

HOUSE BILL REPORT

HB 2483

As Reported by House Committee On:
Higher Education

Title: An act relating to increasing educational attainment.

Brief Description: Creating the office of the student achievement council.

Sponsors: Representatives Seaquist, Haler, Zeiger and Kelley; by request of Governor Gregoire.

Brief History:

Committee Activity:

Higher Education: 1/19/12, 1/23/12, 1/26/12, 1/30/12 [DPS].

Brief Summary of Substitute Bill

- Creates the Student Achievement Council (Council).
- Sets out the mission and duties for the Council, with the dual purpose of proposing goals and resources to improve educational attainment and to propose innovations for improving the adaptability and effectiveness of the higher education system.
- Requires the Council to collaborate with education and higher education agencies and boards, and higher education institutions.
- Establishes a Joint Select Legislative Committee on Student Achievement to review the work of the Office of the Student Achievement Council and make policy and budget recommendations for improving educational attainment.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 11 members: Representatives Seaquist, Chair; Carlyle, Vice Chair; Haler, Ranking Minority Member; Hasegawa, Pollet, Reykdal, Sells, Springer, Warnick, Wylie and Zeiger.

Minority Report: Do not pass. Signed by 5 members: Representatives Parker, Assistant Ranking Minority Member; Asay, Buys, Crouse and Fagan.

Staff: Madeleine Thompson (786-7304).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Background:

The Legislature established a state agency, the Council on Higher Education, to review and recommend higher education policy in 1969. In 1975 this agency became the Council for Postsecondary Education following federal legislation that required states to establish or designate a single state postsecondary education planning agency to qualify for federal planning and other funds. The state agency that currently conducts planning for the higher education system, reports on performance, administers state and federal financial aid programs, and approves private institutions to operate in the state is the Higher Education Coordinating Board (HECB) which was established in 1985.

Legislation enacted in 2011 abolishes the HECB effective July 1, 2012, and replaces it with a Higher Education Council. Under this legislation, a number of HECB functions are eliminated effective July 1, 2012. Functions eliminated include: developing a statewide strategic master plan for higher education; reporting on state support received by students, the costs of higher education, gender equity, costs and benefits of tuition and fee reciprocity with Oregon, Idaho, and British Columbia; and transmitting undergraduate and graduate educational costs to boards of regents. The financial aid office under the administration of the HECB becomes a separate state agency, the Office of Student Financial Assistance, effective July 1, 2012. The 2011 legislation also created a temporary Higher Education Steering Committee to recommend the duties and members of the new Higher Education Council by December 1, 2011.

The Higher Education Steering Committee, chaired by the Governor and comprised of legislators and representation from education and higher education sectors in the state, met four times in 2011 to determine the new duties of a state higher education agency. The recommendations included two different options for an executive branch office and an advisory council, and set out duties for the new Higher Education Council.

Summary of Substitute Bill:

Student Achievement Council.

The Student Achievement Council (Council) is created as a state agency with the purpose of educational attainment in the state. The executive director is appointed by the Council rather than the Governor.

Membership of the Student Achievement Council.

The Council is comprised of 10 voting members:

- five citizen members are appointed by the Governor, with the consent of the Senate. These members must serve for four-year terms with the initial members' terms staggered, and they must be diverse from different geographic parts of the state; and one of the citizens must be a student;
- a representative of the four-year public baccalaureate institutions selected by the presidents of the institutions;
- a representative of community and technical colleges;
- a representative of the Superintendent of Public Instruction;

- a representative of workforce training; and
- a representative of independent nonprofit degree granting institutions.

The chair must be selected by the Council from among the citizen members, and serve for a one-year term but may serve longer if selected to do so by the Council members. The Council is permitted to create advisory committees on an ad hoc basis for the purpose of informing research and policy, and for obtaining input from students, faculty, and higher education experts and practitioners, citizens, business and industry, and labor. Council members may be compensated for travel expenses and other expenses in accordance with statute pertaining to class three part-time board and council members.

The Joint Select Legislative Committee on Student Achievement.

A Joint Select Legislative Committee on Student Achievement (Committee) is established to review the Council's work and make policy and budget recommendations on improving educational attainment in Washington. The Committee must be comprised of 16 legislators with four members from each caucus in the Senate and the House of Representatives who serve on education, higher education, workforce development, or appropriations committees. The members must be appointed and reappointed before the close of each regular legislative session during odd-numbered years. A chair and vice chair, from opposite parties, must be chosen by the Committee. The Committee must report its findings and recommendations to the Governor and the Legislature each year by December 1.

Purpose and Mission of the Council.

The dual mission of the Council is to propose goals, policies, and budgets to the Governor and Legislature to increase educational attainment and to make recommendations related to innovations that improve the adaptability and effectiveness of the higher education system. The Council is required to link the work of the Superintendent of Public Instruction, the State Board of Education, the State Board for Community and Technical Colleges, the Workforce Training and Education Coordinating Board, the public baccalaureate institutions, and the independent schools and colleges. The Council is directed to be a leader in higher education research and analysis.

Goal Setting.

The Council is required to propose educational attainment goals, and certificates and degrees that meet workforce needs. At the same time, each agency and institution must continue to have individual goals and strategic plans. In addition, the Council is required to identify the resources necessary to meet the goals and recognize current state economic conditions and resources. The goals must be reviewed and revised every two years with the first revision due by December 1, 2012.

Strategic Planning.

In order to meet goals for increasing educational attainment, the Council must conduct strategic planning with collaboration of agencies, stakeholders, and the Legislature, and develop a 10-year strategic roadmap. The roadmap must be updated every two years with the initial roadmap due by December 1, 2013. The Council must conduct system reviews as needed.

Innovation, Research, and Data.

The Council is required to facilitate the development and expansion of innovative practices with, between, and among the sectors to increase educational attainment, including accountability measures to determine the effectiveness of the innovations. The Council must use the data and analysis produced by the Education Research and Data Center (ERDC) at the Office of Financial Management in developing policy recommendations and setting goals. In conducting research and analysis, the Council must at a minimum:

- identify barriers to increasing educational attainment, evaluative effectiveness of the various educational models, identify best practices, and recommend methods to overcome barriers;
- analyze data from multiple sources including data from academic research and from areas and agencies outside of education including but not limited to data from the Department of Health, the Department of Corrections, and the Department of Social and Health Services, to determine best practices to remove barriers to improving educational attainment;
- assess educational achievement disaggregated by income level, age, gender, race and ethnicity, country of origin, and other relevant demographic groups working with the ERDC;
- track progress toward meeting the state's goals; and
- communicate results and provide access to data analysis to policymakers, the Office of the Superintendent of Public Instruction, institutions of higher education, students, and the public.

Transitions.

Regarding transitions from secondary to postsecondary education, the Council must set minimum college admission standards for four-year institutions of higher education. The Council must develop programs to encourage students to prepare and pursue postsecondary college and career programs.

The Council is charged with recommending policies that require coordination between or among sectors from high school to postsecondary education including community and technical colleges, four-year institutions of higher education, apprenticeships, training, and workplace education; between two-year and four-year institutions of higher education; and from postsecondary education to career.

Administering Student Financial Aid.

The Office of Student Financial Assistance is within the Council. The Council must administer student financial aid programs including the State Need Grant, the College Bound Scholarship, the Guaranteed Education Tuition payment, and work study programs. The Council must administer state and federal grants and programs including programs that provide incentives for improvement related to increasing access and success in postsecondary education.

Consumer Protection.

Consumer protection duties of the Council include approving private, degree-granting institutions, approving programs that are eligible programs for students to use federal benefits such as veterans' benefits, and implement statutory residency requirements through adopting rules.

Joint Legislative Audit and Review Committee.

The Joint Legislative Audit and Review Committee (JLARC) must conduct a review of the Council and its functions. The JLARC must present its findings to the Legislature by December 1, 2019.

Other.

Statutes relating to budget priorities and levels of funding, development of methods and protocols for measuring educational costs, and the creation of the Higher Education Council are repealed. Definitions are adjusted to create consistency with new titles for the Council, and the Office of Student Financial Assistance that is within the Council. A section from 2011 legislation is amended to create consistency with the purpose of this act.

Emergency clauses are added for the establishment of the Council to take effect on June 1, 2012, and for the section that amends effective dates from 2011 legislation to take effect immediately.

Substitute Bill Compared to Original Bill:

Student Achievement Council.

The Council is created as a state agency rather than an advisory council. The executive director is appointed by the Council rather than the Governor.

Membership of the Student Achievement Council.

The Council is comprised of 10, rather than nine, voting members and two non-voting members are removed. A representative from an independent nonprofit degree-granting institution is added as a voting member.

The Council is permitted, rather than required, to create advisory committees on an ad hoc basis. The Council must maintain a contact list of stakeholders and advise stakeholders of work plans, means of participation, and desired outcomes for any ad hoc committees created.

Purpose and Mission of the Council.

The mission is reworded to clarify the role of the Council to propose goals, policies, and budgets to the Governor and the Legislature. The other mission of the Council is to make recommendations related to innovations that improve the adaptability and effectiveness of the higher education system.

The Council's duty to recommend statutes formerly assigned to the HECB that should be transferred, or eliminated is removed.

Goal Setting.

The Council is required to propose, rather than set, short-term and long-term educational attainment goals, including certificates and degrees that meet workforce needs. The goals must be reviewed and revised every two years with the first revision due by December 1, 2012, rather than 2013.

Strategic Planning.

In order to meet goals for increasing educational attainment, the Council must conduct strategic planning with collaboration of agencies, stakeholders, and the Legislature. The plan must be updated every two years with the initial plan due by December 1, 2013, rather than 2014. The Council must conduct system reviews as needed. The substitute bill transfers the HECB duty to conduct a needs assessment to the Council while eliminating specific program approval duties.

Innovation, Research, and Data.

The Council is required to facilitate the development and expansion of innovative practices with, between, and among the sectors to increase educational attainment, including accountability measures to determine the effectiveness of the innovations. The Council must use, rather than review, the data and analysis produced by the Education Research and Data Center at the Office of Financial Management in developing policy recommendations and setting goals.

Administering Student Financial Aid.

The Office of Student Financial Assistance is within the Council. The Council must administer student financial aid programs including the State Need Grant, the College Bound Scholarship, the Guaranteed Education Tuition payment, and work study programs. The Council must administer state and federal grants and programs including programs that provide incentives for improvement related to increasing access and success in postsecondary education.

Joint Legislative Audit and Review Committee.

The Joint Legislative Audit and Review Committee is no longer required to conduct a review of the Council.

Other.

Definitions are adjusted to create consistency with new titles for the Council and the Office of Student Financial Assistance that is within the Council. A section from 2011 legislation is amended to create consistency with the purpose of this act. Emergency clauses are added for the establishment of the Council to take effect on June 1, 2012, and for the section that amends effective dates from 2011 legislation to take effect immediately.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available. New fiscal note requested on January 31, 2012.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect on June 1, 2012, except for section 17, relating to technical changes, which takes effect immediately.

Staff Summary of Public Testimony:

(In support) This provides "value-added" for the state that will help drive Washington into the future with increased educational attainment. There needs to be an organization focused on improving student achievement and providing a clear focus. If this does not go forward there will be no entity that is focused on educational attainment and bringing all the sectors together. We support this bill. The duties outlined reflect the goals. It is time that this was addressed. We support this bill and hope there is Legislative "buy-in" and "stay-in."

(In support with concerns) We would prefer to see early learning included in the new entity. The best structure is to have a Council that employs its own executive director. The current system works well, we want to ensure that whatever is created does not compromise the initiatives and efficiencies that we have already achieved. We want to ensure that our accountability measures are not duplicated and that the Council does not get involved in the day-to-day operations of the institutions. There is distinction between an institutional budget and devising a budget that will support the educational goals for the state. We would like to clarify the language related to the non-voting members.

(With concerns) Students should be represented on the Council. The independent nonprofit institutions should be represented.

(Information only) The various functions that are necessary are strategic planning, providing a needs assessment to identify higher education needs of the state, researching employment data and the needs of the economy, focusing on transition points, conducting data research and analysis, paying attention to specific populations, and communicating with multiple entities the information, the needs, and the goals.

(Other) It is time to address this issue. This is an extraordinary opportunity to migrate the functions that are working and put together the right types of functions, roles, duties, and missions you want, and put together the kind of system that will be the kind of higher education system that will deliver what you want.

(Opposed) None.

Persons Testifying: (In support) Representative Seaquist, prime sponsor; Leslie Goldstein, Office of the Governor; Marcia Fromhold, Office of the Superintendent of Public Instruction; Amy Blondin, Department of Early Learning; and Ben Rarick, State Board of Education.

(In support with concerns) Mike Reilly, Council of Presidents; and Steve Lindstrom, Northwest Career Colleges Federation.

(With concerns) David Mitchell, Olympic College; Wilbert Pina, Jake Atwell-Scrivner, and Mike Bogatay, Washington Student Association; and Chris Thompson, Independent Colleges of Washington.

(Information only) Don Bennett, Higher Education Coordinating Board.

(Other) Ann Anderson, Central Washington University.

Persons Signed In To Testify But Not Testifying: None.