
SECOND SUBSTITUTE SENATE BILL 5789

AS AMENDED BY THE HOUSE

Passed Legislature - 2022 Regular Session

State of Washington 67th Legislature 2022 Regular Session

By Senate Ways & Means (originally sponsored by Senators Randall, Nobles, Conway, Das, Frockt, Kuderer, Lias, Nguyen, and C. Wilson; by request of Student Achievement Council)

READ FIRST TIME 02/07/22.

1 AN ACT Relating to creating the Washington career and college
2 pathways innovation challenge program; amending RCW 28B.120.040;
3 reenacting and amending RCW 43.79A.040; adding a new section to
4 chapter 28B.120 RCW; and repealing RCW 28B.120.005, 28B.120.010,
5 28B.120.020, 28B.120.025, 28B.120.030, and 28B.120.900.

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

7 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.120
8 RCW to read as follows:

9 (1) The Washington career and college pathways innovation
10 challenge program is established. The purpose of the program is to
11 meet statewide educational attainment goals established in RCW
12 28B.77.020 by developing local and regional partnerships that foster
13 innovations to:

14 (a) Increase postsecondary enrollment and completion for students
15 enrolling directly from high school and adults returning to
16 education; and

17 (b) Eliminate educational opportunity gaps for students of color,
18 English language learners, students with disabilities, and foster and
19 homeless youth.

20 (2)(a) The student achievement council shall administer the
21 program and award grants, based on a competitive grant process, to

1 local and regional partnerships that represent cross-sector
2 collaborations among education and higher education agencies and
3 institutions, local education agencies, local government, community-
4 based organizations, employers, and other local entities. The student
5 achievement council must consult, in both the design of the grant
6 program as well as in the administration of the grant program, with
7 stakeholders including representatives of:

8 (i) The state board for community and technical colleges;

9 (ii) An organization representing the presidents of the public
10 four-year institutions of higher education;

11 (iii) The workforce training and education coordinating board;

12 (iv) An organization representing the private, not-for-profit,
13 four-year institutions of higher education;

14 (v) The commission on African American affairs;

15 (vi) The commission on Hispanic affairs;

16 (vii) The commission on Asian Pacific American affairs;

17 (viii) The Washington state LGBTQ commission;

18 (ix) The governor's office of Indian affairs; and

19 (x) The Washington state women's commission.

20 (b) In awarding the grants, the student achievement council shall
21 consider applications that:

22 (i) Plan and pilot innovative initiatives to raise educational
23 attainment and decrease opportunity gaps;

24 (ii) Engage community-based organizations and resources;

25 (iii) Expand the use of integrated work-based learning;

26 (iv) Provide financial support to cover expenses beyond
27 educational tuition and fees, and other services and supports for
28 students to enroll and complete education and training; and

29 (v) Include local matching funds.

30 (c) In administering the program the student achievement council
31 may hire staff to support grant oversight and provide technical
32 assistance to grantees.

33 (d) The student achievement council may solicit and receive such
34 gifts, grants, and endowments from public or private sources as may
35 be made from time to time, in trust or otherwise, for the use and
36 benefit of the purposes of the program and may expend the same or any
37 income therefrom according to the terms of the gifts, grants, or
38 endowments.

39 (3) The student achievement council shall provide a report each
40 year beginning September 1, 2022, to the governor and the education

1 and higher education committees of the legislature in accordance with
2 RCW 43.01.036. The report shall:

3 (a) Describe grants awarded;

4 (b) Report the progress of each local and regional partnership by
5 reporting on high school graduation, postsecondary enrollment, and
6 completion for each of the regions that partnerships serve; and

7 (c) Disaggregate data by income, race, ethnicity, and other
8 demographic characteristics.

9 **Sec. 2.** RCW 28B.120.040 and 2012 c 229 s 575 are each amended to
10 read as follows:

11 The (~~student achievement council fund for innovation and~~
12 ~~quality~~) Washington career and college pathways innovation challenge
13 program account is hereby established in the custody of the state
14 treasurer. The student achievement council shall deposit in the fund
15 all moneys received (~~under RCW 28B.120.030~~) for the Washington
16 career and college pathways innovation challenge program. Moneys in
17 the fund may be spent only for the purposes of (~~RCW 28B.120.010 and~~
18 ~~28B.120.020~~) awarding grants under the Washington career and college
19 pathways innovation challenge program. Disbursements from the fund
20 shall be on the authorization of the student achievement council. The
21 fund is subject to the allotment procedure provided under chapter
22 43.88 RCW, but (~~no~~) an appropriation is not required for
23 disbursements.

24 **Sec. 3.** RCW 43.79A.040 and 2021 c 175 s 10 and 2021 c 108 s 5
25 are each reenacted and amended to read as follows:

26 (1) Money in the treasurer's trust fund may be deposited,
27 invested, and reinvested by the state treasurer in accordance with
28 RCW 43.84.080 in the same manner and to the same extent as if the
29 money were in the state treasury, and may be commingled with moneys
30 in the state treasury for cash management and cash balance purposes.

31 (2) All income received from investment of the treasurer's trust
32 fund must be set aside in an account in the treasury trust fund to be
33 known as the investment income account.

34 (3) The investment income account may be utilized for the payment
35 of purchased banking services on behalf of treasurer's trust funds
36 including, but not limited to, depository, safekeeping, and
37 disbursement functions for the state treasurer or affected state
38 agencies. The investment income account is subject in all respects to

1 chapter 43.88 RCW, but no appropriation is required for payments to
2 financial institutions. Payments must occur prior to distribution of
3 earnings set forth in subsection (4) of this section.

4 (4)(a) Monthly, the state treasurer must distribute the earnings
5 credited to the investment income account to the state general fund
6 except under (b), (c), and (d) of this subsection.

7 (b) The following accounts and funds must receive their
8 proportionate share of earnings based upon each account's or fund's
9 average daily balance for the period: The 24/7 sobriety account, the
10 Washington promise scholarship account, the Gina Grant Bull memorial
11 legislative page scholarship account, the Rosa Franklin legislative
12 internship program scholarship (~~([account])~~) account, the Washington
13 advanced college tuition payment program account, the Washington
14 college savings program account, the accessible communities account,
15 the Washington achieving a better life experience program account,
16 the Washington career and college pathways innovation challenge
17 program account, the community and technical college innovation
18 account, the agricultural local fund, the American Indian scholarship
19 endowment fund, the foster care scholarship endowment fund, the
20 foster care endowed scholarship trust fund, the contract harvesting
21 revolving account, the Washington state combined fund drive account,
22 the commemorative works account, the county enhanced 911 excise tax
23 account, the county road administration board emergency loan account,
24 the toll collection account, the developmental disabilities endowment
25 trust fund, the energy account, the fair fund, the family and medical
26 leave insurance account, the fish and wildlife federal lands
27 revolving account, the natural resources federal lands revolving
28 account, the food animal veterinarian conditional scholarship
29 account, the forest health revolving account, the fruit and vegetable
30 inspection account, the educator conditional scholarship account, the
31 game farm alternative account, the GET ready for math and science
32 scholarship account, the Washington global health technologies and
33 product development account, the grain inspection revolving fund, the
34 Washington history day account, the industrial insurance rainy day
35 fund, the juvenile accountability incentive account, the law
36 enforcement officers' and firefighters' plan 2 expense fund, the
37 local tourism promotion account, the low-income home rehabilitation
38 revolving loan program account, the multiagency permitting team
39 account, the northeast Washington wolf-livestock management account,
40 the produce railcar pool account, the public use general aviation

1 airport loan revolving account, the regional transportation
2 investment district account, the rural rehabilitation account, the
3 Washington sexual assault kit account, the stadium and exhibition
4 center account, the youth athletic facility account, the self-
5 insurance revolving fund, the children's trust fund, the Washington
6 horse racing commission Washington bred owners' bonus fund and
7 breeder awards account, the Washington horse racing commission class
8 C purse fund account, the individual development account program
9 account, the Washington horse racing commission operating account,
10 the life sciences discovery fund, the Washington state library-
11 archives building account, the reduced cigarette ignition propensity
12 account, the center for deaf and hard of hearing youth account, the
13 school for the blind account, the Millersylvania park trust fund, the
14 public employees' and retirees' insurance reserve fund, the school
15 employees' benefits board insurance reserve fund, the public
16 employees' and retirees' insurance account, the school employees'
17 insurance account, the long-term services and supports trust account,
18 the radiation perpetual maintenance fund, the Indian health
19 improvement reinvestment account, the department of licensing tuition
20 recovery trust fund, the student achievement council tuition recovery
21 trust fund, the tuition recovery trust fund, the industrial insurance
22 premium refund account, the mobile home park relocation fund, the
23 natural resources deposit fund, the Washington state health insurance
24 pool account, the federal forest revolving account, and the library
25 operations account.

26 (c) The following accounts and funds must receive eighty percent
27 of their proportionate share of earnings based upon each account's or
28 fund's average daily balance for the period: The advance right-of-way
29 revolving fund, the advanced environmental mitigation revolving
30 account, the federal narcotics asset forfeitures account, the high
31 occupancy vehicle account, the local rail service assistance account,
32 and the miscellaneous transportation programs account.

33 (d) Any state agency that has independent authority over accounts
34 or funds not statutorily required to be held in the custody of the
35 state treasurer that deposits funds into a fund or account in the
36 custody of the state treasurer pursuant to an agreement with the
37 office of the state treasurer shall receive its proportionate share
38 of earnings based upon each account's or fund's average daily balance
39 for the period.

1 (5) In conformance with Article II, section 37 of the state
2 Constitution, no trust accounts or funds shall be allocated earnings
3 without the specific affirmative directive of this section.

4 NEW SECTION. **Sec. 4.** The following acts or parts of acts are
5 each repealed:

6 (1) RCW 28B.120.005 (Findings) and 2010 c 245 s 6, 1999 c 169 s
7 2, & 1991 c 98 s 1;

8 (2) RCW 28B.120.010 (Washington fund for innovation and quality
9 in higher education program—Incentive grants) and 2012 c 229 s 571,
10 2010 c 245 s 7, 1999 c 169 s 5, 1996 c 41 s 1, & 1991 c 98 s 2;

11 (3) RCW 28B.120.020 (Program administration—Powers and duties of
12 student achievement council) and 2012 c 229 s 572, 2011 1st sp.s. c
13 11 s 235, 2010 c 245 s 8, 1999 c 169 s 3, 1996 c 41 s 2, & 1991 c 98
14 s 3;

15 (4) RCW 28B.120.025 (Program administration—Powers and duties of
16 state board for community and technical colleges) and 2012 c 229 s
17 573 & 1999 c 169 s 4;

18 (5) RCW 28B.120.030 (Receipt of gifts, grants, and endowments)
19 and 2012 c 229 s 574, 1999 c 169 s 6, & 1991 c 98 s 4; and

20 (6) RCW 28B.120.900 (Intent—1999 c 169) and 1999 c 169 s 1.

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