

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.

CHRISTINE GREGOIRE

**Governor of the State of Washington**

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.

**Secretary of State  
State of Washington**

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ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1794

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AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

**State of Washington                      59th Legislature                      2005 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Kenney, Cox, Sommers, Fromhold, Priest, Sells, Moeller, Hasegawa, Conway, Ormsby, McCoy, Roberts, Kessler, Darneille, O'Brien, Murray, Dickerson, Lantz, Williams, Chase, Hunter, Lovick, Dunshee, Kagi, Morrell, Haigh, McDermott, Wood and Hudgins)

READ FIRST TIME 03/07/05.

1            AN ACT Relating to expanding access to baccalaureate degree  
2 programs; amending RCW 28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040,  
3 28B.50.020, 28B.50.030, 28B.50.140, 28B.15.069, and 28B.76.230; adding  
4 new sections to chapter 28B.50 RCW; creating new sections; and  
5 providing an expiration date.

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

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

1 (2) The self-studies conducted by the University of Washington  
2 Bothell, University of Washington Tacoma, Washington State University  
3 Tri-Cities, and Washington State University Vancouver reflect  
4 thoughtful and strategic planning and involved the input of numerous  
5 students, faculty, community and business leaders, community colleges,  
6 advisory committees, and board members. The higher education  
7 coordinating board's careful review provides a statewide context for  
8 the legislature to implement the next stage of the campuses.

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

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

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

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

34 (1) The primary mission of the higher education branch campuses  
35 created under this chapter remains to expand access to baccalaureate  
36 and master's level graduate education in underserved urban areas of the  
37 state in collaboration with community and technical colleges. The top

1 priority for each of the campuses is to expand courses and degree  
2 programs for transfer and graduate students. New degree programs  
3 should be driven by the educational needs and demands of students and  
4 the community, as well as the economic development needs of local  
5 businesses and employers.

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

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

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

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

37 (6) In consultation with the higher education coordinating board,  
38 a branch campus may propose legislation to authorize practice-oriented

1 or professional doctoral programs if: (a) Unique research facilities  
2 and equipment are located near the campus; or (b) the campus can  
3 clearly demonstrate student and employer demand in the region that is  
4 linked to regional economic development.

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

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

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

28 (2) At the University of Washington Tacoma, a top priority is  
29 expansion of upper division capacity for transfer students and graduate  
30 capacity and programs. Beginning in the fall of 2006, the campus may  
31 offer lower division courses linked to specific majors in fields not  
32 addressed at local community colleges. The campus shall 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

1 as addressed above, the campus may also directly admit freshmen and  
2 sophomores gradually and deliberately in accordance with the campus  
3 plan submitted to the higher education coordinating board in 2004.

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

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

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

32 (2) Washington State University Tri-Cities shall continue providing  
33 innovative coadmission and coenrollment options with Columbia Basin  
34 College, and expand its upper division capacity for transfer students  
35 and graduate capacity and programs. The campus shall also seek  
36 additional opportunities to collaborate with the Pacific Northwest  
37 national laboratory. Beginning in the fall of 2006, the campus may

1 offer lower division courses linked to specific majors in fields not  
2 addressed at local community colleges. The campus may admit lower  
3 division students through coadmission or coenrollment agreements with  
4 a community college, or through direct transfer for students who have  
5 accumulated approximately one year of transferable college credits. In  
6 addition to offering lower division courses linked to specific majors  
7 as addressed above, the campus may also directly admit freshmen and  
8 sophomores for a bachelor's degree program in biotechnology subject to  
9 approval by the higher education coordinating board. The campus may  
10 not directly admit freshmen and sophomores for degree programs other  
11 than biotechnology, however this topic shall be the subject of further  
12 study and recommendations by the higher education coordinating board.

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

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

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

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

35 (1) The college board shall select four community or technical  
36 colleges to develop and offer programs of study leading to an applied

1 baccalaureate degree. At least one of the four pilot programs chosen  
2 must lead to a baccalaureate of applied science degree which builds on  
3 an associate of applied science degree. The college board shall  
4 convene a task force that includes representatives of both the  
5 community and technical colleges to develop objective selection  
6 criteria.

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

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

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

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

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

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

24 (3) A college selected as a pilot college under this section may  
25 develop the curriculum for and design and deliver courses leading to an  
26 applied baccalaureate degree. However, degree programs developed under  
27 this section are subject to approval by the college board under RCW  
28 28B.50.090 and by the higher education coordinating board under RCW  
29 28B.76.230 before a pilot college may enroll students in upper-division  
30 courses. A pilot college may not enroll students in upper division  
31 courses before the fall academic quarter of 2006.

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

34 The purpose of this chapter is to provide for the dramatically  
35 increasing number of students requiring high standards of education  
36 either as a part of the continuing higher education program or for

1 occupational education and training, or for adult basic skills and  
2 literacy education, by creating a new, independent system of community  
3 and technical colleges which will:

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

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

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

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

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

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

33 (7) Establish firmly that, except on a pilot basis as provided  
34 under section 6 of this act, community colleges are, for purposes of  
35 academic training, two year institutions, and are an independent,  
36 unique, and vital section of our state's higher education system,  
37 separate from both the common school system and other institutions of

1 higher learning, and never to be considered for conversion into four-  
2 year liberal arts colleges.

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

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

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

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

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

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

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

17 (6) "Board of trustees" shall mean the local community and  
18 technical college board of trustees established for each college  
19 district within the state.

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

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

26 (9) "Common school board" shall mean a public school district board  
27 of directors.

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

30 (11) "Technical college" shall include those higher education  
31 institutions with the sole mission of conducting occupational  
32 education, basic skills, literacy programs, and offering on short  
33 notice, when appropriate, programs that meet specific industry needs.  
34 The programs of technical colleges shall include, but not be limited  
35 to, continuous enrollment, competency-based instruction, industry-  
36 experienced faculty, curriculum integrating vocational and basic skills  
37 education, and curriculum approved by representatives of employers and

1 labor. For purposes of this chapter, technical colleges shall include  
2 Lake Washington Vocational-Technical Institute, Renton Vocational-  
3 Technical Institute, Bates Vocational-Technical Institute, Clover Park  
4 Vocational Institute, and Bellingham Vocational-Technical Institute.

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

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

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

1 "standard industrial classification code" means the code identified in  
2 RCW 50.29.025(3).

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 Each board of trustees:

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

30 (2) Shall create comprehensive programs of community and technical  
31 college education and training and maintain an open-door policy in  
32 accordance with the provisions of RCW 28B.50.090(3). However,  
33 technical colleges, and college districts containing only technical  
34 colleges, shall maintain programs solely for occupational education,  
35 basic skills, and literacy purposes. For as long as a need exists,  
36 technical colleges may continue those programs, activities, and

1 services they offered during the twelve-month period preceding  
2 September 1, 1991;

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

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

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

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

37 (7) May establish fees and charges for the facilities authorized  
38 hereunder, including reasonable rules and regulations for the

1 government thereof, not inconsistent with the rules (~~and regulations~~)  
2 of the college board; each board of trustees operating a community and  
3 technical college may enter into agreements, subject to rules (~~and~~  
4 ~~regulations~~) of the college board, with owners of facilities to be  
5 used for housing regarding the management, operation, and government of  
6 such facilities, and any board entering into such an agreement may:

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

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

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

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

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

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

35 (12) May grant to every student, upon graduation or completion of  
36 a course of study, a suitable diploma, (~~nonbaccalaureate~~) degree, or  
37 certificate. Technical colleges shall offer only (~~nonbaccalaureate~~)  
38 technical degrees under the rules of the state board for community and

1 technical colleges that are appropriate to their work force education  
2 and training mission. The primary purpose of (~~this~~) these degrees is  
3 to lead the individual directly to employment in a specific occupation.  
4 Technical colleges may not offer transfer degrees. Only pilot colleges  
5 under section 6 of this act may award baccalaureate degrees. The  
6 board, upon recommendation of the faculty, may also confer honorary  
7 associate of arts degrees upon persons other than graduates of the  
8 community college, in recognition of their learning or devotion to  
9 education, literature, art, or science. No degree may be conferred in  
10 consideration of the payment of money or the donation of any kind of  
11 property;

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

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

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

32 (16) Notwithstanding any other provision of law, may offer  
33 educational services on a contractual basis other than the tuition and  
34 fee basis set forth in chapter 28B.15 RCW for a special fee to private  
35 or governmental entities, consistent with rules (~~and regulations~~)  
36 adopted by the state board for community and technical colleges:  
37 PROVIDED, That the whole of such special fee shall go to the college  
38 district and be not less than the full instructional costs of such

1 services including any salary increases authorized by the legislature  
2 for community and technical college employees during the term of the  
3 agreement: PROVIDED FURTHER, That enrollments generated hereunder  
4 shall not be counted toward the official enrollment level of the  
5 college district for state funding purposes;

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

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

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

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

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

36 (1) The building fee for each academic year shall be a percentage  
37 of total tuition fees. This percentage shall be calculated by the

1 higher education coordinating board and be based on the actual  
2 percentage the building fee is of total tuition for each tuition  
3 category in the 1994-95 academic year, rounded up to the nearest half  
4 percent.

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

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

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

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

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

37 (1) The board shall develop a comprehensive and ongoing assessment

1 process to analyze the need for additional degrees and programs,  
2 additional off-campus centers and locations for degree programs, and  
3 consolidation or elimination of programs by the four-year institutions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1        NEW SECTION.    **Sec. 13.**    (1) The legislature finds that access to  
2    baccalaureate and graduate degree programs continues to be limited for  
3    residents of North Snohomish, Island, and Skagit counties.    Studies  
4    conducted by the state board for community and technical colleges, the  
5    higher education coordinating board, and the council of presidents  
6    confirm that enrollment in higher education in this geographic region  
7    lags enrollment in other parts of the state, particularly for upper  
8    division courses leading to advanced degrees.    The higher education  
9    consortium created to serve the region has not been able to  
10    successfully address the region's access needs.    The university center  
11    model of service delivery, centered on a community college campus with  
12    a single point of accountability, has proven more effective in  
13    developing degree programs and attracting students.

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

29        NEW SECTION.    **Sec. 14.**    (1) The higher education coordinating board  
30    shall define potential outcomes resulting from this act and develop  
31    performance measures for those outcomes, including but not limited to  
32    increased numbers of baccalaureate degrees awarded; expansion of upper  
33    division and graduate capacity at the University of Washington Bothell  
34    and Tacoma and Washington State University Tri-Cities and Vancouver;  
35    enhanced regional access to baccalaureate programs; and creation and  
36    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.