

E2SHB 1794 - S COMM AMD
By Committee on Ways & Means

ADOPTED AS AMENDED 04/07/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1) Since their creation in 1989, the
4 research university branch campuses have significantly expanded access
5 to baccalaureate and graduate education for placebound students in
6 Washington's urban and metropolitan cities. Furthermore, the campuses
7 have contributed to community revitalization and economic development
8 in their regions. The campuses have met their overall mission through
9 the development of new degree programs and through collaboration with
10 community and technical colleges. These findings were confirmed by a
11 comprehensive review of the campuses by the Washington state institute
12 for public policy in 2002 and 2003, and reaffirmed through legislation
13 enacted in 2004 that directed four of the campuses to make
14 recommendations for their future evolution.

15 (2) The self-studies conducted by the University of Washington
16 Bothell, University of Washington Tacoma, Washington State University
17 Tri-Cities, and Washington State University Vancouver reflect
18 thoughtful and strategic planning and involved the input of numerous
19 students, faculty, community and business leaders, community colleges,
20 advisory committees, and board members. The higher education
21 coordinating board's careful review provides a statewide context for
22 the legislature to implement the next stage of the campuses.

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

29 (4) The legislature finds that to meet both of the master plan's
30 goals and to provide adequate educational opportunities for

1 Washington's citizens, additional access is needed to baccalaureate
2 degree programs. Expansion of the four campuses is one strategy for
3 achieving the desired outcomes of the master plan. Other strategies
4 must also be implemented through service delivery models that reflect
5 both regional demands and statewide priorities.

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

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

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

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

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

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

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

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

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

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

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

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

26 (3) At the University of Washington Bothell, a top priority is
27 expansion of upper division capacity for transfer students and graduate
28 capacity and programs. The campus shall also seek additional
29 opportunities to collaborate with and maximize its collocation with
30 Cascadia Community College. Beginning in the fall of 2006, the campus
31 may offer lower division courses linked to specific majors in fields
32 not addressed at local community colleges. The campus may admit lower
33 division students through coadmission or coenrollment agreements with
34 a community college, or through direct transfer for students who have
35 accumulated approximately one year of transferable college credits. In
36 addition to offering lower division courses linked to specific majors
37 as addressed above, the campus may also directly admit freshmen and

1 sophomores gradually and deliberately in accordance with the campus
2 plan submitted to the higher education coordinating board in 2004.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

10 (3) A college selected as a pilot college under this section may
11 develop the curriculum for and design and deliver courses leading to an
12 applied baccalaureate degree. However, degree programs developed under
13 this section are subject to approval by the college board under RCW
14 28B.50.090 and by the higher education coordinating board under RCW
15 28B.76.230 before a pilot college may enroll students in upper-division
16 courses. A pilot college may not enroll students in upper division
17 courses before the fall academic quarter of 2006.

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

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

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

29 (2) Ensure that each college district shall offer thoroughly
30 comprehensive educational, training and service programs to meet the
31 needs of both the communities and students served by combining high
32 standards of excellence in academic transfer courses; realistic and
33 practical courses in occupational education, both graded and ungraded;
34 community services of an educational, cultural, and recreational
35 nature; and adult education, including basic skills and general,
36 family, and work force literacy programs and services. However,
37 college districts containing only technical colleges shall maintain

1 programs solely for occupational education, basic skills, and literacy
2 purposes, and, for as long as a need exists, may continue those
3 programs, activities, and services offered by the technical colleges
4 during the twelve-month period preceding September 1, 1991;

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

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

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

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

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

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

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

29 (1) "System" shall mean the state system of community and technical
30 colleges, which shall be a system of higher education.

31 (2) "Board" shall mean the work force training and education
32 coordinating board.

33 (3) "College board" shall mean the state board for community and
34 technical colleges created by this chapter.

35 (4) "Director" shall mean the administrative director for the state
36 system of community and technical colleges.

1 (5) "District" shall mean any one of the community and technical
2 college districts created by this chapter.

3 (6) "Board of trustees" shall mean the local community and
4 technical college board of trustees established for each college
5 district within the state.

6 (7) "Occupational education" shall mean that education or training
7 that will prepare a student for employment that does not require a
8 baccalaureate degree, and education and training leading to an applied
9 baccalaureate degree.

10 (8) "K-12 system" shall mean the public school program including
11 kindergarten through the twelfth grade.

12 (9) "Common school board" shall mean a public school district board
13 of directors.

14 (10) "Community college" shall include those higher education
15 institutions that conduct education programs under RCW 28B.50.020.

16 (11) "Technical college" shall include those higher education
17 institutions with the sole mission of conducting occupational
18 education, basic skills, literacy programs, and offering on short
19 notice, when appropriate, programs that meet specific industry needs.
20 The programs of technical colleges shall include, but not be limited
21 to, continuous enrollment, competency-based instruction, industry-
22 experienced faculty, curriculum integrating vocational and basic skills
23 education, and curriculum approved by representatives of employers and
24 labor. For purposes of this chapter, technical colleges shall include
25 Lake Washington Vocational-Technical Institute, Renton Vocational-
26 Technical Institute, Bates Vocational-Technical Institute, Clover Park
27 Vocational Institute, and Bellingham Vocational-Technical Institute.

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

1 education or instruction provided by any four year public institution
2 of higher education.

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

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

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

36 (16) "Salmon fishing worker" means a worker in the finfish industry
37 affected by 1994 or future salmon disasters. The workers included
38 within this definition shall be determined by the employment security

1 department, but shall include workers employed in the industries
2 involved in the commercial and recreational harvesting of finfish
3 including buying and processing finfish. The commissioner may adopt
4 rules further interpreting these definitions.

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

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

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

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

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

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

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

21 (c) Projected or actual direct lumber and wood products job losses
22 of one hundred positions or more;

23 (d) Projected or actual direct commercial salmon fishing job losses
24 of one hundred positions or more; and

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

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

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

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

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

12 Each board of trustees:

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

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

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

1 and technical colleges. The state board for community and technical
2 colleges shall adopt rules defining the permissible elements of
3 compensation under this subsection;

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

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

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

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

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

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

35 (8) May receive such gifts, grants, conveyances, devises and
36 bequests of real or personal property from private sources, as may be
37 made from time to time, in trust or otherwise, whenever the terms and
38 conditions thereof will aid in carrying out the community and technical

1 college programs as specified by law and the ((~~regulations~~)) rules of
2 the state college board; sell, lease or exchange, invest or expend the
3 same or the proceeds, rents, profits and income thereof according to
4 the terms and conditions thereof; and adopt ((~~regulations~~)) rules to
5 govern the receipt and expenditure of the proceeds, rents, profits and
6 income thereof;

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

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

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

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

35 (13) Shall enforce the rules ((~~and regulations~~)) prescribed by the
36 state board for community and technical colleges for the government of
37 community and technical colleges, students and teachers, and
38 ((~~promulgate~~)) adopt such rules ((~~and regulations~~)) and perform all

1 other acts not inconsistent with law or rules (~~and regulations~~) of
2 the state board for community and technical colleges as the board of
3 trustees may in its discretion deem necessary or appropriate to the
4 administration of college districts: PROVIDED, That such rules (~~and~~
5 ~~regulations~~) shall include, but not be limited to, rules (~~and~~
6 ~~regulations~~) relating to housing, scholarships, conduct at the various
7 community and technical college facilities, and discipline: PROVIDED,
8 FURTHER, That the board of trustees may suspend or expel from community
9 and technical colleges students who refuse to obey any of the duly
10 (~~promulgated~~) adopted rules (~~and regulations~~);

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

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

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

29 (17) Notwithstanding any other provision of law, may offer
30 educational services on a contractual basis, charging tuition and fees
31 as set forth in chapter 28B.15 RCW, counting such enrollments for state
32 funding purposes, and may additionally charge a special supplemental
33 fee when necessary to cover the full instructional costs of such
34 services: PROVIDED, That such contracts shall be subject to review by
35 the state board for community and technical colleges and to such rules
36 as the state board may adopt for that purpose in order to assure that
37 the sum of the supplemental fee and the normal state funding shall not
38 exceed the projected total cost of offering the educational service:

1 PROVIDED FURTHER, That enrollments generated by courses offered on the
2 basis of contracts requiring payment of a share of the normal costs of
3 the course will be discounted to the percentage provided by the
4 college;

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

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

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

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

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

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

1 undergraduate services and activities fee in 2002-03. The services and
2 activities fee committee provided for in RCW 28B.15.045 may initiate a
3 request to the governing board for a fee increase.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (e) New degree programs and creation of off-campus programs by an
21 independent college or university in collaboration with a community or
22 technical college; and

23 (f) Applied baccalaureate degree programs developed by colleges
24 under section 6 of this act.

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

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

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

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

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

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

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

20 (4) Students enrolled in programs under this section are considered
21 students of the regional university, branch campus, or state college
22 for all purposes including tuition and reporting of state-funded
23 enrollments.

24 NEW SECTION. **Sec. 13.** (1) The legislature finds that access to
25 baccalaureate and graduate degree programs continues to be limited for
26 residents of North Snohomish, Island, and Skagit counties. Studies
27 conducted by the state board for community and technical colleges, the
28 higher education coordinating board, and the council of presidents
29 confirm that enrollment in higher education in this geographic region
30 lags enrollment in other parts of the state, particularly for upper
31 division courses leading to advanced degrees. The higher education
32 consortium created to serve the region has not been able to
33 successfully address the region's access needs. The university center
34 model of service delivery, centered on a community college campus with
35 a single point of accountability, has proven more effective in
36 developing degree programs and attracting students.

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

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

26 (2) This section expires July 1, 2009."

E2SHB 1794 - S COMM AMD
By Committee on Ways & Means

ADOPTED AS AMENDED 04/07/2005

27 On page 1, line 2 of the title, after "programs;" strike the
28 remainder of the title and insert "amending RCW 28B.45.014, 28B.45.020,
29 28B.45.030, 28B.45.040, 28B.50.020, 28B.50.030, 28B.50.140, 28B.15.069,

1 and 28B.76.230; adding new sections to chapter 28B.50 RCW; creating new
2 sections; and providing an expiration date."

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