CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1794

Chapter 258, Laws of 2005

59th Legislature
2005 Regular Session

BACCALAUREATE DEGREE PROGRAMS

EFFECTIVE DATE: 7/24/05

Passed by the House April 18, 2005
Yeas 93  Nays 2

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate April 7, 2005
Yeas 42  Nays 7

BRAD OWEN
President of the Senate

Approved May 4, 2005.

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1794 as passed by the House of Representatives and the Senate on the dates hereon set forth.

RICHARD NAFZIGER
Chief Clerk

FILED
May 4, 2005 - 1:25 p.m.

CHRISTINE GREGOIRE
Governor of the State of Washington
AN ACT Relating to expanding access to baccalaureate degree programs; amending RCW 28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040, 28B.50.020, 28B.50.030, 28B.50.140, 28B.15.069, and 28B.76.230; adding new sections to chapter 28B.50 RCW; creating new sections; and providing an expiration date.

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

NEW SECTION. Sec. 1. (1) Since their creation in 1989, the research university branch campuses have significantly expanded access to baccalaureate and graduate education for placebound students in Washington's urban and metropolitan cities. Furthermore, the campuses have contributed to community revitalization and economic development in their regions. The campuses have met their overall mission through the development of new degree programs and through collaboration with community and technical colleges. These findings were confirmed by a comprehensive review of the campuses by the Washington state institute for public policy in 2002 and 2003, and reaffirmed through legislation enacted in 2004 that directed four of the campuses to make recommendations for their future evolution.
The self-studies conducted by the University of Washington Bothell, University of Washington Tacoma, Washington State University Tri-Cities, and Washington State University Vancouver reflect thoughtful and strategic planning and involved the input of numerous students, faculty, community and business leaders, community colleges, advisory committees, and board members. The higher education coordinating board's careful review provides a statewide context for the legislature to implement the next stage of the campuses.

Concurrently, the higher education coordinating board has developed a strategic master plan for higher education that sets a goal of increasing the number of students who earn college degrees at all levels: Associate, baccalaureate, and graduate. The strategic master plan also sets a goal to increase the higher education system's responsiveness to the state's economic needs.

The legislature finds that to meet both of the master plan's goals and to provide adequate educational opportunities for Washington's citizens, additional access is needed to baccalaureate degree programs. Expansion of the four campuses is one strategy for achieving the desired outcomes of the master plan. Other strategies must also be implemented through service delivery models that reflect both regional demands and statewide priorities.

Therefore, the legislature intends to increase baccalaureate access and encourage economic development through overall expansion of upper division capacity, continued development of two plus two programs in some areas of the state, authorization of four-year university programs in other areas of the state, and creation of new types of baccalaureate programs on a pilot basis. These steps will make significant progress toward achieving the master plan goals, but the legislature will also continue to monitor the development of the higher education system and evaluate what additional changes or expansion may be necessary.

Sec. 2. RCW 28B.45.014 and 2004 c 57 s 2 are each amended to read as follows:

The primary mission of the higher education branch campuses created under this chapter remains to expand access to baccalaureate and master's level graduate education in underserved urban areas of the state in collaboration with community and technical colleges. The top
priority for each of the campuses is to expand courses and degree
programs for transfer and graduate students. New degree programs
should be driven by the educational needs and demands of students and
the community, as well as the economic development needs of local
businesses and employers.

(2) Branch campuses shall collaborate with the community and
technical colleges in their region to develop articulation agreements,
dual admissions policies, and other partnerships to ensure that branch
campuses serve as innovative models of a two plus two educational
system. Other possibilities for collaboration include but are not
limited to joint development of curricula and degree programs,
colocation of instruction, and arrangements to share faculty.

(3) In communities where a private postsecondary institution is
located, representatives of the private institution may be invited to
participate in the conversation about meeting the baccalaureate and
master's level graduate needs in underserved urban areas of the state.

(4) However, the legislature recognizes there are alternative
models for achieving this primary mission. Some campuses may have
additional missions in response to regional needs and demands. At
selected branch campuses, an innovative combination of instruction and
research targeted to support regional economic development may be
appropriate to meet the region's needs for both access and economic
viability. Other campuses should focus on becoming models of a two
plus two educational system through continuous improvement of
partnerships and agreements with community and technical colleges.
Still other campuses may be best suited to transition to a four-year
(comprehensive) university or be removed from designation as a branch
campus entirely.

(5) ((It is the legislature's intent that each branch campus be
funded commensurate with its unique mission, the degree programs
offered, and the institutional combination of instruction and research,
but at a level less than a research university)) The legislature
recognizes that size, mix of degree programs, and proportion of lower
versus upper-division and graduate enrollments are factors that affect
costs at branch campuses. However over time, the legislature intends
that branch campuses be funded more similarly to regional universities.

(6) In consultation with the higher education coordinating board,
a branch campus may propose legislation to authorize practice-oriented
or professional doctoral programs if: (a) Unique research facilities and equipment are located near the campus; or (b) the campus can clearly demonstrate student and employer demand in the region that is linked to regional economic development.

(7) It is not the legislature's intent to have each campus chart its own future path without legislative guidance. Instead, the legislature intends to consider carefully the mission and model of education that best suits each campus and best meets the needs of students, the community, and the region. The higher education coordinating board shall monitor and evaluate the addition of lower division students to the branch campuses and periodically report and make recommendations to the higher education committees of the legislature to ensure the campuses continue to follow the priorities established under this chapter.

Sec. 3. RCW 28B.45.020 and 1994 c 217 s 3 are each amended to read as follows:

(1) The University of Washington is responsible for ensuring the expansion of (upper-division) baccalaureate and graduate educational programs in the central Puget Sound area under rules or guidelines adopted by the higher education coordinating board and in accordance with proportionality agreements emphasizing access for transfer students developed with the state board for community and technical colleges. The University of Washington shall meet that responsibility through the operation of at least two branch campuses. One branch campus shall be located in the Tacoma area. Another branch campus shall be collocated with Cascadia Community College in the Bothell-Woodinville area.

(2) At the University of Washington Tacoma, a top priority is expansion of upper division capacity for transfer students and graduate capacity and programs. Beginning in the fall of 2006, the campus may offer lower division courses linked to specific majors in fields not addressed at local community colleges. The campus shall admit lower division students through coadmission or coenrollment agreements with a community college, or through direct transfer for students who have accumulated approximately one year of transferable college credits. In addition to offering lower division courses linked to specific majors
as addressed above, the campus may also directly admit freshmen and sophomores gradually and deliberately in accordance with the campus plan submitted to the higher education coordinating board in 2004.

(3) At the University of Washington Bothell, a top priority is expansion of upper division capacity for transfer students and graduate capacity and programs. The campus shall also seek additional opportunities to collaborate with and maximize its collocation with Cascadia Community College. Beginning in the fall of 2006, the campus may offer lower division courses linked to specific majors in fields not addressed at local community colleges. The campus may admit lower division students through coadmission or coenrollment agreements with a community college, or through direct transfer for students who have accumulated approximately one year of transferable college credits. In addition to offering lower division courses linked to specific majors as addressed above, the campus may also directly admit freshmen and sophomores gradually and deliberately in accordance with the campus plan submitted to the higher education coordinating board in 2004.

Sec. 4. RCW 28B.45.030 and 1989 1st ex.s. c 7 s 4 are each amended to read as follows:

(1) Washington State University is responsible for providing baccalaureate and graduate level higher education programs to the citizens of the Tri-Cities area, under rules or guidelines adopted by the higher education coordinating board and in accordance with proportionality agreements emphasizing access for transfer students developed with the state board for community and technical colleges. Washington State University shall meet that responsibility through the operation of a branch campus in the Tri-Cities area. The branch campus shall replace and supersede the Tri-Cities university center. All land, facilities, equipment, and personnel of the Tri-Cities university center shall be transferred from the University of Washington to Washington State University.

(2) Washington State University Tri-Cities shall continue providing innovative coadmission and coenrollment options with Columbia Basin College, and expand its upper division capacity for transfer students and graduate capacity and programs. The campus shall also seek additional opportunities to collaborate with the Pacific Northwest national laboratory. Beginning in the fall of 2006, the campus may
offer lower division courses linked to specific majors in fields not addressed at local community colleges. The campus may admit lower division students through coadmission or coenrollment agreements with a community college, or through direct transfer for students who have accumulated approximately one year of transferable college credits. In addition to offering lower division courses linked to specific majors as addressed above, the campus may also directly admit freshmen and sophomores for a bachelor's degree program in biotechnology subject to approval by the higher education coordinating board. The campus may not directly admit freshmen and sophomores for degree programs other than biotechnology, however this topic shall be the subject of further study and recommendations by the higher education coordinating board.

Sec. 5. RCW 28B.45.040 and 1989 1st ex.s. c 7 s 5 are each amended to read as follows:

(1) Washington State University is responsible for providing baccalaureate and graduate level higher education programs to the citizens of the southwest Washington area, under rules or guidelines adopted by the higher education coordinating board and in accordance with proportionality agreements emphasizing access for transfer students developed with the state board for community and technical colleges. Washington State University shall meet that responsibility through the operation of a branch campus in the southwest Washington area.

(2) Washington State University Vancouver shall expand upper division capacity for transfer students and graduate capacity and programs and continue to collaborate with local community colleges on coadmission and coenrollment programs. In addition, beginning in the fall of 2006, the campus may admit lower division students directly. By simultaneously admitting freshmen and sophomores, increasing transfer enrollment, coadmitting transfer students, and expanding graduate and professional programs, the campus shall develop into a four-year institution serving the southwest Washington region.

NEW SECTION. Sec. 6. A new section is added to chapter 28B.50 RCW to read as follows:

(1) The college board shall select four community or technical colleges to develop and offer programs of study leading to an applied
baccalaureate degree. At least one of the four pilot programs chosen must lead to a baccalaureate of applied science degree which builds on an associate of applied science degree. The college board shall convene a task force that includes representatives of both the community and technical colleges to develop objective selection criteria.

(2) Colleges may submit an application to become a pilot college under this section. The college board shall review the applications and select the pilot colleges using objective criteria, including:

(a) The college demonstrates the capacity to make a long-term commitment of resources to build and sustain a high quality program;
(b) The college has or can readily engage faculty appropriately qualified to develop and deliver a high quality curriculum at the baccalaureate level;
(c) The college can demonstrate demand for the proposed program from a sufficient number of students within its service area to make the program cost-effective and feasible to operate;
(d) The college can demonstrate that employers demand the level of technical training proposed within the program, making it cost-effective for students to seek the degree; and
(e) The proposed program fills a gap in options available for students because it is not offered by a public four-year institution of higher education in the college's geographic area.

(3) A college selected as a pilot college under this section may develop the curriculum for and design and deliver courses leading to an applied baccalaureate degree. However, degree programs developed under this section are subject to approval by the college board under RCW 28B.50.090 and by the higher education coordinating board under RCW 28B.76.230 before a pilot college may enroll students in upper-division courses. A pilot college may not enroll students in upper division courses before the fall academic quarter of 2006.

Sec. 7. RCW 28B.50.020 and 1991 c 238 s 21 are each amended to read as follows:

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

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

(2) Ensure that each college district shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; community services of an educational, cultural, and recreational nature; and adult education, including basic skills and general, family, and work force literacy programs and services. However, college districts containing only technical colleges shall maintain programs solely for occupational education, basic skills, and literacy purposes, and, for as long as a need exists, may continue those programs, activities, and services offered by the technical colleges during the twelve-month period preceding September 1, 1991;

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

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

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

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

(7) Establish firmly that, except on a pilot basis as provided under section 6 of this act, community colleges are, for purposes of academic training, two year institutions, and are an independent, unique, and vital section of our state's higher education system, separate from both the common school system and other institutions of
higher learning, and never to be considered for conversion into four-year liberal arts colleges.

**Sec. 8.** RCW 28B.50.030 and 2003 2nd sp.s. c 4 s 33 are each amended to read as follows:

As used in this chapter, unless the context requires otherwise, the term:

1. "System" shall mean the state system of community and technical colleges, which shall be a system of higher education.
2. "Board" shall mean the work force training and education coordinating board.
3. "College board" shall mean the state board for community and technical colleges created by this chapter.
4. "Director" shall mean the administrative director for the state system of community and technical colleges.
5. "District" shall mean any one of the community and technical college districts created by this chapter.
6. "Board of trustees" shall mean the local community and technical college board of trustees established for each college district within the state.
7. "Occupational education" shall mean that education or training that will prepare a student for employment that does not require a baccalaureate degree, and education and training leading to an applied baccalaureate degree.
8. "K-12 system" shall mean the public school program including kindergarten through the twelfth grade.
9. "Common school board" shall mean a public school district board of directors.
10. "Community college" shall include those higher education institutions that conduct education programs under RCW 28B.50.020.
11. "Technical college" shall include those higher education institutions with the sole mission of conducting occupational education, basic skills, literacy programs, and offering on short notice, when appropriate, programs that meet specific industry needs. The programs of technical colleges shall include, but not be limited to, continuous enrollment, competency-based instruction, industry-experienced faculty, curriculum integrating vocational and basic skills education, and curriculum approved by representatives of employers and
labor. For purposes of this chapter, technical colleges shall include Lake Washington Vocational-Technical Institute, Renton Vocational-
Technical Institute, Bates Vocational-Technical Institute, Clover Park Vocational Institute, and Bellingham Vocational-Technical Institute.

(12) "Adult education" shall mean all education or instruction, including academic, vocational education or training, basic skills and literacy training, and "occupational education" provided by public educational institutions, including common school districts for persons who are eighteen years of age and over or who hold a high school diploma or certificate. However, "adult education" shall not include academic education or instruction for persons under twenty-one years of age who do not hold a high school degree or diploma and who are attending a public high school for the sole purpose of obtaining a high school diploma or certificate, nor shall "adult education" include education or instruction provided by any four year public institution of higher education.

(13) "Dislocated forest product worker" shall mean a forest products worker who: (a)(i) Has been terminated or received notice of termination from employment and is unlikely to return to employment in the individual's principal occupation or previous industry because of a diminishing demand for his or her skills in that occupation or industry; or (ii) is self-employed and has been displaced from his or her business because of the diminishing demand for the business' services or goods; and (b) at the time of last separation from employment, resided in or was employed in a rural natural resources impact area.

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

(15) "Dislocated salmon fishing worker" means a finfish products worker who: (a)(i) Has been terminated or received notice of termination from employment and is unlikely to return to employment in the individual's principal occupation or previous industry because of a diminishing demand for his or her skills in that occupation or industry; or (ii) is self-employed and has been displaced from his or her business because of the diminishing demand for the business's services or goods; and (b) at the time of last separation from employment, resided in or was employed in a rural natural resources impact area.

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

(17) "Rural natural resources impact area" means:

(a) A nonmetropolitan county, as defined by the 1990 decennial census, that meets three of the five criteria set forth in subsection (18) of this section;

(b) A nonmetropolitan county with a population of less than forty thousand in the 1990 decennial census, that meets two of the five criteria as set forth in subsection (18) of this section; or

(c) A nonurbanized area, as defined by the 1990 decennial census, that is located in a metropolitan county that meets three of the five criteria set forth in subsection (18) of this section.

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

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

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

(c) Projected or actual direct lumber and wood products job losses of one hundred positions or more;
(d) Projected or actual direct commercial salmon fishing job losses of one hundred positions or more; and

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

(19) "Applied baccalaureate degree" means a baccalaureate degree awarded by a college under section 6 of this act for successful completion of a program of study that is:

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

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

Sec. 9. RCW 28B.50.140 and 2004 c 275 s 58 are each amended to read as follows:

Each board of trustees:

(1) Shall operate all existing community and technical colleges in its district;

(2) Shall create comprehensive programs of community and technical college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3). However, technical colleges, and college districts containing only technical colleges, shall maintain programs solely for occupational education, basic skills, and literacy purposes. For as long as a need exists, technical colleges may continue those programs, activities, and
services they offered during the twelve-month period preceding September 1, 1991;

(3) Shall employ for a period to be fixed by the board a college president for each community and technical college and, may appoint a president for the district, and fix their duties and compensation, which may include elements other than salary. Compensation under this subsection shall not affect but may supplement retirement, health care, and other benefits that are otherwise applicable to the presidents as state employees. The board shall also employ for a period to be fixed by the board members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties. Compensation and salary increases under this subsection shall not exceed the amount or percentage established for those purposes in the state appropriations act by the legislature as allocated to the board of trustees by the state board for community and technical colleges. The state board for community and technical colleges shall adopt rules defining the permissible elements of compensation under this subsection;

(4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand. However, the authority of boards of trustees to purchase or lease major off-campus facilities shall be subject to the approval of the higher education coordinating board pursuant to RCW 28B.76.230;

(5) May establish or lease, operate, equip and maintain dormitories, food service facilities, bookstores and other self-supporting facilities connected with the operation of the community and technical college;

(6) May, with the approval of the college board, borrow money and issue and sell revenue bonds or other evidences of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition and major alteration of buildings or other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances, for dormitories, food service facilities, and other self-supporting facilities connected with the operation of the community and technical college in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

(7) May establish fees and charges for the facilities authorized hereunder, including reasonable rules and regulations for the
government thereof, not inconsistent with the rules of the college board; each board of trustees operating a community and technical college may enter into agreements, subject to rules of the college board, with owners of facilities to be used for housing regarding the management, operation, and government of such facilities, and any board entering into such an agreement may:

(a) Make rules for the government, management and operation of such housing facilities deemed necessary or advisable; and

(b) Employ necessary employees to govern, manage and operate the same;

(8) May receive such gifts, grants, conveyances, devises and bequests of real or personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community and technical college programs as specified by law and the rules of the state college board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt rules to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

(9) May establish and maintain night schools whenever in the discretion of the board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for community and technical college purposes;

(10) May make rules for pedestrian and vehicular traffic on property owned, operated, or maintained by the district;

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community and technical college or colleges under its control, and publish such catalogues and bulletins as may become necessary;

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, degree, or certificate. Technical colleges shall offer only technical degrees under the rules of the state board for community and
technical colleges that are appropriate to their work force education
and training mission. The primary purpose of these degrees is
to lead the individual directly to employment in a specific occupation.
Technical colleges may not offer transfer degrees. Only pilot colleges
under section 6 of this act may award baccalaureate degrees. The
board, upon recommendation of the faculty, may also confer honorary
associate of arts degrees upon persons other than graduates of the
community college, in recognition of their learning or devotion to
education, literature, art, or science. No degree may be conferred in
consideration of the payment of money or the donation of any kind of
property;

(13) Shall enforce the rules prescribed by the
state board for community and technical colleges for the government of
community and technical colleges, students and teachers, and
adopt such rules and perform all
other acts not inconsistent with law or rules of
the state board for community and technical colleges as the board of
trustees may in its discretion deem necessary or appropriate to the
administration of college districts: PROVIDED, That such rules shall include, but not be limited to, rules relating to housing, scholarships, conduct at the various
community and technical college facilities, and discipline: PROVIDED,
FURTHER, That the board of trustees may suspend or expel from community
and technical colleges students who refuse to obey any of the duly
adopted rules;

(14) May, by written order filed in its office, delegate to the
president or district president any of the powers and duties vested in
or imposed upon it by this chapter. Such delegated powers and duties
may be exercised in the name of the district board;

(15) May perform such other activities consistent with this chapter
and not in conflict with the directives of the college board;

(16) Notwithstanding any other provision of law, may offer
educational services on a contractual basis other than the tuition and
fee basis set forth in chapter 28B.15 RCW for a special fee to private
or governmental entities, consistent with rules adopted by the state board for community and technical colleges:
PROVIDED, That the whole of such special fee shall go to the college
district and be not less than the full instructional costs of such
services including any salary increases authorized by the legislature
for community and technical college employees during the term of the
agreement: PROVIDED FURTHER, That enrollments generated hereunder
shall not be counted toward the official enrollment level of the
college district for state funding purposes;

(17) Notwithstanding any other provision of law, may offer
educational services on a contractual basis, charging tuition and fees
as set forth in chapter 28B.15 RCW, counting such enrollments for state
funding purposes, and may additionally charge a special supplemental
fee when necessary to cover the full instructional costs of such
services: PROVIDED, That such contracts shall be subject to review by
the state board for community and technical colleges and to such rules
as the state board may adopt for that purpose in order to assure that
the sum of the supplemental fee and the normal state funding shall not
exceed the projected total cost of offering the educational service:
PROVIDED FURTHER, That enrollments generated by courses offered on the
basis of contracts requiring payment of a share of the normal costs of
the course will be discounted to the percentage provided by the
college;

(18) Shall be authorized to pay dues to any association of trustees
that may be formed by the various boards of trustees; such association
may expend any or all of such funds to submit biennially, or more often
if necessary, to the governor and to the legislature, the
recommendations of the association regarding changes which would affect
the efficiency of such association;

(19) May participate in higher education centers and consortia that
involve any four-year public or independent college or university:
PROVIDED, That new degree programs or off-campus programs offered by a
four-year public or independent college or university in collaboration
with a community or technical college are subject to approval by the
higher education coordinating board under RCW 28B.76.230; and

(20) Shall perform any other duties and responsibilities imposed by
law or rule ((and regulation)) of the state board.

Sec. 10. RCW 28B.15.069 and 2003 c 232 s 5 are each amended to
read as follows:

(1) The building fee for each academic year shall be a percentage
of total tuition fees. This percentage shall be calculated by the
higher education coordinating board and be based on the actual percentage the building fee is of total tuition for each tuition category in the 1994-95 academic year, rounded up to the nearest half percent.

(2) The governing boards of each institution of higher education, except for the technical colleges, shall charge to and collect from each student a services and activities fee. A governing board may increase the existing fee annually, consistent with budgeting procedures set forth in RCW 28B.15.045, by a percentage not to exceed the annual percentage increase in student tuition fees for resident undergraduate students: PROVIDED, That such percentage increase shall not apply to that portion of the services and activities fee previously committed to the repayment of bonded debt. These rate adjustments may exceed the fiscal growth factor. For the 2003-04 academic year, the services and activities fee shall be based upon the resident undergraduate services and activities fee in 2002-03. The services and activities fee committee provided for in RCW 28B.15.045 may initiate a request to the governing board for a fee increase.

(3) Tuition and services and activities fees consistent with subsection (2) of this section shall be set by the state board for community and technical colleges for community college summer school students unless the community college charges fees in accordance with RCW 28B.15.515.

(4) Subject to the limitations of RCW 28B.15.910, each governing board of a community college may charge such fees for ungraded courses, noncredit courses, community services courses, and self-supporting courses as it, in its discretion, may determine, consistent with the rules of the state board for community and technical colleges.

(5) The governing board of a college offering an applied baccalaureate degree program under section 6 of this act may charge tuition fees for those courses above the associate degree level at rates consistent with rules adopted by the state board for community and technical colleges, not to exceed tuition fee rates at the regional universities.

Sec. 11. RCW 28B.76.230 and 2004 c 275 s 9 are each amended to read as follows:

(1) The board shall develop a comprehensive and ongoing assessment
process to analyze the need for additional degrees and programs, additional off-campus centers and locations for degree programs, and consolidation or elimination of programs by the four-year institutions.

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

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

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

(c) Data from the work force training and education coordinating board and the state board for community and technical colleges on the supply and demand for work force education and certificates and associate degrees.

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

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

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

(a) New degree programs by a four-year institution;

(b) Creation of any off-campus program by a four-year institution;

(c) Purchase or lease of major off-campus facilities by a four-year institution or a community or technical college;

(d) Creation of higher education centers and consortia; and

(e) New degree programs and creation of off-campus programs by an independent college or university in collaboration with a community or technical college; and
(f) Applied baccalaureate degree programs developed by colleges under section 6 of this act.

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

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

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

NEW SECTION. Sec. 12. A new section is added to chapter 28B.50 RCW to read as follows:

(1) One strategy to accomplish expansion of baccalaureate capacity in underserved regions of the state is to allocate state funds for student enrollment to a community and technical college and authorize the college to enter into agreements with a regional university or state college as defined in RCW 28B.10.016 or a branch campus under chapter 28B.45 RCW, to offer baccalaureate degree programs.

(2) Subject to legislative appropriation for the purpose described in this section, the college board shall select and allocate funds to three community or technical colleges for the purpose of entering into an agreement with one or more regional universities, branch campuses, or the state college to offer baccalaureate degree programs on the college campus.

(3) The college board shall select the community or technical college based on analysis of gaps in service delivery, capacity, and student and employer demand for programs. Before taking effect, the agreement under this section must be approved by the higher education coordinating board.

(4) Students enrolled in programs under this section are considered students of the regional university, branch campus, or state college for all purposes including tuition and reporting of state-funded enrollments.
NEW SECTION. Sec. 13. (1) The legislature finds that access to baccalaureate and graduate degree programs continues to be limited for residents of North Snohomish, Island, and Skagit counties. Studies conducted by the state board for community and technical colleges, the higher education coordinating board, and the council of presidents confirm that enrollment in higher education in this geographic region lags enrollment in other parts of the state, particularly for upper division courses leading to advanced degrees. The higher education consortium created to serve the region has not been able to successfully address the region's access needs. The university center model of service delivery, centered on a community college campus with a single point of accountability, has proven more effective in developing degree programs and attracting students.

(2) Therefore the legislature intends to refocus the consortium by assigning management and leadership responsibility for consortium operations to Everett Community College. Everett Community College shall collaborate with community and business leaders, other local community colleges, the public four-year institutions of higher education, and the higher education coordinating board to develop an educational plan for the North Snohomish, Island, and Skagit county region based on the university center model. The plan should provide for projections of student enrollment demand, coordinated delivery of lower and upper division courses, expanded availability of baccalaureate degree programs and high demand degree and certificate programs in the region, and a timeline and cost estimates for moving the physical location of the consortium to the college campus. The college shall submit preliminary recommendations to the higher education and fiscal committees of the legislature by December 1, 2005.

NEW SECTION. Sec. 14. (1) The higher education coordinating board shall define potential outcomes resulting from this act and develop performance measures for those outcomes, including but not limited to increased numbers of baccalaureate degrees awarded; expansion of upper division and graduate capacity at the University of Washington Bothell and Tacoma and Washington State University Tri-Cities and Vancouver; enhanced regional access to baccalaureate programs; and creation and award of applied baccalaureate degrees. The board shall provide a
1 progress report on the outcomes to the higher education committees of
2 the senate and the house of representatives by December 1, 2008.
3 (2) This section expires July 1, 2009.

Passed by the House April 18, 2005.
Passed by the Senate April 7, 2005.
Approved by the Governor May 4, 2005.
Filed in Office of Secretary of State May 4, 2005.