
HOUSE BILL 1794

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By Representatives Kenney, Cox, Sommers, Fromhold, Priest, Sells, Moeller, Hasegawa, Conway, Ormsby, McCoy, Roberts, Kessler, Darneille, O'Brien, Murray, Dickerson, Lantz, Williams, Chase, Hunter, Lovick, Dunshee, Kagi, Morrell, Haigh, McDermott, Wood and Hudgins

Read first time 02/07/2005. Referred to Committee on Higher Education.

1 AN ACT Relating to expanding access to baccalaureate degree
2 programs; amending RCW 28B.45.014, 28B.45.020, 28B.45.030, 28B.45.040,
3 28B.50.020, 28B.50.030, 28B.50.140, 28B.15.069, and 28B.76.230; adding
4 a new section to chapter 28B.50 RCW; creating new sections; and
5 providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** (1) Since their creation in 1989, the
8 research university branch campuses have significantly expanded access
9 to baccalaureate and graduate education for placebound students in
10 Washington's urban and metropolitan cities. Furthermore, the campuses
11 have contributed to community revitalization and economic development
12 in their regions. The campuses have met their overall mission through
13 the development of new degree programs and through collaboration with
14 community and technical colleges. These findings were confirmed by a
15 comprehensive review of the campuses by the Washington state institute
16 for public policy in 2002 and 2003, and reaffirmed through legislation
17 enacted in 2004 that directed four of the campuses to make
18 recommendations for their future evolution.

1 (2) The self-studies conducted by the University of Washington
2 Bothell, University of Washington Tacoma, Washington State University
3 Tri-Cities, and Washington State University Vancouver reflect
4 thoughtful and strategic planning and involved the input of numerous
5 students, faculty, community and business leaders, community colleges,
6 advisory committees, and board members. The higher education
7 coordinating board's careful review provides a statewide context for
8 the legislature to implement the next stage of the campuses.

9 (3) Concurrently, the higher education coordinating board has
10 developed a strategic master plan for higher education that sets a goal
11 of increasing the number of students who earn college degrees at all
12 levels: Associate, baccalaureate, and graduate. The strategic master
13 plan also sets a goal to increase the higher education system's
14 responsiveness to the state's economic needs.

15 (4) The legislature finds that to meet both of the master plan's
16 goals and to provide adequate educational opportunities for
17 Washington's citizens, additional access is needed to baccalaureate
18 degree programs. Expansion of the four campuses is one strategy for
19 achieving the desired outcomes of the master plan. Other strategies
20 must also be implemented through service delivery models that reflect
21 both regional demands and statewide priorities.

22 (5) Therefore, the legislature intends to increase baccalaureate
23 access and encourage economic development through overall expansion of
24 upper division capacity, continued development of two plus two programs
25 in some areas of the state, authorization of four-year university
26 programs in other areas of the state, and creation of new types of
27 baccalaureate programs on a pilot basis. These steps will make
28 significant progress toward achieving the master plan goals, but the
29 legislature will also continue to monitor the development of the higher
30 education system and evaluate what additional changes or expansion may
31 be necessary.

32 **Sec. 2.** RCW 28B.45.014 and 2004 c 57 s 2 are each amended to read
33 as follows:

34 (1) The primary mission of the higher education branch campuses
35 created under this chapter remains to expand access to baccalaureate
36 and master's level graduate education in underserved urban areas of the
37 state in collaboration with community and technical colleges. The top

1 priority for each of the campuses is to expand courses and degree
2 programs for transfer and graduate students. New degree programs
3 should be driven by the educational needs and demands of students and
4 the community, as well as the economic development needs of local
5 businesses and employers.

6 (2) Branch campuses shall collaborate with the community and
7 technical colleges in their region to develop articulation agreements,
8 dual admissions policies, and other partnerships to ensure that branch
9 campuses serve as innovative models of a two plus two educational
10 system. Other possibilities for collaboration include but are not
11 limited to joint development of curricula and degree programs,
12 colocation of instruction, and arrangements to share faculty.

13 (3) In communities where a private postsecondary institution is
14 located, representatives of the private institution may be invited to
15 participate in the conversation about meeting the baccalaureate and
16 master's level graduate needs in underserved urban areas of the state.

17 (4) However, the legislature recognizes there are alternative
18 models for achieving this primary mission. Some campuses may have
19 additional missions in response to regional needs and demands. At
20 selected branch campuses, an innovative combination of instruction and
21 research targeted to support regional economic development may be
22 appropriate to meet the region's needs for both access and economic
23 viability. Other campuses should focus on becoming models of a two
24 plus two educational system through continuous improvement of
25 partnerships and agreements with community and technical colleges.
26 Still other campuses may be best suited to transition to a four-year
27 (~~comprehensive~~) university or be removed from designation as a branch
28 campus entirely.

29 (5) It is the legislature's intent that each branch campus be
30 funded commensurate with (~~its unique mission, the degree programs~~
31 ~~offered, and the institutional combination of instruction and research,~~
32 ~~but at a level less than a research~~) a regional university.

33 (6) In consultation with the higher education coordinating board,
34 a branch campus may propose legislation to authorize practice-oriented
35 or professional doctoral programs if: (a) Unique research facilities
36 and equipment are located near the campus; or (b) the campus can
37 clearly demonstrate student and employer demand in the region that is
38 linked to regional economic development.

1 (7) It is not the legislature's intent to have each campus chart
2 its own future path without legislative guidance. Instead, the
3 legislature intends to consider carefully the mission and model of
4 education that best suits each campus and best meets the needs of
5 students, the community, and the region. The higher education
6 coordinating board shall monitor and evaluate the addition of lower
7 division students to the branch campuses and periodically report and
8 make recommendations to the higher education committees of the
9 legislature to ensure the campuses continue to follow the priorities
10 established under this chapter.

11 **Sec. 3.** RCW 28B.45.020 and 1994 c 217 s 3 are each amended to read
12 as follows:

13 (1) The University of Washington is responsible for ensuring the
14 expansion of (~~upper division~~) baccalaureate and graduate educational
15 programs in the central Puget Sound area under rules or guidelines
16 adopted by the higher education coordinating board. The University of
17 Washington shall meet that responsibility through the operation of at
18 least two branch campuses. One branch campus shall be located in the
19 Tacoma area. Another branch campus shall be collocated with Cascadia
20 Community College in the Bothell-Woodinville area.

21 (2) At the University of Washington Tacoma, the top priority is
22 expansion of upper division and graduate capacity and programs.
23 Beginning in the fall of 2006, the campus may offer lower division
24 courses linked to specific majors in fields not addressed at local
25 community colleges. Also beginning in the fall of 2006, the campus may
26 admit lower division students through coadmission or coenrollment
27 agreements with a community college, or through direct transfer for
28 students who have accumulated approximately one year of credits.
29 Direct admission of freshmen and sophomores may proceed gradually and
30 deliberately in accordance with the campus plan submitted to the higher
31 education coordinating board in 2004.

32 (3) At the University of Washington Bothell, the top priority is
33 expansion of upper division and graduate capacity and programs. The
34 campus shall also seek additional opportunities to collaborate with and
35 maximize its collocation with Cascadia Community College. Beginning in
36 the fall of 2006, the campus may offer lower division courses linked to
37 specific majors in fields not addressed at local community colleges.

1 Also beginning in the fall of 2006, the campus may admit lower division
2 students through coadmission or coenrollment agreements with a
3 community college, or through direct transfer for students who have
4 accumulated approximately one year of credits. Direct admission of
5 freshmen and sophomores may proceed gradually and deliberately in
6 accordance with the campus plan submitted to the higher education
7 coordinating board in 2004.

8 **Sec. 4.** RCW 28B.45.030 and 1989 1st ex.s. c 7 s 4 are each amended
9 to read as follows:

10 (1) Washington State University is responsible for providing
11 (~~upper division~~) baccalaureate and graduate level higher education
12 programs to the citizens of the Tri-Cities area, under rules or
13 guidelines adopted by the higher education coordinating board.
14 Washington State University shall meet that responsibility through the
15 operation of a branch campus in the Tri-Cities area. The branch campus
16 shall replace and supersede the Tri-Cities university center. All
17 land, facilities, equipment, and personnel of the Tri-Cities university
18 center shall be transferred from the University of Washington to
19 Washington State University.

20 (2) Washington State University Tri-Cities shall continue providing
21 a two plus two educational model, including innovative coadmission and
22 coenrollment options with Columbia Basin College, and expand its upper
23 division and graduate capacity and programs. The campus shall also
24 seek additional opportunities to collaborate with the Pacific Northwest
25 national laboratory. Beginning in the fall of 2006, the campus may
26 offer a limited range of lower division courses linked to specific
27 majors in fields not addressed at local community colleges. Also
28 beginning in the fall of 2006, the campus may admit lower division
29 students through coadmission or coenrollment agreements with a
30 community college. The campus may not directly admit freshmen and
31 sophomores, however this topic shall be the subject of further study
32 and recommendations by the higher education coordinating board.

33 **Sec. 5.** RCW 28B.45.040 and 1989 1st ex.s. c 7 s 5 are each amended
34 to read as follows:

35 (1) Washington State University is responsible for providing
36 (~~upper division~~) baccalaureate and graduate level higher education

1 programs to the citizens of the southwest Washington area, under rules
2 or guidelines adopted by the higher education coordinating board.
3 Washington State University shall meet that responsibility through the
4 operation of a branch campus in the southwest Washington area.

5 (2) Washington State University Vancouver shall expand upper
6 division and graduate capacity and programs and continue to collaborate
7 with local community colleges on coadmission and coenrollment programs.
8 In addition, beginning in the fall of 2006, the campus may admit lower
9 division students directly. By simultaneously admitting freshmen and
10 sophomores, increasing transfer enrollment, coadmitting transfer
11 students, and expanding graduate and professional programs, the campus
12 shall develop into a four-year institution serving the southwest
13 Washington region.

14 NEW SECTION. Sec. 6. A new section is added to chapter 28B.50 RCW
15 to read as follows:

16 (1) The college board shall select three pilot community colleges
17 to develop and offer programs of study leading to an applied
18 baccalaureate degree.

19 (2) Community colleges may submit an application to become a pilot
20 college under this section. The college board shall review the
21 applications and select the pilot colleges using objective criteria,
22 including:

23 (a) The college demonstrates the capacity to make a long-term
24 commitment of resources to build and sustain a high quality program;

25 (b) The college has or can readily engage faculty appropriately
26 qualified to develop and deliver a high quality curriculum at the
27 baccalaureate level;

28 (c) The college can demonstrate demand for the proposed program
29 from a sufficient number of students within its service area to make
30 the program cost-effective and feasible to operate;

31 (d) The college can demonstrate that employers demand the level of
32 technical training proposed within the program, making it cost-
33 effective for students to seek the degree; and

34 (e) The proposed program fills a gap in options available for
35 students because it is not offered by a public four-year institution of
36 higher education.

1 (3) A community college selected as a pilot college under this
2 section may develop the curriculum for and design and deliver courses
3 leading to an applied baccalaureate degree. However, degree programs
4 developed under this section are subject to approval by the college
5 board under RCW 28B.50.090 and by the higher education coordinating
6 board under RCW 28B.76.230 before a pilot college may enroll students
7 in upper-division courses. A pilot college may not enroll students in
8 upper division courses before the fall academic quarter of 2006.

9 **Sec. 7.** RCW 28B.50.020 and 1991 c 238 s 21 are each amended to
10 read as follows:

11 The purpose of this chapter is to provide for the dramatically
12 increasing number of students requiring high standards of education
13 either as a part of the continuing higher education program or for
14 occupational education and training, or for adult basic skills and
15 literacy education, by creating a new, independent system of community
16 and technical colleges which will:

17 (1) Offer an open door to every citizen, regardless of his or her
18 academic background or experience, at a cost normally within his or her
19 economic means;

20 (2) Ensure that each college district shall offer thoroughly
21 comprehensive educational, training and service programs to meet the
22 needs of both the communities and students served by combining high
23 standards of excellence in academic transfer courses; realistic and
24 practical courses in occupational education, both graded and ungraded;
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 college districts containing only technical colleges shall maintain
29 programs solely for occupational education, basic skills, and literacy
30 purposes, and, for as long as a need exists, may continue those
31 programs, activities, and services offered by the technical colleges
32 during the twelve-month period preceding September 1, 1991;

33 (3) Provide for basic skills and literacy education, and
34 occupational education and technical training at technical colleges in
35 order to prepare students for careers in a competitive work force;

36 (4) Provide or coordinate related and supplemental instruction for
37 apprentices at community and technical colleges;

1 (5) Provide administration by state and local boards which will
2 avoid unnecessary duplication of facilities or programs; and which will
3 encourage efficiency in operation and creativity and imagination in
4 education, training and service to meet the needs of the community and
5 students;

6 (6) Allow for the growth, improvement, flexibility and modification
7 of the community colleges and their education, training and service
8 programs as future needs occur; and

9 (7) Establish firmly that, except on a pilot basis as provided
10 under section 6 of this act, community colleges are, for purposes of
11 academic training, two year institutions, and are an independent,
12 unique, and vital section of our state's higher education system,
13 separate from both the common school system and other institutions of
14 higher learning, and never to be considered for conversion into four-
15 year liberal arts colleges.

16 **Sec. 8.** RCW 28B.50.030 and 2003 2nd sp.s. c 4 s 33 are each
17 amended to read as follows:

18 As used in this chapter, unless the context requires otherwise, the
19 term:

20 (1) "System" shall mean the state system of community and technical
21 colleges, which shall be a system of higher education.

22 (2) "Board" shall mean the work force training and education
23 coordinating board.

24 (3) "College board" shall mean the state board for community and
25 technical colleges created by this chapter.

26 (4) "Director" shall mean the administrative director for the state
27 system of community and technical colleges.

28 (5) "District" shall mean any one of the community and technical
29 college districts created by this chapter.

30 (6) "Board of trustees" shall mean the local community and
31 technical college board of trustees established for each college
32 district within the state.

33 (7) "Occupational education" shall mean that education or training
34 that will prepare a student for employment that does not require a
35 baccalaureate degree.

36 (8) "K-12 system" shall mean the public school program including
37 kindergarten through the twelfth grade.

1 (9) "Common school board" shall mean a public school district board
2 of directors.

3 (10) "Community college" shall include those higher education
4 institutions that conduct education programs under RCW 28B.50.020.

5 (11) "Technical college" shall include those higher education
6 institutions with the sole mission of conducting occupational
7 education, basic skills, literacy programs, and offering on short
8 notice, when appropriate, programs that meet specific industry needs.
9 The programs of technical colleges shall include, but not be limited
10 to, continuous enrollment, competency-based instruction, industry-
11 experienced faculty, curriculum integrating vocational and basic skills
12 education, and curriculum approved by representatives of employers and
13 labor. For purposes of this chapter, technical colleges shall include
14 Lake Washington Vocational-Technical Institute, Renton Vocational-
15 Technical Institute, Bates Vocational-Technical Institute, Clover Park
16 Vocational Institute, and Bellingham Vocational-Technical Institute.

17 (12) "Adult education" shall mean all education or instruction,
18 including academic, vocational education or training, basic skills and
19 literacy training, and "occupational education" provided by public
20 educational institutions, including common school districts for persons
21 who are eighteen years of age and over or who hold a high school
22 diploma or certificate. However, "adult education" shall not include
23 academic education or instruction for persons under twenty-one years of
24 age who do not hold a high school degree or diploma and who are
25 attending a public high school for the sole purpose of obtaining a high
26 school diploma or certificate, nor shall "adult education" include
27 education or instruction provided by any four year public institution
28 of higher education.

29 (13) "Dislocated forest product worker" shall mean a forest
30 products worker who: (a)(i) Has been terminated or received notice of
31 termination from employment and is unlikely to return to employment in
32 the individual's principal occupation or previous industry because of
33 a diminishing demand for his or her skills in that occupation or
34 industry; or (ii) is self-employed and has been displaced from his or
35 her business because of the diminishing demand for the business'
36 services or goods; and (b) at the time of last separation from
37 employment, resided in or was employed in a rural natural resources
38 impact area.

1 (14) "Forest products worker" shall mean a worker in the forest
2 products industries affected by the reduction of forest fiber
3 enhancement, transportation, or production. The workers included
4 within this definition shall be determined by the employment security
5 department, but shall include workers employed in the industries
6 assigned the major group standard industrial classification codes "24"
7 and "26" and the industries involved in the harvesting and management
8 of logs, transportation of logs and wood products, processing of wood
9 products, and the manufacturing and distribution of wood processing and
10 logging equipment. The commissioner may adopt rules further
11 interpreting these definitions. For the purposes of this subsection,
12 "standard industrial classification code" means the code identified in
13 RCW 50.29.025(3).

14 (15) "Dislocated salmon fishing worker" means a finfish products
15 worker who: (a)(i) Has been terminated or received notice of
16 termination from employment and is unlikely to return to employment in
17 the individual's principal occupation or previous industry because of
18 a diminishing demand for his or her skills in that occupation or
19 industry; or (ii) is self-employed and has been displaced from his or
20 her business because of the diminishing demand for the business's
21 services or goods; and (b) at the time of last separation from
22 employment, resided in or was employed in a rural natural resources
23 impact area.

24 (16) "Salmon fishing worker" means a worker in the finfish industry
25 affected by 1994 or future salmon disasters. The workers included
26 within this definition shall be determined by the employment security
27 department, but shall include workers employed in the industries
28 involved in the commercial and recreational harvesting of finfish
29 including buying and processing finfish. The commissioner may adopt
30 rules further interpreting these definitions.

31 (17) "Rural natural resources impact area" means:

32 (a) A nonmetropolitan county, as defined by the 1990 decennial
33 census, that meets three of the five criteria set forth in subsection
34 (18) of this section;

35 (b) A nonmetropolitan county with a population of less than forty
36 thousand in the 1990 decennial census, that meets two of the five
37 criteria as set forth in subsection (18) of this section; or

1 (c) A nonurbanized area, as defined by the 1990 decennial census,
2 that is located in a metropolitan county that meets three of the five
3 criteria set forth in subsection (18) of this section.

4 (18) For the purposes of designating rural natural resources impact
5 areas, the following criteria shall be considered:

6 (a) A lumber and wood products employment location quotient at or
7 above the state average;

8 (b) A commercial salmon fishing employment location quotient at or
9 above the state average;

10 (c) Projected or actual direct lumber and wood products job losses
11 of one hundred positions or more;

12 (d) Projected or actual direct commercial salmon fishing job losses
13 of one hundred positions or more; and

14 (e) An unemployment rate twenty percent or more above the state
15 average. The counties that meet these criteria shall be determined by
16 the employment security department for the most recent year for which
17 data is available. For the purposes of administration of programs
18 under this chapter, the United States post office five-digit zip code
19 delivery areas will be used to determine residence status for
20 eligibility purposes. For the purpose of this definition, a zip code
21 delivery area of which any part is ten miles or more from an urbanized
22 area is considered nonurbanized. A zip code totally surrounded by zip
23 codes qualifying as nonurbanized under this definition is also
24 considered nonurbanized. The office of financial management shall make
25 available a zip code listing of the areas to all agencies and
26 organizations providing services under this chapter.

27 (19) "Applied baccalaureate degree" means a baccalaureate degree
28 awarded by a college under section 6 of this act for successful
29 completion of a program of study that is:

30 (a) Specifically designed for individuals who hold an associate of
31 applied science degree, or its equivalent, in order to maximize
32 application of their technical course credits toward the baccalaureate
33 degree; and

34 (b) Based on a curriculum that incorporates both theoretical and
35 applied knowledge and skills in a specific technical field.

36 **Sec. 9.** RCW 28B.50.140 and 2004 c 275 s 58 are each amended to
37 read as follows:

1 Each board of trustees:

2 (1) Shall operate all existing community and technical colleges in
3 its district;

4 (2) Shall create comprehensive programs of community and technical
5 college education and training and maintain an open-door policy in
6 accordance with the provisions of RCW 28B.50.090(3). However,
7 technical colleges, and college districts containing only technical
8 colleges, shall maintain programs solely for occupational education,
9 basic skills, and literacy purposes. For as long as a need exists,
10 technical colleges may continue those programs, activities, and
11 services they offered during the twelve-month period preceding
12 September 1, 1991;

13 (3) Shall employ for a period to be fixed by the board a college
14 president for each community and technical college and, may appoint a
15 president for the district, and fix their duties and compensation,
16 which may include elements other than salary. Compensation under this
17 subsection shall not affect but may supplement retirement, health care,
18 and other benefits that are otherwise applicable to the presidents as
19 state employees. The board shall also employ for a period to be fixed
20 by the board members of the faculty and such other administrative
21 officers and other employees as may be necessary or appropriate and fix
22 their salaries and duties. Compensation and salary increases under
23 this subsection shall not exceed the amount or percentage established
24 for those purposes in the state appropriations act by the legislature
25 as allocated to the board of trustees by the state board for community
26 and technical colleges. The state board for community and technical
27 colleges shall adopt rules defining the permissible elements of
28 compensation under this subsection;

29 (4) May establish, under the approval and direction of the college
30 board, new facilities as community needs and interests demand.
31 However, the authority of boards of trustees to purchase or lease major
32 off-campus facilities shall be subject to the approval of the higher
33 education coordinating board pursuant to RCW 28B.76.230;

34 (5) May establish or lease, operate, equip and maintain
35 dormitories, food service facilities, bookstores and other self-
36 supporting facilities connected with the operation of the community and
37 technical college;

1 (6) May, with the approval of the college board, borrow money and
2 issue and sell revenue bonds or other evidences of indebtedness for the
3 construction, reconstruction, erection, equipping with permanent
4 fixtures, demolition and major alteration of buildings or other capital
5 assets, and the acquisition of sites, rights-of-way, easements,
6 improvements or appurtenances, for dormitories, food service
7 facilities, and other self-supporting facilities connected with the
8 operation of the community and technical college in accordance with the
9 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

10 (7) May establish fees and charges for the facilities authorized
11 hereunder, including reasonable rules and regulations for the
12 government thereof, not inconsistent with the rules (~~and regulations~~)
13 of the college board; each board of trustees operating a community and
14 technical college may enter into agreements, subject to rules (~~and~~
15 ~~regulations~~) of the college board, with owners of facilities to be
16 used for housing regarding the management, operation, and government of
17 such facilities, and any board entering into such an agreement may:

18 (a) Make rules (~~and regulations~~) for the government, management
19 and operation of such housing facilities deemed necessary or advisable;
20 and

21 (b) Employ necessary employees to govern, manage and operate the
22 same;

23 (8) May receive such gifts, grants, conveyances, devises and
24 bequests of real or personal property from private sources, as may be
25 made from time to time, in trust or otherwise, whenever the terms and
26 conditions thereof will aid in carrying out the community and technical
27 college programs as specified by law and the (~~regulations~~) rules of
28 the state college board; sell, lease or exchange, invest or expend the
29 same or the proceeds, rents, profits and income thereof according to
30 the terms and conditions thereof; and adopt (~~regulations~~) rules to
31 govern the receipt and expenditure of the proceeds, rents, profits and
32 income thereof;

33 (9) May establish and maintain night schools whenever in the
34 discretion of the board of trustees it is deemed advisable, and
35 authorize classrooms and other facilities to be used for summer or
36 night schools, or for public meetings and for any other uses consistent
37 with the use of such classrooms or facilities for community and
38 technical college purposes;

1 (10) May make rules (~~(and regulations)~~) for pedestrian and
2 vehicular traffic on property owned, operated, or maintained by the
3 district;

4 (11) Shall prescribe, with the assistance of the faculty, the
5 course of study in the various departments of the community and
6 technical college or colleges under its control, and publish such
7 catalogues and bulletins as may become necessary;

8 (12) May grant to every student, upon graduation or completion of
9 a course of study, a suitable diploma, (~~(nonbaccalaureate)~~) degree, or
10 certificate. Technical colleges shall offer only nonbaccalaureate
11 technical degrees under the rules of the state board for community and
12 technical colleges that are appropriate to their work force education
13 and training mission. The primary purpose of (~~(this)~~) these degrees is
14 to lead the individual directly to employment in a specific occupation.
15 Technical colleges may not offer transfer degrees. The board, upon
16 recommendation of the faculty, may also confer honorary associate of
17 arts degrees upon persons other than graduates of the community
18 college, in recognition of their learning or devotion to education,
19 literature, art, or science. No degree may be conferred in
20 consideration of the payment of money or the donation of any kind of
21 property;

22 (13) Shall enforce the rules (~~(and regulations)~~) prescribed by the
23 state board for community and technical colleges for the government of
24 community and technical colleges, students and teachers, and
25 (~~(promulgate)~~) adopt such rules (~~(and regulations)~~) and perform all
26 other acts not inconsistent with law or rules (~~(and regulations)~~) of
27 the state board for community and technical colleges as the board of
28 trustees may in its discretion deem necessary or appropriate to the
29 administration of college districts: PROVIDED, That such rules (~~(and~~
30 ~~regulations)~~) shall include, but not be limited to, rules (~~(and~~
31 ~~regulations)~~) relating to housing, scholarships, conduct at the various
32 community and technical college facilities, and discipline: PROVIDED,
33 FURTHER, That the board of trustees may suspend or expel from community
34 and technical colleges students who refuse to obey any of the duly
35 (~~(promulgated)~~) adopted rules (~~(and regulations)~~);

36 (14) May, by written order filed in its office, delegate to the
37 president or district president any of the powers and duties vested in

1 or imposed upon it by this chapter. Such delegated powers and duties
2 may be exercised in the name of the district board;

3 (15) May perform such other activities consistent with this chapter
4 and not in conflict with the directives of the college board;

5 (16) Notwithstanding any other provision of law, may offer
6 educational services on a contractual basis other than the tuition and
7 fee basis set forth in chapter 28B.15 RCW for a special fee to private
8 or governmental entities, consistent with rules (~~and regulations~~)
9 adopted by the state board for community and technical colleges:
10 PROVIDED, That the whole of such special fee shall go to the college
11 district and be not less than the full instructional costs of such
12 services including any salary increases authorized by the legislature
13 for community and technical college employees during the term of the
14 agreement: PROVIDED FURTHER, That enrollments generated hereunder
15 shall not be counted toward the official enrollment level of the
16 college district for state funding purposes;

17 (17) Notwithstanding any other provision of law, may offer
18 educational services on a contractual basis, charging tuition and fees
19 as set forth in chapter 28B.15 RCW, counting such enrollments for state
20 funding purposes, and may additionally charge a special supplemental
21 fee when necessary to cover the full instructional costs of such
22 services: PROVIDED, That such contracts shall be subject to review by
23 the state board for community and technical colleges and to such rules
24 as the state board may adopt for that purpose in order to assure that
25 the sum of the supplemental fee and the normal state funding shall not
26 exceed the projected total cost of offering the educational service:
27 PROVIDED FURTHER, That enrollments generated by courses offered on the
28 basis of contracts requiring payment of a share of the normal costs of
29 the course will be discounted to the percentage provided by the
30 college;

31 (18) Shall be authorized to pay dues to any association of trustees
32 that may be formed by the various boards of trustees; such association
33 may expend any or all of such funds to submit biennially, or more often
34 if necessary, to the governor and to the legislature, the
35 recommendations of the association regarding changes which would affect
36 the efficiency of such association;

37 (19) May participate in higher education centers and consortia that
38 involve any four-year public or independent college or university;

1 PROVIDED, That new degree programs or off-campus programs offered by a
2 four-year public or independent college or university in collaboration
3 with a community or technical college are subject to approval by the
4 higher education coordinating board under RCW 28B.76.230; and

5 (20) Shall perform any other duties and responsibilities imposed by
6 law or rule (~~(and regulation)~~) of the state board.

7 **Sec. 10.** RCW 28B.15.069 and 2003 c 232 s 5 are each amended to
8 read as follows:

9 (1) The building fee for each academic year shall be a percentage
10 of total tuition fees. This percentage shall be calculated by the
11 higher education coordinating board and be based on the actual
12 percentage the building fee is of total tuition for each tuition
13 category in the 1994-95 academic year, rounded up to the nearest half
14 percent.

15 (2) The governing boards of each institution of higher education,
16 except for the technical colleges, shall charge to and collect from
17 each student a services and activities fee. A governing board may
18 increase the existing fee annually, consistent with budgeting
19 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
20 the annual percentage increase in student tuition fees for resident
21 undergraduate students: PROVIDED, That such percentage increase shall
22 not apply to that portion of the services and activities fee previously
23 committed to the repayment of bonded debt. These rate adjustments may
24 exceed the fiscal growth factor. For the 2003-04 academic year, the
25 services and activities fee shall be based upon the resident
26 undergraduate services and activities fee in 2002-03. The services and
27 activities fee committee provided for in RCW 28B.15.045 may initiate a
28 request to the governing board for a fee increase.

29 (3) Tuition and services and activities fees consistent with
30 subsection (2) of this section shall be set by the state board for
31 community and technical colleges for community college summer school
32 students unless the community college charges fees in accordance with
33 RCW 28B.15.515.

34 (4) Subject to the limitations of RCW 28B.15.910, each governing
35 board of a community college may charge such fees for ungraded courses,
36 noncredit courses, community services courses, and self-supporting

1 courses as it, in its discretion, may determine, consistent with the
2 rules of the state board for community and technical colleges.

3 (5) The governing board of a community college offering an applied
4 baccalaureate degree program under section 6 of this act may charge
5 tuition fees for those courses above the associate degree level at
6 rates consistent with rules adopted by the state board for community
7 and technical colleges, not to exceed tuition fee rates at the regional
8 universities.

9 **Sec. 11.** RCW 28B.76.230 and 2004 c 275 s 9 are each amended to
10 read as follows:

11 (1) The board shall develop a comprehensive and ongoing assessment
12 process to analyze the need for additional degrees and programs,
13 additional off-campus centers and locations for degree programs, and
14 consolidation or elimination of programs by the four-year institutions.

15 (2) As part of the needs assessment process, the board shall
16 examine:

17 (a) Projections of student, employer, and community demand for
18 education and degrees, including liberal arts degrees, on a regional
19 and statewide basis;

20 (b) Current and projected degree programs and enrollment at public
21 and private institutions of higher education, by location and mode of
22 service delivery; and

23 (c) Data from the work force training and education coordinating
24 board and the state board for community and technical colleges on the
25 supply and demand for work force education and certificates and
26 associate degrees.

27 (3) Every two years the board shall produce, jointly with the state
28 board for community and technical colleges and the work force training
29 and education coordinating board, an assessment of the number and type
30 of higher education and training credentials required to match employer
31 demand for a skilled and educated work force. The assessment shall
32 include the number of forecasted net job openings at each level of
33 higher education and training and the number of credentials needed to
34 match the forecast of net job openings.

35 (4) The board shall determine whether certain major lines of study
36 or types of degrees, including applied degrees or research-oriented

1 degrees, shall be assigned uniquely to some institutions or
2 institutional sectors in order to create centers of excellence that
3 focus resources and expertise.

4 (5) The following activities are subject to approval by the board:

5 (a) New degree programs by a four-year institution;

6 (b) Creation of any off-campus program by a four-year institution;

7 (c) Purchase or lease of major off-campus facilities by a four-year
8 institution or a community or technical college;

9 (d) Creation of higher education centers and consortia; (~~and~~)

10 (e) New degree programs and creation of off-campus programs by an
11 independent college or university in collaboration with a community or
12 technical college; and

13 (f) Applied baccalaureate degree programs developed by community
14 colleges under section 6 of this act.

15 (6) Institutions seeking board approval under this section must
16 demonstrate that the proposal is justified by the needs assessment
17 developed under this section. Institutions must also demonstrate how
18 the proposals align with or implement the statewide strategic master
19 plan for higher education under RCW 28B.76.200.

20 (7) The board shall develop clear guidelines and objective
21 decision-making criteria regarding approval of proposals under this
22 section, which must include review and consultation with the
23 institution and other interested agencies and individuals.

24 (8) The board shall periodically recommend consolidation or
25 elimination of programs at the four-year institutions, based on the
26 needs assessment analysis.

27 NEW SECTION. Sec. 12. (1) The legislature finds that access to
28 baccalaureate and graduate degree programs continues to be limited for
29 residents of North Snohomish, Island, and Skagit counties. Studies
30 conducted by the state board for community and technical colleges, the
31 higher education coordinating board, and the council of presidents
32 confirm that enrollment in higher education in this geographic region
33 lags enrollment in other parts of the state, particularly for upper
34 division courses leading to advanced degrees. The higher education
35 consortium created to serve the region has not been able to
36 successfully address the region's access needs. The university center

1 model of service delivery, centered on a community college campus with
2 a single point of accountability, has proven more effective in
3 developing degree programs and attracting students.

4 (2) Therefore the legislature intends to refocus the consortium by
5 assigning management and leadership responsibility for consortium
6 operations to Everett Community College. Everett Community College
7 shall collaborate with community and business leaders, other local
8 community colleges, the regional universities, and The Evergreen State
9 College to develop an educational plan for the North Snohomish, Island,
10 and Skagit county region based on the university center model. The
11 plan should provide for coordinated delivery of lower and upper
12 division courses, expanded availability of high demand degree and
13 certificate programs in the region, and a timeline and cost estimates
14 for moving the physical location of the consortium to the college
15 campus. The college shall submit preliminary recommendations to the
16 higher education and fiscal committees of the legislature by December
17 1, 2005.

18 NEW SECTION. **Sec. 13.** (1) The higher education coordinating board
19 shall define potential outcomes resulting from this act and develop
20 performance measures for those outcomes, including but not limited to
21 increased numbers of baccalaureate degrees awarded; expansion of upper
22 division and graduate capacity at the University of Washington Bothell
23 and Tacoma and Washington State University Tri-Cities and Vancouver;
24 enhanced regional access to baccalaureate programs; and creation and
25 award of applied baccalaureate degrees. The board shall provide a
26 progress report on the outcomes to the higher education committees of
27 the senate and the house of representatives by December 1, 2008.

28 (2) This section expires July 1, 2009.

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