
SENATE BILL 5137

State of Washington

58th Legislature

2003 Regular Session

By Senator Carlson

Read first time 01/15/2003. Referred to Committee on Higher Education.

1 AN ACT Relating to admission requirements at institutions of higher
2 education; and amending RCW 28B.50.090, 28B.80.350, and 28A.600.310.

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

4 **Sec. 1.** RCW 28B.50.090 and 1991 c 238 s 33 are each amended to
5 read as follows:

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

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

15 (2) Establish guidelines for the disbursement of funds; and receive
16 and disburse such funds for adult education and maintenance and
17 operation and capital support of the college districts in conformance
18 with the state and district budgets, and in conformance with chapter
19 43.88 RCW;

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

2 (a) That each college district shall offer thoroughly comprehensive
3 educational, training and service programs to meet the needs of both
4 the communities and students served by combining high standards of
5 excellence in academic transfer courses; realistic and practical
6 courses in occupational education, both graded and ungraded; and
7 community services of an educational, cultural, and recreational
8 nature; and adult education, including basic skills and general,
9 family, and work force literacy programs and services. However,
10 technical colleges, and college districts containing only technical
11 colleges, shall maintain programs solely for occupational education,
12 basic skills, and literacy purposes. For as long as a need exists,
13 technical colleges may continue those programs, activities, and
14 services they offered during the twelve-month period preceding May 17,
15 1991;

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

34 (4) Prepare a comprehensive master plan for the development of
35 community and technical college education and training in the state;
36 and assist the office of financial management in the preparation of
37 enrollment projections to support plans for providing adequate college
38 facilities in all areas of the state;

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((~~τ~~));

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((~~τ~~));

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((~~τ~~));

19 (d) Standard admission policies, which shall include the
20 requirement that when a student meets the standard on the reading and
21 math components of the high school Washington assessment of student
22 learning the student shall be deemed to have met the general admissions
23 requirements; and

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

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

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

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

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

37 (12) Notwithstanding any other law or statute regarding the sale of
38 state property, sell or exchange and convey any or all interest in any

1 community and technical college real and personal property, except such
2 property as is received by a college district in accordance with RCW
3 28B.50.140(8), when it determines that such property is surplus or that
4 such a sale or exchange is in the best interests of the community and
5 technical college system;

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

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

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

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

1 college. The directors of the vocational-technical institutes on March
2 1, 1991, shall be designated as the presidents of the new technical
3 colleges.

4 **Sec. 2.** RCW 28B.80.350 and 1993 c 77 s 2 are each amended to read
5 as follows:

6 The board shall coordinate educational activities among all
7 segments of higher education taking into account the educational
8 programs, facilities, and other resources of both public and
9 independent two and four-year colleges and universities. The four-year
10 institutions and the state board for community and technical colleges
11 shall coordinate information and activities with the board. The board
12 shall have the following additional responsibilities:

- 13 (1) Promote interinstitutional cooperation;
- 14 (2) Establish minimum admission standards for four-year
15 institutions, (~~including a requirement~~) which shall include the
16 following requirements:

17 (a) When a student meets the standard on the reading and math
18 components of the high school Washington assessment of student learning
19 the student shall be deemed to have met the general undergraduate
20 admissions requirements; and

21 (b) That coursework in American sign language or an American Indian
22 language shall satisfy any requirement for instruction in a language
23 other than English that the board or the institutions may establish as
24 a general undergraduate admissions requirement;

- 25 (3) Establish transfer policies;
- 26 (4) Adopt rules implementing statutory residency requirements;
- 27 (5) Develop and administer reciprocity agreements with bordering
28 states and the province of British Columbia;
- 29 (6) Review and recommend compensation practices and levels for
30 administrative employees, exempt under chapter 28B.16 RCW, and faculty
31 using comparative data from peer institutions;
- 32 (7) Monitor higher education activities for compliance with all
33 relevant state policies for higher education;
- 34 (8) Arbitrate disputes between and among four-year institutions or
35 between and among four-year institutions and community colleges at the
36 request of one or more of the institutions involved, or at the request

1 of the governor, or from a resolution adopted by the legislature. The
2 decision of the board shall be binding on the participants in the
3 dispute;

4 (9) Establish and implement a state system for collecting,
5 analyzing, and distributing information;

6 (10) Recommend to the governor and the legislature ways to remove
7 any economic incentives to use off-campus program funds for on-campus
8 activities; and

9 (11) Make recommendations to increase minority participation, and
10 monitor and report on the progress of minority participation in higher
11 education.

12 **Sec. 3.** RCW 28A.600.310 and 1994 c 205 s 2 are each amended to
13 read as follows:

14 (1) Eleventh and twelfth grade students or students who have not
15 yet received a high school diploma or its equivalent and are eligible
16 to be in the eleventh or twelfth grades may apply to a participating
17 institution of higher education to enroll in courses or programs
18 offered by the institution of higher education. However, students are
19 eligible to enroll in courses or programs in participating universities
20 only if the board of directors of the student's school district has
21 decided to participate in the program. Participating institutions of
22 higher education, in consultation with school districts, may establish
23 admission standards for these students. The admission standards shall
24 permit a student who has met the standard on the reading and math
25 components of the high school Washington assessment of student learning
26 to enroll in the program at a participating institution of higher
27 education. If the institution of higher education accepts a secondary
28 school pupil for enrollment under this section, the institution of
29 higher education shall send written notice to the pupil and the pupil's
30 school district within ten days of acceptance. The notice shall
31 indicate the course and hours of enrollment for that pupil.

32 (2) The pupil's school district shall transmit to the institution
33 of higher education an amount per each full-time equivalent college
34 student at statewide uniform rates for vocational and nonvocational
35 students. The superintendent of public instruction shall separately
36 calculate and allocate moneys appropriated for basic education under
37 RCW 28A.150.260 to school districts for purposes of making such

1 payments and for granting school districts seven percent thereof to
2 offset program related costs. The calculations and allocations shall
3 be based upon the estimated statewide annual average per full-time
4 equivalent high school student allocations under RCW 28A.150.260,
5 excluding small high school enhancements, and applicable rules adopted
6 under chapter 34.05 RCW. The superintendent of public instruction, the
7 higher education coordinating board, and the state board for community
8 and technical colleges shall consult on the calculation and
9 distribution of the funds. The institution of higher education shall
10 not require the pupil to pay any other fees. The funds received by the
11 institution of higher education from the school district shall not be
12 deemed tuition or operating fees and may be retained by the institution
13 of higher education. A student enrolled under this subsection shall
14 not be counted for the purpose of determining any enrollment
15 restrictions imposed by the state on the institution of higher
16 education.

--- END ---