

CERTIFICATION OF ENROLLMENT
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1794

59th Legislature
2005 Regular Session

Passed by the House April 18, 2005
Yeas 93 Nays 2

Speaker of the House of Representatives

Passed by the Senate April 7, 2005
Yeas 42 Nays 7

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1794** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1794

AS AMENDED BY THE SENATE

Passed Legislature - 2005 Regular Session

State of Washington

59th Legislature

2005 Regular Session

By House Committee on Appropriations (originally sponsored 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 03/07/05.

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 new sections 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 (~~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 university)) The legislature
33 recognizes that size, mix of degree programs, and proportion of lower
34 versus upper-division and graduate enrollments are factors that affect
35 costs at branch campuses. However over time, the legislature intends
36 that branch campuses be funded more similarly to regional universities.~~

37 (6) In consultation with the higher education coordinating board,
38 a branch campus may propose legislation to authorize practice-oriented

1 or professional doctoral programs if: (a) Unique research facilities
2 and equipment are located near the campus; or (b) the campus can
3 clearly demonstrate student and employer demand in the region that is
4 linked to regional economic development.

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

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

17 (1) The University of Washington is responsible for ensuring the
18 expansion of ((~~upper division~~)) baccalaureate and graduate educational
19 programs in the central Puget Sound area under rules or guidelines
20 adopted by the higher education coordinating board and in accordance
21 with proportionality agreements emphasizing access for transfer
22 students developed with the state board for community and technical
23 colleges. The University of Washington shall meet that responsibility
24 through the operation of at least two branch campuses. One branch
25 campus shall be located in the Tacoma area. Another branch campus
26 shall be collocated with Cascadia Community College in the Bothell-
27 Woodinville area.

28 (2) At the University of Washington Tacoma, a top priority is
29 expansion of upper division capacity for transfer students and graduate
30 capacity and programs. Beginning in the fall of 2006, the campus may
31 offer lower division courses linked to specific majors in fields not
32 addressed at local community colleges. The campus shall admit lower
33 division students through coadmission or coenrollment agreements with
34 a community college, or through direct transfer for students who have
35 accumulated approximately one year of transferable college credits. In
36 addition to offering lower division courses linked to specific majors

1 as addressed above, the campus may also directly admit freshmen and
2 sophomores gradually and deliberately in accordance with the campus
3 plan submitted to the higher education coordinating board in 2004.

4 (3) At the University of Washington Bothell, a top priority is
5 expansion of upper division capacity for transfer students and graduate
6 capacity and programs. The campus shall also seek additional
7 opportunities to collaborate with and maximize its collocation with
8 Cascadia Community College. Beginning in the fall of 2006, the campus
9 may offer lower division courses linked to specific majors in fields
10 not addressed at local community colleges. The campus may admit lower
11 division students through coadmission or coenrollment agreements with
12 a community college, or through direct transfer for students who have
13 accumulated approximately one year of transferable college credits. In
14 addition to offering lower division courses linked to specific majors
15 as addressed above, the campus may also directly admit freshmen and
16 sophomores gradually and deliberately in accordance with the campus
17 plan submitted to the higher education coordinating board in 2004.

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

20 (1) Washington State University is responsible for providing
21 ((upper division)) baccalaureate and graduate level higher education
22 programs to the citizens of the Tri-Cities area, under rules or
23 guidelines adopted by the higher education coordinating board and in
24 accordance with proportionality agreements emphasizing access for
25 transfer students developed with the state board for community and
26 technical colleges. Washington State University shall meet that
27 responsibility through the operation of a branch campus in the Tri-
28 Cities area. The branch campus shall replace and supersede the Tri-
29 Cities university center. All land, facilities, equipment, and
30 personnel of the Tri-Cities university center shall be transferred from
31 the University of Washington to Washington State University.

32 (2) Washington State University Tri-Cities shall continue providing
33 innovative coadmission and coenrollment options with Columbia Basin
34 College, and expand its upper division capacity for transfer students
35 and graduate capacity and programs. The campus shall also seek
36 additional opportunities to collaborate with the Pacific Northwest
37 national laboratory. Beginning in the fall of 2006, the campus may

1 offer lower division courses linked to specific majors in fields not
2 addressed at local community colleges. The campus may admit lower
3 division students through coadmission or coenrollment agreements with
4 a community college, or through direct transfer for students who have
5 accumulated approximately one year of transferable college credits. In
6 addition to offering lower division courses linked to specific majors
7 as addressed above, the campus may also directly admit freshmen and
8 sophomores for a bachelor's degree program in biotechnology subject to
9 approval by the higher education coordinating board. The campus may
10 not directly admit freshmen and sophomores for degree programs other
11 than biotechnology, however this topic shall be the subject of further
12 study and recommendations by the higher education coordinating board.

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

15 (1) Washington State University is responsible for providing
16 ((upper-division)) baccalaureate and graduate level higher education
17 programs to the citizens of the southwest Washington area, under rules
18 or guidelines adopted by the higher education coordinating board and in
19 accordance with proportionality agreements emphasizing access for
20 transfer students developed with the state board for community and
21 technical colleges. Washington State University shall meet that
22 responsibility through the operation of a branch campus in the
23 southwest Washington area.

24 (2) Washington State University Vancouver shall expand upper
25 division capacity for transfer students and graduate capacity and
26 programs and continue to collaborate with local community colleges on
27 coadmission and coenrollment programs. In addition, beginning in the
28 fall of 2006, the campus may admit lower division students directly.
29 By simultaneously admitting freshmen and sophomores, increasing
30 transfer enrollment, coadmitting transfer students, and expanding
31 graduate and professional programs, the campus shall develop into a
32 four-year institution serving the southwest Washington region.

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

35 (1) The college board shall select four community or technical
36 colleges to develop and offer programs of study leading to an applied

1 baccalaureate degree. At least one of the four pilot programs chosen
2 must lead to a baccalaureate of applied science degree which builds on
3 an associate of applied science degree. The college board shall
4 convene a task force that includes representatives of both the
5 community and technical colleges to develop objective selection
6 criteria.

7 (2) Colleges may submit an application to become a pilot college
8 under this section. The college board shall review the applications
9 and select the pilot colleges using objective criteria, including:

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

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

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

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

21 (e) The proposed program fills a gap in options available for
22 students because it is not offered by a public four-year institution of
23 higher education in the college's geographic area.

24 (3) A college selected as a pilot college under this section may
25 develop the curriculum for and design and deliver courses leading to an
26 applied baccalaureate degree. However, degree programs developed under
27 this section are subject to approval by the college board under RCW
28 28B.50.090 and by the higher education coordinating board under RCW
29 28B.76.230 before a pilot college may enroll students in upper-division
30 courses. A pilot college may not enroll students in upper division
31 courses before the fall academic quarter of 2006.

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

34 The purpose of this chapter is to provide for the dramatically
35 increasing number of students requiring high standards of education
36 either as a part of the continuing higher education program or for

1 occupational education and training, or for adult basic skills and
2 literacy education, by creating a new, independent system of community
3 and technical colleges which will:

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

7 (2) Ensure that each college district shall offer thoroughly
8 comprehensive educational, training and service programs to meet the
9 needs of both the communities and students served by combining high
10 standards of excellence in academic transfer courses; realistic and
11 practical courses in occupational education, both graded and ungraded;
12 community services of an educational, cultural, and recreational
13 nature; and adult education, including basic skills and general,
14 family, and work force literacy programs and services. However,
15 college districts containing only technical colleges shall maintain
16 programs solely for occupational education, basic skills, and literacy
17 purposes, and, for as long as a need exists, may continue those
18 programs, activities, and services offered by the technical colleges
19 during the twelve-month period preceding September 1, 1991;

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

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

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

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

33 (7) Establish firmly that, except on a pilot basis as provided
34 under section 6 of this act, community colleges are, for purposes of
35 academic training, two year institutions, and are an independent,
36 unique, and vital section of our state's higher education system,
37 separate from both the common school system and other institutions of

1 higher learning, and never to be considered for conversion into four-
2 year liberal arts colleges.

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

5 As used in this chapter, unless the context requires otherwise, the
6 term:

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

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

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

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

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

17 (6) "Board of trustees" shall mean the local community and
18 technical college board of trustees established for each college
19 district within the state.

20 (7) "Occupational education" shall mean that education or training
21 that will prepare a student for employment that does not require a
22 baccalaureate degree, and education and training leading to an applied
23 baccalaureate degree.

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

26 (9) "Common school board" shall mean a public school district board
27 of directors.

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

30 (11) "Technical college" shall include those higher education
31 institutions with the sole mission of conducting occupational
32 education, basic skills, literacy programs, and offering on short
33 notice, when appropriate, programs that meet specific industry needs.
34 The programs of technical colleges shall include, but not be limited
35 to, continuous enrollment, competency-based instruction, industry-
36 experienced faculty, curriculum integrating vocational and basic skills
37 education, and curriculum approved by representatives of employers and

1 labor. For purposes of this chapter, technical colleges shall include
2 Lake Washington Vocational-Technical Institute, Renton Vocational-
3 Technical Institute, Bates Vocational-Technical Institute, Clover Park
4 Vocational Institute, and Bellingham Vocational-Technical Institute.

5 (12) "Adult education" shall mean all education or instruction,
6 including academic, vocational education or training, basic skills and
7 literacy training, and "occupational education" provided by public
8 educational institutions, including common school districts for persons
9 who are eighteen years of age and over or who hold a high school
10 diploma or certificate. However, "adult education" shall not include
11 academic education or instruction for persons under twenty-one years of
12 age who do not hold a high school degree or diploma and who are
13 attending a public high school for the sole purpose of obtaining a high
14 school diploma or certificate, nor shall "adult education" include
15 education or instruction provided by any four year public institution
16 of higher education.

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

27 (14) "Forest products worker" shall mean a worker in the forest
28 products industries affected by the reduction of forest fiber
29 enhancement, transportation, or production. The workers included
30 within this definition shall be determined by the employment security
31 department, but shall include workers employed in the industries
32 assigned the major group standard industrial classification codes "24"
33 and "26" and the industries involved in the harvesting and management
34 of logs, transportation of logs and wood products, processing of wood
35 products, and the manufacturing and distribution of wood processing and
36 logging equipment. The commissioner may adopt rules further
37 interpreting these definitions. For the purposes of this subsection,

1 "standard industrial classification code" means the code identified in
2 RCW 50.29.025(3).

3 (15) "Dislocated salmon fishing worker" means a finfish products
4 worker who: (a)(i) Has been terminated or received notice of
5 termination from employment and is unlikely to return to employment in
6 the individual's principal occupation or previous industry because of
7 a diminishing demand for his or her skills in that occupation or
8 industry; or (ii) is self-employed and has been displaced from his or
9 her business because of the diminishing demand for the business's
10 services or goods; and (b) at the time of last separation from
11 employment, resided in or was employed in a rural natural resources
12 impact area.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27 Each board of trustees:

28 (1) Shall operate all existing community and technical colleges in
29 its district;

30 (2) Shall create comprehensive programs of community and technical
31 college education and training and maintain an open-door policy in
32 accordance with the provisions of RCW 28B.50.090(3). However,
33 technical colleges, and college districts containing only technical
34 colleges, shall maintain programs solely for occupational education,
35 basic skills, and literacy purposes. For as long as a need exists,
36 technical colleges may continue those programs, activities, and

1 services they offered during the twelve-month period preceding
2 September 1, 1991;

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

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

24 (5) May establish or lease, operate, equip and maintain
25 dormitories, food service facilities, bookstores and other self-
26 supporting facilities connected with the operation of the community and
27 technical college;

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

37 (7) May establish fees and charges for the facilities authorized
38 hereunder, including reasonable rules and regulations for the

1 government thereof, not inconsistent with the rules (~~and regulations~~)
2 of the college board; each board of trustees operating a community and
3 technical college may enter into agreements, subject to rules (~~and~~
4 ~~regulations~~) of the college board, with owners of facilities to be
5 used for housing regarding the management, operation, and government of
6 such facilities, and any board entering into such an agreement may:

7 (a) Make rules (~~and regulations~~) for the government, management
8 and operation of such housing facilities deemed necessary or advisable;
9 and

10 (b) Employ necessary employees to govern, manage and operate the
11 same;

12 (8) May receive such gifts, grants, conveyances, devises and
13 bequests of real or personal property from private sources, as may be
14 made from time to time, in trust or otherwise, whenever the terms and
15 conditions thereof will aid in carrying out the community and technical
16 college programs as specified by law and the (~~regulations~~) rules of
17 the state college board; sell, lease or exchange, invest or expend the
18 same or the proceeds, rents, profits and income thereof according to
19 the terms and conditions thereof; and adopt (~~regulations~~) rules to
20 govern the receipt and expenditure of the proceeds, rents, profits and
21 income thereof;

22 (9) May establish and maintain night schools whenever in the
23 discretion of the board of trustees it is deemed advisable, and
24 authorize classrooms and other facilities to be used for summer or
25 night schools, or for public meetings and for any other uses consistent
26 with the use of such classrooms or facilities for community and
27 technical college purposes;

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

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

35 (12) May grant to every student, upon graduation or completion of
36 a course of study, a suitable diploma, (~~nonbaccalaureate~~) degree, or
37 certificate. Technical colleges shall offer only (~~nonbaccalaureate~~)
38 technical degrees under the rules of the state board for community and

1 technical colleges that are appropriate to their work force education
2 and training mission. The primary purpose of (~~this~~) these degrees is
3 to lead the individual directly to employment in a specific occupation.
4 Technical colleges may not offer transfer degrees. Only pilot colleges
5 under section 6 of this act may award baccalaureate degrees. The
6 board, upon recommendation of the faculty, may also confer honorary
7 associate of arts degrees upon persons other than graduates of the
8 community college, in recognition of their learning or devotion to
9 education, literature, art, or science. No degree may be conferred in
10 consideration of the payment of money or the donation of any kind of
11 property;

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

26 (14) May, by written order filed in its office, delegate to the
27 president or district president any of the powers and duties vested in
28 or imposed upon it by this chapter. Such delegated powers and duties
29 may be exercised in the name of the district board;

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

32 (16) Notwithstanding any other provision of law, may offer
33 educational services on a contractual basis other than the tuition and
34 fee basis set forth in chapter 28B.15 RCW for a special fee to private
35 or governmental entities, consistent with rules (~~and regulations~~)
36 adopted by the state board for community and technical colleges:
37 PROVIDED, That the whole of such special fee shall go to the college
38 district and be not less than the full instructional costs of such

1 services including any salary increases authorized by the legislature
2 for community and technical college employees during the term of the
3 agreement: PROVIDED FURTHER, That enrollments generated hereunder
4 shall not be counted toward the official enrollment level of the
5 college district for state funding purposes;

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

20 (18) Shall be authorized to pay dues to any association of trustees
21 that may be formed by the various boards of trustees; such association
22 may expend any or all of such funds to submit biennially, or more often
23 if necessary, to the governor and to the legislature, the
24 recommendations of the association regarding changes which would affect
25 the efficiency of such association;

26 (19) May participate in higher education centers and consortia that
27 involve any four-year public or independent college or university:
28 PROVIDED, That new degree programs or off-campus programs offered by a
29 four-year public or independent college or university in collaboration
30 with a community or technical college are subject to approval by the
31 higher education coordinating board under RCW 28B.76.230; and

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

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

36 (1) The building fee for each academic year shall be a percentage
37 of total tuition fees. This percentage shall be calculated by the

1 higher education coordinating board and be based on the actual
2 percentage the building fee is of total tuition for each tuition
3 category in the 1994-95 academic year, rounded up to the nearest half
4 percent.

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

19 (3) Tuition and services and activities fees consistent with
20 subsection (2) of this section shall be set by the state board for
21 community and technical colleges for community college summer school
22 students unless the community college charges fees in accordance with
23 RCW 28B.15.515.

24 (4) Subject to the limitations of RCW 28B.15.910, each governing
25 board of a community college may charge such fees for ungraded courses,
26 noncredit courses, community services courses, and self-supporting
27 courses as it, in its discretion, may determine, consistent with the
28 rules of the state board for community and technical colleges.

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

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

37 (1) The board shall develop a comprehensive and ongoing assessment

1 process to analyze the need for additional degrees and programs,
2 additional off-campus centers and locations for degree programs, and
3 consolidation or elimination of programs by the four-year institutions.

4 (2) As part of the needs assessment process, the board shall
5 examine:

6 (a) Projections of student, employer, and community demand for
7 education and degrees, including liberal arts degrees, on a regional
8 and statewide basis;

9 (b) Current and projected degree programs and enrollment at public
10 and private institutions of higher education, by location and mode of
11 service delivery; and

12 (c) Data from the work force training and education coordinating
13 board and the state board for community and technical colleges on the
14 supply and demand for work force education and certificates and
15 associate degrees.

16 (3) Every two years the board shall produce, jointly with the state
17 board for community and technical colleges and the work force training
18 and education coordinating board, an assessment of the number and type
19 of higher education and training credentials required to match employer
20 demand for a skilled and educated work force. The assessment shall
21 include the number of forecasted net job openings at each level of
22 higher education and training and the number of credentials needed to
23 match the forecast of net job openings.

24 (4) The board shall determine whether certain major lines of study
25 or types of degrees, including applied degrees or research-oriented
26 degrees, shall be assigned uniquely to some institutions or
27 institutional sectors in order to create centers of excellence that
28 focus resources and expertise.

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

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

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

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

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

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

1 (f) Applied baccalaureate degree programs developed by colleges
2 under section 6 of this act.

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

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

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

15 NEW SECTION. Sec. 12. A new section is added to chapter 28B.50
16 RCW to read as follows:

17 (1) One strategy to accomplish expansion of baccalaureate capacity
18 in underserved regions of the state is to allocate state funds for
19 student enrollment to a community and technical college and authorize
20 the college to enter into agreements with a regional university or
21 state college as defined in RCW 28B.10.016 or a branch campus under
22 chapter 28B.45 RCW, to offer baccalaureate degree programs.

23 (2) Subject to legislative appropriation for the purpose described
24 in this section, the college board shall select and allocate funds to
25 three community or technical colleges for the purpose of entering into
26 an agreement with one or more regional universities, branch campuses,
27 or the state college to offer baccalaureate degree programs on the
28 college campus.

29 (3) The college board shall select the community or technical
30 college based on analysis of gaps in service delivery, capacity, and
31 student and employer demand for programs. Before taking effect, the
32 agreement under this section must be approved by the higher education
33 coordinating board.

34 (4) Students enrolled in programs under this section are considered
35 students of the regional university, branch campus, or state college
36 for all purposes including tuition and reporting of state-funded
37 enrollments.

1 NEW SECTION. **Sec. 13.** (1) The legislature finds that access to
2 baccalaureate and graduate degree programs continues to be limited for
3 residents of North Snohomish, Island, and Skagit counties. Studies
4 conducted by the state board for community and technical colleges, the
5 higher education coordinating board, and the council of presidents
6 confirm that enrollment in higher education in this geographic region
7 lags enrollment in other parts of the state, particularly for upper
8 division courses leading to advanced degrees. The higher education
9 consortium created to serve the region has not been able to
10 successfully address the region's access needs. The university center
11 model of service delivery, centered on a community college campus with
12 a single point of accountability, has proven more effective in
13 developing degree programs and attracting students.

14 (2) Therefore the legislature intends to refocus the consortium by
15 assigning management and leadership responsibility for consortium
16 operations to Everett Community College. Everett Community College
17 shall collaborate with community and business leaders, other local
18 community colleges, the public four-year institutions of higher
19 education, and the higher education coordinating board to develop an
20 educational plan for the North Snohomish, Island, and Skagit county
21 region based on the university center model. The plan should provide
22 for projections of student enrollment demand, coordinated delivery of
23 lower and upper division courses, expanded availability of
24 baccalaureate degree programs and high demand degree and certificate
25 programs in the region, and a timeline and cost estimates for moving
26 the physical location of the consortium to the college campus. The
27 college shall submit preliminary recommendations to the higher
28 education and fiscal committees of the legislature by December 1, 2005.

29 NEW SECTION. **Sec. 14.** (1) The higher education coordinating board
30 shall define potential outcomes resulting from this act and develop
31 performance measures for those outcomes, including but not limited to
32 increased numbers of baccalaureate degrees awarded; expansion of upper
33 division and graduate capacity at the University of Washington Bothell
34 and Tacoma and Washington State University Tri-Cities and Vancouver;
35 enhanced regional access to baccalaureate programs; and creation and
36 award of applied baccalaureate degrees. The board shall provide a

1 progress report on the outcomes to the higher education committees of
2 the senate and the house of representatives by December 1, 2008.

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

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