
HOUSE BILL 2076

State of Washington 58th Legislature 2003 Regular Session

By Representatives Kenney, Cox, Fromhold, Chase, Miloscia, Conway, Berkey, Upthegrove, Moeller, Wood and Schual-Berke

Read first time 02/24/2003. Referred to Committee on Higher Education.

1 AN ACT Relating to roles and responsibilities of the higher
2 education coordinating board; amending RCW 28B.80.330, 28B.80.340,
3 28B.80.610, and 28B.50.090; adding a new section to chapter 28B.80 RCW;
4 creating new sections; and providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

7 (a) At the time the higher education coordinating board was created
8 in 1985, the legislature wanted a board with a comprehensive mission
9 that included planning, budget and program review authority, and
10 program administration;

11 (b) Since its creation, the board has achieved numerous
12 accomplishments, including proposals leading to creation of the branch
13 campus system, and has made access and affordability of higher
14 education a consistent priority;

15 (c) However, higher education in Washington state is currently at
16 a crossroads. Demographic, economic, and technological changes present
17 new and daunting challenges for the state and its institutions of
18 higher education. As the state looks forward to the future, the

1 legislature, the governor, and institutions need a common strategic
2 vision to guide planning and decision making.

3 (2) Therefore, it is the legislature's intent to reaffirm and
4 strengthen the strategic planning role of the higher education
5 coordinating board. It is also the legislature's intent to examine
6 options for reassigning or altering other roles and responsibilities to
7 enable the board to place priority and focus on planning and
8 coordination.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.80 RCW
10 to read as follows:

11 (1) The board shall develop a statewide strategic plan for higher
12 education in Washington state that proposes a vision, goals,
13 priorities, and specific strategies for maintaining and expanding
14 access, affordability, quality, efficiency, and accountability among
15 the various institutions of higher education.

16 (2) In developing the statewide strategic plan, the board shall
17 collaborate with the four-year institutions of higher education, the
18 community and technical college system, and, when appropriate, the work
19 force training and education coordinating board, the superintendent of
20 public instruction, and the independent higher education institutions.
21 The board shall also seek input from students, community and business
22 leaders in the state, members of the legislature, and the governor.

23 (3) As a foundation for the statewide strategic plan, the board
24 shall develop and establish role and mission statements for each of the
25 four-year institutions of higher education and the community and
26 technical college system. The board shall consider whether certain
27 major lines of study or types of degrees, including applied degrees or
28 research-oriented degrees, should be assigned uniquely to some
29 institutions or institutional sectors in order to create centers of
30 excellence that focus resources and expertise.

31 (4) In assessing needs of the state's higher education system, the
32 board may consider and analyze the following information:

- 33 (a) Demographic, social, economic, and technological trends and
34 their impact on service delivery;
- 35 (b) The changing ethnic composition of the population and the
36 special needs arising from those trends;
- 37 (c) Business and industrial needs for a skilled work force;

1 (d) College attendance, retention, transfer, and dropout rates;

2 (e) Needs and demands for basic and continuing education and
3 opportunities for lifelong learning by individuals of all age groups;
4 and

5 (f) Needs and demands for access to higher education by placebound
6 students and individuals in heavily populated areas underserved by
7 public institutions.

8 (5) The statewide strategic plan shall include, but not be limited
9 to, the following:

10 (a) Recommendations on enrollment and policies and actions to meet
11 those needs;

12 (b) State or regional priorities for new or expanded degree
13 programs or off-campus programs, including what models of service
14 delivery may be most cost-effective;

15 (c) Recommended policies or actions to improve the efficiency of
16 student transfer and graduation or completion;

17 (d) State or regional priorities for addressing needs in high-
18 demand fields where enrollment access is limited and employers are
19 experiencing difficulty finding enough qualified graduates to fill job
20 openings;

21 (e) Recommended tuition and fees policies and levels based on
22 comparisons with peer institutions; and

23 (f) Priorities and recommendations on financial aid based on
24 comparisons with peer institutions.

25 (6) The board shall present the vision, goals, priorities, and
26 strategies in the statewide strategic plan in a way that provides
27 guidance for institutions, the governor, and the legislature to make
28 further decisions regarding institution-level plans, policies,
29 legislation, and operating and capital funding for higher education.
30 In the statewide strategic plan, the board shall recommend specific
31 actions to be taken and identify measurable performance indicators and
32 benchmarks for gauging progress toward achieving the goals and
33 priorities.

34 (7) The board shall submit the initial statewide strategic plan
35 under this section to the governor and the legislature by December 1,
36 2003. The plan shall be updated every four years and presented to the
37 governor and the appropriate legislative policy committees. Following
38 public hearings, the legislature shall, by concurrent resolution,

1 approve or recommend changes to the initial plan. The plan shall then
2 become state higher education policy unless legislation is enacted to
3 alter the policies set forth in the plan.

4 **Sec. 3.** RCW 28B.80.330 and 1997 c 369 s 10 are each amended to
5 read as follows:

6 The board shall perform the following planning duties in
7 consultation with the four-year institutions, the community and
8 technical college system, and when appropriate the work force training
9 and education coordinating board, the superintendent of public
10 instruction, and the independent higher educational institutions:

11 ~~(1) ((Develop and establish role and mission statements for each of~~
12 ~~the four year institutions and for the community and technical college~~
13 ~~system;~~

14 ~~(2) Identify the state's higher education goals, objectives, and~~
15 ~~priorities;~~

16 ~~(3) Prepare a comprehensive master plan which includes but is not~~
17 ~~limited to:~~

18 ~~(a) Assessments of the state's higher education needs. These~~
19 ~~assessments may include, but are not limited to: The basic and~~
20 ~~continuing needs of various age groups; business and industrial needs~~
21 ~~for a skilled work force; analyses of demographic, social, and economic~~
22 ~~trends; consideration of the changing ethnic composition of the~~
23 ~~population and the special needs arising from such trends; college~~
24 ~~attendance, retention, and dropout rates, and the needs of recent high~~
25 ~~school graduates and placebound adults. The board should consider the~~
26 ~~needs of residents of all geographic regions, but its initial~~
27 ~~priorities should be applied to heavily populated areas underserved by~~
28 ~~public institutions;~~

29 ~~(b) Recommendations on enrollment and other policies and actions to~~
30 ~~meet those needs;~~

31 ~~(c) Guidelines for continuing education, adult education, public~~
32 ~~service, and other higher education programs;~~

33 ~~(d) Mechanisms through which the state's higher education system~~
34 ~~can meet the needs of employers hiring for industrial projects of~~
35 ~~statewide significance.~~

36 The initial plan shall be submitted to the governor and the

1 ~~legislature by December 1, 1987. Comments on the plan from the board's~~
2 ~~advisory committees and the institutions shall be submitted with the~~
3 ~~plan.~~

4 ~~The plan shall be updated every four years, and presented to the~~
5 ~~governor and the appropriate legislative policy committees. Following~~
6 ~~public hearings, the legislature shall, by concurrent resolution,~~
7 ~~approve or recommend changes to the initial plan, and the updates. The~~
8 ~~plan shall then become state higher education policy unless legislation~~
9 ~~is enacted to alter the policies set forth in the plan;~~

10 ~~(4)) Review, evaluate, and make recommendations on operating and~~
11 ~~capital budget requests from four-year institutions and the community~~
12 ~~and technical college system, based on ((the elements outlined in~~
13 ~~subsections (1), (2), and (3) of this section, and on)) how the budget~~
14 ~~requests align with and implement the statewide strategic plan under~~
15 ~~section 2 of this act.~~

16 ~~(a) By December of each odd-numbered year, the board shall~~
17 ~~distribute guidelines which outline the board's fiscal priorities((~~
18 ~~These guidelines shall be distributed)) to the institutions and the~~
19 ~~state board for community and technical colleges ((board by December of~~
20 ~~each odd-numbered year)). The institutions and the state board for~~
21 ~~community and technical colleges ((board)) shall submit an outline of~~
22 ~~their proposed budgets, identifying major components, to the board no~~
23 ~~later than August 1st of each even-numbered year. The board shall~~
24 ~~submit recommendations on the proposed budgets and on the board's~~
25 ~~budget priorities to the office of financial management before November~~
26 ~~1st of each even-numbered year, and to the legislature by January 1st~~
27 ~~of each odd-numbered year;~~

28 ~~((5)) (b) Institutions and the state board for community and~~
29 ~~technical colleges shall submit any supplemental budget requests and~~
30 ~~revisions to the board at the same time they are submitted to the~~
31 ~~office of financial management. The board shall submit recommendations~~
32 ~~on the proposed supplemental budget requests to the office of financial~~
33 ~~management by November 1st and to the legislature by January 1st;~~

34 ~~((6)) (2) Recommend legislation affecting higher education;~~

35 ~~((7) Recommend tuition and fees policies and levels based on~~
36 ~~comparisons with peer institutions;~~

37 ~~(8) Establish priorities and develop recommendations on financial~~
38 ~~aid based on comparisons with peer institutions;~~

1 ~~(9))~~ (3) Prepare recommendations on merging or closing
2 institutions; and
3 ~~((10))~~ (4) Develop criteria for identifying the need for new
4 baccalaureate institutions.

5 **Sec. 4.** RCW 28B.80.340 and 1985 c 370 s 5 are each amended to read
6 as follows:

7 (1) The board shall perform the following program responsibilities,
8 in consultation with the institutions and with other interested
9 agencies and individuals:

10 ~~((1))~~ (a) Approve the creation of any new degree programs at the
11 four-year institutions and prepare fiscal notes on any such programs;

12 ~~((2))~~ (b) Review, evaluate, and make recommendations for the
13 modification, consolidation, initiation, or elimination of on-campus
14 programs, at the four-year institutions;

15 ~~((3))~~ (c) Review and evaluate and approve, modify, consolidate,
16 initiate, or eliminate off-campus programs at the four-year
17 institutions;

18 ~~((4))~~ (d) Approve, and adopt guidelines for, higher education
19 centers and consortia;

20 ~~((5))~~ (e) Approve purchase or lease of major off-campus
21 facilities for the four-year institutions and the community colleges;

22 ~~((6))~~ (f) Establish campus service areas and define on-campus and
23 off-campus activities and major facilities; and

24 ~~((7))~~ (g) Approve contracts for off-campus educational programs
25 initiated by the state's four-year institutions individually, in
26 concert with other public institutions, or with independent
27 institutions.

28 (2) In performing its responsibilities under this section, the
29 board shall consider, and require institutions to demonstrate, how the
30 proposals align with or implement the statewide strategic plan under
31 section 2 of this act.

32 **Sec. 5.** RCW 28B.80.610 and 1993 c 363 s 2 are each amended to read
33 as follows:

34 (1) At the local level, the higher education institutional
35 responsibilities include but are not limited to:

1 (a) Development and provision of strategic plans (~~(under the~~
2 ~~guidelines established by the higher education coordinating board)~~)
3 that implement the vision, goals, priorities, and strategies within the
4 statewide strategic plan under section 2 of this act based on the
5 institution's role and mission. Institutional strategic plans shall
6 also contain measurable performance indicators and benchmarks for
7 gauging progress toward achieving the goals and priorities. In
8 developing their strategic plans, the research universities shall
9 consider the feasibility of significantly increasing the number of
10 evening graduate classes;

11 (b) For the four-year institutions of higher education, timely
12 provision of information required by the higher education coordinating
13 board to report to the governor, the legislature, and the citizens;

14 (c) Provision of local student financial aid delivery systems to
15 achieve both statewide goals and institutional objectives in concert
16 with statewide policy; and

17 (d) Operating as efficiently as feasible within institutional
18 missions and goals.

19 (2) At the state level, the higher education coordinating board
20 shall be responsible for:

21 (a) (~~Delineation and coordination of~~) Ensuring that strategic
22 plans to be prepared by the institutions are aligned with and implement
23 the statewide strategic plan under section 2 of this act and
24 periodically monitoring institutions' progress toward achieving the
25 goals and priorities within their plans;

26 (b) Preparation of reports to the governor, the legislature, and
27 the citizens on program accomplishments and use of resources by the
28 institutions;

29 (c) Administration and policy implementation for statewide student
30 financial aid programs; and

31 (d) Assistance to institutions in improving operational efficiency
32 through measures that include periodic review of program efficiencies.

33 (3) At the state level, on behalf of community colleges and
34 technical colleges, the state board for community and technical
35 colleges shall coordinate and report on the system's strategic plans,
36 including reporting on the system's progress toward achieving the
37 statewide goals and priorities within its plan, and shall provide any

1 information required of its colleges by the higher education
2 coordinating board.

3 **Sec. 6.** RCW 28B.50.090 and 1991 c 238 s 33 are each amended to
4 read as follows:

5 The college board shall have general supervision and control over
6 the state system of community and technical colleges. In addition to
7 the other powers and duties imposed upon the college board by this
8 chapter, the college board shall be charged with the following powers,
9 duties and responsibilities:

10 (1) Review the budgets prepared by the boards of trustees, prepare
11 a single budget for the support of the state system of community and
12 technical colleges and adult education, and submit this budget to the
13 governor as provided in RCW 43.88.090;

14 (2) Establish guidelines for the disbursement of funds; and receive
15 and disburse such funds for adult education and maintenance and
16 operation and capital support of the college districts in conformance
17 with the state and district budgets, and in conformance with chapter
18 43.88 RCW;

19 (3) Ensure, through the full use of its authority:

20 (a) That each college district shall offer thoroughly comprehensive
21 educational, training and service programs to meet the needs of both
22 the communities and students served by combining high standards of
23 excellence in academic transfer courses; realistic and practical
24 courses in occupational education, both graded and ungraded; and
25 community services of an educational, cultural, and recreational
26 nature; and adult education, including basic skills and general,
27 family, and work force literacy programs and services. However,
28 technical colleges, and college districts containing only technical
29 colleges, shall maintain programs solely for occupational education,
30 basic skills, and literacy purposes. For as long as a need exists,
31 technical colleges may continue those programs, activities, and
32 services they offered during the twelve-month period preceding May 17,
33 1991;

34 (b) That each college district shall maintain an open-door policy,
35 to the end that no student will be denied admission because of the
36 location of the student's residence or because of the student's
37 educational background or ability; that, insofar as is practical in the

1 judgment of the college board, curriculum offerings will be provided to
2 meet the educational and training needs of the community generally and
3 the students thereof; and that all students, regardless of their
4 differing courses of study, will be considered, known and recognized
5 equally as members of the student body: PROVIDED, That the
6 administrative officers of a community or technical college may deny
7 admission to a prospective student or attendance to an enrolled student
8 if, in their judgment, the student would not be competent to profit
9 from the curriculum offerings of the college, or would, by his or her
10 presence or conduct, create a disruptive atmosphere within the college
11 not consistent with the purposes of the institution. This subsection
12 (3)(b) shall not apply to competency, conduct, or presence associated
13 with a disability in a person twenty-one years of age or younger
14 attending a technical college;

15 (4) Prepare a comprehensive master plan for the development of
16 community and technical college education and training in the state;
17 and assist the office of financial management in the preparation of
18 enrollment projections to support plans for providing adequate college
19 facilities in all areas of the state. The master plan shall include
20 implementation of the vision, goals, priorities, and strategies in the
21 statewide strategic plan under section 2 of this act based on the
22 community and technical college system's role and mission. The master
23 plan shall also contain measurable performance indicators and
24 benchmarks for gauging progress toward achieving the goals and
25 priorities;

26 (5) Define and administer criteria and guidelines for the
27 establishment of new community and technical colleges or campuses
28 within the existing districts;

29 (6) Establish criteria and procedures for modifying district
30 boundary lines consistent with the purposes set forth in RCW 28B.50.020
31 as now or hereafter amended and in accordance therewith make such
32 changes as it deems advisable;

33 (7) Establish minimum standards to govern the operation of the
34 community and technical colleges with respect to:

35 (a) Qualifications and credentials of instructional and key
36 administrative personnel, except as otherwise provided in the state
37 plan for vocational education,

1 (b) Internal budgeting, accounting, auditing, and financial
2 procedures as necessary to supplement the general requirements
3 prescribed pursuant to chapter 43.88 RCW,

4 (c) The content of the curriculums and other educational and
5 training programs, and the requirement for degrees and certificates
6 awarded by the colleges,

7 (d) Standard admission policies,

8 (e) Eligibility of courses to receive state fund support;

9 (8) Establish and administer criteria and procedures for all
10 capital construction including the establishment, installation, and
11 expansion of facilities within the various college districts;

12 (9) Encourage innovation in the development of new educational and
13 training programs and instructional methods; coordinate research
14 efforts to this end; and disseminate the findings thereof;

15 (10) Exercise any other powers, duties and responsibilities
16 necessary to carry out the purposes of this chapter;

17 (11) Authorize the various community and technical colleges to
18 offer programs and courses in other districts when it determines that
19 such action is consistent with the purposes set forth in RCW 28B.50.020
20 as now or hereafter amended;

21 (12) Notwithstanding any other law or statute regarding the sale of
22 state property, sell or exchange and convey any or all interest in any
23 community and technical college real and personal property, except such
24 property as is received by a college district in accordance with RCW
25 28B.50.140(8), when it determines that such property is surplus or that
26 such a sale or exchange is in the best interests of the community and
27 technical college system;

28 (13) In order that the treasurer for the state board for community
29 and technical colleges appointed in accordance with RCW 28B.50.085 may
30 make vendor payments, the state treasurer will honor warrants drawn by
31 the state board providing for an initial advance on July 1, 1982, of
32 the current biennium and on July 1 of each succeeding biennium from the
33 state general fund in an amount equal to twenty-four percent of the
34 average monthly allotment for such budgeted biennium expenditures for
35 the state board for community and technical colleges as certified by
36 the office of financial management; and at the conclusion of such
37 initial month and for each succeeding month of any biennium, the state
38 treasurer will reimburse expenditures incurred and reported monthly by

1 the state board treasurer in accordance with chapter 43.88 RCW:
2 PROVIDED, That the reimbursement to the state board for actual
3 expenditures incurred in the final month of each biennium shall be less
4 the initial advance made in such biennium;

5 (14) Notwithstanding the provisions of subsection (12) of this
6 section, may receive such gifts, grants, conveyances, devises, and
7 bequests of real or personal property from private sources as may be
8 made from time to time, in trust or otherwise, whenever the terms and
9 conditions thereof will aid in carrying out the community and technical
10 college programs and may sell, lease or exchange, invest or expend the
11 same or the proceeds, rents, profits and income thereof according to
12 the terms and conditions thereof; and adopt regulations to govern the
13 receipt and expenditure of the proceeds, rents, profits and income
14 thereof;

15 (15) The college board shall have the power of eminent domain;

16 (16) Provide general supervision over the state's technical
17 colleges. The president of each technical college shall report
18 directly to the director of the state board for community and technical
19 colleges, or the director's designee, until local control is assumed by
20 a new or existing board of trustees as appropriate, except that a
21 college president shall have authority over program decisions of his or
22 her college until the establishment of a board of trustees for that
23 college. The directors of the vocational-technical institutes on March
24 1, 1991, shall be designated as the presidents of the new technical
25 colleges.

26 NEW SECTION. **Sec. 7.** (1) A joint select committee is established
27 to review options pertaining to the higher education coordinating
28 board. The joint select committee shall consist of the following
29 members:

30 (a) Two members from each caucus of the senate, appointed by the
31 president of the senate, including the chair of the senate committee on
32 higher education who shall serve as cochair; and

33 (b) Two members from each caucus of the house of representatives,
34 appointed by the speaker of the house of representatives, including the
35 chair of the house committee on higher education who shall serve as
36 cochair.

37 (2) The joint select committee shall examine the following issues:

1 (a) Options for reassigning or altering the responsibilities of the
2 board to administer financial aid and other programs;

3 (b) Options to strengthen, reduce, or eliminate other
4 responsibilities of the board, including but not limited to review of
5 institution operating and capital budget requests; approval of off-
6 campus programs, centers, and consortia; monitoring institution
7 performance measures; and gathering and analyzing data; and

8 (c) Options for having the board fulfill its other responsibilities
9 through performance-based compacts between institutions of higher
10 education and the state, with the board acting as the state's
11 negotiator and performance monitor.

12 (3) The joint select committee shall use legislative facilities and
13 staff from senate committee services and the office of program research
14 and, within available funds, may obtain additional expertise or engage
15 consultants if necessary to carry out the objectives of the study.
16 Expenses of the joint select committee shall be paid jointly by the
17 senate and the house of representatives.

18 (4) The joint select committee shall report its findings and
19 recommendations to the legislature by December 15, 2003.

20 (5) This section expires July 1, 2004.

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