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SECOND SUBSTITUTE HOUSE BILL 1794

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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. The University of  
21 Washington shall meet that responsibility through the operation of at  
22 least two branch campuses. One branch campus shall be located in the  
23 Tacoma area. Another branch campus shall be collocated with Cascadia  
24 Community College in the Bothell-Woodinville area.

25 (2) At the University of Washington Tacoma, a top priority is  
26 expansion of upper division capacity for transfer students and graduate  
27 capacity and programs. Beginning in the fall of 2006, the campus may  
28 offer lower division courses linked to specific majors in fields not  
29 addressed at local community colleges. The campus may admit lower  
30 division students through coadmission or coenrollment agreements with  
31 a community college, or through direct transfer for students who have  
32 accumulated approximately one year of credits. Direct admission of  
33 freshmen and sophomores may proceed gradually and deliberately in  
34 accordance with the campus plan submitted to the higher education  
35 coordinating board in 2004.

36 (3) At the University of Washington Bothell, a top priority is  
37 expansion of upper division capacity for transfer students and graduate

1 capacity and programs. The campus shall also seek additional  
2 opportunities to collaborate with and maximize its collocation with  
3 Cascadia Community College. Beginning in the fall of 2006, the campus  
4 may offer lower division courses linked to specific majors in fields  
5 not addressed at local community colleges. The campus may admit lower  
6 division students through coadmission or coenrollment agreements with  
7 a community college, or through direct transfer for students who have  
8 accumulated approximately one year of credits. Direct admission of  
9 freshmen and sophomores may proceed gradually and deliberately in  
10 accordance with the campus plan submitted to the higher education  
11 coordinating board in 2004.

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

14 (1) Washington State University is responsible for providing  
15 (~~upper division~~) baccalaureate and graduate level higher education  
16 programs to the citizens of the Tri-Cities area, under rules or  
17 guidelines adopted by the higher education coordinating board.  
18 Washington State University shall meet that responsibility through the  
19 operation of a branch campus in the Tri-Cities area. The branch campus  
20 shall replace and supersede the Tri-Cities university center. All  
21 land, facilities, equipment, and personnel of the Tri-Cities university  
22 center shall be transferred from the University of Washington to  
23 Washington State University.

24 (2) Washington State University Tri-Cities shall continue providing  
25 innovative coadmission and coenrollment options with Columbia Basin  
26 College, and expand its upper division capacity for transfer students  
27 and graduate capacity and programs. The campus shall also seek  
28 additional opportunities to collaborate with the Pacific Northwest  
29 national laboratory. Beginning in the fall of 2006, the campus may  
30 offer lower division courses linked to specific majors in fields not  
31 addressed at local community colleges. The campus may admit lower  
32 division students through coadmission or coenrollment agreements with  
33 a community college, or through direct transfer for students who have  
34 accumulated approximately one year of credits. Direct admission of  
35 freshmen and sophomores for a bachelor's degree program in  
36 biotechnology may proceed subject to approval by the higher education  
37 coordinating board. The campus may not directly admit freshmen and

1 sophomores for degree programs other than biotechnology, however this  
2 topic shall be the subject of further study and recommendations by the  
3 higher education coordinating board.

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

6 (1) Washington State University is responsible for providing  
7 ((upper-division)) baccalaureate and graduate level higher education  
8 programs to the citizens of the southwest Washington area, under rules  
9 or guidelines adopted by the higher education coordinating board.  
10 Washington State University shall meet that responsibility through the  
11 operation of a branch campus in the southwest Washington area.

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

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

23 (1) The college board shall select three pilot colleges to develop  
24 and offer programs of study leading to an applied baccalaureate degree.

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

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

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

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

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

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

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

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

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

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

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

1 programs, activities, and services offered by the technical colleges  
2 during the twelve-month period preceding September 1, 1991;

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

10 (9) "Common school board" shall mean a public school district board  
11 of directors.

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

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

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

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

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

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

34 (16) "Salmon fishing worker" means a worker in the finfish industry  
35 affected by 1994 or future salmon disasters. The workers included  
36 within this definition shall be determined by the employment security  
37 department, but shall include workers employed in the industries

1 involved in the commercial and recreational harvesting of finfish  
2 including buying and processing finfish. The commissioner may adopt  
3 rules further interpreting these definitions.

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

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

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

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

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

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

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

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

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

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

37 (19) "Applied baccalaureate degree" means a baccalaureate degree

1 awarded by a college under section 6 of this act for successful  
2 completion of a program of study that is:

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

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

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

11 Each board of trustees:

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

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

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

1 colleges shall adopt rules defining the permissible elements of  
2 compensation under this subsection;

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

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

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

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

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

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

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

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

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

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

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

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

34 (13) Shall enforce the rules (~~and regulations~~) prescribed by the  
35 state board for community and technical colleges for the government of  
36 community and technical colleges, students and teachers, and  
37 (~~promulgate~~) adopt such rules (~~and regulations~~) and perform all  
38 other acts not inconsistent with law or rules (~~and regulations~~) of

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

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

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

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

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

1 basis of contracts requiring payment of a share of the normal costs of  
2 the course will be discounted to the percentage provided by the  
3 college;

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

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

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

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

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

26 (2) The governing boards of each institution of higher education,  
27 except for the technical colleges, shall charge to and collect from  
28 each student a services and activities fee. A governing board may  
29 increase the existing fee annually, consistent with budgeting  
30 procedures set forth in RCW 28B.15.045, by a percentage not to exceed  
31 the annual percentage increase in student tuition fees for resident  
32 undergraduate students: PROVIDED, That such percentage increase shall  
33 not apply to that portion of the services and activities fee previously  
34 committed to the repayment of bonded debt. These rate adjustments may  
35 exceed the fiscal growth factor. For the 2003-04 academic year, the  
36 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   one community or technical college for the purpose of entering into an  
12   agreement with one or more regional universities, branch campuses, or  
13   the state college to offer baccalaureate degree programs on the college  
14   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.

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