

**WASHINGTON STATE  
WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD  
MEETING NO. 191  
SEPTEMBER 17, 2015**

**POTENTIAL WORKFORCE BOARD 2016 LEGISLATIVE REQUESTS**

The Office of Financial Management (OFM) recently provided direction to state agencies about the requirements for agency request legislation. Policy requests are due September 21, 2015, and the due date for budget requests is October 5, 2015. Board staff reviewed the proposed requests at the August meeting, and will be providing the Board with specific drafts at the September meeting for final approval. If the Board chooses to pursue these requests, they will be submitted to the Office of Financial Management and the Governor's office for approval.

Board staff have identified several areas where the Workforce Board may choose to request legislation or budget items:

**WIOA Technical Amendments to State Statute**

State statute includes a number of outdated references to the Workforce Investment Act (WIA). The attached bill Z-draft updates all WIA references to the Workforce Innovation and Opportunity Act (WIOA).

**Budget Request: Perkins Match Funds**

The Workforce Board receives funding from the federal Perkins grant for administration costs. Perkins administration funds require a dollar-for-dollar match from the state's general fund. Cuts to the agency budget from both federal and non-federal sources over the past few years have created a situation where the agency has very limited funds available to match the full appropriation. Turning back these funds could jeopardize the full state award of approximately \$20 million (The U.S. Department of Education could utilize this provision if states do not meet their match obligation, although they have not done so to date with any state that has fallen short). Fiscal staff estimates that a request of between \$50,000 and \$75,000 would allow the agency to access the funds needed to fully operate the program. The full amount of the match required is \$484,000, but funds have a 27-month life span, and the remainder can be carried forward into subsequent fiscal years.

**Budget Request: Veterans Administration (VA) Contract**

The Workforce Board is the State Approving Agency (SAA) for workforce education and training programs, which veterans can access using their VA benefits. The SAA designation carries with it funding by the U.S. Department of Veterans Affairs (USDVA). USDVA funds salaries, benefits, and travel, but only a portion of administration and overhead costs. States are expected to support the additional costs of operating this program with non-federal funds. The contract between the VA and the Board has essentially remained static for many years. As fuel costs and salary and benefit costs rise, the amount available to cover administration in the contract has been reduced by USDVA to maintain a static bottom line. The program costs an additional \$50,000 to operate above what the agency receives in contract funding.

**Recommended Action:** Adoption of recommended motion.

**RECOMMENDED MOTION  
WORKFORCE BOARD 2016 LEGISLATIVE REQUESTS**

**WHEREAS**, Agency request legislation and budget items are due to the Office of Financial Management in September and October; and

**WHEREAS**, The Workforce Board has approved the draft budget requests for match funding for administration of the federal Perkins career and technical education grant, and budget support for funding gaps in the federal Veterans Administration contract to approve education and training programs for veterans; and

**WHEREAS**, The Workforce Board has approved draft agency request legislation to make technical corrections in state workforce statutes to reflect the change from the Workforce Investment Act to the Workforce Innovation and Opportunity Act; now

**THEREFORE, BE IT RESOLVED**, The Workforce Training and Education Coordinating Board submits the draft agency request items to the Office of Financial Management for the Governor's approval.

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**BILL REQUEST - CODE REVISER'S OFFICE**

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BILL REQ. #: Z-0576.2/15 2nd draft

ATTY/TYPIST: SCG:akl

BRIEF DESCRIPTION: Updating workforce investment act references.

1 AN ACT Relating to updating workforce investment act references;  
2 amending RCW 28B.50.281, 28C.18.010, 28C.18.060, 28C.18.150,  
3 28C.18.164, 50.22.150, 50.62.030, and 74.15.020; and reenacting and  
4 amending RCW 28C.04.410 and 50.22.155.

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

6 **Sec. 1.** RCW 28B.50.281 and 2009 c 536 s 9 are each amended to  
7 read as follows:

8 (1) The state board shall work with the leadership team, the  
9 Washington state apprenticeship and training council, and the office  
10 of the superintendent of public instruction to jointly develop, by  
11 June 30, 2010, curricula and training programs, to include on-the-job  
12 training, classroom training, and safety and health training, for the  
13 development of the skills and qualifications identified by the  
14 department of community, trade, and economic development under  
15 section 7 of this act.

16 (2) The board shall target a portion of any federal stimulus  
17 funding received to ensure commensurate capacity for high employer-  
18 demand programs of study developed under this section. To that end,  
19 the state board must coordinate with the department, the leadership  
20 team, the workforce board, or another appropriate state agency in the  
21 application for and receipt of any funding that may be made available

1 through the federal youthbuild program, workforce ((investment))  
2 innovation and opportunity act, job corps, or other relevant federal  
3 programs.

4 (3) The board shall provide an interim report to the appropriate  
5 committees of the legislature by December 1, 2011, and a final report  
6 by December 1, 2013, detailing the effectiveness of, and any  
7 recommendations for improving, the worker training curricula and  
8 programs established in this section.

9 (4) Existing curricula and training programs or programs provided  
10 by community and technical colleges in the state developed under this  
11 section must be recognized as programs of study under RCW 28B.50.273.

12 (5) Subject to available funding, the board may grant enrollment  
13 priority to persons who qualify for a waiver under RCW 28B.15.522 and  
14 who enroll in curricula and training programs provided by community  
15 or technical colleges in the state that have been developed in  
16 accordance with this section.

17 (6) The college board may prioritize workforce training programs  
18 that lead to a credential, certificate, or degree in green economy  
19 jobs. For purposes of this section, green economy jobs include those  
20 in the primary industries of a green economy including clean energy,  
21 high-efficiency building, green transportation, and environmental  
22 protection. Prioritization efforts may include but are not limited  
23 to: (a) Prioritization of the use of high employer-demand funding for  
24 workforce training programs in green economy jobs, if the programs  
25 meet minimum criteria for identification as a high-demand program of  
26 study as defined by the state board for community and technical  
27 colleges, however any additional community and technical college  
28 high-demand funding authorized for the 2009-2011 fiscal biennium and  
29 thereafter may be subject to prioritization; (b) increased outreach  
30 efforts to public utilities, education, labor, government, and  
31 private industry to develop tailored, green job training programs;  
32 and (c) increased outreach efforts to target populations. Outreach  
33 efforts shall be conducted in partnership with local workforce  
34 development councils.

35 (7) The definitions in RCW 43.330.010 apply to this section and  
36 RCW 28B.50.282.

37 **Sec. 2.** RCW 28C.04.410 and 2009 c 554 s 1 are each reenacted and  
38 amended to read as follows:

1 Unless the context clearly requires otherwise, the definitions in  
2 this section apply throughout RCW 28C.04.390 and 28C.04.420.

3 (1) "Applicant" means an educational institution which has made  
4 application for a job skills grant under RCW 28C.04.390 and  
5 28C.04.420.

6 (2) "Business and industry" means a private corporation,  
7 institution, firm, person, group, or association concerned with  
8 commerce, trades, manufacturing, or the provision of services within  
9 the state, or a public or nonprofit hospital licensed by the  
10 department of social and health services.

11 (3) "College board" means the state board for community and  
12 technical colleges under chapter 28B.50 RCW.

13 (4) "Dislocated worker" means an individual who meets the  
14 definition of dislocated worker contained in P.L. (~~105-220, Sec. 101~~  
15 ~~en July 25, 1999~~) 113-128 Sec. 3.

16 (5) "Educational institution" means a public secondary or  
17 postsecondary institution, an independent institution, or a private  
18 career school or college within the state authorized by law to  
19 provide a program of skills training or education beyond the  
20 secondary school level. Any educational institution receiving a job  
21 skills grant under RCW 28C.04.420 shall be free of sectarian control  
22 or influence as set forth in Article IX, section 4 of the state  
23 Constitution.

24 (6) "Equipment" means tangible personal property which will  
25 further the objectives of the supported program and for which a  
26 definite value and evidence in support of the value have been  
27 provided by the donor.

28 (7) "Financial support" means any thing of value which is  
29 contributed by business, industry, and others to an educational  
30 institution which is reasonably calculated to support directly the  
31 development and expansion of a particular program under RCW  
32 28C.04.390 and 28C.04.420 and represents an addition to any financial  
33 support previously or customarily provided to such educational  
34 institutions by the donor. "Financial support" includes, but is not  
35 limited to, funds, equipment, facilities, faculty, and scholarships  
36 for matriculating students and trainees.

37 (8) "Job skills grant" means funding that is provided to an  
38 educational institution by the college board for the development or  
39 significant expansion of a program under RCW 28C.04.390 and  
40 28C.04.420.

1 (9) "Job skills program" means a program of skills training or  
2 education separate from and in addition to existing vocational  
3 education programs and which:

4 (a) Provides short-term training which has been designated for  
5 specific industries;

6 (b) Provides training for prospective employees before a new  
7 plant opens or when existing industry expands;

8 (c) Includes training and retraining for workers already employed  
9 by an existing industry or business where necessary to avoid  
10 dislocation or where upgrading of existing employees would create new  
11 vacancies for unemployed persons;

12 (d) Serves areas with high concentrations of economically  
13 disadvantaged persons and high unemployment;

14 (e) Promotes the growth of industry clusters;

15 (f) Serves areas where there is a shortage of skilled labor to  
16 meet job demands; or

17 (g) Promotes the location of new industry in areas affected by  
18 economic dislocation.

19 (10) "Technical assistance" means professional and any other  
20 assistance provided by business and industry to an educational  
21 institution, which is reasonably calculated to support directly the  
22 development and expansion of a particular program and which  
23 represents an addition to any technical assistance previously or  
24 customarily provided to the educational institutions by the donor.

25 **Sec. 3.** RCW 28C.18.010 and 2013 c 39 s 16 are each amended to  
26 read as follows:

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

29 (1) "Adult basic education" means instruction designed to achieve  
30 mastery of skills in reading, writing, oral communication, and  
31 computation at a level sufficient to allow the individual to function  
32 effectively as a parent, worker, and citizen in the United States,  
33 commensurate with that individual's actual ability level, and  
34 includes English as a second language and preparation and testing  
35 services for a high school equivalency certificate as provided in RCW  
36 28B.50.536.

37 (2) "Board" means the workforce training and education  
38 coordinating board.

1 (3) "Director" means the director of the workforce training and  
2 education coordinating board.

3 (4) "Industry skill panel" means a regional partnership of  
4 business, labor, and education leaders that identifies skill gaps in  
5 a key economic cluster and enables the industry and public partners  
6 to respond to and be proactive in addressing workforce skill needs.

7 (5) "Training system" means programs and courses of secondary  
8 vocational education, technical college programs and courses,  
9 community college vocational programs and courses, private career  
10 school and college programs and courses, employer-sponsored training,  
11 adult basic education programs and courses, programs and courses  
12 funded by the federal workforce (~~(investment)~~) innovation and  
13 opportunity act, programs and courses funded by the federal  
14 vocational act, programs and courses funded under the federal adult  
15 education act, publicly funded programs and courses for adult  
16 literacy education, and apprenticeships, and programs and courses  
17 offered by private and public nonprofit organizations that are  
18 representative of communities or significant segments of communities  
19 and provide job training or adult literacy services.

20 (6) "Vocational education" means organized educational programs  
21 offering a sequence of courses which are directly related to the  
22 preparation or retraining of individuals in paid or unpaid employment  
23 in current or emerging occupations requiring other than a  
24 baccalaureate or advanced degree. Such programs shall include  
25 competency-based applied learning which contributes to an  
26 individual's academic knowledge, higher-order reasoning, and problem-  
27 solving skills, work attitudes, general employability skills, and the  
28 occupational-specific skills necessary for economic independence as a  
29 productive and contributing member of society. Such term also  
30 includes applied technology education.

31 (7) "Workforce development council" means a local workforce  
32 investment board as established in P.L. (~~(105-220 Sec. 117)~~) 113-128  
33 Sec. 107.

34 (8) "Workforce skills" means skills developed through applied  
35 learning that strengthen and reinforce an individual's academic  
36 knowledge, critical thinking, problem solving, and work ethic and,  
37 thereby, develop the employability, occupational skills, and  
38 management of home and work responsibilities necessary for economic  
39 independence.

1       **Sec. 4.** RCW 28C.18.060 and 2014 c 112 s 103 are each amended to  
2 read as follows:

3       The board, in cooperation with the operating agencies of the  
4 state training system and private career schools and colleges, shall:

5       (1) Concentrate its major efforts on planning, coordination  
6 evaluation, policy analysis, and recommending improvements to the  
7 state's training system;

8       (2) Advocate for the state training system and for meeting the  
9 needs of employers and the workforce for workforce education and  
10 training;

11       (3) Establish and maintain an inventory of the programs of the  
12 state training system, and related state programs, and perform a  
13 biennial assessment of the vocational education, training, and adult  
14 basic education and literacy needs of the state; identify ongoing and  
15 strategic education needs; and assess the extent to which employment,  
16 training, vocational and basic education, rehabilitation services,  
17 and public assistance services represent a consistent, integrated  
18 approach to meet such needs;

19       (4) Develop and maintain a state comprehensive plan for workforce  
20 training and education, including but not limited to, goals,  
21 objectives, and priorities for the state training system, and review  
22 the state training system for consistency with the state  
23 comprehensive plan. In developing the state comprehensive plan for  
24 workforce training and education, the board shall use, but shall not  
25 be limited to: Economic, labor market, and populations trends reports  
26 in office of financial management forecasts; joint office of  
27 financial management and employment security department labor force,  
28 industry employment, and occupational forecasts; the results of  
29 scientifically based outcome, net-impact and cost-benefit  
30 evaluations; the needs of employers as evidenced in formal employer  
31 surveys and other employer input; and the needs of program  
32 participants and workers as evidenced in formal surveys and other  
33 input from program participants and the labor community;

34       (5) In consultation with the student achievement council, review  
35 and make recommendations to the office of financial management and  
36 the legislature on operating and capital facilities budget requests  
37 for operating agencies of the state training system for purposes of  
38 consistency with the state comprehensive plan for workforce training  
39 and education;

1 (6) Provide for coordination among the different operating  
2 agencies and components of the state training system at the state  
3 level and at 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  
8 for the operating agencies of the state training system in a format  
9 that is accessible to use by the board. The board shall require a  
10 minimum of common core data to be collected by each operating agency  
11 of the state training system;

12 (b) Develop requirements for minimum common core data in  
13 consultation with the office of financial management and the  
14 operating 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  
19 program 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  
38 state training system;

39 (14) In cooperation with the student achievement council,  
40 facilitate transfer of credit policies and agreements between

1 institutions of the state training system, and encourage articulation  
2 agreements for programs encompassing two years of secondary workforce  
3 education and two years of postsecondary workforce education;

4 (15) In cooperation with the student achievement council,  
5 facilitate transfer of credit policies and agreements between private  
6 training institutions and institutions of the state training system;

7 (16) Develop policy objectives for the workforce (~~(investment)~~)  
8 innovation and opportunity act, P.L. (~~(105-220)~~) 113-128, or its  
9 successor; develop coordination criteria for activities under the act  
10 with related programs and services provided by state and local  
11 education and training agencies; and ensure that entrepreneurial  
12 training opportunities are available through programs of each local  
13 workforce investment board in the state;

14 (17) Make recommendations to the commission of student  
15 assessment, the state board of education, and the superintendent of  
16 public instruction, concerning basic skill competencies and essential  
17 core competencies for K-12 education. Basic skills for this purpose  
18 shall be reading, writing, computation, speaking, and critical  
19 thinking, essential core competencies for this purpose shall be  
20 English, math, science/technology, history, geography, and critical  
21 thinking. The board shall monitor the development of and provide  
22 advice concerning secondary curriculum which integrates vocational  
23 and academic education;

24 (18) Establish and administer programs for marketing and outreach  
25 to businesses and potential program participants;

26 (19) Facilitate the location of support services, including but  
27 not limited to, child care, financial aid, career counseling, and job  
28 placement services, for students and trainees at institutions in the  
29 state training system, and advocate for support services for trainees  
30 and students in the state training system;

31 (20) Facilitate private sector assistance for the state training  
32 system, including but not limited to: Financial assistance, rotation  
33 of private and public personnel, and vocational counseling;

34 (21) Facilitate the development of programs for school-to-work  
35 transition that combine classroom education and on-the-job training,  
36 including entrepreneurial education and training, in industries and  
37 occupations without a significant number of apprenticeship programs;

38 (22) Include in the planning requirements for local workforce  
39 investment boards a requirement that the local workforce investment  
40 boards specify how entrepreneurial training is to be offered through

1 the one-stop system required under the workforce ((investment))  
2 innovation and opportunity act, P.L. ((105-220)) 113-128, or its  
3 successor;

4 (23) Encourage and assess progress for the equitable  
5 representation of racial and ethnic minorities, women, and people  
6 with disabilities among the students, teachers, and administrators of  
7 the state training system. Equitable, for this purpose, shall mean  
8 substantially proportional to their percentage of the state  
9 population in the geographic area served. This function of the board  
10 shall in no way lessen more stringent state or federal requirements  
11 for representation of racial and ethnic minorities, women, and people  
12 with disabilities;

13 (24) Participate in the planning and policy development of  
14 governor set-aside grants under P.L. 97-300, as amended;

15 (25) Administer veterans' programs, licensure of private  
16 vocational schools, the job skills program, and the Washington award  
17 for vocational excellence;

18 (26) Allocate funding from the state job training trust fund;

19 (27) Work with the director of commerce to ensure coordination  
20 among workforce training priorities and economic development and  
21 entrepreneurial development efforts, including but not limited to  
22 assistance to industry clusters;

23 (28) Conduct research into workforce development programs  
24 designed to reduce the high unemployment rate among young people  
25 between approximately eighteen and twenty-four years of age. In  
26 consultation with the operating agencies, the board shall advise the  
27 governor and legislature on policies and programs to alleviate the  
28 high unemployment rate among young people. The research shall include  
29 disaggregated demographic information and, to the extent possible,  
30 income data for adult youth. The research shall also include a  
31 comparison of the effectiveness of programs examined as a part of the  
32 research conducted in this subsection in relation to the public  
33 investment made in these programs in reducing unemployment of young  
34 adults. The board shall report to the appropriate committees of the  
35 legislature by November 15, 2008, and every two years thereafter.  
36 Where possible, the data reported to the legislative committees  
37 should be reported in numbers and in percentages;

38 (29) Adopt rules as necessary to implement this chapter.

39 The board may delegate to the director any of the functions of  
40 this section.

1       **Sec. 5.** RCW 28C.18.150 and 2009 c 151 s 8 are each amended to  
2 read as follows:

3       (1) Workforce development councils, in partnership with local  
4 elected officials, shall develop and maintain a local unified plan  
5 for the workforce development system including, but not limited to,  
6 the local plan required by P.L. (~~(105-220, Title I)~~) 113-128 Sec.  
7 108. The unified plan shall include a strategic plan that assesses  
8 local employment opportunities and skill needs, the present and  
9 future workforce, the current workforce development system,  
10 information on financial resources, diversity, goals, objectives, and  
11 strategies for the local workforce development system, and a  
12 system-wide financial strategy for implementing the plan. Local  
13 workforce development councils shall submit their strategic plans to  
14 the board for review and to the governor for approval.

15       (2) The strategic plan shall clearly articulate the connection  
16 between workforce and economic development efforts in the local area  
17 including the area industry clusters and the strategic clusters the  
18 community is targeting for growth. The plan shall include, but is not  
19 limited to:

20       (a) Data on current and projected employment opportunities in the  
21 local area;

22       (b) Identification of workforce investment needs of existing  
23 businesses and businesses considering location in the region, with  
24 special attention to industry clusters;

25       (c) Identification of educational, training, employment, and  
26 support service needs of job seekers and workers in the local area,  
27 including individuals with disabilities and other underrepresented  
28 talent sources;

29       (d) Analysis of the industry demand, potential labor force  
30 supply, and educational, employment, and workforce support available  
31 to businesses and job seekers in the region; and

32       (e) Collaboration with associate development organizations in  
33 regional planning efforts involving combined strategies around  
34 workforce development and economic development policies and programs.  
35 Combined planning efforts shall include, but not be limited to,  
36 assistance to industry clusters in the area.

37       (3) The board shall work with workforce development councils to  
38 develop implementation and funding strategies for purposes of this  
39 section.

1       **Sec. 6.** RCW 28C.18.164 and 2010 1st sp.s. c 24 s 4 are each  
2 amended to read as follows:

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

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

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

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

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

1 (a) Identify high-demand occupations in targeted industries for  
2 which opportunity internships or preapprenticeships shall be  
3 developed and provided;

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

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

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

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

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

26 (3) Opportunity internship consortia are encouraged to:

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

30 (b) Work with high schools to offer opportunity internships as  
31 approved worksite learning experiences where students can earn high  
32 school credit;

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

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

38 (e) Coordinate the opportunity internship program with other  
39 workforce development and postsecondary education programs, including  
40 opportunity grants, the college bound scholarship program, federal

1 workforce (~~investment~~) innovation and opportunity act initiatives,  
2 and college access challenge grants.

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

6 **Sec. 7.** RCW 50.22.150 and 2009 c 353 s 4 are each amended to  
7 read as follows:

8 (1) This section applies to claims with an effective date before  
9 April 5, 2009.

10 (2) Subject to availability of funds, training benefits are  
11 available for an individual who is eligible for or has exhausted  
12 entitlement to unemployment compensation benefits and who:

13 (a) Is a dislocated worker as defined in RCW 50.04.075;

14 (b) Except as provided under subsection (3) of this section, has  
15 demonstrated, through a work history, sufficient tenure in an  
16 occupation or in work with a particular skill set. This screening  
17 will take place during the assessment process;

18 (c) Is, after assessment of demand for the individual's  
19 occupation or skills in the individual's labor market, determined to  
20 need job-related training to find suitable employment in his or her  
21 labor market. Beginning July 1, 2001, the assessment of demand for  
22 the individual's occupation or skill sets must be substantially based  
23 on declining occupation or skill sets identified in local labor  
24 market areas by the local workforce development councils, in  
25 cooperation with the employment security department and its labor  
26 market information division, under subsection (11) of this section;

27 (d) Develops an individual training program that is submitted to  
28 the commissioner for approval within sixty days after the individual  
29 is notified by the employment security department of the requirements  
30 of this section;

31 (e) Enters the approved training program by ninety days after the  
32 date of the notification, unless the employment security department  
33 determines that the training is not available during the ninety-day  
34 period, in which case the individual enters training as soon as it is  
35 available; and

36 (f) Is enrolled in training approved under this section on a  
37 full-time basis as determined by the educational institution, and is  
38 making satisfactory progress in the training as certified by the  
39 educational institution.

1 (3) Until June 30, 2002, the following individuals who meet the  
2 requirements of subsection (2) of this section may, without regard to  
3 the tenure requirements under subsection (2)(b) of this section,  
4 receive training benefits as provided in this section:

5 (a) An exhaustee who has base year employment in the aerospace  
6 industry assigned the standard industrial classification code "372"  
7 or the North American industry classification system code "336411";

8 (b) An exhaustee who has base year employment in the forest  
9 products industry, determined by the department, but including the  
10 industries assigned the major group standard industrial  
11 classification codes "24" and "26" or any equivalent codes in the  
12 North American industry classification system code, and the  
13 industries involved in the harvesting and management of logs,  
14 transportation of logs and wood products, processing of wood  
15 products, and the manufacturing and distribution of wood processing  
16 and logging equipment; or

17 (c) An exhaustee who has base year employment in the fishing  
18 industry assigned the standard industrial classification code "0912"  
19 or any equivalent codes in the North American industry classification  
20 system code.

21 (4) An individual is not eligible for training benefits under  
22 this section if he or she:

23 (a) Is a standby claimant who expects recall to his or her  
24 regular employer;

25 (b) Has a definite recall date that is within six months of the  
26 date he or she is laid off; or

27 (c) Is unemployed due to a regular seasonal layoff which  
28 demonstrates a pattern of unemployment consistent with the provisions  
29 of RCW 50.20.015. Regular seasonal layoff does not include layoff due  
30 to permanent structural downsizing or structural changes in the  
31 individual's labor market.

32 (5) The definitions in this subsection apply throughout this  
33 section unless the context clearly requires otherwise.

34 (a) "Educational institution" means an institution of higher  
35 education as defined in RCW 28B.10.016 or an educational institution  
36 as defined in RCW 28C.04.410, including equivalent educational  
37 institutions in other states.

38 (b) "Sufficient tenure" means earning a plurality of wages in a  
39 particular occupation or using a particular skill set during the base

1 year and at least two of the four twelve-month periods immediately  
2 preceding the base year.

3 (c) "Training benefits" means additional benefits paid under this  
4 section.

5 (d) "Training program" means:

6 (i) An education program determined to be necessary as a  
7 prerequisite to vocational training after counseling at the  
8 educational institution in which the individual enrolls under his or  
9 her approved training program; or

10 (ii) A vocational training program at an educational institution:

11 (A) That is targeted to training for a high-demand occupation.  
12 Beginning July 1, 2001, the assessment of high-demand occupations  
13 authorized for training under this section must be substantially  
14 based on labor market and employment information developed by local  
15 workforce development councils, in cooperation with the employment  
16 security department and its labor market information division, under  
17 subsection (11) of this section;

18 (B) That is likely to enhance the individual's marketable skills  
19 and earning power; and

20 (C) That meets the criteria for performance developed by the  
21 workforce training and education coordinating board for the purpose  
22 of determining those training programs eligible for funding under  
23 Title I of P.L. (~~(105-220)~~) 113-128.

24 "Training program" does not include any course of education  
25 primarily intended to meet the requirements of a baccalaureate or  
26 higher degree, unless the training meets specific requirements for  
27 certification, licensing, or for specific skills necessary for the  
28 occupation.

29 (6) Benefits shall be paid as follows:

30 (a)(i) Except as provided in (a)(iii) of this subsection, for  
31 exhaustees who are eligible under subsection (2) of this section, the  
32 total training benefit amount shall be fifty-two times the  
33 individual's weekly benefit amount, reduced by the total amount of  
34 regular benefits and extended benefits paid, or deemed paid, with  
35 respect to the benefit year; or

36 (ii) For exhaustees who are eligible under subsection (3) of this  
37 section, for claims filed before June 30, 2002, the total training  
38 benefit amount shall be seventy-four times the individual's weekly  
39 benefit amount, reduced by the total amount of regular benefits and

1 extended benefits paid, or deemed paid, with respect to the benefit  
2 year; or

3 (iii) For exhaustees eligible under subsection (2) of this  
4 section from industries listed under subsection (3)(a) of this  
5 section, for claims filed on or after June 30, 2002, but before  
6 January 5, 2003, the total training benefit amount shall be seventy-  
7 four times the individual's weekly benefit amount, reduced by the  
8 total amount of regular benefits and extended benefits paid, or  
9 deemed paid, with respect to the benefit year.

10 (b) The weekly benefit amount shall be the same as the regular  
11 weekly amount payable during the applicable benefit year and shall be  
12 paid under the same terms and conditions as regular benefits. The  
13 training benefits shall be paid before any extended benefits but not  
14 before any similar federally funded program.

15 (c) Training benefits are not payable for weeks more than two  
16 years beyond the end of the benefit year of the regular claim.

17 (7) The requirement under RCW 50.22.010(10) relating to  
18 exhausting regular benefits does not apply to an individual otherwise  
19 eligible for training benefits under this section when the  
20 individual's benefit year ends before his or her training benefits  
21 are exhausted and the individual is eligible for a new benefit year.  
22 These individuals will have the option of remaining on the original  
23 claim or filing a new claim.

24 (8)(a) Except as provided in (b) of this subsection, individuals  
25 who receive training benefits under this section or under any  
26 previous additional benefits program for training are not eligible  
27 for training benefits under this section for five years from the last  
28 receipt of training benefits under this section or under any previous  
29 additional benefits program for training.

30 (b) With respect to claims that are filed before January 5, 2003,  
31 an individual in the aerospace industry assigned the standard  
32 industrial code "372" or the North American industry classification  
33 system code "336411" who received training benefits under this  
34 section, and who had been making satisfactory progress in a training  
35 program but did not complete the program, is eligible, without regard  
36 to the five-year limitation of this section and without regard to the  
37 requirement of subsection (2)(b) of this section, if applicable, to  
38 receive training benefits under this section in order to complete  
39 that training program. The total training benefit amount that applies  
40 to the individual is seventy-four times the individual's weekly

1 benefit amount, reduced by the total amount of regular benefits paid,  
2 or deemed paid, with respect to the benefit year in which the  
3 training program resumed and, if applicable, reduced by the amount of  
4 training benefits paid, or deemed paid, with respect to the benefit  
5 year in which the training program commenced.

6 (9) An individual eligible to receive a trade readjustment  
7 allowance under chapter 2 of Title II of the Trade Act of 1974, as  
8 amended, shall not be eligible to receive benefits under this section  
9 for each week the individual receives such trade readjustment  
10 allowance. An individual eligible to receive emergency unemployment  
11 compensation, so called, under any federal law, shall not be eligible  
12 to receive benefits under this section for each week the individual  
13 receives such compensation.

14 (10) All base year employers are interested parties to the  
15 approval of training and the granting of training benefits.

16 (11) By July 1, 2001, each local workforce development council,  
17 in cooperation with the employment security department and its labor  
18 market information division, must identify high-demand occupations  
19 and occupations in declining employer demand. For the purposes of RCW  
20 50.22.130 through 50.22.150 and section 9, chapter 2, Laws of 2000,  
21 "high-demand occupation" means an occupation with a substantial  
22 number of current or projected employment opportunities. Local  
23 workforce development councils must use state and locally developed  
24 labor market information. Thereafter, each local workforce  
25 development council shall update this information annually or more  
26 frequently if needed.

27 (12) The commissioner shall adopt rules as necessary to implement  
28 this section.

29 **Sec. 8.** RCW 50.22.155 and 2011 c 4 s 9 and 2011 c 3 s 2 are each  
30 reenacted and amended to read as follows:

31 (1) With respect to claims with an effective date on or after  
32 April 5, 2009, and before July 1, 2012:

33 (a) Subject to availability of funds, training benefits are  
34 available for an individual who is eligible for or has exhausted  
35 entitlement to unemployment compensation benefits when:

36 (i) The individual is a dislocated worker as defined in RCW  
37 50.04.075 and, after assessment of the individual's labor market,  
38 occupation, or skills, is determined to need job-related training to  
39 find suitable employment in the individual's labor market. The

1 assessment of demand for the individual's occupation or skill sets  
2 must be substantially based on declining occupation or skill sets and  
3 high-demand occupations identified in local labor market areas by the  
4 local workforce development councils in cooperation with the  
5 employment security department and its labor market information  
6 division; or

7 (ii) For claims with an effective date on or after September 7,  
8 2009, the individual:

9 (A) Earned an average hourly wage in the individual's base year  
10 that is less than one hundred thirty percent of the state minimum  
11 wage and, after assessment, it is determined that the individual's  
12 earning potential will be enhanced through vocational training. The  
13 individual's average hourly wage is calculated by dividing the total  
14 wages paid by the total hours worked in the individual's base year;

15 (B) Served in the United States military or the Washington  
16 national guard during the twelve-month period prior to the  
17 application date, was honorably discharged from military service or  
18 the Washington national guard and, after assessment, is determined to  
19 need job-related training to find suitable employment in the  
20 individual's labor market;

21 (C) Is currently serving in the Washington national guard and,  
22 after assessment, is determined to need job-related training to find  
23 suitable employment in the individual's labor market; or

24 (D) Is disabled due to an injury or illness and, after  
25 assessment, is determined to be unable to return to his or her  
26 previous occupation and to need job-related training to find suitable  
27 employment in the individual's labor market.

28 (b)(i) The individual must develop an individual training program  
29 that is submitted to the commissioner for approval within ninety days  
30 after the individual is notified by the employment security  
31 department of the requirements of this section;

32 (ii) The individual must enter the approved training program by  
33 one hundred twenty days after the date of the notification, unless  
34 the employment security department determines that the training is  
35 not available during the one hundred twenty days, in which case the  
36 individual enters training as soon as it is available;

37 (iii) The department may waive the deadlines established under  
38 this subsection for reasons deemed by the commissioner to be good  
39 cause.

1 (c) The individual must be enrolled in training approved under  
2 this section on a full-time basis as determined by the educational  
3 institution, except that less than full-time training may be approved  
4 when the individual has a physical, mental, or emotional disability  
5 that precludes enrollment on a full-time basis.

6 (d) The individual must make satisfactory progress in the  
7 training as defined by the commissioner and certified by the  
8 educational institution.

9 (e) An individual is not eligible for training benefits under  
10 this section if he or she:

11 (i) Is a standby claimant who expects recall to his or her  
12 regular employer; or

13 (ii) Has a definite recall date that is within six months of the  
14 date he or she is laid off.

15 (f) The following definitions apply throughout this subsection  
16 (1) unless the context clearly requires otherwise.

17 (i) "Educational institution" means an institution of higher  
18 education as defined in RCW 28B.10.016 or an educational institution  
19 as defined in RCW 28C.04.410, including equivalent educational  
20 institutions in other states.

21 (ii) "High-demand occupation" means an occupation with a  
22 substantial number of current or projected employment opportunities.

23 (iii) "Training benefits" means additional benefits paid under  
24 this section.

25 (iv) "Training program" means:

26 (A) An education program determined to be necessary as a  
27 prerequisite to vocational training after counseling at the  
28 educational institution in which the individual enrolls under his or  
29 her approved training program; or

30 (B) A vocational training program at an educational institution  
31 that:

32 (I) Is targeted to training for a high-demand occupation;

33 (II) Is likely to enhance the individual's marketable skills and  
34 earning power; and

35 (III) Meets the criteria for performance developed by the  
36 workforce training and education coordinating board for the purpose  
37 of determining those training programs eligible for funding under  
38 Title I of P.L. (~~105-220~~) 113-128.

39 "Training program" does not include any course of education  
40 primarily intended to meet the requirements of a baccalaureate or

1 higher degree, unless the training meets specific requirements for  
2 certification, licensing, or for specific skills necessary for the  
3 occupation.

4 (g) Benefits shall be paid as follows:

5 (i) The total training benefit amount shall be fifty-two times  
6 the individual's weekly benefit amount, reduced by the total amount  
7 of regular benefits and extended benefits paid, or deemed paid, with  
8 respect to the benefit year.

9 (ii) The weekly benefit amount shall be the same as the regular  
10 weekly amount payable during the applicable benefit year and shall be  
11 paid under the same terms and conditions as regular benefits.

12 (iii) Training benefits shall be paid before any extended  
13 benefits but not before any similar federally funded program.  
14 Effective July 3, 2011, training benefits shall be paid after any  
15 federally funded program.

16 (iv) Training benefits are not payable for weeks more than two  
17 years beyond the end of the benefit year of the regular claim.  
18 However, training benefits are not payable for weeks more than three  
19 years beyond the end of the benefit year of the regular claim when  
20 individuals are eligible for benefits in accordance with RCW  
21 50.22.010 (2)((+e)) (b) or (3)((+e)) (b).

22 (h) The requirement under RCW 50.22.010(10) relating to  
23 exhausting regular benefits does not apply to an individual otherwise  
24 eligible for training benefits under this section when the  
25 individual's benefit year ends before his or her training benefits  
26 are exhausted and the individual is eligible for a new benefit year.  
27 These individuals will have the option of remaining on the original  
28 claim or filing a new claim.

29 (i) Individuals who receive training benefits under RCW 50.22.150  
30 or this section are not eligible for training benefits under this  
31 section for five years from the last receipt of training benefits.

32 (j) An individual eligible to receive a trade readjustment  
33 allowance under chapter 2, Title II of the trade act of 1974, as  
34 amended, shall not be eligible to receive benefits under this section  
35 for each week the individual receives such trade readjustment  
36 allowance.

37 (k) An individual eligible to receive emergency unemployment  
38 compensation under any federal law shall not be eligible to receive  
39 benefits under this section for each week the individual receives  
40 such compensation.

1 (1) All base year employers are interested parties to the  
2 approval of training and the granting of training benefits.

3 (m) Each local workforce development council, in cooperation with  
4 the employment security department and its labor market information  
5 division, must identify occupations and skill sets that are declining  
6 and high-demand occupations and skill sets. Each local workforce  
7 development council shall update this information annually or more  
8 frequently if needed.

9 (2) With respect to claims with an effective date on or after  
10 July 1, 2012:

11 (a) Training benefits are available for an individual who is  
12 eligible for or has exhausted entitlement to unemployment  
13 compensation benefits when:

14 (i) The individual is a dislocated worker as defined in RCW  
15 50.04.075 and, after assessment of the individual's labor market,  
16 occupation, or skills, is determined to need job-related training to  
17 find suitable employment in the individual's labor market. The  
18 assessment of demand for the individual's occupation or skill sets  
19 must be substantially based on declining occupation or skill sets and  
20 high-demand occupations identified in local labor market areas by the  
21 local workforce development councils in cooperation with the  
22 employment security department and its labor market information  
23 division; or

24 (ii) Subject to the availability of funds as specified in RCW  
25 50.22.140, the individual:

26 (A) Earned an average hourly wage in the individual's base year  
27 that is less than one hundred thirty percent of the state minimum  
28 wage and, after assessment, it is determined that the individual's  
29 earning potential will be enhanced through vocational training. The  
30 individual's average hourly wage is calculated by dividing the total  
31 wages paid by the total hours worked in the individual's base year;

32 (B) Served in the United States military or the Washington  
33 national guard during the twelve-month period prior to the  
34 application date, was honorably discharged from military service or  
35 the Washington national guard and, after assessment, is determined to  
36 need job-related training to find suitable employment in the  
37 individual's labor market;

38 (C) Is currently serving in the Washington national guard and,  
39 after assessment, is determined to need job-related training to find  
40 suitable employment in the individual's labor market; or

1 (D) Is disabled due to an injury or illness and, after  
2 assessment, is determined to be unable to return to his or her  
3 previous occupation and to need job-related training to find suitable  
4 employment in the individual's labor market.

5 (b)(i) Except for an individual eligible under (a)(i) of this  
6 subsection, the individual must develop an individual training plan  
7 that is submitted to the commissioner for approval within ninety days  
8 after the individual is notified by the employment security  
9 department of the requirements of this section;

10 (ii) Except for an individual eligible under (a)(i) of this  
11 subsection, the individual must enroll in the approved training  
12 program by one hundred twenty days after the date of the  
13 notification, unless the employment security department determines  
14 that the training is not available during the one hundred twenty  
15 days, in which case the individual enters training as soon as it is  
16 available;

17 (iii) An individual eligible under (a)(i) of this subsection must  
18 submit an individual training plan and enroll in the approved  
19 training program prior to the end of the individual's benefit year;

20 (iv) The department may waive the deadlines established under  
21 (b)(i) and (ii) of this subsection for reasons deemed by the  
22 commissioner to be good cause.

23 (c) Except for an individual eligible under (a)(i) of this  
24 subsection, the individual must be enrolled in training approved  
25 under this section on a full-time basis as determined by the  
26 educational institution, except that less than full-time training may  
27 be approved when the individual has a physical, mental, or emotional  
28 disability that precludes enrollment on a full-time basis.

29 (d) The individual must make satisfactory progress in the  
30 training as defined by the commissioner and certified by the  
31 educational institution.

32 (e) An individual is not eligible for training benefits under  
33 this section if he or she:

34 (i) Is a standby claimant who expects recall to his or her  
35 regular employer; or

36 (ii) Has a definite recall date that is within six months of the  
37 date he or she is laid off.

38 (f) The following definitions apply throughout this subsection  
39 (2) unless the context clearly requires otherwise:

1 (i) "Educational institution" means an institution of higher  
2 education as defined in RCW 28B.10.016 or an educational institution  
3 as defined in RCW 28C.04.410, including equivalent educational  
4 institutions in other states.

5 (ii) "High-demand occupation" means an occupation with a  
6 substantial number of current or projected employment opportunities.

7 (iii) "Training benefits" means additional benefits paid under  
8 this section.

9 (iv) "Training program" means:

10 (A) An education program determined to be necessary as a  
11 prerequisite to vocational training after counseling at the  
12 educational institution in which the individual enrolls under his or  
13 her approved training program; or

14 (B) A vocational training program at an educational institution  
15 that:

16 (I) Is targeted to training for a high-demand occupation;

17 (II) Is likely to enhance the individual's marketable skills and  
18 earning power; and

19 (III) Meets the criteria for performance developed by the  
20 workforce training and education coordinating board for the purpose  
21 of determining those training programs eligible for funding under  
22 Title I of P.L. (~~105-220~~) 113-128.

23 "Training program" does not include any course of education  
24 primarily intended to meet the requirements of a baccalaureate or  
25 higher degree, unless the training meets specific requirements for  
26 certification, licensing, or for specific skills necessary for the  
27 occupation.

28 (g) Available benefits shall be paid as follows:

29 (i) The total training benefit amount shall be fifty-two times  
30 the individual's weekly benefit amount, reduced by the total amount  
31 of regular benefits paid, or deemed paid, with respect to the benefit  
32 year.

33 (ii) The weekly benefit amount shall be the same as the regular  
34 weekly amount payable during the applicable benefit year and shall be  
35 paid under the same terms and conditions as regular benefits.

36 (iii) Training benefits shall be paid after any federally funded  
37 program.

38 (iv) Training benefits are not payable for weeks more than two  
39 years beyond the end of the benefit year of the regular claim.  
40 However, training benefits are not payable for weeks more than three

1 years beyond the end of the benefit year of the regular claim when  
2 individuals are eligible for benefits in accordance with RCW  
3 50.22.010 (2)((+e)) (b) or (3)((+e)) (b).

4 (h) The requirement under RCW 50.22.010(10) relating to  
5 exhausting regular benefits does not apply to an individual otherwise  
6 eligible for training benefits under this section when the  
7 individual's benefit year ends before his or her training benefits  
8 are exhausted and the individual is eligible for a new benefit year.  
9 These individuals will have the option of remaining on the original  
10 claim or filing a new claim.

11 (i) Except for individuals eligible under (a)(i) of this  
12 subsection, individuals who receive training benefits under RCW  
13 50.22.150 or this section are not eligible for training benefits  
14 under this section for five years from the last receipt of training  
15 benefits.

16 (j) An individual eligible to receive a trade readjustment  
17 allowance under chapter 2, Title II of the trade act of 1974, as  
18 amended, shall not be eligible to receive benefits under this section  
19 for each week the individual receives such trade readjustment  
20 allowance.

21 (k) An individual eligible to receive emergency unemployment  
22 compensation under any federal law shall not be eligible to receive  
23 benefits under this section for each week the individual receives  
24 such compensation.

25 (l) All base year employers are interested parties to the  
26 approval of training and the granting of training benefits.

27 (m) Each local workforce development council, in cooperation with  
28 the employment security department and its labor market information  
29 division, must identify occupations and skill sets that are declining  
30 and high-demand occupations and skill sets. Each local workforce  
31 development council shall update this information annually or more  
32 frequently if needed.

33 (3) The commissioner shall adopt rules as necessary to implement  
34 this section.

35 **Sec. 9.** RCW 50.62.030 and 2012 c 40 s 4 are each amended to read  
36 as follows:

37 (1) Job service resources must be used to assist with the  
38 reemployment of unemployed workers using the most efficient and  
39 effective means of service delivery. The job service program of the

1 employment security department may undertake any program or activity  
2 for which funds are available and which furthers the goals of this  
3 chapter. These programs and activities must include, but are not  
4 limited to:

5 (a) Giving older unemployed workers and the long-term unemployed  
6 the highest priority for all services made available under this  
7 section. The employment security department must make the services  
8 provided under this chapter available to the older unemployed workers  
9 and the long-term unemployed as soon as they register under the  
10 employment assistance program;

11 (b) Supplementing basic employment services, with special job  
12 search and claimant placement assistance designed to assist  
13 unemployment insurance claimants to obtain employment;

14 (c) Providing employment services, such as recruitment,  
15 screening, and referral of qualified workers, to agricultural areas  
16 where these services have in the past contributed to positive  
17 economic conditions for the agricultural industry; and

18 (d) Providing otherwise unobtainable information and analysis to  
19 the legislature and program managers about issues related to  
20 employment and unemployment.

21 (2) Individuals who are eligible for services under the federal  
22 workforce (~~(investment)~~) innovation and opportunity act, P.L.  
23 (~~(105-220)~~) 113-128 or its successor(~~([,])~~), must be provided the  
24 opportunity to enroll in self-employment assistance or  
25 entrepreneurial training programs to prepare them for self-employment  
26 on the same basis as they are provided the opportunity to enroll in  
27 other training programs funded under the federal workforce  
28 (~~(investment)~~) innovation and opportunity act. The department must  
29 work with local workforce development councils to ensure that the  
30 contracting process with training providers is efficient and that the  
31 number of entrepreneurial training providers on the state's eligible  
32 training provider list is sufficient to meet demand. Each local  
33 workforce development council must:

34 (a) Notify all individuals eligible for services under the  
35 workforce (~~(investment)~~) innovation and opportunity act of the  
36 availability of self-employment assistance and entrepreneurial  
37 training; and

38 (b) Establish and implement a plan for expending workforce  
39 (~~(investment)~~) innovation and opportunity act funds on self-  
40 employment assistance and entrepreneurial training at a rate that is

1 commensurate with either the demand for such services or the rate of  
2 self-employment within the council's workforce development area.

3 **Sec. 10.** RCW 74.15.020 and 2013 c 105 s 2 are each amended to  
4 read as follows:

5 The definitions in this section apply throughout this chapter and  
6 RCW 74.13.031 unless the context clearly requires otherwise.

7 (1) "Agency" means any person, firm, partnership, association,  
8 corporation, or facility which receives children, expectant mothers,  
9 or persons with developmental disabilities for control, care, or  
10 maintenance outside their own homes, or which places, arranges the  
11 placement of, or assists in the placement of children, expectant  
12 mothers, or persons with developmental disabilities for foster care  
13 or placement of children for adoption, and shall include the  
14 following irrespective of whether there is compensation to the agency  
15 or to the children, expectant mothers, or persons with developmental  
16 disabilities for services rendered:

17 (a) "Child-placing agency" means an agency which places a child  
18 or children for temporary care, continued care, or for adoption;

19 (b) "Community facility" means a group care facility operated for  
20 the care of juveniles committed to the department under RCW  
21 13.40.185. A county detention facility that houses juveniles  
22 committed to the department under RCW 13.40.185 pursuant to a  
23 contract with the department is not a community facility;

24 (c) "Crisis residential center" means an agency which is a  
25 temporary protective residential facility operated to perform the  
26 duties specified in chapter 13.32A RCW, in the manner provided in RCW  
27 74.13.032 through 74.13.036;

28 (d) "Emergency respite center" is an agency that may be commonly  
29 known as a crisis nursery, that provides emergency and crisis care  
30 for up to seventy-two hours to children who have been admitted by  
31 their parents or guardians to prevent abuse or neglect. Emergency  
32 respite centers may operate for up to twenty-four hours a day, and  
33 for up to seven days a week. Emergency respite centers may provide  
34 care for children ages birth through seventeen, and for persons  
35 eighteen through twenty with developmental disabilities who are  
36 admitted with a sibling or siblings through age seventeen. Emergency  
37 respite centers may not substitute for crisis residential centers or  
38 HOPE centers, or any other services defined under this section, and

1 may not substitute for services which are required under chapter  
2 13.32A or 13.34 RCW;

3 (e) "Foster-family home" means an agency which regularly provides  
4 care on a twenty-four hour basis to one or more children, expectant  
5 mothers, or persons with developmental disabilities in the family  
6 abode of the person or persons under whose direct care and  
7 supervision the child, expectant mother, or person with a  
8 developmental disability is placed;

9 (f) "Group-care facility" means an agency, other than a foster-  
10 family home, which is maintained and operated for the care of a group  
11 of children on a twenty-four hour basis;

12 (g) "HOPE center" means an agency licensed by the secretary to  
13 provide temporary residential placement and other services to street  
14 youth. A street youth may remain in a HOPE center for thirty days  
15 while services are arranged and permanent placement is coordinated.  
16 No street youth may stay longer than thirty days unless approved by  
17 the department and any additional days approved by the department  
18 must be based on the unavailability of a long-term placement option.  
19 A street youth whose parent wants him or her returned to home may  
20 remain in a HOPE center until his or her parent arranges return of  
21 the youth, not longer. All other street youth must have court  
22 approval under chapter 13.34 or 13.32A RCW to remain in a HOPE center  
23 up to thirty days;

24 (h) "Maternity service" means an agency which provides or  
25 arranges for care or services to expectant mothers, before or during  
26 confinement, or which provides care as needed to mothers and their  
27 infants after confinement;

28 (i) "Resource and assessment center" means an agency that  
29 provides short-term emergency and crisis care for a period up to  
30 seventy-two hours, excluding Saturdays, Sundays, and holidays to  
31 children who have been removed from their parent's or guardian's care  
32 by child protective services or law enforcement;

33 (j) "Responsible living skills program" means an agency licensed  
34 by the secretary that provides residential and transitional living  
35 services to persons ages sixteen to eighteen who are dependent under  
36 chapter 13.34 RCW and who have been unable to live in his or her  
37 legally authorized residence and, as a result, the minor lived  
38 outdoors or in another unsafe location not intended for occupancy by  
39 the minor. Dependent minors ages fourteen and fifteen may be eligible

1 if no other placement alternative is available and the department  
2 approves the placement;

3 (k) "Service provider" means the entity that operates a community  
4 facility.

5 (2) "Agency" shall not include the following:

6 (a) Persons related to the child, expectant mother, or person  
7 with developmental disability in the following ways:

8 (i) Any blood relative, including those of half-blood, and  
9 including first cousins, second cousins, nephews or nieces, and  
10 persons of preceding generations as denoted by prefixes of grand,  
11 great, or great-great;

12 (ii) Stepfather, stepmother, stepbrother, and stepsister;

13 (iii) A person who legally adopts a child or the child's parent  
14 as well as the natural and other legally adopted children of such  
15 persons, and other relatives of the adoptive parents in accordance  
16 with state law;

17 (iv) Spouses of any persons named in (a)(i), (ii), or (iii) of  
18 this subsection (2), even after the marriage is terminated;

19 (v) Relatives, as named in (a)(i), (ii), (iii), or (iv) of this  
20 subsection (2), of any half sibling of the child; or

21 (vi) Extended family members, as defined by the law or custom of  
22 the Indian child's tribe or, in the absence of such law or custom, a  
23 person who has reached the age of eighteen and who is the Indian  
24 child's grandparent, aunt or uncle, brother or sister, brother-in-law  
25 or sister-in-law, niece or nephew, first or second cousin, or  
26 stepparent who provides care in the family abode on a twenty-four-  
27 hour basis to an Indian child as defined in 25 U.S.C. Sec. 1903(4);

28 (b) Persons who are legal guardians of the child, expectant  
29 mother, or persons with developmental disabilities;

30 (c) Persons who care for a neighbor's or friend's child or  
31 children, with or without compensation, where the parent and person  
32 providing care on a twenty-four-hour basis have agreed to the  
33 placement in writing and the state is not providing any payment for  
34 the care;

35 (d) A person, partnership, corporation, or other entity that  
36 provides placement or similar services to exchange students or  
37 international student exchange visitors or persons who have the care  
38 of an exchange student in their home;

39 (e) A person, partnership, corporation, or other entity that  
40 provides placement or similar services to international children who

1 have entered the country by obtaining visas that meet the criteria  
2 for medical care as established by the United States citizenship and  
3 immigration services, or persons who have the care of such an  
4 international child in their home;

5 (f) Schools, including boarding schools, which are engaged  
6 primarily in education, operate on a definite school year schedule,  
7 follow a stated academic curriculum, accept only school-age children  
8 and do not accept custody of children;

9 (g) Hospitals licensed pursuant to chapter 70.41 RCW when  
10 performing functions defined in chapter 70.41 RCW, nursing homes  
11 licensed under chapter 18.51 RCW and assisted living facilities  
12 licensed under chapter 18.20 RCW;

13 (h) Licensed physicians or lawyers;

14 (i) Facilities approved and certified under chapter 71A.22 RCW;

15 (j) Any agency having been in operation in this state ten years  
16 prior to June 8, 1967, and not seeking or accepting moneys or  
17 assistance from any state or federal agency, and is supported in part  
18 by an endowment or trust fund;

19 (k) Persons who have a child in their home for purposes of  
20 adoption, if the child was placed in such home by a licensed child-  
21 placing agency, an authorized public or tribal agency or court or if  
22 a replacement report has been filed under chapter 26.33 RCW and the  
23 placement has been approved by the court;

24 (l) An agency operated by any unit of local, state, or federal  
25 government or an agency licensed by an Indian tribe pursuant to RCW  
26 74.15.190;

27 (m) A maximum or medium security program for juvenile offenders  
28 operated by or under contract with the department;

29 (n) An agency located on a federal military reservation, except  
30 where the military authorities request that such agency be subject to  
31 the licensing requirements of this chapter.

32 (3) "Department" means the state department of social and health  
33 services.

34 (4) "Juvenile" means a person under the age of twenty-one who has  
35 been sentenced to a term of confinement under the supervision of the  
36 department under RCW 13.40.185.

37 (5) "Performance-based contracts" or "contracting" means the  
38 structuring of all aspects of the procurement of services around the  
39 purpose of the work to be performed and the desired results with the  
40 contract requirements set forth in clear, specific, and objective

1 terms with measurable outcomes. Contracts may also include provisions  
2 that link the performance of the contractor to the level and timing  
3 of the reimbursement.

4 (6) "Probationary license" means a license issued as a  
5 disciplinary measure to an agency that has previously been issued a  
6 full license but is out of compliance with licensing standards.

7 (7) "Requirement" means any rule, regulation, or standard of care  
8 to be maintained by an agency.

9 (8) "Secretary" means the secretary of social and health  
10 services.

11 (9) "Street youth" means a person under the age of eighteen who  
12 lives outdoors or in another unsafe location not intended for  
13 occupancy by the minor and who is not residing with his or her parent  
14 or at his or her legally authorized residence.

15 (10) "Supervising agency" means an agency licensed by the state  
16 under RCW 74.15.090 or an Indian tribe under RCW 74.15.190 that has  
17 entered into a performance-based contract with the department to  
18 provide child welfare services.

19 (11) "Transitional living services" means at a minimum, to the  
20 extent funds are available, the following:

21 (a) Educational services, including basic literacy and  
22 computational skills training, either in local alternative or public  
23 high schools or in a high school equivalency program that leads to  
24 obtaining a high school equivalency degree;

25 (b) Assistance and counseling related to obtaining vocational  
26 training or higher education, job readiness, job search assistance,  
27 and placement programs;

28 (c) Counseling and instruction in life skills such as money  
29 management, home management, consumer skills, parenting, health care,  
30 access to community resources, and transportation and housing  
31 options;

32 (d) Individual and group counseling; and

33 (e) Establishing networks with federal agencies and state and  
34 local organizations such as the United States department of labor,  
35 employment and training administration programs including the  
36 workforce (~~investment~~) innovation and opportunity act which  
37 administers private industry councils and the job corps; vocational  
38 rehabilitation; and volunteer programs.

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