

CERTIFICATION OF ENROLLMENT  
ENGROSSED SUBSTITUTE HOUSE BILL 2076

58th Legislature  
2003 Regular Session

Passed by the House April 21, 2003  
Yeas 97 Nays 0

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**Speaker of the House of Representatives**

Passed by the Senate April 14, 2003  
Yeas 36 Nays 12

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Cynthia Zehnder, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 2076** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE HOUSE BILL 2076**

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AS AMENDED BY THE SENATE

Passed Legislature - 2003 Regular Session

**State of Washington                      58th Legislature                      2003 Regular Session**

**By** House Committee on Higher Education (originally sponsored by Representatives Kenney, Cox, Fromhold, Chase, Miloscia, Conway, Berkey, Upthegrove, Moeller, Wood and Schual-Berke)

READ FIRST TIME 03/05/03.

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 master plan for  
12 higher education that proposes a vision and identifies goals and  
13 priorities for the system of higher education in Washington state. The  
14 board shall also specify strategies for maintaining and expanding  
15 access, affordability, quality, efficiency, and accountability among  
16 the various institutions of higher education.

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

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

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

- 1 (a) Demographic, social, economic, and technological trends and  
2 their impact on service delivery;
- 3 (b) The changing ethnic composition of the population and the  
4 special needs arising from those trends;
- 5 (c) Business and industrial needs for a skilled work force;
- 6 (d) College attendance, retention, transfer, and dropout rates;
- 7 (e) Needs and demands for basic and continuing education and  
8 opportunities for lifelong learning by individuals of all age groups;  
9 and
- 10 (f) Needs and demands for access to higher education by placebound  
11 students and individuals in heavily populated areas underserved by  
12 public institutions.
- 13 (5) The statewide strategic master plan for higher education shall  
14 include, but not be limited to, the following:
- 15 (a) Recommendations based on enrollment forecasts and analysis of  
16 data about demand for higher education, and policies and actions to  
17 meet those needs;
- 18 (b) State or regional priorities for new or expanded degree  
19 programs or off-campus programs, including what models of service  
20 delivery may be most cost-effective;
- 21 (c) Recommended policies or actions to improve the efficiency of  
22 student transfer and graduation or completion;
- 23 (d) State or regional priorities for addressing needs in high-  
24 demand fields where enrollment access is limited and employers are  
25 experiencing difficulty finding enough qualified graduates to fill job  
26 openings;
- 27 (e) Recommended tuition and fees policies and levels; and
- 28 (f) Priorities and recommendations on financial aid.
- 29 (6) The board shall present the vision, goals, priorities, and  
30 strategies in the statewide strategic master plan for higher education  
31 in a way that provides guidance for institutions, the governor, and the  
32 legislature to make further decisions regarding institution-level  
33 plans, policies, legislation, and operating and capital funding for  
34 higher education. In the statewide strategic master plan for higher  
35 education, the board shall recommend specific actions to be taken and  
36 identify measurable performance indicators and benchmarks for gauging  
37 progress toward achieving the goals and priorities.

1 (7) Every four years by December 15th, beginning December 15, 2003,  
2 the board shall submit an interim statewide strategic master plan for  
3 higher education to the governor and the legislature. The interim plan  
4 shall reflect the expectations and policy directions of the legislative  
5 higher education and fiscal committees, and shall provide a timely and  
6 relevant framework for the development of future budgets and policy  
7 proposals. The legislature shall, by concurrent resolution, approve or  
8 recommend changes to the interim plan, following public hearings. The  
9 board shall submit the final plan, incorporating legislative changes,  
10 to the governor and the legislature by June of the year in which the  
11 legislature approves the concurrent resolution. The plan shall then  
12 become state higher education policy unless legislation is enacted to  
13 alter the policies set forth in the plan.

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

16 The board shall perform the following planning duties in  
17 consultation with the four-year institutions including the council of  
18 presidents, the community and technical college system, and when  
19 appropriate the work force training and education coordinating board,  
20 the superintendent of public instruction, and the independent higher  
21 educational institutions:

22 ~~(1) ((Develop and establish role and mission statements for each of~~  
23 ~~the four-year institutions and for the community and technical college~~  
24 ~~system;~~

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

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

29 ~~(a) Assessments of the state's higher education needs. These~~  
30 ~~assessments may include, but are not limited to: The basic and~~  
31 ~~continuing needs of various age groups; business and industrial needs~~  
32 ~~for a skilled work force; analyses of demographic, social, and economic~~  
33 ~~trends; consideration of the changing ethnic composition of the~~  
34 ~~population and the special needs arising from such trends; college~~  
35 ~~attendance, retention, and dropout rates, and the needs of recent high~~  
36 ~~school graduates and placebound adults. The board should consider the~~

1 ~~needs of residents of all geographic regions, but its initial~~  
2 ~~priorities should be applied to heavily populated areas underserved by~~  
3 ~~public institutions;~~

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

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

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

11 ~~The initial plan shall be submitted to the governor and the~~  
12 ~~legislature by December 1, 1987. Comments on the plan from the board's~~  
13 ~~advisory committees and the institutions shall be submitted with the~~  
14 ~~plan.~~

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

21 ~~(4)) Review, evaluate, and make recommendations on operating and~~  
22 ~~capital budget requests from four-year institutions and the community~~  
23 ~~and technical college system, based on ((the elements outlined in~~  
24 ~~subsections (1), (2), and (3) of this section, and on)) how the budget~~  
25 ~~requests align with and implement the statewide strategic master plan~~  
26 ~~for higher education under section 2 of this act.~~

27 ~~(a) By December of each odd-numbered year, the board shall~~  
28 ~~distribute guidelines which outline the board's fiscal priorities((~~  
29 ~~These guidelines shall be distributed)) to the institutions and the~~  
30 ~~state board for community and technical colleges ((~~board by December of~~~~  
31 ~~each odd-numbered year)). The institutions and the state board for~~  
32 ~~community and technical colleges ((~~board~~)) shall submit an outline of~~  
33 ~~their proposed budgets, identifying major components, to the board no~~  
34 ~~later than August 1<sup>st</sup> of each even-numbered year. The board shall~~  
35 ~~submit recommendations on the proposed budgets and on the board's~~  
36 ~~budget priorities to the office of financial management before November~~  
37 ~~1<sup>st</sup> of each even-numbered year, and to the legislature by January 1<sup>st</sup>~~  
38 ~~of each odd-numbered year;~~

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

7        ~~((+6))~~ (2) Recommend legislation affecting higher education;

8        ~~((+7) Recommend tuition and fees policies and levels based on  
9 comparisons with peer institutions;~~

10        ~~(+8) Establish priorities and develop recommendations on financial  
11 aid based on comparisons with peer institutions;~~

12        ~~(+9))~~ (3) Prepare recommendations on merging or closing  
13 institutions; and

14        ~~((+10))~~ (4) Develop criteria for identifying the need for new  
15 baccalaureate institutions.

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

18        (1) The board shall perform the following program responsibilities,  
19 in consultation with the institutions and with other interested  
20 agencies and individuals:

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

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

26        ~~((+3))~~ (c) Review and evaluate and approve, modify, consolidate,  
27 initiate, or eliminate off-campus programs at the four-year  
28 institutions;

29        ~~((+4))~~ (d) Approve, and adopt guidelines for, higher education  
30 centers and consortia;

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

33        ~~((+6))~~ (f) Establish campus service areas and define on-campus and  
34 off-campus activities and major facilities; and

35        ~~((+7))~~ (g) Approve contracts for off-campus educational programs  
36 initiated by the state's four-year institutions individually, in

1 concert with other public institutions, or with independent  
2 institutions.

3 (2) In performing its responsibilities under this section, the  
4 board shall consider, and require institutions to demonstrate, how the  
5 proposals align with or implement the statewide strategic master plan  
6 for higher education under section 2 of this act. The board shall also  
7 develop clear guidelines and objective decision-making criteria  
8 regarding approval of proposals under this section.

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

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

13 (a) Development and provision of strategic plans (~~((under the~~  
14 ~~guidelines established by the higher education coordinating board))~~  
15 that implement the vision, goals, priorities, and strategies within the  
16 statewide strategic master plan for higher education under section 2 of  
17 this act based on the institution's role and mission. Institutional  
18 strategic plans shall also contain measurable performance indicators  
19 and benchmarks for gauging progress toward achieving the goals and  
20 priorities. In developing their strategic plans, the research  
21 universities shall consider the feasibility of significantly increasing  
22 the number of evening graduate classes;

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

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

29 (d) Operating as efficiently as feasible within institutional  
30 missions and goals.

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

33 (a) (~~((Delineation and coordination of))~~) Ensuring that strategic  
34 plans to be prepared by the institutions are aligned with and implement  
35 the statewide strategic master plan for higher education under section  
36 2 of this act and periodically monitoring institutions' progress toward  
37 achieving the goals and priorities within their plans;



1 (b) Preparation of reports to the governor, the legislature, and  
2 the citizens on program accomplishments and use of resources by the  
3 institutions;

4 (c) Administration and policy implementation for statewide student  
5 financial aid programs; and

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

8 (3) At the state level, on behalf of community colleges and  
9 technical colleges, the state board for community and technical  
10 colleges shall coordinate and report on the system's strategic plans,  
11 including reporting on the system's progress toward achieving the  
12 statewide goals and priorities within its plan, and shall provide any  
13 information required of its colleges by the higher education  
14 coordinating board.

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

17 The college board shall have general supervision and control over  
18 the state system of community and technical colleges. In addition to  
19 the other powers and duties imposed upon the college board by this  
20 chapter, the college board shall be charged with the following powers,  
21 duties and responsibilities:

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

26 (2) Establish guidelines for the disbursement of funds; and receive  
27 and disburse such funds for adult education and maintenance and  
28 operation and capital support of the college districts in conformance  
29 with the state and district budgets, and in conformance with chapter  
30 43.88 RCW;

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

32 (a) That each college district shall offer thoroughly comprehensive  
33 educational, training and service programs to meet the needs of both  
34 the communities and students served by combining high standards of  
35 excellence in academic transfer courses; realistic and practical  
36 courses in occupational education, both graded and ungraded; and  
37 community services of an educational, cultural, and recreational

1 nature; and adult education, including basic skills and general,  
2 family, and work force literacy programs and services. However,  
3 technical colleges, and college districts containing only technical  
4 colleges, shall maintain programs solely for occupational education,  
5 basic skills, and literacy purposes. For as long as a need exists,  
6 technical colleges may continue those programs, activities, and  
7 services they offered during the twelve-month period preceding May 17,  
8 1991;

9 (b) That each college district shall maintain an open-door policy,  
10 to the end that no student will be denied admission because of the  
11 location of the student's residence or because of the student's  
12 educational background or ability; that, insofar as is practical in the  
13 judgment of the college board, curriculum offerings will be provided to  
14 meet the educational and training needs of the community generally and  
15 the students thereof; and that all students, regardless of their  
16 differing courses of study, will be considered, known and recognized  
17 equally as members of the student body: PROVIDED, That the  
18 administrative officers of a community or technical college may deny  
19 admission to a prospective student or attendance to an enrolled student  
20 if, in their judgment, the student would not be competent to profit  
21 from the curriculum offerings of the college, or would, by his or her  
22 presence or conduct, create a disruptive atmosphere within the college  
23 not consistent with the purposes of the institution. This subsection  
24 (3)(b) shall not apply to competency, conduct, or presence associated  
25 with a disability in a person twenty-one years of age or younger  
26 attending a technical college;

27 (4) Prepare a comprehensive master plan for the development of  
28 community and technical college education and training in the state;  
29 and assist the office of financial management in the preparation of  
30 enrollment projections to support plans for providing adequate college  
31 facilities in all areas of the state. The master plan shall include  
32 implementation of the vision, goals, priorities, and strategies in the  
33 statewide strategic master plan for higher education under section 2 of  
34 this act based on the community and technical college system's role and  
35 mission. The master plan shall also contain measurable performance  
36 indicators and benchmarks for gauging progress toward achieving the  
37 goals and priorities;

1 (5) Define and administer criteria and guidelines for the  
2 establishment of new community and technical colleges or campuses  
3 within the existing districts;

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

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

10 (a) Qualifications and credentials of instructional and key  
11 administrative personnel, except as otherwise provided in the state  
12 plan for vocational education,

13 (b) Internal budgeting, accounting, auditing, and financial  
14 procedures as necessary to supplement the general requirements  
15 prescribed pursuant to chapter 43.88 RCW,

16 (c) The content of the curriculums and other educational and  
17 training programs, and the requirement for degrees and certificates  
18 awarded by the colleges,

19 (d) Standard admission policies,

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

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

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

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

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

33 (12) Notwithstanding any other law or statute regarding the sale of  
34 state property, sell or exchange and convey any or all interest in any  
35 community and technical college real and personal property, except such  
36 property as is received by a college district in accordance with RCW  
37 28B.50.140(8), when it determines that such property is surplus or that

1 such a sale or exchange is in the best interests of the community and  
2 technical college system;

3 (13) In order that the treasurer for the state board for community  
4 and technical colleges appointed in accordance with RCW 28B.50.085 may  
5 make vendor payments, the state treasurer will honor warrants drawn by  
6 the state board providing for an initial advance on July 1, 1982, of  
7 the current biennium and on July 1 of each succeeding biennium from the  
8 state general fund in an amount equal to twenty-four percent of the  
9 average monthly allotment for such budgeted biennium expenditures for  
10 the state board for community and technical colleges as certified by  
11 the office of financial management; and at the conclusion of such  
12 initial month and for each succeeding month of any biennium, the state  
13 treasurer will reimburse expenditures incurred and reported monthly by  
14 the state board treasurer in accordance with chapter 43.88 RCW:  
15 PROVIDED, That the reimbursement to the state board for actual  
16 expenditures incurred in the final month of each biennium shall be less  
17 the initial advance made in such biennium;

18 (14) Notwithstanding the provisions of subsection (12) of this  
19 section, may receive such gifts, grants, conveyances, devises, and  
20 bequests of real or personal property from private sources as may be  
21 made from time to time, in trust or otherwise, whenever the terms and  
22 conditions thereof will aid in carrying out the community and technical  
23 college programs and may sell, lease or exchange, invest or expend the  
24 same or the proceeds, rents, profits and income thereof according to  
25 the terms and conditions thereof; and adopt regulations to govern the  
26 receipt and expenditure of the proceeds, rents, profits and income  
27 thereof;

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

29 (16) Provide general supervision over the state's technical  
30 colleges. The president of each technical college shall report  
31 directly to the director of the state board for community and technical  
32 colleges, or the director's designee, until local control is assumed by  
33 a new or existing board of trustees as appropriate, except that a  
34 college president shall have authority over program decisions of his or  
35 her college until the establishment of a board of trustees for that  
36 college. The directors of the vocational-technical institutes on March  
37 1, 1991, shall be designated as the presidents of the new technical  
38 colleges.

1        NEW SECTION.    **Sec. 7.**    (1) A legislative work group is established  
2 to provide guidance for the statewide strategic master plan for higher  
3 education and review options pertaining to the higher education  
4 coordinating board. The legislative work group shall consist of the  
5 members of the house of representatives and senate higher education and  
6 fiscal committees. Cochairs shall be the chair of the senate higher  
7 education committee and the chair of the house of representatives  
8 higher education committee.

9        (2) The legislative work group shall:

10        (a) Define legislative expectations and provide policy direction  
11 for the statewide strategic master plan for higher education under  
12 section 2 of this act;

13        (b) Make recommendations for ensuring the coordination of higher  
14 education capital and operating budgets with the goals and priorities  
15 in the statewide strategic master plan for higher education; and

16        (c) Examine opportunities to update the roles and responsibilities  
17 of the higher education coordinating board, including alternatives for  
18 administration of financial aid and other programs; review of  
19 institution budget requests; approval of off-campus programs, centers,  
20 and consortia; and collection and analysis of data.

21        (3) The legislative work group shall use legislative facilities and  
22 staff from senate committee services and the office of program  
23 research.

24        (4) The legislative work group shall report its findings and  
25 recommendations to the legislature by January 2, 2004.

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

--- END ---