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HOUSE BILL 2655

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State of Washington                      61st Legislature                      2010 Regular Session

By Representatives Wallace, Seaquist, Anderson, Maxwell, and Kessler

Read first time 01/12/10. Referred to Committee on Higher Education.

1            AN ACT Relating to expanding the higher education system upon  
2 proven demand; amending RCW 28B.50.020, 28B.50.810, 28B.76.020,  
3 28B.76.230, 28B.120.005, 28B.120.010, and 28B.120.020; and creating a  
4 new section.

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

6            NEW SECTION.            **Sec. 1.**            The legislature finds that state  
7 institutions of higher education are currently providing a high quality  
8 educational experience for the citizens of the state. The legislature  
9 further finds that there is additional underutilized physical capacity  
10 at the state's institutions of higher education that could and should  
11 be exploited before additional major capital investments are  
12 considered. The legislature further finds that postsecondary  
13 educational opportunities for Washington residents must be expanded in  
14 order for the citizens and the state to remain significant participants  
15 in the global economic marketplace, but that such expansion must be  
16 systematically approached and based upon the proven demands of the  
17 citizens and the marketplace. The legislature intends to provide a  
18 systematic mechanism for communities and the state to identify

1 educational programs and capital investments needed to expand the  
2 state's higher education system upon demand.

3 **Sec. 2.** RCW 28B.50.020 and 2009 c 64 s 2 are each amended to read  
4 as follows:

5 The purpose of this chapter is to provide for the dramatically  
6 increasing number of students requiring high standards of education  
7 either as a part of the continuing higher education program or for  
8 occupational education and training, or for adult basic skills and  
9 literacy education, by creating a new, independent system of community  
10 and technical colleges which will:

11 (1) Offer an open door to every citizen, regardless of his or her  
12 academic background or experience, at a cost normally within his or her  
13 economic means;

14 (2) Ensure that each college district shall offer thoroughly  
15 comprehensive educational, training, and service programs to meet the  
16 needs of both the communities and students served by combining high  
17 standards of excellence in academic transfer courses; realistic and  
18 practical courses in occupational education, both graded and ungraded;  
19 community services of an educational, cultural, and recreational  
20 nature; and adult education, including basic skills and general,  
21 family, and workforce literacy programs and services;

22 (3) Provide for basic skills and literacy education, and  
23 occupational education and technical training at technical colleges in  
24 order to prepare students for careers in a competitive workforce;

25 (4) Provide or coordinate related and supplemental instruction for  
26 apprentices at community and technical colleges;

27 (5) Provide administration by state and local boards which will  
28 avoid unnecessary duplication of facilities or programs; and which will  
29 encourage efficiency in operation and creativity and imagination in  
30 education, training, and service to meet the needs of the community and  
31 students;

32 (6) Allow for the growth, improvement, flexibility and modification  
33 of the community colleges and their education, training, and service  
34 programs as future needs occur; and

35 (7) Establish firmly that(~~(, except on a pilot basis)~~) as provided  
36 under RCW 28B.50.810, community colleges are, for purposes of academic  
37 training, two year institutions, and are an independent, unique, and

1 vital section of our state's higher education system, separate from  
2 both the common school system and other institutions of higher  
3 learning(~~(, and never to be considered for conversion into four-year~~  
4 ~~liberal arts colleges)~~).

5 **Sec. 3.** RCW 28B.50.810 and 2008 c 166 s 2 are each amended to read  
6 as follows:

7 (1) (~~By April 2006,~~) The college board (~~shall~~) may select  
8 (~~four~~) community or technical colleges to develop and offer programs  
9 of study leading to (~~an~~) applied baccalaureate degrees. (~~At least~~  
10 ~~one of the four pilot programs chosen must lead to a baccalaureate of~~  
11 ~~applied science degree which builds on an associate of applied science~~  
12 ~~degree. The college board shall convene a task force that includes~~  
13 ~~representatives of both the community and technical colleges to develop~~  
14 ~~objective selection criteria.~~

15 (~~2~~) ~~By February 2008, the college board shall select up to three~~  
16 ~~colleges to develop and offer programs of study leading to an applied~~  
17 ~~baccalaureate degree. At least one of the colleges selected must be a~~  
18 ~~technical college. The college board shall use the objective selection~~  
19 ~~criteria developed under subsections (1) and (3) of this section to~~  
20 ~~make the selection.~~

21 (~~3~~) ~~Colleges may submit~~ (~~an~~) applications to (~~become a pilot~~  
22 ~~college under this section)~~ the college board. The college board and  
23 the higher education coordinating board shall review the applications  
24 and select the (~~pilot~~) colleges using objective criteria, including,  
25 but not limited to:

26 (a) The college demonstrates the capacity to make a long-term  
27 commitment of resources to build and sustain a high quality program;

28 (b) The college has or can readily engage faculty appropriately  
29 qualified to develop and deliver a high quality curriculum at the  
30 baccalaureate level;

31 (c) The college can demonstrate demand for the proposed program  
32 from a sufficient number of students within its service area to make  
33 the program cost-effective and feasible to operate;

34 (d) The college can demonstrate that employers demand the level of  
35 technical training proposed within the program, making it cost-  
36 effective for students to seek the degree; and

1 (e) The proposed program fills a gap in options available for  
2 students because it is not offered by a public four-year institution of  
3 higher education in the college's geographic area.

4 ~~((4))~~ (2) Subject to legislative appropriation, a college  
5 ~~selected ((as a pilot college))~~ under this section may develop the  
6 curriculum for and design and deliver courses leading to an applied  
7 baccalaureate degree. However, degree programs developed under this  
8 section are subject to approval by the college board under RCW  
9 28B.50.090 and by the higher education coordinating board under RCW  
10 28B.76.230 before a ~~((pilot))~~ college may enroll students in upper  
11 division courses. ~~((A pilot college approved under subsection (1) of~~  
12 ~~this section may not enroll students in upper division courses before~~  
13 ~~the fall academic quarter of 2006. A pilot college approved under~~  
14 ~~subsection (2) of this section may not enroll students in upper~~  
15 ~~division courses before the fall academic quarter of 2009.))~~

16 (3) If it is anticipated that the total number of applied  
17 baccalaureate degrees awarded at any particular college will exceed ten  
18 percent of the total degrees awarded by the college or before the total  
19 number of applied baccalaureate degrees at any particular college is  
20 permitted to exceed ten percent of the colleges total number of degrees  
21 awarded, the process in RCW 28B.76.020 and 28B.76.230 applies.

22 **Sec. 4.** RCW 28B.76.020 and 1985 c 370 s 2 are each amended to read  
23 as follows:

24 ~~((For the purposes of this chapter:))~~ The definitions in this  
25 section apply throughout this chapter unless the context clearly  
26 requires otherwise.

27 (1) "Board" means the higher education coordinating board~~((; and))~~.

28 (2) "Four-year institutions" means the University of Washington,  
29 Washington State University, Central Washington University, Eastern  
30 Washington University, Western Washington University, and The Evergreen  
31 State College.

32 (3) "Mission change" means a change that: (a) Results in over ten  
33 percent of a community or technical college's total degrees awarded to  
34 be in applied baccalaureate programs under RCW 28B.50.810; or (b)  
35 allows an institution of higher education to offer a new level of  
36 degree, such as two-year colleges offering applied baccalaureate

1 degrees or branch campuses or regional universities offering doctoral  
2 programs.

3 **Sec. 5.** RCW 28B.76.230 and 2005 c 258 s 11 are each amended to  
4 read as follows:

5 (1) The board shall develop a comprehensive and ongoing assessment  
6 process to analyze the need for additional degrees and programs,  
7 additional off-campus centers and locations for degree programs,  
8 ~~((and))~~ consolidation or elimination of programs by the four-year  
9 institutions, and proposed mission changes. Proposed mission changes  
10 may be identified by the board, any public institution, or by any other  
11 public or private entity.

12 (2) As part of the needs assessment process, the board shall  
13 examine:

14 (a) Projections of student, employer, and community demand for  
15 education and degrees, including liberal arts degrees, on a regional  
16 and statewide basis;

17 (b) Current and projected degree programs and enrollment at public  
18 and private institutions of higher education, by location and mode of  
19 service delivery; and

20 (c) Data from the workforce training and education coordinating  
21 board and the state board for community and technical colleges on the  
22 supply and demand for workforce education and certificates and  
23 associate degrees.

24 (3) Every two years the board shall produce, jointly with the state  
25 board for community and technical colleges and the workforce training  
26 and education coordinating board, an assessment of the number and type  
27 of higher education and training credentials required to match employer  
28 demand for a skilled and educated workforce. The assessment shall  
29 include the number of forecasted net job openings at each level of  
30 higher education and training and the number of credentials needed to  
31 match the forecast of net job openings.

32 (4) The board shall determine whether certain major lines of study  
33 or types of degrees, including applied degrees or research-oriented  
34 degrees, shall be assigned uniquely to some institutions or  
35 institutional sectors in order to create centers of excellence that  
36 focus resources and expertise.

37 (5) The following activities are subject to approval by the board:

- 1 (a) New degree programs by a four-year institution;  
2 (b) Creation of any off-campus program by a four-year institution;  
3 (c) Purchase or lease of major off-campus facilities by a four-year  
4 institution or a community or technical college;  
5 (d) Creation of higher education centers and consortia;  
6 (e) New degree programs and creation of off-campus programs by an  
7 independent college or university in collaboration with a community or  
8 technical college; (~~and~~)  
9 (f) Applied baccalaureate degree programs developed by colleges  
10 under RCW 28B.50.810; and  
11 (g) Mission changes.

12 (6) Institutions seeking board approval under this section must  
13 demonstrate that the proposal is justified by the needs assessment  
14 developed under this section. Institutions must also demonstrate how  
15 the proposals align with or implement the statewide strategic master  
16 plan for higher education under RCW 28B.76.200.

17 (7) The board shall develop clear guidelines and objective  
18 decision-making criteria regarding approval of proposals under this  
19 section, which must include review and consultation with the  
20 institution and other interested agencies and individuals.

21 (8) The board shall periodically recommend consolidation or  
22 elimination of programs at the four-year institutions, based on the  
23 needs assessment analysis.

24 (9) In the case of proposed mission changes, the needs assessment  
25 process under subsection (2) of this section constitutes a threshold  
26 inquiry. If the board determines that the need for the proposed  
27 mission change has not been justified, the inquiry is concluded. If  
28 the board determines that the need for the proposed mission change has  
29 been sufficiently established, the board, in consultation with any  
30 directly involved institutions and other interested agencies and  
31 individuals, shall proceed to examine the viability of the proposal  
32 using criteria including, but not limited to:

33 (a) The specific scope of the project including the capital  
34 investment requirements, the number of full-time equivalent students  
35 anticipated, and the number of academic programs planned;

36 (b) The existence of an efficient and sustainable financial plan;

37 (c) The extent to which existing resources can be leveraged;

1 (d) The current and five-year projected student population,  
2 faculty, and staff to support the proposed programs, institution, or  
3 innovation;

4 (e) The plans to accommodate expected growth over a twenty-year  
5 time frame;

6 (f) The extent to which new or existing partnerships and  
7 collaborations are a part of the proposal; and

8 (g) The feasibility of any proposed innovations to accelerate  
9 degree production.

10 (10) After the board completes its evaluation of the proposed  
11 mission change using the needs assessment under subsection (2) of this  
12 section and viability determination under subsection (9) of this  
13 section, the board shall make a recommendation to either proceed with  
14 the proposed mission change, modify the proposed mission change and  
15 proceed, or not proceed with the proposed mission change. The board's  
16 recommendation shall be presented to the governor and the legislature.

17 **Sec. 6.** RCW 28B.120.005 and 1999 c 169 s 2 are each amended to  
18 read as follows:

19 The legislature finds that encouraging collaboration among the  
20 various educational sectors to meet statewide productivity and  
21 educational attainment needs as described in the system design plan  
22 developed by the higher education coordinating board will strengthen  
23 the entire educational system, kindergarten through twelfth grade and  
24 higher education. The legislature also recognizes that the most  
25 effective way to develop innovative and collaborative programs is to  
26 encourage institutions to develop them voluntarily, in line with  
27 established state goals. Through a system of competitive grants, the  
28 legislature shall encourage the development of innovative and  
29 collaborative and cost-effective solutions to issues of critical  
30 statewide need, including:

31 (1) Raising educational attainment and deliberately planning for  
32 the expansion of the system of higher education in a cost-effective  
33 manner after sufficient student and employer demand has been  
34 demonstrated;

35 (2) Recognizing needs of special populations of students, including  
36 access and completion efforts targeting underrepresented populations;

1        ~~((+2))~~ (3) Furthering the development of learner-centered,  
2 technology-assisted course delivery, including expansion of online and  
3 hybrid coursework, open courseware, and other uses of technology;

4        ~~((+3))~~ (4) Furthering the development of competency-based  
5 measurements of student achievement to be used as the basis for  
6 awarding degrees and certificates; ~~(and~~

7 +4)) (5) Increasing the collaboration among both public and  
8 private sector institutions of higher education; and

9        (6) Improving productivity through innovations such as accelerated  
10 programs and alternative scheduling.

11        **Sec. 7.** RCW 28B.120.010 and 1999 c 169 s 5 are each amended to  
12 read as follows:

13        The Washington fund for innovation and quality in higher education  
14 program is established. The higher education coordinating board shall  
15 administer the program ~~((for the purpose of awarding grants in which a~~  
16 ~~four-year institution of higher education is named as the lead~~  
17 ~~institution. The state board for community and technical colleges~~  
18 ~~shall administer the program for the purpose of awarding grants in~~  
19 ~~which a community or technical college is named as the lead~~  
20 ~~institution))~~ and shall work in close collaboration with the state  
21 board for community and technical colleges and other local and regional  
22 entities. Through this program the higher education coordinating  
23 board~~((s))~~ may award on a competitive basis incentive grants to state  
24 public institutions of higher education or consortia of institutions to  
25 encourage ~~((cooperative))~~ programs designed to address specific system  
26 problems. ~~((Grants shall not exceed a two-year period.))~~ Each  
27 institution or consortia of institutions receiving the award shall  
28 contribute some financial support, either by covering part of the costs  
29 for the program during its implementation, or by assuming continuing  
30 support at the end of the grant period. ~~((Strong priority will be~~  
31 ~~given to proposals that involve more than one sector of education, and~~  
32 ~~to proposals that show substantive institutional commitment.))~~  
33 Institutions are encouraged to solicit nonstate funds to support these  
34 cooperative programs.

35        **Sec. 8.** RCW 28B.120.020 and 1999 c 169 s 3 are each amended to  
36 read as follows:



1 The higher education coordinating board shall have the following  
2 powers and duties in administering the program for those proposals in  
3 which a four-year institution of higher education is named as the lead  
4 institution and fiscal agent:

5 (1) To adopt rules necessary to carry out the program;

6 ~~((To establish one or more review committees to assist in the  
7 evaluation of proposals for funding. The review committee shall  
8 include individuals with significant experience in higher education in  
9 areas relevant to one or more of the funding period priorities and  
10 shall include representatives from both the four-year and two-year  
11 sectors of higher education;~~

12 ~~(3)) To award grants no later than September 1st in those years  
13 when funding is available by June 30th;~~

14 ~~((4)) (3) To establish each biennium specific guidelines for  
15 submitting grant proposals consistent with RCW 28B.120.005 and  
16 consistent with the strategic master plan for higher education, the  
17 system design plan, the overall goals of the program and ~~((consistent  
18 with))~~ the guidelines established by the state board for community and  
19 technical colleges under RCW 28B.120.025. ~~((During the 1999-01  
20 biennium the guidelines shall be consistent with the following desired  
21 outcomes of:~~~~

22 ~~(a) Minority and diversity initiatives that encourage the  
23 participation of minorities in higher education, including students  
24 with disabilities;~~

25 ~~(b) K-12 teacher preparation models that encourage collaboration  
26 between higher education and K-12 to improve the preparedness of  
27 teachers, including provisions for higher education faculty involved  
28 with teacher preparation to spend time teaching in K-12 schools;~~

29 ~~(c) Collaborative instructional programs involving K-12, community  
30 and technical colleges, and four-year institutions of higher education  
31 to develop a three-year degree program, or reduce the time to degree;~~

32 ~~(d) Contracts with public or private institutions or businesses to  
33 provide services or the development of collaborative programs;~~

34 ~~(e) Articulation and transfer activities to smooth the transfer of  
35 students from K-12 to higher education, or from the community colleges  
36 and technical colleges to four-year institutions;~~

37 ~~(f) Projects that further the development of learner-centered,  
38 technology-assisted course delivery; and~~

1       ~~(g) Projects that further the development of competency based~~  
2 ~~measurements of student achievement to be used as the basis for~~  
3 ~~awarding degrees and certificates.)~~)

4       After June 30, 2001, and each biennium thereafter, the board shall  
5 determine funding priorities for ((collaborative)) proposals for the  
6 biennium in consultation with the governor, the legislature, the office  
7 of the superintendent of public instruction, the state board for  
8 community and technical colleges, the workforce training and education  
9 coordinating board, higher education institutions, educational  
10 associations, and business and community groups consistent with  
11 statewide needs;

12       ((+5)) (4) To solicit grant proposals and provide information to  
13 the institutions of higher education about the program; and

14       ((+6)) (5) To establish reporting, evaluation, accountability,  
15 monitoring, and dissemination requirements for the recipients of the  
16 grants awarded by the higher education coordinating board.

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