
SUBSTITUTE SENATE BILL 5717

State of Washington

62nd Legislature

2011 Regular Session

By Senate Higher Education & Workforce Development (originally sponsored by Senators Tom, Kilmer, White, and Shin; by request of Governor Gregoire)

READ FIRST TIME 02/18/11.

1 AN ACT Relating to higher education; amending RCW 28B.15.067,
2 28B.15.068, and 28B.76.270; adding new sections to chapter 28B.10 RCW;
3 adding a new section to chapter 28B.76 RCW; adding a new section to
4 chapter 28B.50 RCW; and repealing RCW 28B.10.920, 28B.10.921, and
5 28B.10.922.

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

7 **PART I**

8 **GOALS**

9 NEW SECTION. **Sec. 101.** A new section is added to chapter 28B.10
10 RCW to read as follows:

11 (1) Beginning with the 2011-12 academic year, the four-year
12 institutions of higher education, while maintaining quality, shall work
13 toward achieving the following initial degree completion targets by
14 2018:

15 (a) Increasing the number of bachelor's degrees earned by
16 Washington's resident students from the 2010 levels by at least six
17 thousand degrees completed or by twenty-seven percent;

1 (b) Consistent with the priority for growing the number of
2 enrollments and degrees in the fields of engineering, technology,
3 biotechnology, sciences, computer sciences, and mathematics, at least
4 two thousand of the additional degrees in (a) of this subsection would
5 be awarded in the areas of science, which includes the health sciences,
6 technology, engineering, and mathematics; and

7 (c) Attaining parity in degree attainment for students from
8 underrepresented groups, which would mean that at least nineteen
9 percent of the degrees awarded would include students who are low
10 income or are the first in their families to attend college.

11 (2) The bachelor degree completion targets in subsection (1) of
12 this section shall be updated by the higher education coordinating
13 board by September 1, 2012, and by September 1st every two years
14 thereafter based upon the state's changing population and economic
15 needs. Targets shall be set for five-year periods following the 2018
16 target.

17 **PART II**
18 **FUNDING**

19 **Sec. 201.** RCW 28B.15.067 and 2010 c 20 s 7 are each amended to
20 read as follows:

21 (1) Tuition fees shall be established under the provisions of this
22 chapter.

23 (2)(a) Beginning with the 2003-04 academic year and ending with the
24 2012-13 academic year, reductions or increases in full-time tuition
25 fees for resident undergraduates shall be as provided in the omnibus
26 appropriations act.

27 (b) Beginning with the 2013-14 academic year, reductions or
28 increases in full-time tuition fees for resident undergraduates at the
29 community and technical colleges shall be as provided in the omnibus
30 appropriations act.

31 (c) Beginning with the 2013-14 academic year, the governing boards
32 of the state universities, regional universities, and The Evergreen
33 State College may set tuition for resident undergraduates as follows:

34 (i) If state funding for a college or university falls below the
35 state funding provided in the operating budget for fiscal year 2011,

1 the governing board may increase tuition up to the limits set in (d) of
2 this subsection, reduce enrollments, or both;

3 (ii) If state funding for a college or university is at least at
4 the level of state funding provided in the operating budget for fiscal
5 year 2011, the governing board may increase tuition up to the limits
6 set in (d) of this subsection and shall continue to at least maintain
7 the actual enrollment levels for fiscal year 2011 or increase
8 enrollments as required in the omnibus appropriations act; and

9 (iii) If state funding is increased so that combined with tuition
10 the sixtieth percentile of the total per-student funding at similar
11 public institutions of higher education in the global challenge states
12 under RCW 28B.15.068 is exceeded, the governing board shall decrease
13 tuition by the amount needed for the total per-student funding to be at
14 the sixtieth percentile under RCW 28B.15.068.

15 (d) The amount of tuition for resident undergraduate students set
16 by the governing board for an institution under this subsection (2) may
17 not exceed the sixtieth percentile of the tuition for resident
18 undergraduate students of similar public institutions of higher
19 education in the global challenge states.

20 ~~(3)(a) ((Beginning with the 2003-04 academic year and ending with~~
21 ~~the 2012-13 academic year,))~~ The governing boards of the state
22 universities, the regional universities, The Evergreen State College,
23 and the state board for community and technical colleges may reduce or
24 increase full-time tuition fees for all students other than resident
25 undergraduates, including summer school students and students in other
26 self-supporting degree programs. Percentage increases in full-time
27 tuition fees may exceed the fiscal growth factor. Reductions or
28 increases may be made for all or portions of an institution's programs,
29 campuses, courses, or students.

30 (b) Prior to reducing or increasing tuition for each academic year,
31 the governing boards of the state universities, the regional
32 universities, and The Evergreen State College shall consult with
33 existing student associations or organizations with student
34 undergraduate and graduate representatives regarding the impacts of
35 potential tuition increases. Governing boards shall be required to
36 provide data regarding the percentage of students receiving financial
37 aid, the sources of aid, and the percentage of total costs of
38 attendance paid for by aid.

1 (c) Prior to reducing or increasing tuition for each academic year,
2 each college in the state board for community and technical college
3 system shall consult with existing student associations or
4 organizations with undergraduate student representation regarding the
5 impacts of potential tuition increases. Colleges shall provide data
6 regarding the percentage of students receiving financial aid, the
7 sources of aid, and the percentage of total costs of attendance paid
8 for by aid.

9 ~~((4) ((Academic year tuition for full-time students at the state's
10 institutions of higher education beginning with 2015-16, other than
11 summer term, shall be as charged during the 2014-15 academic year
12 unless different rates are adopted by the legislature.~~

13 ~~(5))~~ The tuition fees established under this chapter shall not
14 apply to high school students enrolling in participating institutions
15 of higher education under RCW 28A.600.300 through 28A.600.400.

16 ~~((6))~~ (5) The tuition fees established under this chapter shall
17 not apply to eligible students enrolling in a dropout reengagement
18 program through an interlocal agreement between a school district and
19 a community or technical college under RCW 28A.175.100 through
20 28A.175.110.

21 ~~((7))~~ (6) The tuition fees established under this chapter shall
22 not apply to eligible students enrolling in a community or technical
23 college participating in the pilot program under RCW 28B.50.534 for the
24 purpose of obtaining a high school diploma.

25 ~~((8) For the academic years 2003-04 through 2008-09, the
26 University of Washington shall use an amount equivalent to ten percent
27 of all revenues received as a result of law school tuition increases
28 beginning in academic year 2000-01 through academic year 2008-09 to
29 assist needy low and middle income resident law students.~~

30 ~~(9) For the academic years 2003-04 through 2008-09, institutions of
31 higher education shall use an amount equivalent to ten percent of all
32 revenues received as a result of graduate academic school tuition
33 increases beginning in academic year 2003-04 through academic year
34 2008-09 to assist needy low and middle income resident graduate
35 academic students.~~

36 ~~(10))~~ (7) Any tuition increases above seven percent shall fund
37 costs of instruction, library and student services, utilities and
38 maintenance, other costs related to instruction as well as

1 institutional financial aid. (~~Through 2010-11, any funding reductions~~
2 ~~to instruction, library and student services, utilities and maintenance~~
3 ~~and other costs related to instruction shall be proportionally less~~
4 ~~than other program areas including administration.~~)

5 **Sec. 202.** RCW 28B.15.068 and 2009 c 540 s 1 are each amended to
6 read as follows:

7 (1) (~~Beginning with the 2007-08 academic year and ending with the~~
8 ~~2016-17 academic year,~~) Tuition fees charged to full-time resident
9 undergraduate students (~~, except in academic years 2009-10 and 2010-~~
10 ~~11,~~) may increase no greater than seven percent over the previous
11 academic year (~~in any institution of higher education~~) at community
12 and technical colleges. Annual reductions or increases in full-time
13 tuition fees for resident undergraduate students shall be as provided
14 in the omnibus appropriations act, within the seven percent increase
15 limit established in this section. (~~For academic years 2009-10 and~~
16 ~~2010-11 the omnibus appropriations act may provide tuition increases~~
17 ~~greater than seven percent.~~) To the extent that state appropriations
18 combined with tuition and fee revenues are insufficient to achieve the
19 total per-student funding goals established in subsection (2) of this
20 section, the legislature may revisit state appropriations, authorized
21 enrollment levels, and changes in tuition fees for any given fiscal
22 year.

23 (2) The state shall adopt as its goal total per-student funding
24 levels, from state appropriations plus tuition and fees, of at least
25 the sixtieth percentile of total per-student funding at similar public
26 institutions of higher education in the global challenge states. In
27 defining comparable per-student funding levels, the office of financial
28 management shall adjust for regional cost-of-living differences; for
29 differences in program offerings and in the relative mix of lower
30 division, upper division, and graduate students; and for accounting and
31 reporting differences among the comparison institutions. The office of
32 financial management shall develop a funding trajectory for each four-
33 year institution of higher education and for the community and
34 technical college system as a whole that when combined with tuition and
35 fees revenue allows the state to achieve its funding goal for each
36 four-year institution and the community and technical college system as
37 a whole no later than fiscal year 2017. (~~The state shall not reduce~~

1 ~~enrollment levels below fiscal year 2007 budgeted levels in order to~~
2 ~~improve or alter the per-student funding amount at any four-year~~
3 ~~institution of higher education or the community and technical college~~
4 ~~system as a whole.))~~ The state recognizes that each four-year
5 institution of higher education and the community and technical college
6 system as a whole have different funding requirements to achieve
7 desired performance levels, and that increases to the total per-student
8 funding amount may need to exceed the minimum funding goal.

9 (3) By September 1st of each year beginning in 2008, the office of
10 financial management shall report to the governor, the higher education
11 coordinating board, and appropriate committees of the legislature with
12 updated estimates of the total per-student funding level that
13 represents the sixtieth percentile of funding for comparable
14 institutions of higher education in the global challenge states, and
15 the progress toward that goal that was made for each of the public
16 institutions of higher education.

17 (4) By September 1st of each year beginning in 2011, the office of
18 financial management shall report to the governor, the higher education
19 coordinating board, the boards of regents or trustees of the four-year
20 institutions of higher education, and appropriate committees of the
21 legislature with updated estimates of the undergraduate resident
22 tuition that represents the sixtieth percentile of tuition for the
23 comparable institutions of higher education in the global challenge
24 states.

25 (5) As used in this section, "global challenge states" are the top
26 performing states on the new economy index published by the progressive
27 policy institute as of July 22, 2007. The new economy index ranks
28 states on indicators of their potential to compete in the new economy.
29 At least once every five years, the office of financial management
30 shall determine if changes to the list of global challenge states are
31 appropriate. The office of financial management shall report its
32 findings to the governor and the legislature.

33 (~~(5) During the 2009-10 and the 2010-11 academic years,~~) The
34 institutions of higher education shall include information on their
35 billing statements notifying students of available federal tax credits
36 (~~(available through the American opportunity tax credit provided in the~~
37 ~~American recovery and reinvestment act of 2009)).~~

1 PART III

2 PERFORMANCE AND ACCOUNTABILITY

3 Sec. 301. RCW 28B.76.270 and 2004 c 275 s 11 are each amended to
4 read as follows:

5 (1) The board shall establish an accountability monitoring and
6 reporting system as part of a continuing effort to make meaningful and
7 substantial progress towards the achievement of long-term performance
8 goals in higher education.

9 ~~((Based on guidelines prepared by the board,))~~ To provide
10 consistent easily understood data among the public four-year
11 institutions of higher education within Washington and in other states,
12 the following data must be reported annually and at a minimum include
13 data recommended by a national organization representing state chief
14 executives. This data must include the following for the four-year
15 institutions of higher education and the board may change the data
16 requirements to be consistent with best practices across the country:

17 (a) Bachelor's degrees awarded;

18 (b) Graduation rates: The number and percentage of students who
19 graduate within four years for bachelor's degrees and within the
20 extended time, which is six years for bachelor's degrees;

21 (c) Transfer rates: The annual number and percentage of students
22 who transfer from a two-year to a four-year institution of higher
23 education;

24 (d) Time and credits to degree: The average length of time in
25 years and average number of credits that graduating students took to
26 earn a bachelor's degree;

27 (e) Enrollment in remedial education: The number and percentage of
28 entering first-time undergraduate students who place into and enroll in
29 remedial mathematics, English, or both;

30 (f) Success beyond remedial education: The number and percentage
31 of entering first-time undergraduate students who complete entry
32 college-level math and English courses within the first two consecutive
33 academic years;

34 (g) Credit accumulation: The number and percentage of first-time
35 undergraduate students completing two quarters or one semester worth of
36 credit during their first academic year;

37 (h) Retention rates: The number and percentage of entering

1 undergraduate students who enroll consecutively from fall-to-spring and
2 fall-to-fall at an institution of higher education;

3 (i) Course completion: The percentage of credit hours completed
4 out of those attempted during an academic year;

5 (j) Enrollment: Total first-time undergraduate students enrolled
6 in an institution of higher education;

7 (k) Completion ratio: Annual ratio of certificates and degrees
8 awarded per one hundred full-time equivalent undergraduate students;
9 and

10 (l) Market penetration: Annual ratio of certificates and degrees
11 awarded relative to the state's population with a high school diploma.

12 ~~(3) Each four-year institution ((and the state board for community~~
13 ~~and technical colleges shall submit a biennial plan to achieve~~
14 ~~measurable and specific improvements each academic year on statewide~~
15 ~~and institution specific performance measures. Plans shall be~~
16 ~~submitted to the board along with the biennial budget requests from the~~
17 ~~institutions and the state board for community and technical colleges.~~
18 ~~Performance measures established for the community and technical~~
19 ~~colleges shall reflect the role and mission of the colleges)) of higher~~
20 education shall report the data required under this section to the
21 board and submit the plans required under section 303 of this act.

22 ~~((3) The board shall approve biennial performance targets for each~~
23 ~~four-year institution and for the community and technical college~~
24 ~~system and shall review actual achievements annually. The state board~~
25 ~~for community and technical colleges shall set biennial performance~~
26 ~~targets for each college or district, where appropriate.))~~

27 (4) The board shall review the data, analyze the data including
28 changes over time, and prepare reports based upon that data. The board
29 shall report on each institution's performance improvement under the
30 baccalaureate degree incentive program under section 302 of this act.

31 (5) The board shall submit a report on progress towards the
32 statewide goals, with recommendations for the ensuing biennium, to the
33 fiscal and higher education committees of the legislature along with
34 the board's biennial budget recommendations.

35 ~~((5))~~ (6) The board, in collaboration with the four-year
36 institutions and the state board for community and technical colleges,
37 shall periodically review and update the accountability monitoring and
38 reporting system.

1 (~~(6)~~) (7) The board shall develop measurable indicators and
2 benchmarks for its own performance regarding cost, quantity, quality,
3 and timeliness and including the performance of committees and advisory
4 groups convened under this chapter to accomplish such tasks as
5 improving transfer and articulation, improving articulation with the K-
6 12 education system, measuring educational costs, or developing data
7 protocols. The board shall submit its accountability plan to the
8 legislature concurrently with the biennial report on institution
9 progress.

10 NEW SECTION. **Sec. 302.** A new section is added to chapter 28B.76
11 RCW to read as follows:

12 The board shall establish a baccalaureate degree incentive program.
13 To the extent funds are available, awards shall be made beginning with
14 the 2012-2013 fiscal year. The board, in collaboration with the
15 institutions, the council of presidents, and the education data center,
16 shall design the program to provide awards for four-year institutions
17 of higher education based upon each institution's individual
18 performance improvement on a set of measures. The measures must
19 initially include:

- 20 (1) The total number of undergraduate degrees completed;
- 21 (2) Increases in the number of degrees awarded in the physical and
22 health sciences, technology, engineering, and mathematics;
- 23 (3) Increases in the retention of first-year students receiving
24 need-based assistance not including students who transfer to another
25 institution of higher education; and
- 26 (4) The number of excess credits taken beyond what is required to
27 earn a bachelor's degree.

28 NEW SECTION. **Sec. 303.** A new section is added to chapter 28B.10
29 RCW to read as follows:

30 Each four-year institution of higher education must develop
31 specific action plans to reach the goals under section 101 of this act
32 to improve cost-effectiveness and efficiency. The individual
33 institutions must develop their campus plans recognizing the role of
34 their campus as part of the system of public higher education. The
35 plan and the results shall be reported biennially to the governor, the

1 legislature, and the higher education coordinating board. Institutions
2 must report on innovations, which may include but are not limited to:

3 (1) The innovative use of technology in instruction, particularly
4 for large introductory courses;

5 (2) Increasing administrative efficiencies among the four-year
6 institutions and campuses;

7 (3) Eliminating underused majors and courses;

8 (4) Creating three-year bachelor degree programs;

9 (5) Increasing tuition for students taking credits beyond those
10 needed to earn a degree;

11 (6) Recognizing prior learning experiences based on competency
12 assessments; and

13 (7) Recognizing transfer credits, particularly credits earned in
14 academic programs at two-year and four-year institutions.

15 NEW SECTION. **Sec. 304.** A new section is added to chapter 28B.10
16 RCW to read as follows:

17 (1) A graduate of a community or technical college in this state
18 who has earned a transferrable associate of arts or sciences degree
19 when admitted to a four-year institution of higher education shall have
20 junior standing and shall be deemed to have met the lower division
21 general education requirements of that institution.

22 (2) A student who has earned the equivalent of ninety quarter
23 credit hours and has completed the general education requirements at
24 that four-year institution of higher education in Washington when
25 admitted to another four-year institution of higher education shall
26 have junior standing and shall be deemed to have met the lower division
27 general education requirements of the institution to which the student
28 transfers.

29 (3) The community and technical colleges, jointly with the four-
30 year institutions of higher education, must develop a list of academic
31 courses that are equivalent to one-year's worth of general education
32 credit and that would transfer for that purpose to any other two or
33 four-year institution of higher education. If a student completes one-
34 year's worth of general education credits, that student may be issued
35 a one-year academic completion certificate. This certificate shall be
36 accepted at any transferring two or four-year institution of higher
37 education.

1 (4) Each institution of higher education must develop a minimum of
2 one degree within the arts and sciences disciplines that can be
3 completed within the equivalent of ninety quarter upper division
4 credits by any student who enters an institution of higher education
5 with junior status and lower division general education requirements
6 completed.

7 (5) Each four-year institution of higher education must publish a
8 list of recommended courses for each academic major designed to help
9 students who are planning to transfer design their course of study.

10 NEW SECTION. **Sec. 305.** A new section is added to chapter 28B.50
11 RCW to read as follows:

12 (1) Community and technical colleges must identify and publish in
13 their admissions materials the college level courses that are
14 recognized by all four-year institutions of higher education as
15 transferring to the four-year institutions of higher education.
16 Publication of the list of courses must be easily identified and
17 accessible on the college's web site.

18 (2) Community and technical colleges must create a list of courses
19 that satisfy the basic requirements, distribution requirements, and
20 approved electives for:

21 (a) A one-year academic completion certificate as provided for
22 under section 304 of this act; and

23 (b) A transferrable associate of arts or sciences degree as
24 provided for under section 304 of this act.

25 (3) To the extent possible, each community and technical college
26 must develop links between the lists in subsections (1) and (2) of this
27 section and its list of courses, and develop methods to encourage
28 students to check the lists in subsections (1) and (2) of this section
29 when the students are registering for courses.

30 **PART IV**

31 **MISCELLANEOUS PROVISIONS**

32 NEW SECTION. **Sec. 401.** The following acts or parts of acts are
33 each repealed:

34 (1) RCW 28B.10.920 (Performance agreements--Generally) and 2008 c
35 160 s 2;

1 (2) RCW 28B.10.921 (Performance agreements--Contents) and 2008 c
2 160 s 3; and
3 (3) RCW 28B.10.922 (Performance agreements--State committee--
4 Development of final proposals--Implementation--Updates) and 2008 c 160
5 s 4.

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