1 excluding small high school enhancements, and applicable rules adopted  
2 under chapter 34.05 RCW. The superintendent of public instruction(~~(~~  
3 ~~the higher education coordinating board,~~~~)~~) and the state board for  
4 community and technical colleges shall consult on the calculation and  
5 distribution of the funds. The funds received by the institution of  
6 higher education from the school district shall not be deemed tuition  
7 or operating fees and may be retained by the institution of higher  
8 education. A student enrolled under this subsection shall be counted  
9 for the purpose of meeting enrollment targets in accordance with terms  
10 and conditions specified in the omnibus appropriations act.

11 (5) The state board for community and technical colleges, in  
12 collaboration with the other institutions of higher education that  
13 participate in the running start program and the office of the  
14 superintendent of public instruction, shall identify, assess, and  
15 report on alternatives for providing ongoing and adequate financial  
16 support for the program. Such alternatives shall include but are not  
17 limited to student tuition, increased support from local school  
18 districts, and reallocation of existing state financial support among  
19 the community and technical college system to account for differential  
20 running start enrollment levels and impacts. The state board for  
21 community and technical colleges shall report the assessment of  
22 alternatives to the governor and to the appropriate fiscal and policy  
23 committees of the legislature by September 1, 2010.

24 **Sec. 507.** RCW 28A.600.390 and 1994 c 205 s 10 are each amended to  
25 read as follows:

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

33 **Sec. 508.** RCW 28A.700.020 and 2008 c 170 s 102 are each amended to  
34 read as follows:

35 (1) The office of the superintendent of public instruction, in  
36 consultation with the workforce training and education coordinating

1 board, the Washington state apprenticeship and training council, and  
2 the state board for community and technical colleges, shall develop a  
3 list of statewide high-demand programs for secondary career and  
4 technical education. The list shall be developed using the high-demand  
5 list maintained by workforce development councils in consultation with  
6 the employment security department(~~(7)~~) and the high employer demand  
7 programs of study identified by the workforce training and education  
8 coordinating board(~~(7, and the high employer demand programs of study~~  
9 ~~identified by the higher education coordinating board)~~). Local school  
10 districts may recommend additional high-demand programs in consultation  
11 with local career and technical education advisory committees by  
12 submitting evidence of local high demand.

13 (2) As used in this section and in RCW 28A.700.040, 28A.700.050,  
14 and 28A.700.060(~~(7, and section 307 of this act)~~):

15 (a) "High-demand program" means a career and technical education  
16 program that prepares students for either a high employer demand  
17 program of study or a high-demand occupation, or both.

18 (b) "High employer demand program of study" means an apprenticeship  
19 or an undergraduate or graduate certificate or degree program in which  
20 the number of students per year prepared for employment from in-state  
21 programs is substantially fewer than the number of projected job  
22 openings per year in that field, either statewide or in a substate  
23 region.

24 (c) "High-demand occupation" means an occupation with a substantial  
25 number of current or projected employment opportunities.

26 **Sec. 509.** RCW 28A.700.060 and 2008 c 170 s 107 are each amended to  
27 read as follows:

28 (1) The office of the superintendent of public instruction, the  
29 workforce training and education coordinating board, the state board  
30 for community and technical colleges, (~~(the higher education~~  
31 ~~coordinating board,~~) and the council of presidents shall work with  
32 local school districts, workforce education programs in colleges, tech  
33 prep consortia, and four-year institutions of higher education to  
34 develop model career and technical education programs of study as  
35 described by this section.

36 (2) Career and technical education programs of study:

37 (a) Incorporate secondary and postsecondary education elements;

1 (b) Include coherent and rigorous academic content aligned with  
2 state learning standards and relevant career and technical content in  
3 a coordinated, nonduplicative progression of courses that are aligned  
4 with postsecondary education in a related field;

5 (c) Include opportunities for students to earn dual high school and  
6 college credit; and

7 (d) Lead to an industry-recognized credential or certificate at the  
8 postsecondary level, or an associate or baccalaureate degree.

9 (3) During the 2008-09 school year, model career and technical  
10 education programs of study shall be developed for the following  
11 high-demand programs: Construction, health care, and information  
12 technology. Each school year thereafter, the office of the  
13 superintendent of public instruction, the state board for community and  
14 technical colleges, (~~the higher education coordinating board,~~) and  
15 the workforce training and education coordinating board shall select  
16 additional programs of study to develop, with a priority on high-demand  
17 programs as identified under RCW 28A.700.020.

18 **Sec. 510.** RCW 28B.07.040 and 1985 c 370 s 49 are each amended to  
19 read as follows:

20 The authority is authorized and empowered to do the following, on  
21 such terms, with such security and undertakings, subject to such  
22 conditions, and in return for such consideration, as the authority  
23 shall determine in its discretion to be necessary, useful, or  
24 convenient in accomplishing the purposes of this chapter:

25 (1) To (~~promulgate~~) adopt rules in accordance with chapter 34.05  
26 RCW;

27 (2) To adopt an official seal and to alter the same at pleasure;

28 (3) To maintain an office at any place or places as the authority  
29 may designate;

30 (4) To sue and be sued in its own name, and to plead and be  
31 impleaded;

32 (5) To make and execute agreements with participants and others and  
33 all other instruments necessary, useful, or convenient for the  
34 accomplishment of the purposes of this chapter;

35 (6) To provide long-term or short-term financing or refinancing to  
36 participants for project costs, by way of loan, lease, conditional

1 sales contract, mortgage, option to purchase, or other financing or  
2 security device or any such combination;

3 (7) If, in order to provide to participants the financing or  
4 refinancing of project costs described in subsection (6) of this  
5 section, the authority deems it necessary or convenient for it to own  
6 a project or projects or any part of a project or projects, for any  
7 period of time, it may acquire, contract, improve, alter, rehabilitate,  
8 repair, manage, operate, mortgage, subject to a security interest,  
9 lease, sell, or convey the project;

10 (8) To fix, revise from time to time, and charge and collect from  
11 participants and others rates, rents, fees, charges, and repayments as  
12 necessary to fully and timely reimburse the authority for all expenses  
13 incurred by it in providing the financing and refinancing and other  
14 services under this section and for the repayment, when due, of all the  
15 principal of, redemption premium, if any, and interest on all bonds  
16 issued under this chapter to provide the financing, refinancing, and  
17 services;

18 (9) To accept and receive funds, grants, gifts, pledges,  
19 guarantees, mortgages, trust deeds, and other security instruments, and  
20 property from the federal government or the state or other public body,  
21 entity, or agency and from any public or private institution,  
22 association, corporation, or organization, including participants. It  
23 shall not accept or receive from the state or any taxing agency any  
24 money derived from taxes, except money to be devoted to the purposes of  
25 a project of the state or of a taxing agency;

26 (10) To open and maintain a bank account or accounts in one or more  
27 qualified public depositories in this state and to deposit all or any  
28 part of authority funds therein;

29 (11) To employ consulting engineers, architects, attorneys,  
30 accountants, construction and financial experts, superintendents,  
31 managers, an executive director, and such other employees and agents as  
32 may be necessary in its judgment to carry out the purposes of this  
33 chapter, and to fix their compensation;

34 (12) To provide financing or refinancing to two or more  
35 participants for a single project or for several projects in such  
36 combinations as the authority deems necessary, useful, or convenient;

37 (13) To charge to and equitably apportion among participants the

1 administrative costs and expenses incurred in the exercise of the  
2 powers and duties conferred by this chapter;

3 ~~(14) ((To consult with the higher education coordinating board to~~  
4 ~~determine project priorities under the purposes of this chapter; and~~  
5 ~~(15))~~) To do all other things necessary, useful, or convenient to  
6 carry out the purposes of this chapter.

7 In the exercise of any of these powers, the authority shall incur  
8 no expense or liability which shall be an obligation, either general or  
9 special, of the state, or a general obligation of the authority, and  
10 shall pay no expense or liability from funds other than funds of the  
11 authority. Funds of the state shall not be used for such purpose.

12 **Sec. 511.** RCW 28B.10.056 and 2006 c 180 s 2 are each amended to  
13 read as follows:

14 (1) A state priority is established for institutions of higher  
15 education, including community colleges, to encourage growing numbers  
16 of enrollments and degrees in the fields of engineering, technology,  
17 biotechnology, sciences, computer sciences, and mathematics.

18 (2) In meeting this state priority, the legislature understands and  
19 recognizes that the demands of the economic marketplace and the desires  
20 of students are not always on parallel tracks. Therefore, institutions  
21 of higher education shall determine local student demand for programs  
22 in the fields of engineering, technology, biotechnology, sciences,  
23 computer sciences, and mathematics and submit findings and proposed  
24 alternatives to meet demand to the higher education coordinating board  
25 and the legislature by November 1, 2008.

26 (3) While it is understood that these areas of emphasis should not  
27 be the sole focus of institutions of higher education. It is the  
28 intent of the legislature that steady progress in these areas occur.  
29 The ~~((higher education coordinating board))~~ institutions of higher  
30 education and the state board for community and technical colleges  
31 shall track and report progress in the fields of engineering,  
32 technology, biotechnology, sciences, computer sciences, and mathematics  
33 including, but not limited to, the following information:

34 (a) The number of students enrolled in these fields on a biennial  
35 basis;

36 (b) The number of associate, bachelor's, and master's degrees  
37 conferred in these fields on a biennial basis;

1 (c) The amount of expenditures in enrollment and degree programs in  
2 these fields; and

3 (d) The number and type of public-private partnerships established  
4 relating to these fields among institutions of higher education,  
5 including community colleges, and leading corporations in Washington  
6 state.

7 (4) Institutions of higher education, including community colleges,  
8 shall be provided discretion and flexibility in achieving the  
9 objectives under this section. Examples of the types of institutional  
10 programs that may help achieve these objectives include, but are not  
11 limited to, establishment of institutes of technology, new polytechnic-  
12 based institutions, new divisions of existing institutions, and a  
13 flexible array of delivery models, including face-to-face learning,  
14 interactive courses, internet-based offerings, and instruction on main  
15 campuses, branch campuses, and other educational centers.

16 (5) The legislature recognizes the global needs of the economic  
17 marketplace for technologically prepared graduates, and the  
18 relationship between technology industries and higher education.  
19 Institutions of higher education, including community colleges, are  
20 strongly urged to consider science, engineering, and technology program  
21 growth in areas of the state that exhibit a high concentration of  
22 aerospace, biotechnology, and technology industrial presence. Expanded  
23 science and technology programs can gain from the proximity of  
24 experienced and knowledgeable industry leaders, while industry can  
25 benefit from access to new sources of highly trained and educated  
26 graduates.

27 **Sec. 512.** RCW 28B.10.125 and 2000 c 166 s 2 are each amended to  
28 read as follows:

29 (1) Beginning in April 2000, representatives of the public  
30 baccalaureate institutions designated by the council of presidents, in  
31 consultation with representatives of the community and technical  
32 colleges (~~and representatives of the higher education coordinating~~  
33 ~~board~~)), shall convene an interinstitutional group to begin to: (a)  
34 Develop a definition of information and technology literacy; (b)  
35 develop strategies or standards by which to measure the achievement of  
36 information and technology literacy; and (c) develop a financial  
37 assessment of the cost of implementation.

1 (2) The baccalaureate institutions shall provide the house of  
2 representatives and senate committees on higher education with a  
3 progress report in January 2001.

4 (3) By the end of January 2002, the baccalaureate institutions  
5 shall deliver to the house of representatives and senate committees on  
6 higher education a report detailing: (a) The definition of information  
7 and technology literacy; (b) strategies or standards for measurement;  
8 (c) institutionally specific plans for implementation; and (d) an  
9 evaluation of the feasibility of implementation taking into  
10 consideration cost.

11 (4) If the legislature determines that implementation is feasible,  
12 the public baccalaureate institutions shall pilot test strategies to  
13 assess and report on information and technology literacy during the  
14 2002-03 academic year.

15 (5) By the end of January 2004, the institutions shall report to  
16 the house of representatives and senate committees on higher education  
17 the results of the 2002-03 pilot study.

18 (6) Implementation of assessment strategies shall begin in the  
19 academic year 2003-04.

20 ~~((7) The higher education coordinating board shall report results  
21 to the house of representatives and senate committees on higher  
22 education in the 2005 legislative session.))~~

23 **Sec. 513.** RCW 28B.10.682 and 1995 c 310 s 2 are each amended to  
24 read as follows:

25 By June 30, 1996, in consultation with the commission on student  
26 learning, the superintendent of public instruction, the state board of  
27 education, faculty, teachers from institutions of higher education and  
28 high schools, and others as appropriate, ~~((the higher education  
29 coordinating board))~~ shall adopt common definitions of remedial and  
30 precollege material and course work. The definitions adopted by the  
31 board shall be rigorous, challenging students to come to college well  
32 prepared to engage in college and university work, and shall be adopted  
33 by each institution of higher education as defined in RCW 28B.10.016.

34 **Sec. 514.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended  
35 to read as follows:

36 The participation rate used to calculate enrollment levels under

1 RCW 28B.10.776 and 28B.10.782 shall be based on fall enrollment  
2 reported in the higher education enrollment report as maintained by the  
3 office of financial management, fall enrollment as reported in the  
4 management information system of the state board for community and  
5 technical colleges, and the corresponding fall population forecast by  
6 the office of financial management. Formal estimates of the state  
7 participation rates and enrollment levels necessary to fulfill the  
8 requirements of RCW 28B.10.776 and 28B.10.782 shall be determined by  
9 the office of financial management as part of its responsibility to  
10 develop and maintain student enrollment forecasts for colleges and  
11 universities under RCW 43.62.050. Formal estimates of the state  
12 participation rates and enrollment levels required by this section  
13 shall be based on procedures and standards established by a technical  
14 work group consisting of staff from (~~the higher education coordinating~~  
15 ~~board,~~) the public four-year institutions of higher education, the  
16 state board for community and technical colleges, the fiscal and higher  
17 education committees of the house of representatives and the senate,  
18 and the office of financial management. Formal estimates of the state  
19 participation rates and enrollment levels required by this section  
20 shall be submitted to the fiscal committees of the house of  
21 representatives and senate on or before November 15th of each even-  
22 numbered year. (~~The higher education coordinating board shall~~  
23 ~~periodically review the enrollment goals set forth in RCW 28B.10.776~~  
24 ~~and 28B.10.782 and submit recommendations concerning modification of~~  
25 ~~these goals to the governor and to the higher education committees of~~  
26 ~~the house of representatives and the senate.))~~

27 **Sec. 515.** RCW 28B.15.068 and 2009 c 540 s 1 are each amended to  
28 read as follows:

29 (1) Beginning with the 2007-08 academic year and ending with the  
30 2016-17 academic year, tuition fees charged to full-time resident  
31 undergraduate students, except in academic years 2009-10 and 2010-11,  
32 may increase no greater than seven percent over the previous academic  
33 year in any institution of higher education. Annual reductions or  
34 increases in full-time tuition fees for resident undergraduate students  
35 shall be as provided in the omnibus appropriations act, within the  
36 seven percent increase limit established in this section. For academic  
37 years 2009-10 and 2010-11 the omnibus appropriations act may provide

1 tuition increases greater than seven percent. To the extent that state  
2 appropriations combined with tuition and fee revenues are insufficient  
3 to achieve the total per-student funding goals established in  
4 subsection (2) of this section, the legislature may revisit state  
5 appropriations, authorized enrollment levels, and changes in tuition  
6 fees for any given fiscal year.

7 (2) The state shall adopt as its goal total per-student funding  
8 levels, from state appropriations plus tuition and fees, of at least  
9 the sixtieth percentile of total per-student funding at similar public  
10 institutions of higher education in the global challenge states. In  
11 defining comparable per-student funding levels, the office of financial  
12 management shall adjust for regional cost-of-living differences; for  
13 differences in program offerings and in the relative mix of lower  
14 division, upper division, and graduate students; and for accounting and  
15 reporting differences among the comparison institutions. The office of  
16 financial management shall develop a funding trajectory for each four-  
17 year institution of higher education and for the community and  
18 technical college system as a whole that when combined with tuition and  
19 fees revenue allows the state to achieve its funding goal for each  
20 four-year institution and the community and technical college system as  
21 a whole no later than fiscal year 2017. The state shall not reduce  
22 enrollment levels below fiscal year 2007 budgeted levels in order to  
23 improve or alter the per-student funding amount at any four-year  
24 institution of higher education or the community and technical college  
25 system as a whole. The state recognizes that each four-year  
26 institution of higher education and the community and technical college  
27 system as a whole have different funding requirements to achieve  
28 desired performance levels, and that increases to the total per-student  
29 funding amount may need to exceed the minimum funding goal.

30 (3) By September 1st of each year beginning in 2008, the office of  
31 financial management shall report to the governor(~~(, the higher~~  
32 ~~education coordinating board,)~~) and appropriate committees of the  
33 legislature with updated estimates of the total per-student funding  
34 level that represents the sixtieth percentile of funding for comparable  
35 institutions of higher education in the global challenge states, and  
36 the progress toward that goal that was made for each of the public  
37 institutions of higher education.

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

9 (5) During the 2009-10 and the 2010-11 academic years, institutions  
10 of higher education shall include information on their billing  
11 statements notifying students of tax credits available through the  
12 American opportunity tax credit provided in the American recovery and  
13 reinvestment act of 2009.

14 **Sec. 516.** RCW 28B.15.069 and 2005 c 258 s 10 are each amended to  
15 read as follows:

16 (1) The building fee for each academic year shall be a percentage  
17 of total tuition fees. This percentage shall be calculated by the  
18 (~~higher education coordinating board~~) institutions of higher  
19 education and be based on the actual percentage the building fee is of  
20 total tuition for each tuition category in the 1994-95 academic year,  
21 rounded up to the nearest half percent.

22 (2) The governing boards of each institution of higher education,  
23 except for the technical colleges, shall charge to and collect from  
24 each student a services and activities fee. A governing board may  
25 increase the existing fee annually, consistent with budgeting  
26 procedures set forth in RCW 28B.15.045, by a percentage not to exceed  
27 the annual percentage increase in student tuition fees for resident  
28 undergraduate students: PROVIDED, That such percentage increase shall  
29 not apply to that portion of the services and activities fee previously  
30 committed to the repayment of bonded debt. These rate adjustments may  
31 exceed the fiscal growth factor. For the 2003-04 academic year, the  
32 services and activities fee shall be based upon the resident  
33 undergraduate services and activities fee in 2002-03. The services and  
34 activities fee committee provided for in RCW 28B.15.045 may initiate a  
35 request to the governing board for a fee increase.

36 (3) Tuition and services and activities fees consistent with  
37 subsection (2) of this section shall be set by the state board for

1 community and technical colleges for community college summer school  
2 students unless the community college charges fees in accordance with  
3 RCW 28B.15.515.

4 (4) Subject to the limitations of RCW 28B.15.910, each governing  
5 board of a community college may charge such fees for ungraded courses,  
6 noncredit courses, community services courses, and self-supporting  
7 courses as it, in its discretion, may determine, consistent with the  
8 rules of the state board for community and technical colleges.

9 (5) The governing board of a college offering an applied  
10 baccalaureate degree program under RCW 28B.50.810 may charge tuition  
11 fees for those courses above the associate degree level at rates  
12 consistent with rules adopted by the state board for community and  
13 technical colleges, not to exceed tuition fee rates at the regional  
14 universities.

15 **Sec. 517.** RCW 28B.15.730 and 1993 sp.s. c 18 s 27 are each amended  
16 to read as follows:

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

26 **Sec. 518.** RCW 28B.15.734 and 1985 c 370 s 71 are each amended to  
27 read as follows:

28 The (~~(higher education coordinating board)~~) state board for  
29 community and technical colleges and the governing boards of the state  
30 universities, the regional universities, and The Evergreen State  
31 College may enter into an agreement with appropriate officials or  
32 agencies in Oregon to implement the provisions of RCW 28B.15.730  
33 through 28B.15.734.

34 **Sec. 519.** RCW 28B.15.750 and 1993 sp.s. c 18 s 29 are each amended  
35 to read as follows:

1 Subject to the limitations of RCW 28B.15.910, the governing boards  
2 of the state universities, the regional universities, and The Evergreen  
3 State College and the state board for community and technical colleges  
4 may waive all or a portion of the nonresident tuition fees differential  
5 for residents of Idaho, upon completion of and to the extent permitted  
6 by an agreement between the (~~higher education coordinating~~) boards  
7 and appropriate officials and agencies in Idaho granting similar  
8 waivers for residents of the state of Washington.

9 **Sec. 520.** RCW 28B.15.754 and 1987 c 446 s 1 are each amended to  
10 read as follows:

11 The (~~higher education coordinating board~~) state board for  
12 community and technical colleges and the governing boards of the state  
13 universities, the regional universities, and The Evergreen State  
14 College may enter into an agreement with appropriate officials or  
15 agencies in the state of Idaho to implement RCW 28B.15.750 and  
16 28B.15.752. (~~By January 10 of each odd-numbered year, the board shall~~  
17 ~~review the costs and benefits of any agreement entered into under RCW~~  
18 ~~28B.15.750 and shall transmit copies of their review to the governor~~  
19 ~~and the appropriate policy and fiscal committees of the legislature.~~)

20 **Sec. 521.** RCW 28B.15.756 and 1993 sp.s. c 18 s 30 are each amended  
21 to read as follows:

22 Subject to the limitations of RCW 28B.15.910, the governing boards  
23 of the state universities, the regional universities, and The Evergreen  
24 State College and the state board for community and technical colleges  
25 may waive all or a portion of the nonresident tuition fees differential  
26 for residents of the Canadian province of British Columbia, upon  
27 completion of and to the extent permitted by an agreement between the  
28 (~~higher education coordinating~~) boards and appropriate officials and  
29 agencies in the Canadian province of British Columbia providing for  
30 enrollment opportunities for residents of the state of Washington  
31 without payment of tuition or fees in excess of those charged to  
32 residents of British Columbia.

33 **Sec. 522.** RCW 28B.15.758 and 1987 c 446 s 3 are each amended to  
34 read as follows:

35 The (~~higher education coordinating board~~) state board for

1 community and technical colleges and the governing boards of the state  
2 universities, the regional universities, and The Evergreen State  
3 College may enter into an agreement with appropriate officials or  
4 agencies in the Canadian province of British Columbia to implement RCW  
5 28B.15.756. The agreement should provide for a balanced exchange of  
6 enrollment opportunities, without payment of excess tuition or fees,  
7 for residents of the state of Washington or the Canadian province of  
8 British Columbia. (~~By January 10 of each odd-numbered year, the board~~  
9 ~~shall review the costs and benefits of any agreement entered into under~~  
10 ~~RCW 28B.15.756 and shall transmit copies of their review to the~~  
11 ~~governor and the appropriate policy and fiscal committees of the~~  
12 ~~legislature.))~~

13 **Sec. 523.** RCW 28B.20.308 and 2009 c 466 s 2 are each amended to  
14 read as follows:

15 (1) A global Asia institute is created within the Henry M. Jackson  
16 School of International Studies. The mission of the institute is to  
17 promote the understanding of Asia and its interactions with Washington  
18 state and the world. The institute shall host visiting scholars and  
19 policymakers, sponsor programs and learning initiatives, engage in  
20 collaborative research projects, and facilitate broader understanding  
21 and cooperation between the state of Washington and Asia through  
22 general public programs and targeted collaborations with specific  
23 communities in the state.

24 (2) Within existing resources, a global Asia institute advisory  
25 board is established. The director of the Henry M. Jackson School of  
26 International Studies shall appoint members of the advisory board and  
27 determine the advisory board's roles and responsibilities. The board  
28 shall include members representing academia, business, and government.

29 (~~(3) The higher education coordinating board may solicit, accept,~~  
30 ~~receive, and administer federal funds or private funds, in trust or~~  
31 ~~otherwise, and contract with foundations or with for-profit or~~  
32 ~~nonprofit organizations to support the purposes of this section.))~~

33 **Sec. 524.** RCW 28B.20.478 and 2009 c 465 s 1 are each amended to  
34 read as follows:

35 (~~(1)~~) A University of Washington center for human rights is  
36 created. The mission of the center is to expand opportunities for

1 Washington residents to receive a world-class education in human  
2 rights, generate research data and expert knowledge to enhance public  
3 and private policymaking, and become an academic center for human  
4 rights teaching and research in the nation. The center shall align  
5 with the founding principles and philosophies of the United States of  
6 America and engage faculty, staff, and students in service to enhance  
7 the promise of life and liberty as outlined in the Preamble of the  
8 United States Constitution. Key substantive issues for the center  
9 include: The rights of all persons to security against violence; the  
10 rights of immigrants, native Americans, and ethnic or religious  
11 minorities; human rights and the environment; health as a human right;  
12 human rights and trade; the human rights of working people; and women's  
13 rights as human rights. State funds may not be used to support the  
14 center for human rights created in this section.

15 ~~((2) The higher education coordinating board and the University of  
16 Washington may solicit, accept, receive, and administer federal funds  
17 or private funds, in trust or otherwise, and contract with foundations  
18 or with for-profit or nonprofit organizations to support the purposes  
19 of this section.))~~

20 **Sec. 525.** RCW 28B.30.530 and 2010 c 165 s 3 are each amended to  
21 read as follows:

22 (1) The board of regents of Washington State University shall  
23 establish the Washington State University small business development  
24 center.

25 (2) The center shall provide management and technical assistance  
26 including but not limited to training, counseling, and research  
27 services to small businesses throughout the state. The center shall  
28 work with the department of commerce, the state board for community and  
29 technical colleges, ~~((the higher education coordinating board,))~~ the  
30 workforce training and education coordinating board, the employment  
31 security department, the Washington state economic development  
32 commission, associate development organizations, and workforce  
33 development councils to:

34 (a) Integrate small business development centers with other state  
35 and local economic development and workforce development programs;

36 (b) Target the centers' services to small businesses;

1 (c) Tailor outreach and services at each center to the needs and  
2 demographics of entrepreneurs and small businesses located within the  
3 service area;

4 (d) Establish and expand small business development center  
5 satellite offices when financially feasible; and

6 (e) Coordinate delivery of services to avoid duplication.

7 (3) The administrator of the center may contract with other public  
8 or private entities for the provision of specialized services.

9 (4) The small business development center may accept and disburse  
10 federal grants or federal matching funds or other funds or donations  
11 from any source when made, granted, or donated to carry out the  
12 center's purposes. When drawing on funds from the business assistance  
13 account created in RCW 28B.30.531, the center must first use the funds  
14 to make increased management and technical assistance available to  
15 existing small businesses and start-up businesses at satellite offices.  
16 The funds may also be used to develop and expand assistance programs  
17 such as small business planning workshops and small business  
18 counseling.

19 (5) By December 1, 2010, the center shall provide a written  
20 progress report and a final report to the appropriate committees of the  
21 legislature with respect to the requirements in subsection (2) of this  
22 section and the amount and use of funding received through the business  
23 assistance account. The reports must also include data on the number,  
24 location, staffing, and budget levels of satellite offices;  
25 affiliations with community colleges, associate development  
26 organizations or other local organizations; the number, size, and type  
27 of small businesses assisted; and the types of services provided. The  
28 reports must also include information on the outcomes achieved, such as  
29 jobs created or retained, private capital invested, and return on the  
30 investment of state and federal dollars.

31 (6)(a) Subject to the availability of amounts appropriated for this  
32 specific purpose, by December 1, 2010, the center, in conjunction with  
33 the department of commerce, must prepare and present to the governor  
34 and appropriate legislative committees a specific, actionable plan to  
35 increase access to capital and technical assistance to small businesses  
36 and entrepreneurs beginning with the 2011-2013 biennium. In developing  
37 the plan, the center and the department may consult with the Washington

1 state microenterprise association, and with other government,  
2 nonprofit, and private organizations as necessary. The plan must  
3 identify:

4 (i) Existing sources of capital and technical assistance for small  
5 businesses and entrepreneurs;

6 (ii) Critical gaps and barriers to availability of capital and  
7 delivery of technical assistance to small businesses and entrepreneurs;

8 (iii) Workable solutions to filling the gaps and removing barriers  
9 identified in (a)(ii) of this subsection; and

10 (iv) The financial resources and statutory changes necessary to put  
11 the plan into effect beginning with the 2011-2013 biennium.

12 (b) With respect to increasing access to capital, the plan must  
13 identify specific, feasible sources of capital and practical mechanisms  
14 for expanding access to it.

15 (c) The center and the department must include, within the analysis  
16 and recommendations in (a) of this subsection, any specific gaps,  
17 barriers, and solutions related to rural and low-income communities and  
18 small manufacturers interested in exporting.

19 **Sec. 526.** RCW 28B.45.080 and 2004 c 57 s 5 are each amended to  
20 read as follows:

21 The (~~higher education coordinating board~~) state board for  
22 community and technical colleges and the governing boards of the state  
23 universities, the regional universities, and The Evergreen State  
24 College shall adopt performance measures to ensure a collaborative  
25 partnership between the community and technical colleges and the branch  
26 campuses. The partnership shall be one in which the community and  
27 technical colleges prepare students for transfer to the upper-division  
28 programs of the branch campuses and the branch campuses work with  
29 community and technical colleges to enable students to transfer and  
30 obtain degrees efficiently.

31 **Sec. 527.** RCW 28B.65.040 and 1995 c 399 s 29 are each amended to  
32 read as follows:

33 (1) The Washington high-technology coordinating board is hereby  
34 created.

35 (2) The board shall be composed of (~~eighteen~~) seventeen members  
36 as follows:

1 (a) Eleven shall be citizen members appointed by the governor, with  
2 the consent of the senate, for four-year terms. In making the  
3 appointments the governor shall ensure that a balanced geographic  
4 representation of the state is achieved and shall attempt to choose  
5 persons experienced in high-technology fields, including at least one  
6 representative of labor. Any person appointed to fill a vacancy  
7 occurring before a term expires shall be appointed only for the  
8 remainder of that term; and

9 (b) (~~Seven~~) Six of the members shall be as follows: One  
10 representative from each of the state's two research universities, one  
11 representative of the state college and regional universities, the  
12 director for the state system of community and technical colleges or  
13 the director's designee, the superintendent of public instruction or  
14 the superintendent's designee, (~~a representative of the higher  
15 education coordinating board,~~) and the director of the department of  
16 (~~community, trade, and economic development~~) commerce or the  
17 director's designee.

18 (3) Members of the board shall not receive any salary for their  
19 services, but shall be reimbursed for travel expenses under RCW  
20 43.03.050 and 43.03.060 for each day actually spent in attending to  
21 duties as a member of the board.

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

25 **Sec. 528.** RCW 28B.67.010 and 2006 c 112 s 2 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 state board for community and technical  
30 colleges.

31 (2) "Costs of training" and "training costs" means the direct costs  
32 experienced under a contract with a qualified training institution for  
33 formal technical or skill training, including basic skills. "Costs of  
34 training" includes amounts in the contract for costs of instruction,  
35 materials, equipment, rental of class space, marketing, and overhead.  
36 "Costs of training" does not include employee tuition reimbursements

1 unless the tuition reimbursement is specifically included in a  
2 contract.

3 (3) "Participant" means a private employer that, under this  
4 chapter, undertakes a training program with a qualified training  
5 institution.

6 (4) "Qualified training institution" means a public community or  
7 technical college or a private vocational school licensed by ((either))  
8 the workforce training and education coordinating board ((or the higher  
9 education coordinating board)).

10 (5) "Training allowance" and "allowance" means a voucher, credit,  
11 or payment from the board to a participant to cover training costs.

12 (6) "Training program" means a program funded under this chapter at  
13 a qualified training institution.

14 **Sec. 529.** RCW 28B.103.030 and 1994 c 234 s 7 are each amended to  
15 read as follows:

16 (1) Participants in the conditional scholarship program incur an  
17 obligation to repay the conditional scholarship, with interest, unless  
18 they serve in the Washington national guard for one additional year for  
19 each year of conditional scholarship received, under rules adopted by  
20 the office.

21 (2) The entire principal and interest of each yearly repayment  
22 shall be forgiven for each additional year in which a participant  
23 serves in the Washington national guard, under rules adopted by the  
24 office.

25 (3) If a participant elects to repay the conditional scholarship,  
26 the period of repayment shall be four years, with payments accruing  
27 quarterly commencing nine months from the date that the participant  
28 leaves the Washington national guard or withdraws from the institution  
29 of higher education, whichever comes first. The interest rate on the  
30 repayments shall be eight percent per year. Provisions for deferral  
31 and forgiveness shall be determined by the office.

32 (4) The office is responsible for collection of repayments made  
33 under this section. The office shall exercise due diligence in such  
34 collection, maintaining all necessary records to ensure that maximum  
35 repayments are made. Collection and servicing of repayments under this  
36 section shall be pursued using the full extent of law, including wage  
37 garnishment if necessary. The office is responsible to forgive all or

1 parts of such repayments under the criteria established in this  
2 section, and shall maintain all necessary records of forgiven payments.  
3 The office may contract with the (~~higher education coordinating~~  
4 ~~board~~) office of student financial assistance for collection of  
5 repayments under this section.

6 (5) Receipts from the payment of principal or interest paid by or  
7 on behalf of participants shall be deposited with the office and shall  
8 be used to cover the costs of granting the conditional scholarships,  
9 maintaining necessary records, and making collections under subsection  
10 (4) of this section. The office shall maintain accurate records of  
11 these costs, and all receipts beyond those necessary to pay such costs  
12 shall be used to grant conditional scholarships to eligible students.

13 **Sec. 530.** RCW 28C.10.030 and 1994 sp.s. c 9 s 723 are each amended  
14 to read as follows:

15 This chapter does not apply to:

16 (1) Bona fide trade, business, professional, or fraternal  
17 organizations sponsoring educational programs primarily for that  
18 organization's membership or offered by that organization on a no-fee  
19 basis;

20 (2) Entities offering education that is exclusively avocational or  
21 recreational;

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

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

27 (5) Degree-granting programs in compliance with the rules of the  
28 council for performance and accountability in higher education  
29 (~~coordinating board~~);

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

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

36 (8) Entities offering only courses certified by the federal  
37 aviation administration;

1 (9) Barber and cosmetology schools licensed under chapter 18.16  
2 RCW;

3 (10) Entities which only offer courses approved to meet the  
4 continuing education requirements for licensure under chapter 18.04,  
5 18.79, or 48.17 RCW; and

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

8 **Sec. 531.** RCW 28C.10.040 and 1994 c 38 s 5 are each amended to  
9 read as follows:

10 The agency:

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

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

15 (3) May investigate any entity the agency reasonably believes to be  
16 subject to the jurisdiction of this chapter. In connection with the  
17 investigation, the agency may administer oaths and affirmations, issue  
18 subpoenas and compel attendance, take evidence, and require the  
19 production of any books, papers, correspondence, memorandums, or other  
20 records which the agency deems relevant or material to the  
21 investigation. The agency, including its staff and any other  
22 authorized persons, may conduct site inspections and examine records of  
23 all schools subject to this chapter;

24 ~~((4) Shall develop an interagency agreement with the higher  
25 education coordinating board to regulate degree-granting private  
26 vocational schools with respect to degree and nondegree programs.))~~

27 **Sec. 532.** RCW 28C.18.030 and 1996 c 99 s 3 are each amended to  
28 read as follows:

29 The purpose of the board is to provide planning, coordination,  
30 evaluation, monitoring, and policy analysis for the state training  
31 system as a whole, and advice to the governor and legislature  
32 concerning the state training system, in cooperation with the state  
33 training system ~~((and the higher education coordinating board)).~~

34 **Sec. 533.** RCW 28C.18.060 and 2009 c 151 s 6 are each amended to  
35 read as follows:

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

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

6 (2) Advocate for the state training system and for meeting the  
7 needs of employers and the workforce for workforce education and  
8 training;

9 (3) Establish and maintain an inventory of the programs of the  
10 state training system, and related state programs, and perform a  
11 biennial assessment of the vocational education, training, and adult  
12 basic education and literacy needs of the state; identify ongoing and  
13 strategic education needs; and assess the extent to which employment,  
14 training, vocational and basic education, rehabilitation services, and  
15 public assistance services represent a consistent, integrated approach  
16 to meet such needs;

17 (4) Develop and maintain a state comprehensive plan for workforce  
18 training and education, including but not limited to, goals,  
19 objectives, and priorities for the state training system, and review  
20 the state training system for consistency with the state comprehensive  
21 plan. In developing the state comprehensive plan for workforce  
22 training and education, the board shall use, but shall not be limited  
23 to: Economic, labor market, and populations trends reports in office  
24 of financial management forecasts; joint office of financial management  
25 and employment security department labor force, industry employment,  
26 and occupational forecasts; the results of scientifically based  
27 outcome, net-impact and cost-benefit evaluations; the needs of  
28 employers as evidenced in formal employer surveys and other employer  
29 input; and the needs of program participants and workers as evidenced  
30 in formal surveys and other input from program participants and the  
31 labor community;

32 (5) (~~In consultation with the higher education coordinating~~  
33 ~~board,~~) Review and make recommendations to the office of financial  
34 management and the legislature on operating and capital facilities  
35 budget requests for operating agencies of the state training system for  
36 purposes of consistency with the state comprehensive plan for workforce  
37 training and education;

1 (6) Provide for coordination among the different operating agencies  
2 and components of the state training system at the state level and at  
3 the regional level;

4 (7) Develop a consistent and reliable database on vocational  
5 education enrollments, costs, program activities, and job placements  
6 from publicly funded vocational education programs in this state;

7 (8)(a) Establish standards for data collection and maintenance for  
8 the operating agencies of the state training system in a format that is  
9 accessible to use by the board. The board shall require a minimum of  
10 common core data to be collected by each operating agency of the state  
11 training system;

12 (b) Develop requirements for minimum common core data in  
13 consultation with the office of financial management and the operating  
14 agencies of the training system;

15 (9) Establish minimum standards for program evaluation for the  
16 operating agencies of the state training system, including, but not  
17 limited to, the use of common survey instruments and procedures for  
18 measuring perceptions of program participants and employers of program  
19 participants, and monitor such program evaluation;

20 (10) Every two years administer scientifically based outcome  
21 evaluations of the state training system, including, but not limited  
22 to, surveys of program participants, surveys of employers of program  
23 participants, and matches with employment security department payroll  
24 and wage files. Every five years administer scientifically based net-  
25 impact and cost-benefit evaluations of the state training system;

26 (11) In cooperation with the employment security department,  
27 provide for the improvement and maintenance of quality and utility in  
28 occupational information and forecasts for use in training system  
29 planning and evaluation. Improvements shall include, but not be  
30 limited to, development of state-based occupational change factors  
31 involving input by employers and employees, and delineation of skill  
32 and training requirements by education level associated with current  
33 and forecasted occupations;

34 (12) Provide for the development of common course description  
35 formats, common reporting requirements, and common definitions for  
36 operating agencies of the training system;

37 (13) Provide for effectiveness and efficiency reviews of the state  
38 training system;

1 (14) In cooperation with the (~~higher education coordinating~~  
2 ~~board~~) state board for community and technical colleges and the four-  
3 year institutions of higher education, facilitate transfer of credit  
4 policies and agreements between institutions of the state training  
5 system, and encourage articulation agreements for programs encompassing  
6 two years of secondary workforce education and two years of  
7 postsecondary workforce education;

8 (15) In cooperation with the (~~higher education coordinating~~  
9 ~~board~~) state board for community and technical colleges and the four-  
10 year institutions of higher education, facilitate transfer of credit  
11 policies and agreements between private training institutions and  
12 institutions of the state training system;

13 (16) Develop policy objectives for the workforce investment act,  
14 P.L. 105-220, or its successor; develop coordination criteria for  
15 activities under the act with related programs and services provided by  
16 state and local education and training agencies; and ensure that  
17 entrepreneurial training opportunities are available through programs  
18 of each local workforce investment board in the state;

19 (17) Make recommendations to the commission of student assessment,  
20 the state board of education, and the superintendent of public  
21 instruction, concerning basic skill competencies and essential core  
22 competencies for K-12 education. Basic skills for this purpose shall  
23 be reading, writing, computation, speaking, and critical thinking,  
24 essential core competencies for this purpose shall be English, math,  
25 science/technology, history, geography, and critical thinking. The  
26 board shall monitor the development of and provide advice concerning  
27 secondary curriculum which integrates vocational and academic  
28 education;

29 (18) Establish and administer programs for marketing and outreach  
30 to businesses and potential program participants;

31 (19) Facilitate the location of support services, including but not  
32 limited to, child care, financial aid, career counseling, and job  
33 placement services, for students and trainees at institutions in the  
34 state training system, and advocate for support services for trainees  
35 and students in the state training system;

36 (20) Facilitate private sector assistance for the state training  
37 system, including but not limited to: Financial assistance, rotation  
38 of private and public personnel, and vocational counseling;

1 (21) Facilitate the development of programs for school-to-work  
2 transition that combine classroom education and on-the-job training,  
3 including entrepreneurial education and training, in industries and  
4 occupations without a significant number of apprenticeship programs;

5 (22) Include in the planning requirements for local workforce  
6 investment boards a requirement that the local workforce investment  
7 boards specify how entrepreneurial training is to be offered through  
8 the one-stop system required under the workforce investment act, P.L.  
9 105-220, or its successor;

10 (23) Encourage and assess progress for the equitable representation  
11 of racial and ethnic minorities, women, and people with disabilities  
12 among the students, teachers, and administrators of the state training  
13 system. Equitable, for this purpose, shall mean substantially  
14 proportional to their percentage of the state population in the  
15 geographic area served. This function of the board shall in no way  
16 lessen more stringent state or federal requirements for representation  
17 of racial and ethnic minorities, women, and people with disabilities;

18 (24) Participate in the planning and policy development of governor  
19 set-aside grants under P.L. 97-300, as amended;

20 (25) Administer veterans' programs, licensure of private vocational  
21 schools, the job skills program, and the Washington award for  
22 vocational excellence;

23 (26) Allocate funding from the state job training trust fund;

24 (27) Work with the director of (~~community, trade, and economic~~  
25 ~~development~~) the department of commerce and the economic development  
26 commission to ensure coordination among workforce training priorities,  
27 the long-term economic development strategy of the economic development  
28 commission, and economic development and entrepreneurial development  
29 efforts, including but not limited to assistance to industry clusters;

30 (28) Conduct research into workforce development programs designed  
31 to reduce the high unemployment rate among young people between  
32 approximately eighteen and twenty-four years of age. In consultation  
33 with the operating agencies, the board shall advise the governor and  
34 legislature on policies and programs to alleviate the high unemployment  
35 rate among young people. The research shall include disaggregated  
36 demographic information and, to the extent possible, income data for  
37 adult youth. The research shall also include a comparison of the  
38 effectiveness of programs examined as a part of the research conducted

1 in this subsection in relation to the public investment made in these  
2 programs in reducing unemployment of young adults. The board shall  
3 report to the appropriate committees of the legislature by November 15,  
4 2008, and every two years thereafter. Where possible, the data  
5 reported to the legislative committees should be reported in numbers  
6 and in percentages;

7 (29) Adopt rules as necessary to implement this chapter.

8 The board may delegate to the director any of the functions of this  
9 section.

10 **Sec. 534.** RCW 28C.18.132 and 2008 c 258 s 2 are each amended to  
11 read as follows:

12 (1) To the extent funds are appropriated specifically for this  
13 purpose and in partnership with the state board for community and  
14 technical colleges, the board shall convene a work group that includes  
15 representatives from the prosperity partnership, the technology  
16 alliance, (~~the higher education coordinating board,~~) a private career  
17 or vocational school, a four-year public institution of higher  
18 education, the council of faculty representatives, the united faculty  
19 of Washington state, community and technical college faculty, and a  
20 community and technical college student, to take the following actions  
21 related to electronically distributed learning:

22 (a) Identify and evaluate current national private employer  
23 workplace-based educational programs with electronically distributed  
24 learning components provided by public colleges and universities. The  
25 evaluation shall include:

26 (i) A review of the literature and interviews of practitioners  
27 about promising practices and results;

28 (ii) An initial determination of feasibility based on targeted  
29 populations served, subject matter, and level of education;

30 (iii) An overview of technological considerations and adult  
31 learning strategies for distribution of learning to employer sites; and

32 (iv) An overview of cost factors, including shared costs or  
33 coinvestments by public and private partners;

34 (b) Review and, to the extent necessary, establish standards and  
35 best practices regarding electronically distributed learning and  
36 related support services including online help desk support, advising,  
37 mentoring, counseling, and tutoring;

1 (c) Recommend methods to increase student access to electronically  
2 distributed learning programs of study and identify barriers to  
3 programs of study participation and completion;

4 (d) Determine methods to increase the institutional supply and  
5 quality of open course materials, with a focus on the OpenCourseWare  
6 initiative at the Massachusetts Institute of Technology;

7 (e) Recommend methods to increase the availability and use of  
8 digital open textbooks; and

9 (f) Review and report demographic information on electronically  
10 distributed learning programs of study enrollments, retention, and  
11 completions.

12 (2) The board shall work in cooperation with the state board for  
13 community and technical colleges to report the preliminary results of  
14 the studies to the appropriate committees of the legislature by  
15 December 1, 2008, and a final report by December 1, 2009.

16 **Sec. 535.** RCW 28C.18.134 and 2008 c 258 s 3 are each amended to  
17 read as follows:

18 (1) To the extent funds are appropriated specifically for this  
19 purpose, the board shall use a matching fund strategy to select and  
20 evaluate up to eight pilot projects operated by Washington institutions  
21 of higher education. By September 2008, the board shall select up to  
22 eight institutions of higher education as defined in RCW 28B.92.030  
23 including at least four community or technical colleges to develop and  
24 offer a pilot project providing employer workplace-based educational  
25 programs with distance learning components. The board shall convene a  
26 task force that includes representatives from the state board for  
27 community and technical colleges (~~and the higher education~~  
28 ~~coordinating board~~) to select the participant institutions. At a  
29 minimum, the criteria for selecting the educational institutions shall  
30 address:

31 (a) The ability to demonstrate a capacity to make a commitment of  
32 resources to build and sustain a high quality program;

33 (b) The ability to readily engage faculty appropriately qualified  
34 to develop and deliver a high quality curriculum;

35 (c) The ability to demonstrate demand for the proposed program from  
36 a sufficient number of interested employees within its service area to  
37 make the program cost-effective and feasible to operate; and

1 (d) The identification of employers that demonstrate a commitment  
2 to host an on-site program. Employers shall demonstrate their  
3 commitment to provide:

4 (i) Access to educational coursework and educational advice and  
5 support for entry-level and semiskilled workers, including paid and  
6 unpaid release time, and adequate classroom space that is equipped  
7 appropriately for the selected technological distance learning  
8 methodologies to be used;

9 (ii) On-site promotion and encouragement of worker participation,  
10 including employee orientations, peer support and mentoring,  
11 educational tutoring, and career planning;

12 (iii) Allowance of a reasonable level of worker choice in the type  
13 and level of coursework available;

14 (iv) Commitment to work with college partner to ensure the  
15 relevance of coursework to the skill demands and potential career  
16 pathways of the employer host site and other participating employers;

17 (v) Willingness to participate in an evaluation of the pilot to  
18 analyze the net benefit to the employer host site, other employer  
19 partners, the worker-students, and the colleges; and

20 (vi) In firms with union representation, the mandatory  
21 establishment of a labor-management committee to oversee design and  
22 participation.

23 (2) Institutions of higher education may submit an application to  
24 become a pilot college under this section. An institution of higher  
25 education selected as a pilot college shall develop the curriculum for  
26 and design and deliver courses. However, the programs developed under  
27 this section are subject to approval by the state board for technical  
28 and community colleges under RCW 28B.50.090 and by the (~~higher  
29 education coordinating board under RCW 28B.76.230~~) office of financial  
30 management.

31 (3) The board shall evaluate the pilot project and report the  
32 outcomes to students and employers by December 1, 2012.

33 **Sec. 536.** RCW 43.09.440 and 2005 c 385 s 5 are each amended to  
34 read as follows:

35 (1) The board and the state auditor shall collaborate with the  
36 joint legislative audit and review committee regarding performance  
37 audits of state government.

1 (a) The board shall establish criteria for performance audits  
2 consistent with the criteria and standards followed by the joint  
3 legislative audit and review committee. This criteria shall include,  
4 at a minimum, the auditing standards of the United States government  
5 accountability office, as well as legislative mandates and performance  
6 objectives established by state agencies and the legislature. Mandates  
7 include, but are not limited to, agency strategies, timelines, program  
8 objectives, and mission and goals as required in RCW 43.88.090.

9 (b) Using the criteria developed in (a) of this subsection, the  
10 state auditor shall contract for a statewide performance review to be  
11 completed as expeditiously as possible as a preliminary to a draft work  
12 plan for conducting performance audits. The board and the state  
13 auditor shall develop a schedule and common methodology for conducting  
14 these reviews. The purpose of these performance reviews is to identify  
15 those agencies, programs, functions, or activities most likely to  
16 benefit from performance audits and to identify likely areas warranting  
17 early review, taking into account prior performance audits, if any, and  
18 prior fiscal audits.

19 (c) The board and the state auditor shall develop the draft work  
20 plan for performance audits based on input from citizens, state  
21 employees, including front-line employees, state managers, chairs and  
22 ranking members of appropriate legislative committees, the joint  
23 legislative audit and review committee, public officials, and others.  
24 The draft work plan may include a list of agencies, programs, or  
25 systems to be audited on a timeline decided by the board and the state  
26 auditor based on a number of factors including risk, importance, and  
27 citizen concerns. When putting together the draft work plan, there  
28 should be consideration of all audits and reports already required. On  
29 average, audits shall be designed to be completed as expeditiously as  
30 possible.

31 (d) Before adopting the final work plan, the board shall consult  
32 with the legislative auditor and other appropriate oversight and audit  
33 entities to coordinate work plans and avoid duplication of effort in  
34 their planned performance audits of state government agencies. The  
35 board shall defer to the joint legislative audit and review committee  
36 work plan if a similar audit is included on both work plans for  
37 auditing.

1 (e) The state auditor shall contract out for performance audits.  
2 In conducting the audits, agency front-line employees and internal  
3 auditors should be involved.

4 (f) All audits must include consideration of reports prepared by  
5 other government oversight entities.

6 (g) The audits may include:

7 (i) Identification of programs and services that can be eliminated,  
8 reduced, consolidated, or enhanced;

9 (ii) Identification of funding sources to the state agency, to  
10 programs, and to services that can be eliminated, reduced,  
11 consolidated, or enhanced;

12 (iii) Analysis of gaps and overlaps in programs and services and  
13 recommendations for improving, dropping, blending, or separating  
14 functions to correct gaps or overlaps;

15 (iv) Analysis and recommendations for pooling information  
16 technology systems used within the state agency, and evaluation of  
17 information processing and telecommunications policy, organization, and  
18 management;

19 (v) Analysis of the roles and functions of the state agency, its  
20 programs, and its services and their compliance with statutory  
21 authority and recommendations for eliminating or changing those roles  
22 and functions and ensuring compliance with statutory authority;

23 (vi) Recommendations for eliminating or changing statutes, rules,  
24 and policy directives as may be necessary to ensure that the agency  
25 carry out reasonably and properly those functions vested in the agency  
26 by statute;

27 (vii) Verification of the reliability and validity of agency  
28 performance data, self-assessments, and performance measurement systems  
29 as required under RCW 43.88.090;

30 (viii) Identification of potential cost savings in the state  
31 agency, its programs, and its services;

32 (ix) Identification and recognition of best practices;

33 (x) Evaluation of planning, budgeting, and program evaluation  
34 policies and practices;

35 (xi) Evaluation of personnel systems operation and management;

36 (xii) Evaluation of state purchasing operations and management  
37 policies and practices; and

1 (xiii) Evaluation of organizational structure and staffing levels,  
2 particularly in terms of the ratio of managers and supervisors to  
3 nonmanagement personnel.

4 (h) The state auditor must solicit comments on preliminary  
5 performance audit reports from the audited state agency, the office of  
6 the governor, the office of financial management, the board, the chairs  
7 and ranking members of appropriate legislative committees, and the  
8 joint legislative audit and review committee for comment. Comments  
9 must be received within thirty days after receipt of the preliminary  
10 performance audit report unless a different time period is approved by  
11 the state auditor. All comments shall be incorporated into the final  
12 performance audit report. The final performance audit report shall  
13 include the objectives, scope, and methodology; the audit results,  
14 including findings and recommendations; conclusions; and identification  
15 of best practices.

16 (i) The board and the state auditor shall jointly release final  
17 performance audit reports to the governor, the citizens of Washington,  
18 the joint legislative audit and review committee, and the appropriate  
19 standing legislative committees. Final performance audit reports shall  
20 be posted on the internet.

21 (j) For institutions of higher education, performance audits shall  
22 not duplicate, and where applicable, shall make maximum use of existing  
23 audit records, accreditation reviews, and performance measures required  
24 by the office of financial management, the ((higher)) workforce  
25 training and education coordinating board, and nationally or regionally  
26 recognized accreditation organizations including accreditation of  
27 hospitals licensed under chapter 70.41 RCW and ambulatory care  
28 facilities.

29 (2) The citizen board created under RCW 44.75.030 shall be  
30 responsible for performance audits for transportation related agencies  
31 as defined under RCW 44.75.020.

32 **Sec. 537.** RCW 43.43.934 and 2010 1st sp.s. c 7 s 45 are each  
33 amended to read as follows:

34 The director of fire protection shall:

35 (1)(a)(i) With the state board for community and technical  
36 colleges, provide academic, vocational, and field training programs for  
37 the fire service; and (ii) with the ((higher education coordinating

1 ~~board and~~) the state colleges and universities, provide instructional  
2 programs requiring advanced training, especially in command and  
3 management skills;

4 (b) Cooperate with the common schools, technical and community  
5 colleges, institutions of higher education, and any department or  
6 division of the state, or of any county or municipal corporation in  
7 establishing and maintaining instruction in fire service training and  
8 education in accordance with any act of congress and legislation  
9 enacted by the legislature in pursuance thereof and in establishing,  
10 building, and operating training and education facilities.

11 Industrial fire departments and private fire investigators may  
12 participate in training and education programs under this chapter for  
13 a reasonable fee established by rule;

14 (c) Develop and adopt a master plan for constructing, equipping,  
15 maintaining, and operating necessary fire service training and  
16 education facilities subject to the provisions of chapter 43.19 RCW;

17 (d) Develop and adopt a master plan for the purchase, lease, or  
18 other acquisition of real estate necessary for fire service training  
19 and education facilities in a manner provided by law; and

20 (e) Develop and adopt a plan with a goal of providing firefighter  
21 one and wildland training to all firefighters in the state. Wildland  
22 training reimbursement will be provided if a fire protection district  
23 or a city fire department has and is fulfilling their interior attack  
24 policy or if they do not have an interior attack policy. The plan will  
25 include a reimbursement for fire protection districts and city fire  
26 departments of not less than three dollars for every hour of  
27 firefighter one or wildland training. The Washington state patrol  
28 shall not provide reimbursement for more than two hundred hours of  
29 firefighter one or wildland training for each firefighter trained.

30 (2)(a) Promote mutual aid and disaster planning for fire services  
31 in this state;

32 (b) Assure the dissemination of information concerning the amount  
33 of fire damage including that damage caused by arson, and its causes  
34 and prevention; and

35 (c) Implement any legislation enacted by the legislature to meet  
36 the requirements of any acts of congress that apply to this section.

37 (3) In carrying out its statutory duties, the office of the state  
38 fire marshal shall give particular consideration to the appropriate

1 roles to be played by the state and by local jurisdictions with fire  
2 protection responsibilities. Any determinations on the division of  
3 responsibility shall be made in consultation with local fire officials  
4 and their representatives.

5 To the extent possible, the office of the state fire marshal shall  
6 encourage development of regional units along compatible geographic,  
7 population, economic, and fire risk dimensions. Such regional units  
8 may serve to: (a) Reinforce coordination among state and local  
9 activities in fire service training, reporting, inspections, and  
10 investigations; (b) identify areas of special need, particularly in  
11 smaller jurisdictions with inadequate resources; (c) assist the state  
12 in its oversight responsibilities; (d) identify funding needs and  
13 options at both the state and local levels; and (e) provide models for  
14 building local capacity in fire protection programs.

15 **Sec. 538.** RCW 43.43.938 and 2010 1st sp.s. c 7 s 46 are each  
16 amended to read as follows:

17 (1) Wherever the term state fire marshal appears in the Revised  
18 Code of Washington or the Washington Administrative Code it shall mean  
19 the director of fire protection.

20 (2) The chief of the Washington state patrol shall appoint an  
21 officer who shall be known as the director of fire protection.

22 (3) The director of fire protection may designate one or more  
23 deputies and may delegate to those deputies his or her duties and  
24 authorities as deemed appropriate.

25 (4) The director of fire protection shall prepare a biennial budget  
26 pertaining to fire protection services. Such biennial budget shall be  
27 submitted as part of the Washington state patrol's budget request.

28 (5) The director of fire protection, shall implement and  
29 administer, within constraints established by budgeted resources, all  
30 duties of the chief of the Washington state patrol that are to be  
31 carried out through the director of fire protection, and all of the  
32 duties of the director of fire protection. Such administration shall  
33 include negotiation of agreements with the state board for community  
34 and technical colleges(~~(, the higher education coordinating board,~~)  
35 and the state colleges and universities as provided in RCW 43.43.934.  
36 Programs covered by such agreements shall include, but not be limited  
37 to, planning curricula, developing and delivering instructional

1 programs and materials, and using existing instructional personnel and  
2 facilities. Where appropriate, such contracts shall also include  
3 planning and conducting instructional programs at the state fire  
4 service training center.

5 **Sec. 539.** RCW 43.60A.151 and 2007 c 451 s 3 are each amended to  
6 read as follows:

7 (1) The department shall assist veterans enrolled in the veterans  
8 conservation corps with obtaining employment in conservation programs  
9 and projects that restore Washington's natural habitat, maintain and  
10 steward local, state, and federal forest lands and other outdoor lands,  
11 maintain and improve urban and suburban storm water management  
12 facilities and other water management facilities, and other  
13 environmental maintenance, stewardship, and restoration projects. The  
14 department shall consult with the workforce training and education  
15 coordinating board, the state board for community and technical  
16 colleges, (~~the higher education coordinating board,~~) the employment  
17 security department, and other state agencies administering  
18 conservation corps programs, to incorporate training, education, and  
19 certification in environmental restoration and management fields into  
20 the program. The department may enter into agreements with community  
21 colleges, private schools, state or local agencies, or other entities  
22 to provide training and educational courses as part of the enrollee  
23 benefits from the program.

24 (2) The department may receive gifts, grants, federal funds, or  
25 other moneys from public or private sources, for the use and benefit of  
26 the veterans conservation corps program. The funds shall be deposited  
27 to the veterans conservation corps account created in RCW 43.60A.153.

28 (3) The department shall submit a report to the appropriate  
29 committees of the legislature by December 1, 2008, on the status of the  
30 veterans conservation corps program, including the number of enrollees  
31 employed in projects, training provided, certifications earned,  
32 employment placements achieved, program funding provided from all  
33 sources, and the results of the pilot project authorized in section 4,  
34 chapter 451, Laws of 2007.

35 **Sec. 540.** RCW 43.88.090 and 2005 c 386 s 2 are each amended to  
36 read as follows:

1 (1) For purposes of developing budget proposals to the legislature,  
2 the governor shall have the power, and it shall be the governor's duty,  
3 to require from proper agency officials such detailed estimates and  
4 other information in such form and at such times as the governor shall  
5 direct. The governor shall communicate statewide priorities to  
6 agencies for use in developing biennial budget recommendations for  
7 their agency and shall seek public involvement and input on these  
8 priorities. The estimates for the legislature and the judiciary shall  
9 be transmitted to the governor and shall be included in the budget  
10 without revision. The estimates for state pension contributions shall  
11 be based on the rates provided in chapter 41.45 RCW. Copies of all  
12 such estimates shall be transmitted to the standing committees on ways  
13 and means of the house and senate at the same time as they are filed  
14 with the governor and the office of financial management.

15 The estimates shall include statements or tables which indicate, by  
16 agency, the state funds which are required for the receipt of federal  
17 matching revenues. The estimates shall be revised as necessary to  
18 reflect legislative enactments and adopted appropriations and shall be  
19 included with the initial biennial allotment submitted under RCW  
20 43.88.110. The estimates must reflect that the agency considered any  
21 alternatives to reduce costs or improve service delivery identified in  
22 the findings of a performance audit of the agency by the joint  
23 legislative audit and review committee. Nothing in this subsection  
24 requires performance audit findings to be published as part of the  
25 budget.

26 (2) Each state agency shall define its mission and establish  
27 measurable goals for achieving desirable results for those who receive  
28 its services and the taxpayers who pay for those services. Each agency  
29 shall also develop clear strategies and timelines to achieve its goals.  
30 This section does not require an agency to develop a new mission or  
31 goals in place of identifiable missions or goals that meet the intent  
32 of this section. The mission and goals of each agency must conform to  
33 statutory direction and limitations.

34 (3) For the purpose of assessing activity performance, each state  
35 agency shall establish quality and productivity objectives for each  
36 major activity in its budget. The objectives must be consistent with  
37 the missions and goals developed under this section. The objectives  
38 must be expressed to the extent practicable in outcome-based,

1 objective, and measurable form unless an exception to adopt a different  
2 standard is granted by the office of financial management and approved  
3 by the legislative committee on performance review. Objectives must  
4 specifically address the statutory purpose or intent of the program or  
5 activity and focus on data that measure whether the agency is achieving  
6 or making progress toward the purpose of the activity and toward  
7 statewide priorities. The office of financial management shall provide  
8 necessary professional and technical assistance to assist state  
9 agencies in the development of strategic plans that include the mission  
10 of the agency and its programs, measurable goals, strategies, and  
11 performance measurement systems.

12 (4) Each state agency shall adopt procedures for and perform  
13 continuous self-assessment of each activity, using the mission, goals,  
14 objectives, and measurements required under subsections (2) and (3) of  
15 this section. The assessment of the activity must also include an  
16 evaluation of major information technology systems or projects that may  
17 assist the agency in achieving or making progress toward the activity  
18 purpose and statewide priorities. The evaluation of proposed major  
19 information technology systems or projects shall be in accordance with  
20 the standards and policies established by the information services  
21 board. Agencies' progress toward the mission, goals, objectives, and  
22 measurements required by subsections (2) and (3) of this section is  
23 subject to review as set forth in this subsection.

24 (a) The office of financial management shall regularly conduct  
25 reviews of selected activities to analyze whether the objectives and  
26 measurements submitted by agencies demonstrate progress toward  
27 statewide results.

28 (b) The office of financial management shall consult with the  
29 (~~higher education coordinating board and the~~) state board for  
30 community and technical colleges in those reviews that involve  
31 (~~institutions of higher education~~) community and technical colleges.

32 (c) The goal is for all major activities to receive at least one  
33 review each year.

34 (d) The office of financial management shall consult with the  
35 information services board when conducting reviews of major information  
36 technology systems in use by state agencies. The goal is that reviews  
37 of these information technology systems occur periodically.

1           (5) It is the policy of the legislature that each agency's budget  
2 recommendations must be directly linked to the agency's stated mission  
3 and program, quality, and productivity goals and objectives.  
4 Consistent with this policy, agency budget proposals must include  
5 integration of performance measures that allow objective determination  
6 of an activity's success in achieving its goals. When a review under  
7 subsection (4) of this section or other analysis determines that the  
8 agency's objectives demonstrate that the agency is making insufficient  
9 progress toward the goals of any particular program or is otherwise  
10 underachieving or inefficient, the agency's budget request shall  
11 contain proposals to remedy or improve the selected programs. The  
12 office of financial management shall develop a plan to merge the budget  
13 development process with agency performance assessment procedures. The  
14 plan must include a schedule to integrate agency strategic plans and  
15 performance measures into agency budget requests and the governor's  
16 budget proposal over three fiscal biennia. The plan must identify  
17 those agencies that will implement the revised budget process in the  
18 1997-1999 biennium, the 1999-2001 biennium, and the 2001-2003 biennium.  
19 In consultation with the legislative fiscal committees, the office of  
20 financial management shall recommend statutory and procedural  
21 modifications to the state's budget, accounting, and reporting systems  
22 to facilitate the performance assessment procedures and the merger of  
23 those procedures with the state budget process. The plan and  
24 recommended statutory and procedural modifications must be submitted to  
25 the legislative fiscal committees by September 30, 1996.

26           (6) In reviewing agency budget requests in order to prepare the  
27 governor's biennial budget request, the office of financial management  
28 shall consider the extent to which the agency's activities demonstrate  
29 progress toward the statewide budgeting priorities, along with any  
30 specific review conducted under subsection (4) of this section.

31           (7) In the year of the gubernatorial election, the governor shall  
32 invite the governor-elect or the governor-elect's designee to attend  
33 all hearings provided in RCW 43.88.100; and the governor shall furnish  
34 the governor-elect or the governor-elect's designee with such  
35 information as will enable the governor-elect or the governor-elect's  
36 designee to gain an understanding of the state's budget requirements.  
37 The governor-elect or the governor-elect's designee may ask such  
38 questions during the hearings and require such information as the

1 governor-elect or the governor-elect's designee deems necessary and may  
2 make recommendations in connection with any item of the budget which,  
3 with the governor-elect's reasons therefor, shall be presented to the  
4 legislature in writing with the budget document. Copies of all such  
5 estimates and other required information shall also be submitted to the  
6 standing committees on ways and means of the house and senate.

7 **Sec. 541.** RCW 43.88D.010 and 2010 c 245 s 9 are each amended to  
8 read as follows:

9 (1) By October 1st of each even-numbered year, the office of  
10 financial management shall complete an objective analysis and scoring  
11 of all capital budget projects proposed by the public four-year  
12 institutions of higher education and submit the results of the scoring  
13 process to the legislative fiscal committees(~~(, the higher education~~  
14 ~~coordinating board,~~)) and the four-year institutions. Each project  
15 must be reviewed and scored within one of the following categories,  
16 according to the project's principal purpose. Each project may be  
17 scored in only one category. The categories are:

18 (a) Access-related projects to accommodate enrollment growth at  
19 main and branch campuses, at existing or new university centers, or  
20 through distance learning. Growth projects should provide significant  
21 additional student capacity. Proposed projects must demonstrate that  
22 they are based on solid enrollment demand projections, more  
23 cost-effectively provide enrollment access than alternatives such as  
24 university centers and distance learning, and make cost-effective use  
25 of existing and proposed new space;

26 (b) Projects that replace failing permanent buildings. Facilities  
27 that cannot be economically renovated are considered replacement  
28 projects. New space may be programmed for the same or a different use  
29 than the space being replaced and may include additions to improve  
30 access and enhance the relationship of program or support space;

31 (c) Projects that renovate facilities to restore building life and  
32 upgrade space to meet current program requirements. Renovation  
33 projects should represent a complete renovation of a total facility or  
34 an isolated wing of a facility. A reasonable renovation project should  
35 cost between sixty to eighty percent of current replacement value and  
36 restore the renovated area to at least twenty-five years of useful

1 life. New space may be programmed for the same or a different use than  
2 the space being renovated and may include additions to improve access  
3 and enhance the relationship of program or support space;

4 (d) Major stand-alone campus infrastructure projects;

5 (e) Projects that promote economic growth and innovation through  
6 expanded research activity. The acquisition and installation of  
7 specialized equipment is authorized under this category; and

8 (f) Other project categories as determined by the office of  
9 financial management in consultation with the legislative fiscal  
10 committees.

11 (2) The office of financial management, in consultation with the  
12 legislative fiscal committees, shall establish a scoring system and  
13 process for each four-year project category that is based on the  
14 framework used in the community and technical college system of  
15 prioritization. Staff from the state board for community and technical  
16 colleges(~~(, the higher education coordinating board,)~~) and the four-  
17 year institutions shall provide technical assistance on the development  
18 of a scoring system and process.

19 (3) The office of financial management shall consult with the  
20 legislative fiscal committees in the scoring of four-year institution  
21 project proposals, and may also solicit participation by independent  
22 experts.

23 (a) For each four-year project category, the scoring system must,  
24 at a minimum, include an evaluation of enrollment trends,  
25 reasonableness of cost, the ability of the project to enhance specific  
26 strategic master plan goals, age and condition of the facility if  
27 applicable, and impact on space utilization.

28 (b) Each four-year project category may include projects at the  
29 predesign, design, or construction funding phase.

30 (c) To the extent possible, the objective analysis and scoring  
31 system of all capital budget projects shall occur within the context of  
32 any and all performance agreements between the office of financial  
33 management and the governing board of a public, four-year institution  
34 of higher education that aligns goals, priorities, desired outcomes,  
35 flexibility, institutional mission, accountability, and levels of  
36 resources.

37 (4) In evaluating and scoring four-year institution projects, the

1 office of financial management shall take into consideration project  
2 schedules that result in realistic, balanced, and predictable  
3 expenditure patterns over the ensuing three biennia.

4 (5) The office of financial management shall distribute common  
5 definitions, the scoring system, and other information required for the  
6 project proposal and scoring process as part of its biennial budget  
7 instructions. The office of financial management, in consultation with  
8 the legislative fiscal committees, shall develop common definitions  
9 that four-year institutions must use in developing their project  
10 proposals and lists under this section.

11 (6) In developing any scoring system for capital projects proposed  
12 by the four-year institutions, the office of financial management:

13 (a) Shall be provided with all required information by the four-  
14 year institutions as deemed necessary by the office of financial  
15 management;

16 (b) May utilize independent services to verify, sample, or evaluate  
17 information provided to the office of financial management by the four-  
18 year institutions; and

19 (c) Shall have full access to all data maintained by the higher  
20 education coordinating board and the joint legislative audit and review  
21 committee concerning the condition of higher education facilities.

22 (7) By August 1st of each even-numbered year each public four-year  
23 higher education institution shall prepare and submit prioritized lists  
24 of the individual projects proposed by the institution for the ensuing  
25 six-year period in each category. The lists must be submitted to the  
26 office of financial management and the legislative fiscal committees.  
27 The four-year institutions may aggregate minor works project proposals  
28 by primary purpose for ranking purposes. Proposed minor works projects  
29 must be prioritized within the aggregated proposal, and supporting  
30 documentation, including project descriptions and cost estimates, must  
31 be provided to the office of financial management and the legislative  
32 fiscal committees.

33 **Sec. 542.** RCW 43.105.400 and 2009 c 509 s 10 are each amended to  
34 read as follows:

35 (1) Subject to the availability of federal or state funding, the  
36 department may reconvene the high-speed internet work group previously  
37 established by chapter 262, Laws of 2008. The work group is renamed

1 the advisory council on digital inclusion, and is an advisory group to  
2 the department. The council must include, but is not limited to,  
3 volunteer representatives from community technology organizations,  
4 telecommunications providers, higher education institutions, K-12  
5 education institutions, public health institutions, public housing  
6 entities, and local government and other governmental entities that are  
7 engaged in community technology activities.

8 (2) The council shall prepare a report by January 15th of each year  
9 and submit it to the department, the governor, and the appropriate  
10 committees of the legislature. The report must contain:

11 (a) An analysis of how support from public and private sector  
12 partnerships, the philanthropic community, and other not-for-profit  
13 organizations in the community, along with strong relationships with  
14 the state board for community and technical colleges(~~(, the higher~~  
15 ~~education coordinating board,~~)) and higher education institutions,  
16 could establish a variety of high-speed internet access alternatives  
17 for citizens;

18 (b) Proposed strategies for continued broadband deployment and  
19 adoption efforts, as well as further development of advanced  
20 telecommunications applications;

21 (c) Recommendations on methods for maximizing the state's research  
22 and development capacity at universities and in the private sector for  
23 developing advanced telecommunications applications and services, and  
24 recommendations on incentives to stimulate the demand for and  
25 development of these applications and services;

26 (d) An identification of barriers that hinder the advancement of  
27 technology entrepreneurship in the state; and

28 (e) An evaluation of programs designed to advance digital literacy  
29 and computer access that are made available by the federal government,  
30 local agencies, telecommunications providers, and business and  
31 charitable entities.

32 **Sec. 543.** RCW 43.215.090 and 2010 c 234 s 3 are each amended to  
33 read as follows:

34 (1) The early learning advisory council is established to advise  
35 the department on statewide early learning issues that would build a  
36 comprehensive system of quality early learning programs and services  
37 for Washington's children and families by assessing needs and the

1 availability of services, aligning resources, developing plans for data  
2 collection and professional development of early childhood educators,  
3 and establishing key performance measures.

4 (2) The council shall work in conjunction with the department to  
5 develop a statewide early learning plan that guides the department in  
6 promoting alignment of private and public sector actions, objectives,  
7 and resources, and ensuring school readiness.

8 (3) The council shall include diverse, statewide representation  
9 from public, nonprofit, and for-profit entities. Its membership shall  
10 reflect regional, racial, and cultural diversity to adequately  
11 represent the needs of all children and families in the state.

12 (4) Council members shall serve two-year terms. However, to  
13 stagger the terms of the council, the initial appointments for twelve  
14 of the members shall be for one year. Once the initial one-year to  
15 two-year terms expire, all subsequent terms shall be for two years,  
16 with the terms expiring on June 30th of the applicable year. The terms  
17 shall be staggered in such a way that, where possible, the terms of  
18 members representing a specific group do not expire simultaneously.

19 (5) The council shall consist of not more than twenty-three  
20 members, as follows:

21 (a) The governor shall appoint at least one representative from  
22 each of the following: The department, the office of financial  
23 management, the department of social and health services, the  
24 department of health, (~~the higher education coordinating board,~~) and  
25 the state board for community and technical colleges;

26 (b) One representative from the office of the superintendent of  
27 public instruction, to be appointed by the superintendent of public  
28 instruction;

29 (c) The governor shall appoint seven leaders in early childhood  
30 education, with at least one representative with experience or  
31 expertise in each of the areas such as the following: Children with  
32 disabilities, the K-12 system, family day care providers, and child  
33 care centers;

34 (d) Two members of the house of representatives, one from each  
35 caucus, and two members of the senate, one from each caucus, to be  
36 appointed by the speaker of the house of representatives and the  
37 president of the senate, respectively;

1 (e) Two parents, one of whom serves on the department's parent  
2 advisory council, to be appointed by the governor;

3 (f) One representative of the private-public partnership created in  
4 RCW 43.215.070, to be appointed by the partnership board;

5 (g) One representative designated by sovereign tribal governments;  
6 and

7 (h) One representative from the Washington federation of  
8 independent schools.

9 (6) The council shall be cochaired by one representative of a state  
10 agency and one nongovernmental member, to be elected by the council for  
11 two-year terms.

12 (7) The council shall appoint two members and stakeholders with  
13 expertise in early learning to sit on the technical working group  
14 created in section 2, chapter 234, Laws of 2010.

15 (8) Each member of the board shall be compensated in accordance  
16 with RCW 43.03.240 and reimbursed for travel expenses incurred in  
17 carrying out the duties of the board in accordance with RCW 43.03.050  
18 and 43.03.060.

19 (9) The department shall provide staff support to the council.

20 **Sec. 544.** RCW 43.330.280 and 2009 c 565 s 14 and 2009 c 72 s 2 are  
21 each reenacted and amended to read as follows:

22 (1) The Washington state economic development commission shall,  
23 with the advice of an innovation partnership advisory group selected by  
24 the commission:

25 (a) Provide information and advice to the department of commerce to  
26 assist in the implementation of the innovation partnership zone  
27 program, including criteria to be used in the selection of grant  
28 applicants for funding;

29 (b) Document clusters of companies throughout the state that have  
30 comparative competitive advantage or the potential for comparative  
31 competitive advantage, using the process and criteria for identifying  
32 strategic clusters developed by the working group specified in  
33 subsection (2) of this section;

34 (c) Conduct an innovation opportunity analysis to identify (i) the  
35 strongest current intellectual assets and research teams in the state  
36 focused on emerging technologies and their commercialization, and (ii)

1 faculty and researchers that could increase their focus on  
2 commercialization of technology if provided the appropriate technical  
3 assistance and resources;

4 (d) Based on its findings and analysis, and in conjunction with the  
5 (~~higher education coordinating board and~~) research institutions:

6 (i) Develop a plan to build on existing, and develop new,  
7 intellectual assets and innovation research teams in the state in  
8 research areas where there is a high potential to commercialize  
9 technologies. The commission shall present the plan to the governor  
10 and legislature by December 31, 2009. (~~The higher education~~  
11 ~~coordinating board shall be responsible for implementing the plan in~~  
12 ~~conjunction with~~) The publicly funded research institutions in the  
13 state shall be responsible for implementing the plan. The plan shall  
14 address the following elements and such other elements as the  
15 commission deems important:

16 (A) Specific mechanisms to support, enhance, or develop innovation  
17 research teams and strengthen their research and commercialization  
18 capacity in areas identified as useful to strategic clusters and  
19 innovative firms in the state;

20 (B) Identification of the funding necessary for laboratory  
21 infrastructure needed to house innovation research teams;

22 (C) Specification of the most promising research areas meriting  
23 enhanced resources and recruitment of significant entrepreneurial  
24 researchers to join or lead innovation research teams;

25 (D) The most productive approaches to take in the recruitment, in  
26 the identified promising research areas, of a minimum of ten  
27 significant entrepreneurial researchers over the next ten years to join  
28 or lead innovation research teams;

29 (E) Steps to take in solicitation of private sector support for the  
30 recruitment of entrepreneurial researchers and the commercialization  
31 activity of innovation research teams; and

32 (F) Mechanisms for ensuring the location of innovation research  
33 teams in innovation partnership zones;

34 (ii) Provide direction for the development of comprehensive  
35 entrepreneurial assistance programs at research institutions. The  
36 programs may involve multidisciplinary students, faculty,  
37 entrepreneurial researchers, entrepreneurs, and investors in building  
38 business models and evolving business plans around innovative ideas.

1 The programs may provide technical assistance and the support of an  
2 entrepreneur-in-residence to innovation research teams and offer  
3 entrepreneurial training to faculty, researchers, undergraduates, and  
4 graduate students. Curriculum leading to a certificate in  
5 entrepreneurship may also be offered;

6 (e) Develop performance measures to be used in evaluating the  
7 performance of innovation research teams, the implementation of the  
8 plan and programs under (d)(i) and (ii) of this subsection, and the  
9 performance of innovation partnership zone grant recipients, including  
10 but not limited to private investment measures, business initiation  
11 measures, job creation measures, and measures of innovation such as  
12 licensing of ideas in research institutions, patents, or other  
13 recognized measures of innovation. The performance measures developed  
14 shall be consistent with the economic development commission's  
15 comprehensive plan for economic development and its standards and  
16 metrics for program evaluation. The commission shall report to the  
17 legislature and the governor by June 30, 2009, on the measures  
18 developed; and

19 (f) Using the performance measures developed, perform a biennial  
20 assessment and report, the first of which shall be due December 31,  
21 2012, on:

22 (i) Commercialization of technologies developed at state  
23 universities, found at other research institutions in the state, and  
24 facilitated with public assistance at existing companies;

25 (ii) Outcomes of the funding of innovation research teams and  
26 recruitment of significant entrepreneurial researchers;

27 (iii) Comparison with other states of Washington's outcomes from  
28 the innovation research teams and efforts to recruit significant  
29 entrepreneurial researchers; and

30 (iv) Outcomes of the grants for innovation partnership zones.

31 The report shall include recommendations for modifications of chapter  
32 227, Laws of 2007 and of state commercialization efforts that would  
33 enhance the state's economic competitiveness.

34 (2) The economic development commission and the workforce training  
35 and education coordinating board shall jointly convene a working group  
36 to:

37 (a) Specify the process and criteria for identification of substate  
38 geographic concentrations of firms or employment in an industry and the

1 industry's customers, suppliers, supporting businesses, and  
2 institutions, which process will include the use of labor market  
3 information from the employment security department and local labor  
4 markets; and

5 (b) Establish criteria for identifying strategic clusters which are  
6 important to economic prosperity in the state, considering cluster  
7 size, growth rate, and wage levels among other factors.

8 **Sec. 545.** RCW 43.330.310 and 2010 c 187 s 2 are each amended to  
9 read as follows:

10 (1) The legislature establishes a comprehensive green economy jobs  
11 growth initiative based on the goal of, by 2020, increasing the number  
12 of green economy jobs to twenty-five thousand from the eight thousand  
13 four hundred green economy jobs the state had in 2004.

14 (2) The department, in consultation with the employment security  
15 department, the state workforce training and education coordinating  
16 board, the state board for community and technical colleges, and the  
17 (~~higher education coordinating board~~) four-year institutions of  
18 higher education as defined in RCW 28B.10.016, shall develop a defined  
19 list of terms, consistent with current workforce and economic  
20 development terms, associated with green economy industries and jobs.

21 (3)(a) The employment security department, in consultation with the  
22 department, the state workforce training and education coordinating  
23 board, the state board for community and technical colleges, the  
24 (~~higher education coordinating board~~) four-year institutions of  
25 higher education as defined in RCW 28B.10.016, Washington State  
26 University small business development center, and the Washington State  
27 University extension energy program, shall conduct labor market  
28 research to analyze the current labor market and projected job growth  
29 in the green economy, the current and projected recruitment and skill  
30 requirement of green economy industry employers, the wage and benefits  
31 ranges of jobs within green economy industries, and the education and  
32 training requirements of entry-level and incumbent workers in those  
33 industries.

34 (i) The employment security department shall conduct an analysis of  
35 occupations in the forest products industry to: (A) Determine key  
36 growth factors and employment projections in the industry; and (B)

1 define the education and skill standards required for current and  
2 emerging green occupations in the industry.

3 (ii) The term "forest products industry" must be given a broad  
4 interpretation when implementing (a)(i) of this subsection and  
5 includes, but is not limited to, businesses that grow, manage, harvest,  
6 transport, and process forest, wood, and paper products.

7 (b) The University of Washington business and economic development  
8 center shall: Analyze the current opportunities for and participation  
9 in the green economy by minority and women-owned business enterprises  
10 in Washington; identify existing barriers to their successful  
11 participation in the green economy; and develop strategies with  
12 specific policy recommendations to improve their successful  
13 participation in the green economy. The research may be informed by  
14 the research of the Puget Sound regional council prosperity  
15 partnership, as well as other entities. The University of Washington  
16 business and economic development center shall report to the  
17 appropriate committees of the house of representatives and the senate  
18 on their research, analysis, and recommendations by December 1, 2008.

19 (4) Based on the findings from subsection (3) of this section, the  
20 employment security department, in consultation with the department and  
21 taking into account the requirements and goals of chapter 14, Laws of  
22 2008 and other state clean energy and energy efficiency policies, shall  
23 propose which industries will be considered high-demand green  
24 industries, based on current and projected job creation and their  
25 strategic importance to the development of the state's green economy.  
26 The employment security department and the department shall take into  
27 account which jobs within green economy industries will be considered  
28 high-wage occupations and occupations that are part of career pathways  
29 to the same, based on family-sustaining wage and benefits ranges.  
30 These designations, and the results of the employment security  
31 department's broader labor market research, shall inform the planning  
32 and strategic direction of the department, the state workforce training  
33 and education coordinating board, the state board for community and  
34 technical colleges, and the ~~((higher education coordinating board))~~  
35 four-year institutions of higher education as defined in RCW  
36 28B.10.016.

37 (5) The department shall identify emerging technologies and

1 innovations that are likely to contribute to advancements in the green  
2 economy, including the activities in designated innovation partnership  
3 zones established in RCW 43.330.270.

4 (6) The department, consistent with the priorities established by  
5 the state economic development commission, shall:

6 (a) Develop targeting criteria for existing investments, and make  
7 recommendations for new or expanded financial incentives and  
8 comprehensive strategies, to recruit, retain, and expand green economy  
9 industries and small businesses; and

10 (b) Make recommendations for new or expanded financial incentives  
11 and comprehensive strategies to stimulate research and development of  
12 green technology and innovation, including designating innovation  
13 partnership zones linked to the green economy.

14 (7) For the purposes of this section, "target populations" means  
15 (a) entry-level or incumbent workers in high-demand green industries  
16 who are in, or are preparing for, high-wage occupations; (b) dislocated  
17 workers in declining industries who may be retrained for high-wage  
18 occupations in high-demand green industries; (c) dislocated  
19 agriculture, timber, or energy sector workers who may be retrained for  
20 high-wage occupations in high-demand green industries; (d) eligible  
21 veterans or national guard members; (e) disadvantaged populations; or  
22 (f) anyone eligible to participate in the state opportunity grant  
23 program under RCW 28B.50.271.

24 (8) The legislature directs the state workforce training and  
25 education coordinating board to create and pilot green industry skill  
26 panels. These panels shall consist of business representatives from:  
27 Green industry sectors, including but not limited to forest product  
28 companies, companies engaged in energy efficiency and renewable energy  
29 production, companies engaged in pollution prevention, reduction, and  
30 mitigation, and companies engaged in green building work and green  
31 transportation; labor unions representing workers in those industries  
32 or labor affiliates administering state-approved, joint apprenticeship  
33 programs or labor-management partnership programs that train workers  
34 for these industries; state and local veterans agencies; employer  
35 associations; educational institutions; and local workforce development  
36 councils within the region that the panels propose to operate; and  
37 other key stakeholders as determined by the applicant. Any of these  
38 stakeholder organizations are eligible to receive grants under this

1 section and serve as the intermediary that convenes and leads the  
2 panel. Panel applicants must provide labor market and industry  
3 analysis that demonstrates high demand, or demand of strategic  
4 importance to the development of the state's clean energy economy as  
5 identified in this section, for high-wage occupations, or occupations  
6 that are part of career pathways to the same, within the relevant  
7 industry sector. The panel shall:

8 (a) Conduct labor market and industry analyses, in consultation  
9 with the employment security department, and drawing on the findings of  
10 its research when available;

11 (b) Plan strategies to meet the recruitment and training needs of  
12 the industry and small businesses; and

13 (c) Leverage and align other public and private funding sources.

14 (9) The green industries jobs training account is created in the  
15 state treasury. Moneys from the account must be utilized to supplement  
16 the state opportunity grant program established under RCW 28B.50.271.  
17 All receipts from appropriations directed to the account must be  
18 deposited into the account. Expenditures from the account may be used  
19 only for the activities identified in this subsection. The state board  
20 for community and technical colleges, in consultation with the state  
21 workforce training and education coordinating board, informed by the  
22 research of the employment security department and the strategies  
23 developed in this section, may authorize expenditures from the account.  
24 The state board for community and technical colleges must distribute  
25 grants from the account on a competitive basis.

26 (a)(i) Allowable uses of these grant funds, which should be used  
27 when other public or private funds are insufficient or unavailable, may  
28 include:

29 (A) Curriculum development;

30 (B) Transitional jobs strategies for dislocated workers in  
31 declining industries who may be retrained for high-wage occupations in  
32 green industries;

33 (C) Workforce education to target populations; and

34 (D) Adult basic and remedial education as necessary linked to  
35 occupation skills training.

36 (ii) Allowable uses of these grant funds do not include student  
37 assistance and support services available through the state opportunity  
38 grant program under RCW 28B.50.271.

1 (b) Applicants eligible to receive these grants may be any  
2 organization or a partnership of organizations that has demonstrated  
3 expertise in:

4 (i) Implementing effective education and training programs that  
5 meet industry demand; and

6 (ii) Recruiting and supporting, to successful completion of those  
7 training programs carried out under these grants, the target  
8 populations of workers.

9 (c) In awarding grants from the green industries jobs training  
10 account, the state board for community and technical colleges shall  
11 give priority to applicants that demonstrate the ability to:

12 (i) Use labor market and industry analysis developed by the  
13 employment security department and green industry skill panels in the  
14 design and delivery of the relevant education and training program, and  
15 otherwise utilize strategies developed by green industry skill panels;

16 (ii) Leverage and align existing public programs and resources and  
17 private resources toward the goal of recruiting, supporting, educating,  
18 and training target populations of workers;

19 (iii) Work collaboratively with other relevant stakeholders in the  
20 regional economy;

21 (iv) Link adult basic and remedial education, where necessary, with  
22 occupation skills training;

23 (v) Involve employers and, where applicable, labor unions in the  
24 determination of relevant skills and competencies and, where relevant,  
25 the validation of career pathways; and

26 (vi) Ensure that supportive services, where necessary, are  
27 integrated with education and training and are delivered by  
28 organizations with direct access to and experience with the targeted  
29 population of workers.

30 **Sec. 546.** RCW 43.330.375 and 2010 c 187 s 3 are each amended to  
31 read as follows:

32 (1) The department and the workforce board must:

33 (a) Coordinate efforts across the state to ensure that federal  
34 training and education funds are captured and deployed in a focused and  
35 effective manner in order to support green economy projects and  
36 accomplish the goals of the evergreen jobs initiative;

1 (b) Accelerate and coordinate efforts by state and local  
2 organizations to identify, apply for, and secure all sources of funds,  
3 particularly those created by the 2009 American recovery and  
4 reinvestment act, and to ensure that distributions of funding to local  
5 organizations are allocated in a manner that is time-efficient and  
6 user-friendly for the local organizations. Local organizations  
7 eligible to receive support include but are not limited to:

8 (i) Associate development organizations;

9 (ii) Workforce development councils;

10 (iii) Public utility districts; and

11 (iv) Community action agencies;

12 (c) Support green economy projects at both the state and local  
13 level by developing a process and a framework to provide, at a minimum:

14 (i) Administrative and technical assistance;

15 (ii) Assistance with and expediting of permit processes; and

16 (iii) Priority consideration of opportunities leading to exportable  
17 green economy goods and services, including renewable energy  
18 technology;

19 (d) Coordinate local and state implementation of projects using  
20 federal funds to ensure implementation is time-efficient and user-  
21 friendly for local organizations;

22 (e) Emphasize through both support and outreach efforts, projects  
23 that:

24 (i) Have a strong and lasting economic or environmental impact;

25 (ii) Lead to a domestically or internationally exportable good or  
26 service, including renewable energy technology;

27 (iii) Create training programs leading to a credential,  
28 certificate, or degree in a green economy field;

29 (iv) Strengthen the state's competitiveness in a particular sector  
30 or cluster of the green economy;

31 (v) Create employment opportunities for veterans, members of the  
32 national guard, and low-income and disadvantaged populations;

33 (vi) Comply with prevailing wage provisions of chapter 39.12 RCW;

34 (vii) Ensure at least fifteen percent of labor hours are performed  
35 by apprentices;

36 (f) Identify emerging technologies and innovations that are likely  
37 to contribute to advancements in the green economy, including the

1 activities in designated innovation partnership zones established in  
2 RCW 43.330.270;

3 (g) Identify barriers to the growth of green jobs in traditional  
4 industries such as the forest products industry;

5 (h) Identify statewide performance metrics for projects receiving  
6 agency assistance. Such metrics may include:

7 (i) The number of new green jobs created each year, their wage  
8 levels, and, to the extent determinable, the percentage of new green  
9 jobs filled by veterans, members of the national guard, and low-income  
10 and disadvantaged populations;

11 (ii) The total amount of new federal funding secured, the  
12 respective amounts allocated to the state and local levels, and the  
13 timeliness of deployment of new funding by state agencies to the local  
14 level;

15 (iii) The timeliness of state deployment of funds and support to  
16 local organizations; and

17 (iv) If available, the completion rates, time to completion, and  
18 training-related placement rates for green economy postsecondary  
19 training programs;

20 (i) Identify strategies to allocate existing and new funding  
21 streams for green economy workforce training programs and education to  
22 emphasize those leading to a credential, certificate, or degree in a  
23 green economy field;

24 (j) Identify and implement strategies to allocate existing and new  
25 funding streams for workforce development councils and associate  
26 development organizations to increase their effectiveness and  
27 efficiency and increase local capacity to respond rapidly and  
28 comprehensively to opportunities to attract green jobs to local  
29 communities;

30 (k) Develop targeting criteria for existing investments that are  
31 consistent with the economic development commission's economic  
32 development strategy and the goals of this section and RCW 28C.18.170,  
33 28B.50.281, and 49.04.200; and

34 (l) Make and support outreach efforts so that residents of  
35 Washington, particularly members of target populations, become aware of  
36 educational and employment opportunities identified and funded through  
37 the evergreen jobs act.

1 (2) The department and the workforce board must provide semiannual  
2 performance reports to the governor and appropriate committees of the  
3 legislature on:

4 (a) Actual statewide performance based on the performance measures  
5 identified in subsection (1)(h) of this section;

6 (b) How the state is emphasizing and supporting projects that lead  
7 to a domestically or internationally exportable good or service,  
8 including renewable energy technology;

9 (c) A list of projects supported, created, or funded in furtherance  
10 of the goals of the evergreen jobs initiative and the actions taken by  
11 state and local organizations, including the effectiveness of state  
12 agency support provided to local organizations as directed in  
13 subsection (1)(b) and (c) of this section;

14 (d) Recommendations for new or expanded financial incentives and  
15 comprehensive strategies to:

16 (i) Recruit, retain, and expand green economy industries and small  
17 businesses; and

18 (ii) Stimulate research and development of green technology and  
19 innovation, which may include designating innovation partnership zones  
20 linked to the green economy;

21 (e) Any information that associate development organizations and  
22 workforce development councils choose to provide to appropriate  
23 legislative committees regarding the effectiveness, timeliness, and  
24 coordination of support provided by state agencies under this section  
25 and RCW 28C.18.170, 28B.50.281, and 49.04.200; and

26 (f) Any recommended statutory changes necessary to increase the  
27 effectiveness of the evergreen jobs initiative and state responsiveness  
28 to local agencies and organizations.

29 (3) The definitions, designations, and results of the employment  
30 security department's broader labor market research under RCW  
31 43.330.010 shall inform the planning and strategic direction of the  
32 department, the state workforce training and education coordinating  
33 board, and the state board for community and technical colleges(~~(, and~~  
34 ~~the higher education coordinating board)~~).

35 **Sec. 547.** RCW 47.80.090 and 2009 c 459 s 2 are each amended to  
36 read as follows:

37 (1) A regional transportation planning organization containing any

1 county with a population in excess of one million in collaboration with  
2 representatives from the department of ecology, the department of  
3 (~~community, trade, and economic development~~) commerce, local  
4 governments, and the office of regulatory assistance must seek federal  
5 or private funding for the planning for, deployment of, or regulations  
6 concerning electric vehicle infrastructure. These efforts should  
7 include:

8 (a) Development of short-term and long-term plans outlining how  
9 state, regional, and local government construction may include electric  
10 vehicle infrastructure in publicly available off-street parking and  
11 government fleet vehicle parking, including what ratios of charge spots  
12 to parking may be appropriate based on location or type of facility or  
13 building;

14 (b) Consultations with the state building code council and the  
15 department of labor and industries to coordinate the plans with state  
16 standards for new residential, commercial, and industrial buildings to  
17 ensure that the appropriate electric circuitry is installed to support  
18 electric vehicle infrastructure;

19 (c) Consultation with the workforce development council (~~and~~),  
20 the (~~higher~~) workforce training and education coordinating board, and  
21 the state board for community and technical colleges to ensure the  
22 development of appropriate educational and training opportunities for  
23 citizens of the state in support of the transition of some portion of  
24 vehicular transportation from combustion to electric vehicles;

25 (d) Development of an implementation plan for counties with a  
26 population greater than five hundred thousand with the goal of having  
27 public and private parking spaces, in the aggregate, be ten percent  
28 electric vehicle ready by December 31, 2018; and

29 (e) Development of model ordinances and guidance for local  
30 governments for siting and installing electric vehicle infrastructure,  
31 in particular battery charging stations, and appropriate handling,  
32 recycling, and storage of electric vehicle batteries and equipment.

33 (2) These plans and any recommendations developed as a result of  
34 the consultations required by this section must be submitted to the  
35 legislature by December 31, 2010, or as soon as reasonably practicable  
36 after the securing of any federal or private funding. Priority will be  
37 given to the activities in subsection (1)(e) of this section and any  
38 ordinances or guidance that is developed will be submitted to the

1 legislature, the department of (~~community, trade, and economic~~  
2 ~~development~~) commerce, and affected local governments prior to  
3 December 31, 2010, if completed.

4 (3) The definitions in this subsection apply (~~through~~  
5 ~~[throughout]~~) throughout this section unless the context clearly  
6 requires otherwise.

7 (a) "Battery charging station" means an electrical component  
8 assembly or cluster of component assemblies designed specifically to  
9 charge batteries within electric vehicles, which meet or exceed any  
10 standards, codes, and regulations set forth by chapter 19.28 RCW and  
11 consistent with rules adopted under RCW 19.27.540.

12 (b) "Battery exchange station" means a fully automated facility  
13 that will enable an electric vehicle with a swappable battery to enter  
14 a drive lane and exchange the depleted battery with a fully charged  
15 battery through a fully automated process, which meets or exceeds any  
16 standards, codes, and regulations set forth by chapter 19.28 RCW and  
17 consistent with rules adopted under RCW 19.27.540.

18 (c) "Electric vehicle infrastructure" means structures, machinery,  
19 and equipment necessary and integral to support an electric vehicle,  
20 including battery charging stations, rapid charging stations, and  
21 battery exchange stations.

22 (d) "Rapid charging station" means an industrial grade electrical  
23 outlet that allows for faster recharging of electric vehicle batteries  
24 through higher power levels, which meets or exceeds any standards,  
25 codes, and regulations set forth by chapter 19.28 RCW and consistent  
26 with rules adopted under RCW 19.27.540.

27 **Sec. 548.** RCW 70.180.110 and 1998 c 245 s 120 are each amended to  
28 read as follows:

29 (1) The department, in consultation with at least the (~~higher~~  
30 ~~education coordinating board~~) four-year institutions of higher  
31 education as defined in RCW 28B.10.016, the state board for community  
32 and technical colleges, the superintendent of public instruction, and  
33 state-supported education programs in medicine, pharmacy, and nursing,  
34 shall develop a plan for increasing rural training opportunities for  
35 students in medicine, pharmacy, and nursing. The plan shall provide  
36 for direct exposure to rural health professional practice conditions  
37 for students planning careers in medicine, pharmacy, and nursing.

1 (2) The department and the medical, pharmacy, and nurse education  
2 programs shall:

3 (a) Inventory existing rural-based clinical experience programs,  
4 including internships, clerkships, residencies, and other training  
5 opportunities available to students pursuing degrees in nursing,  
6 pharmacy, and medicine;

7 (b) Identify where training opportunities do not currently exist  
8 and are needed;

9 (c) Develop recommendations for improving the availability of rural  
10 training opportunities;

11 (d) Develop recommendations on establishing agreements between  
12 education programs to assure that all students in medical, pharmacist,  
13 and nurse education programs in the state have access to rural training  
14 opportunities; and

15 (e) Review private and public funding sources to finance rural-  
16 based training opportunities.

17 NEW SECTION. **Sec. 549.** The following acts or parts of acts are  
18 each repealed:

19 (1) RCW 28B.10.5691 (Campus safety--Institutional assessments--  
20 Updates--Reports) and 2008 c 168 s 2; and

21 (2) RCW 28B.15.796 (Effective communication--Task force to improve  
22 communication and teaching skills of faculty and teaching assistants)  
23 and 1991 c 228 s 4.

24 NEW SECTION. **Sec. 550.** A new section is added to chapter 28B.10  
25 RCW to read as follows:

26 Every two years the office of financial management shall produce,  
27 jointly with the state board for community and technical colleges, the  
28 four-year institutions of higher education as defined in RCW  
29 28B.10.016, and the workforce training and education coordinating  
30 board, an assessment of the number and type of higher education and  
31 training credentials required to match employer demand for a skilled  
32 and educated workforce. The assessment shall include the number of  
33 forecasted net job openings at each level of higher education and  
34 training and the number of credentials needed to match the forecast of  
35 net job openings.

1 **PART V**

2 **MISCELLANEOUS PROVISIONS**

3 NEW SECTION. **Sec. 601.** Sections 301 through 309 of this act  
4 constitute a new chapter in Title 28B RCW.

5 NEW SECTION. **Sec. 602.** Sections 219 through 224 of this act  
6 expire June 30, 2013.

7 NEW SECTION. **Sec. 603.** Section 247 of this act expires January 1,  
8 2012.

9 NEW SECTION. **Sec. 604.** Section 248 of this act takes effect  
10 January 1, 2012.

11 NEW SECTION. **Sec. 605.** Section 528 of this act expires July 1,  
12 2012.

13 NEW SECTION. **Sec. 606.** Sections 534 and 535 of this act expire  
14 December 31, 2012.

15 NEW SECTION. **Sec. 607.** Except for section 248 of this act, this  
16 act is necessary for the immediate preservation of the public peace,  
17 health, or safety, or support of the state government and its existing  
18 public institutions, and takes effect July 1, 2011.

--- END ---