

FINAL BILL REPORT

E2SHB 2483

PARTIAL VETO C 229 L 12 Synopsis as Enacted

Brief Description: Regarding higher education coordination.

Sponsors: House Committee on Ways & Means (originally sponsored by Representatives Seaquist, Haler, Zeiger and Kelley; by request of Governor Gregoire).

House Committee on Higher Education
House Committee on Ways & Means

Background:

The Legislature established a state agency, the Council on Higher Education, to review and recommend higher education policy in 1969. In 1975 this agency became the Council for Postsecondary Education following federal legislation that required states to establish or designate a single state postsecondary education planning agency to qualify for federal planning and other funds. The state agency that currently conducts planning for the higher education system, reports on performance, administers state and federal financial aid programs, and approves private institutions to operate in the state is the Higher Education Coordinating Board (HECB) which was established in 1985.

Legislation enacted in 2011 abolishes the HECB effective July 1, 2012, and replaces it with a Higher Education Council. Under this legislation, a number of HECB functions are eliminated effective July 1, 2012. Functions eliminated include: developing a statewide strategic master plan for higher education; reporting on state support received by students, the costs of higher education, gender equity, costs and benefits of tuition and fee reciprocity with Oregon, Idaho, and British Columbia; and transmitting undergraduate and graduate educational costs to boards of regents. The financial aid office under the administration of the HECB becomes a separate state agency, the Office of Student Financial Assistance, effective July 1, 2012. The 2011 legislation also created a temporary Higher Education Steering Committee to recommend the duties and members of the new Higher Education Council by December 1, 2011.

The Higher Education Steering Committee, chaired by the Governor and comprised of legislators and representation from education and higher education sectors in the state, met four times in 2011 to determine the new duties of a state higher education agency. The

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recommendations included two different options for an executive branch office and an advisory council, and set out duties for the new Higher Education Council.

Summary:

Findings and Intent.

The Legislature recognizes that increasing educational attainment is critical to social and economic well-being and creates the Student Achievement Council to provide the focus and set goals for the state's higher education system.

Student Achievement Council.

The Student Achievement Council (Council) is created as a state agency. The Executive Director of the Council is appointed by the Governor who chooses from a list of names provided by the Council. The Governor, with the approval of the Council, may dismiss the Executive Director, or the Council may dismiss the Executive Director. The Executive Director may hire his or her own staff.

The Council comprises 9 voting members as follows:

- five citizen members appointed by the Governor with the consent of the Senate, one of which must be a student; citizen members must represent the diversity of the state and state's geography; four citizen members serve four-year terms and the student serves a one-year term;
- a representative of the public baccalaureate institutions selected by the presidents of public baccalaureate institutions;
- a representative of the community and technical college system, selected by the State Board for Community and Technical Colleges (SBCTC);
- a representative of the K-12 system selected by the Office of the Superintendent of Public Instruction (OSPI) in consultation with the Department of Early Learning and the State Board of Education (SBE); this member must excuse himself or herself from voting on matters pertaining primarily to institutions of higher education; and
- a representative of an independent, nonprofit higher education institution selected by an association of independent nonprofit baccalaureate degree-granting institutions; this member must excuse him or herself from matters that pertain primarily to public institutions.

The Council is permitted to convene ad hoc advisory committees. Any advisory committees addressing secondary to postsecondary transitions and university and college admissions requirements must include K-12 sector representatives including teachers, school directors, principals, administrators, and others.

Purpose and Mission.

The Council must make recommendations to the Governor and the Legislature to increase educational attainment. The Council must propose goals, recommend resources, monitor progress, propose improvements and innovations in higher education to adapt to evolving needs, and advocate for the higher education system.

The Council is required to link the work of the OSPI, the SBCTC, the SBE, the Professional Educator Standards Board (PESB), the Workforce Training and Education Coordinating Board (Workforce Board), public baccalaureate institutions, and independent schools and colleges, and take a leading role in higher education research and analysis.

Legislative Oversight and Review.

A Joint Committee on Higher Education (Joint Committee) is created, comprising four legislators from each chamber. The Joint Committee is charged to review the work of the Council and create recommendations for higher education policy, including proposed legislation. The Joint Committee must meet twice annually after the close of session.

State Higher Education Goals and Strategic Planning.

The Council must propose educational attainment goals and priorities aligned with the state's biennial budget and policy cycles. The goals must address the needs of Washington residents to reach higher levels of educational attainment and Washington's workforce needs for certificates and degrees in particular fields of study. The Council must identify the resources to meet statewide goals and recognize current state economic conditions and resources. In proposing goals, the Council must collaborate with the OSPI, the PESB, the SBE, the SBCTC, the public baccalaureate institutions, independent colleges and degree-granting institutions, certificate-granting institutions, and the Workforce Board.

The Council is required to create a two-year strategic action plan with the first due December 1, 2012. The strategic action plan must be updated every two years. The Council must create a 10-year roadmap due December 1, 2013, and updated every two years. The Council is required to conduct strategic planning in collaboration with agencies and stakeholders and outline strategies that address:

- strategic planning, including setting benchmarks and goals for long-term degree production generally and in particular fields of study;
- expanding access, affordability, quality, efficiency, and accountability among the various institutions of higher education;
- higher education finance planning and strategic investments;
- system design and coordination;
- improving student transitions;
- higher education data and analysis, in collaboration with the Education Data and Research Center (ERDC);
- college and career preparedness in collaboration with the OSPI and the SBE;
- expanding participation and success for racial and ethnic minorities in higher education; and
- relevant policy research.

Other Duties of the Council.

Transitions.

The Council is required to collaborate with agencies and stakeholders to improve student transitions and success. The Council must set minimum college admission standards, and propose programs and policies to encourage students to prepare for, understand how to access, and pursue postsecondary college and career programs, including specific policies and programs for students with disabilities. The Council must recommend policies that require coordination between sectors and identify transition issues and solutions.

Financial Aid.

The Council is charged to direct the work of the Office of Financial Assistance and administer state and federal financial aid programs.

Innovations.

The Council is required to facilitate the development and expansion of innovative practices to increase educational attainment, including accountability measures to determine the effectiveness of the innovations.

Consumer Protection.

The Council is charged to protect higher education consumers with the specific duty to approve degree-granting postsecondary institutions and establish minimum criteria to assess whether students who attend for-profit institutions of higher education are eligible for the State Need Grant and other forms of state financial aid. The Council must report by December 1, 2014, to the Joint Committee on the outcomes of all students who receive the State Need Grant and also present options for prioritizing the State Need Grant.

Capital Budget Prioritization.

The Higher Education Coordinating Board (HECB) duties related to capital budget prioritization are transferred to the ERDC, while specific HECB duties to prioritize institutional operating budget requests are eliminated.

Higher Education System Design.

The HECB duties related to higher education system design are transferred to the Council. The following HECB duties related to system design are eliminated:

- approval of new degree programs;
- approval of the creation of any off-campus program by a four-year institution;
- approval of the lease or purchase of major off-campus facilities by a four-year institution; and
- approval of applied baccalaureate degree programs developed by a community or technical college.

Other Duties.

The Council must adopt residency requirements by rule; arbitrate disputes between and among four-year institutions and the SBCTC; may solicit, accept, receive, or administer federal funds or private funds to support the purposes and functions of the Council; and must represent the broad public interest above the interests of the individual institutions of higher education.

Higher Education Accountability, Research, and Data.

The ERDC is required to support higher education accountability. The public baccalaureate institutions must report to the ERDC regarding accountability measures. The Council must use education data and analysis produced by, and in consultation with, the ERDC to:

- identify barriers to increasing education attainment;
- evaluate the effectiveness of various educational models;
- assess educational achievement;
- track progress toward meeting the state's goals; and

- communicate results.

The Council must identify the data needed to carry out its responsibilities for policy analysis in consultation with the ERDC, institutions of higher education, and state education agencies. The ERDC may, in consultation with the Council, update data requirements to be consistent with best practices across the country. The HECB duties related to identifying cost-effective methods for collecting data and protocols are eliminated.

The ERDC is required to conduct an educational cost study. The ERDC, in consultation with the institutions of higher education, must develop information on the approximate amount of state support that students receive, including the level of support received by students in each tuition category, and provide this information annually. The ERDC is required to compare per student funding with similar public institutions of higher education in the global challenge states. The Council must report annually a national comparison of tuition and fees.

Transfer or Elimination of HECB Functions.

The HECB powers, duties, resources, and records are transferred to the Council. Exempt staff that are necessary to the functions of the Council, and subject to the Executive Director, are transferred from the HECB to the Council. Remaining functions of the HECB are transferred to the Council, or transferred to other agencies, or eliminated.

Other.

Clarification is provided for the College Bound Scholarship to ensure alignment with statutory provisions for the State Need Grant unless otherwise directed in statute.

Votes on Final Passage:

House	64	32	
Senate	49	0	(Senate amended)
House	72	26	(House concurred)

Effective: June 7, 2012

July 1, 2012 (Sections 101, 117, 401, 402, 501-569, 571-594, 601-609, 701-708, 801-821, 902, and 904)

Partial Veto Summary: The Governor vetoed a section that replaced a reference to the HECB with the Council because other legislation enacted in 2012, related to educational outcomes for foster youth, removed the original reference.