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ENGROSSED SUBSTITUTE SENATE BILL 6717

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State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Higher Education (originally sponsored by Senators West, Prince and Hale)

Read first time 02/06/98.

1 AN ACT Relating to institutions of higher education; amending RCW  
2 28B.10.029, 28B.45.050, 28B.130.020, and 43.01.236; adding a new  
3 section to chapter 28B.35 RCW; creating new sections; repealing RCW  
4 28B.25.010, 28B.25.020, 28B.25.030, 28B.25.033, 28B.15.037, 28B.25.040,  
5 28B.25.050, 28B.25.070, 28B.25.075, 28B.25.090, 28B.25.100, and  
6 28B.25.900; providing an effective date; and declaring an emergency.

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

8 NEW SECTION. **Sec. 1.** (1) The higher education coordinating board  
9 shall manage an assessment that determines the current higher education  
10 resources of the greater Spokane area and the current and future  
11 capital and programmatic higher education needs of the Spokane area,  
12 including the balance among anticipated, unmet, and fully met higher  
13 education needs. This assessment shall be coordinated with an economic  
14 analysis of the greater Spokane area.

15 (2) The higher education coordinating board, in coordination with  
16 the office of financial management, the employment security department,  
17 and the department of community, trade, and economic development, shall  
18 oversee the administration of an economic assessment of the greater

1 Spokane area. This assessment shall reference previous economic  
2 studies of the greater Spokane area and include:

3 (a) Input from Spokane area civic leaders as well as the higher  
4 education and business communities;

5 (b) An evaluation of the current economic situation in the greater  
6 Spokane area and potential sectors and subsectors for significant job  
7 expansion;

8 (c) An analysis of the possible transformation of the economic base  
9 toward high technology and opportunities for industries producing  
10 higher wages; and

11 (d) An evaluation of the basic and applied research resources and  
12 needs of the present and future economy of the area.

13 (3) The assessments in subsections (1) and (2) of this section  
14 shall be completed by July 1, 1998, and a final report submitted to the  
15 higher education and fiscal committees of the legislature by October 1,  
16 1998.

17 (4) By December 1, 1998, based on the findings of the assessments  
18 in subsections (1) and (2) of this section, the higher education  
19 coordinating board shall evaluate and develop a plan for the  
20 disposition of the Eastern Washington University Spokane Center  
21 Building.

22 (5)(a) By December 1, 1998, based on the findings of the  
23 assessments in subsections (1) and (2) of this section, Washington  
24 State University shall develop and deliver to the higher education  
25 coordinating board for approval a plan for the management of the  
26 Riverpoint Higher Education Park, excluding the land and the Spokane  
27 Intercollegiate Research and Technology Institute, that includes:

28 (i) Capital facilities maintenance and development;

29 (ii) Coordination of upper-division course offerings; and

30 (iii) The coordination of graduate programs in Spokane.

31 (b) In developing the plan in this subsection (5), Washington State  
32 University should:

33 (i) Assume that Eastern Washington University students enrolled in  
34 Eastern Washington University courses will pay Eastern Washington  
35 University tuition rates; and

36 (ii) Emphasize and implement a maximum level of collaboration and  
37 partnerships by Eastern Washington University and Washington State  
38 University at the Riverpoint Higher Education Park.

1 (c) Washington State University shall submit a preliminary plan to  
2 the higher education coordinating board by September 1, 1998, and a  
3 final plan to the higher education coordinating board and the office of  
4 financial management by December 31, 1998. The plan shall incorporate,  
5 but not be limited to:

6 (i) Relocation of all Spokane-based upper-division and graduate  
7 course offerings and academic programs offered by public universities  
8 in the city of Spokane to the Riverpoint Higher Education Park, using  
9 existing and planned structures at the Riverpoint Higher Education  
10 Park; and

11 (ii) A plan to establish an intercollegiate center for applied  
12 health sciences and a health sciences consortium that would replace and  
13 be modeled on the intercollegiate center for nursing education. The  
14 intercollegiate center for applied health sciences and the health  
15 sciences consortium shall include, but not be limited to, programs  
16 offered through the intercollegiate center for nursing education and  
17 public and private institutions. Programs offered at Eastern  
18 Washington University in physical therapy, communication disorders,  
19 nursing, and dental hygiene shall continue to be offered by Eastern  
20 Washington University.

21 (6) Eastern Washington University, in consultation with the higher  
22 education coordinating board, shall write a new mission statement and  
23 operations plan for Eastern Washington University as a comprehensive,  
24 Cheney-based public baccalaureate institution. The draft mission  
25 statement and plan shall be submitted to the higher education  
26 coordinating board by September 1, 1998, and a final mission statement  
27 and plan shall be submitted to the higher education coordinating board  
28 for approval by December 31, 1998. The academic mission and plan shall  
29 include, but not be limited to the following elements:

30 (a) Identify those academic centers of excellence on which Eastern  
31 Washington University should focus, build, and expand in order to  
32 enhance its enrollment and reaffirm its reputation for academic  
33 excellence;

34 (b) Reflect that programs in physical therapy, communications  
35 disorders, nursing, and dental hygiene continue to be offered through  
36 Eastern Washington University in Spokane;

37 (c) Include a requirement that Eastern Washington University  
38 identify and report to the higher education coordinating board program  
39 offerings in Spokane that should be returned to the Cheney campus,

1 discontinued, or continued to be offered in Spokane because of  
2 documented demand, unique partnerships, demonstrated efficiency, and  
3 other considerations. The draft of the report shall be submitted to  
4 the higher education coordinating board by September 1, 1998, and the  
5 final report shall be submitted to the higher education coordinating  
6 board by December 31, 1998;

7 (d) Ensure that every effort is made to protect the academic  
8 interests of and minimize adverse impacts on Eastern Washington  
9 University students;

10 (e) Describe and target Eastern Washington University's primary  
11 student audience;

12 (f) Ensure that Eastern Washington University's admission standards  
13 complement the primary student audience;

14 (g) Describe circumstances under which it is appropriate for  
15 Eastern Washington University programs to serve nonprimary students;

16 (h) Establish projected enrollment levels for Eastern Washington  
17 University that reflect the needs of a comprehensive university and  
18 that account for the demographic qualities and growth patterns  
19 associated with the areas from which Eastern Washington University  
20 draws its students;

21 (i) Describe how Eastern Washington University's enrollment levels  
22 will be consistent with state enrollment levels;

23 (j) Develop financial projections for serving these reconfigured  
24 enrollment levels; and

25 (k) Analyze and review all capital and capacity information  
26 regarding the Eastern Washington University Cheney campus, with  
27 particular attention to the current state of the existing physical  
28 plant and to the realistic enrollment capacity of the campus.

29 NEW SECTION. **Sec. 2.** On July 1, 1998, title to or all interest in  
30 real estate and other assets, including but not limited to assignable  
31 contracts, cash equipment, buildings, facilities, and appurtenances  
32 related to Riverpoint park, except for the area of real property  
33 defined as the approximate two and one-half acres bounded by the  
34 Spokane river, Trent Avenue, and Riverpoint Boulevard that is reserved  
35 for the Spokane intercollegiate research and technology institute and  
36 its expansion shall be transferred from the joint center for higher  
37 education to Washington State University.

1        NEW SECTION.    **Sec. 3.** A new section is added to chapter 28B.35 RCW  
2 to read as follows:

3        Housing or a housing allowance may only be provided for the  
4 president of a public four-year institution of higher education who  
5 resides in the location where the institution is designated under RCW  
6 28B.20.010, 28B.30.010, 28B.35.010, and 28B.40.010.

7        **Sec. 4.** RCW 28B.10.029 and 1996 c 110 s 5 are each amended to read  
8 as follows:

9        (1) An institution of higher education may exercise independently  
10 those powers otherwise granted to the director of general  
11 administration in chapter 43.19 RCW in connection with the purchase and  
12 disposition of all material, supplies, services, and equipment needed  
13 for the support, maintenance, and use of the respective institution of  
14 higher education. Property disposition policies followed by  
15 institutions of higher education shall be consistent with policies  
16 followed by the department of general administration. Purchasing  
17 policies and procedures followed by institutions of higher education  
18 shall be in compliance with chapters 39.19, 39.29, and 43.03 RCW, and  
19 RCW 43.19.1901, 43.19.1906, 43.19.1911, 43.19.1917, 43.19.1937,  
20 43.19.534, 43.19.685, 43.19.700 through 43.19.704, and 43.19.550  
21 through 43.19.637. The community and technical colleges shall comply  
22 with RCW 43.19.450. Except for the University of Washington,  
23 institutions of higher education shall comply with RCW 43.19.1935,  
24 43.19.19363, and 43.19.19368. If an institution of higher education  
25 can satisfactorily demonstrate to the director of the office of  
26 financial management that the cost of compliance is greater than the  
27 value of benefits from any of the following statutes, then it shall be  
28 exempt from them: RCW 43.19.685; 43.19.534; and 43.19.637. Any  
29 institution of higher education that chooses to exercise independent  
30 purchasing authority for a commodity or group of commodities shall  
31 notify the director of general administration. Thereafter the director  
32 of general administration shall not be required to provide those  
33 services for that institution for the duration of the general  
34 administration contract term for that commodity or group of  
35 commodities.

36        (2) An institution of higher education may exercise independently  
37 those powers otherwise granted to the public printer in chapter 43.78  
38 RCW in connection with the production or purchase of any printing and

1 binding needed by the respective institution of higher education.  
2 Purchasing policies and procedures followed by institutions of higher  
3 education shall be in compliance with chapter 39.19 RCW. Any  
4 institution of higher education that chooses to exercise independent  
5 printing production or purchasing authority shall notify the public  
6 printer. Thereafter the public printer shall not be required to  
7 provide those services for that institution.

8 ~~((3) For the purposes of this section, an "institution of higher  
9 education" shall include the joint center for higher education created  
10 in chapter 28B.25 RCW when the joint center for higher education is  
11 contracting with another institution of higher education that is acting  
12 as the sole agent for purchasing and disposing of material, supplies,  
13 services, and equipment, and for procuring printing or binding  
14 services.))~~

15 **Sec. 5.** RCW 28B.45.050 and 1991 c 205 s 11 are each amended to  
16 read as follows:

17 Washington State University ~~((and Eastern Washington University  
18 are))~~ is responsible for providing upper-division and graduate level  
19 higher education programs to the citizens of ~~((the))~~ Spokane ~~((area)),~~  
20 under rules or guidelines adopted by the ~~((joint center for higher  
21 education. However, before any degree is authorized under this section  
22 it shall be subject to the review and approval of the))~~ higher  
23 education coordinating board. Washington State University shall meet  
24 ~~((its))~~ that responsibility through the operation of a branch campus in  
25 ~~((the))~~ Spokane ~~((area. Eastern Washington University shall meet its  
26 responsibility through the operation of programs and facilities in  
27 Spokane))~~.

28 **Sec. 6.** RCW 28B.130.020 and 1997 c 273 s 2 are each amended to  
29 read as follows:

30 (1) The governing board of an institution of higher education as  
31 defined in RCW 28B.10.016 may impose either a voluntary or a mandatory  
32 transportation fee on employees and on students at the institution.  
33 The board of ~~((the joint center for higher education under chapter  
34 28B.25 RCW))~~ regents of Washington State University may impose either  
35 a voluntary or a mandatory transportation fee on faculty and staff  
36 working at the Riverpoint higher education park and on students  
37 attending classes there. The transportation fee shall be used solely

1 to fund transportation demand management programs that reduce the  
2 demand for campus and neighborhood parking, and promote alternatives to  
3 single-occupant vehicle driving. If the board charges a mandatory  
4 transportation fee to students, it shall charge a mandatory  
5 transportation fee to employees. The transportation fee for employees  
6 may exceed, but shall not be lower than the transportation fee charged  
7 to students. The transportation fee for employees may be deducted from  
8 the employees' paychecks. The transportation fee for students may be  
9 imposed annually, or each academic term. For students attending  
10 community colleges and technical colleges, the mandatory transportation  
11 fee shall not exceed sixty percent of the maximum rate permitted for  
12 services and activities fees at community colleges, unless, through a  
13 vote, a majority of students consent to increase the transportation  
14 fee. For students attending four-year institutions of higher education  
15 or classes at the Riverpoint higher education park, the mandatory  
16 transportation fee shall not exceed thirty-five percent of the maximum  
17 rate permitted for services and activities fees at the institution  
18 where the student is enrolled unless, through a vote, a majority of  
19 students consents to increase the transportation fee. The board may  
20 make a limited number of exceptions to the fee based on a policy  
21 adopted by the board.

22 (2) The board of (~~the joint center for higher education under~~  
23 ~~chapter 28B.25 RCW~~) regents of Washington State University shall not  
24 impose a transportation fee on any student who is already paying a  
25 transportation fee to the institution of higher education in which the  
26 student is enrolled.

27 **Sec. 7.** RCW 43.01.236 and 1997 c 273 s 3 are each amended to read  
28 as follows:

29 All institutions of higher education as defined under RCW  
30 28B.10.016 (~~and the joint center for higher education under chapter~~  
31 ~~28B.25 RCW~~) are exempt from the requirements under RCW 43.01.240.

32 NEW SECTION. **Sec. 8.** The following acts or parts of acts are each  
33 repealed:

34 (1) RCW 28B.25.010 and 1991 c 205 s 2 & 1985 c 370 s 97;

35 (2) RCW 28B.25.020 and 1996 c 110 s 1, 1991 c 205 s 3, 1989 1st  
36 ex.s. c 7 s 11, & 1985 c 370 s 98;

- 1 (3) RCW 28B.25.030 and 1996 c 110 s 2, 1991 c 205 s 4, & 1985 c 370  
2 s 99;
- 3 (4) RCW 28B.25.033 and 1996 c 110 s 6 & 1991 c 205 s 5;
- 4 (5) RCW 28B.15.037 and 1991 c 205 s 6;
- 5 (6) RCW 28B.25.040 and 1991 c 205 s 7 & 1985 c 370 s 100;
- 6 (7) RCW 28B.25.050 and 1991 c 205 s 8 & 1985 c 370 s 101;
- 7 (8) RCW 28B.25.070 and 1991 c 205 s 9;
- 8 (9) RCW 28B.25.075 and 1997 c 273 s 1;
- 9 (10) RCW 28B.25.090 and 1996 c 110 s 3;
- 10 (11) RCW 28B.25.100 and 1996 c 110 s 4; and
- 11 (12) RCW 28B.25.900 and 1991 c 205 s 13.

12 NEW SECTION. **Sec. 9.** Section 5 of this act takes effect January  
13 1, 1999.

14 NEW SECTION. **Sec. 10.** Section 1 of this act is necessary for the  
15 immediate preservation of the public peace, health, or safety, or  
16 support of the state government and its existing public institutions,  
17 and takes effect immediately.

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