

SENATE BILL REPORT

HB 2016

As Reported By Senate Committee On:
Higher Education, February 22, 1996

Title: An act relating to higher education authorizing contracts with independent colleges and universities for instructional programmatic services.

Brief Description: Authorizing the higher education coordinating board to contract for cooperative arrangements with independent colleges and universities.

Sponsors: Representatives Mulliken, Carlson, Jacobsen, Blanton, Silver and Conway.

Brief History:

Committee Activity: Higher Education: 2/19/96, 2/22/96 [DPA-WM].

SENATE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.
Signed by Senators Bauer, Chair; Hale, McAuliffe, Prince, Rasmussen, Sheldon, Wood and Zarelli.

Staff: Jean Six (786-7423)

Background: At times, members of the public have requested the expansion of educational degree programs into areas of the state that are either unserved by public institutions, or in which public institutions are unable to offer the type of programs needed by the people in the area. Public institutions of higher education may contract with private institutions for educational services. Or, the Higher Education Coordinating Board may, at the direction of the Legislature, contract with public institutions for services. For example, the board has contracted with public institutions to provide upper division programs in the Port Angeles area. The board does not have the authority to contract with independent institutions. If the Legislature wishes to permit the board to contract with either public or private institutions for educational services, the Attorney General has advised the passage of legislation permitting the board to enter those types of contracts.

Summary of Amended Bill: Under certain conditions, the Higher Education Coordinating Board may contract with independent colleges and universities to provide instructional programs. The conditions are as follows: there has been a finding of need for a program; the contract is the most cost-effective way of providing a service to students in a particular locality; the criteria for evaluating proposals is uniform; and only resident students will be served by the contract. Participation is limited to nonprofit, independent institutions that are located in the state and are accredited by the Northwest Association of Schools and Colleges or by an accreditation association recognized by the board. The Higher Education Coordinating Board identifies the localities and instructional areas suitable for contracts, requires that appropriate fiscal accountability measures are in place, and provides biennial reports to the Governor and the Legislature on any contracts with independent institutions.

The programs offered through the contractual arrangement by the independent institutions are required to undergo the same approval process that is required of all new programs offered by the public institutions of higher education.

Amended Bill Compared to Original Bill: The HECB will look at the programs of the independent institutions that are to be offered through the contractual agreements with the same program approval process that is applied to all new programs of the public higher education institutions.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This is a creative way to provide additional access. This is a limited tool for providing additional opportunity for Washington citizens. The bill is constitutionally defensible. Institutions may already contract with each other. The HECB ought to have the same option. Experts in specific fields will be available to students at a number of institutions. Collaboration and cooperation are essential.

Testimony Against: There are constitutional questions regarding state money going to independent institutions with religious affiliations.

Testified: Representative Joyce Mulliken, prime sponsor (pro); Susan Patrick, HECB (pro); Tom Parker, WA Friends of Higher Education (pro); Jerry Sheahan, ACLU (con).