

SENATE BILL REPORT

SB 5107

As of January 28, 2011

Title: An act relating to creating efficiencies in the Washington state college and university system by consolidation.

Brief Description: Creating efficiencies in the Washington state college and university system by consolidation.

Sponsors: Senators Benton and Morton.

Brief History:

Committee Activity: Higher Education & Workforce Development: 1/26/11.

SENATE COMMITTEE ON HIGHER EDUCATION & WORKFORCE DEVELOPMENT

Staff: Kimberly Cushing (786-7421)

Background: The University of Washington (UW) and Washington State University (WSU) are each governed by a board of regents. Each board has ten members appointed by the Governor with the consent of the Senate. Nine members serve six-year terms. The tenth member, a student, is appointed to a one-year term. The Evergreen State College (TESC) and the regional universities, Central Washington University (CWU), Eastern Washington University (EWU), and Western Washington University (WWU), are each governed by an eight-member board of trustees appointed by the Governor. Seven members of each board serve six-year terms. The eighth member, a student, is appointed to a one-year term.

The Washington Higher Education Coordinating Board (HECB) is a ten-member citizen board appointed by the Governor and confirmed by the Senate. Established by the Legislature, HECB provides vision, leadership, and coordination for the state's public colleges and universities. HECB administers state and federal financial aid.

The Workforce Training and Education Coordinating Board (Workforce Board) is a Governor-appointed body representing a partnership of nine voting members from business, labor, and government. The Workforce Board advises the Governor and Legislature on workforce development policy, ensures that the state's workforce services and programs work together, and evaluates performance.

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.

The Council of Presidents (COP) is a voluntary association of the presidents of Washington State's six public baccalaureate degree granting institutions. The COP is established by an Interlocal Cooperation Agreement. The Evergreen State College serves as the fiscal agent for the COP. An annual budget is funded equally by each of the six participating member institutions.

Summary of Bill: In order to meet the challenges facing higher education, the Legislature intends to revise the governance structure of the public baccalaureate college and universities and intends to create a consolidating governing board for these institutions.

The Washington State College and University System (System) is created. The system must include, but is not limited to, the UW, WSU, CWU, EWU, TESC, WWU and the branch campuses and extension centers of each institution. Each state college and university must retain separate accreditation; the power to establish academic standards, including admissions and graduation requirements; individual branding and mascots; and individual athletics, sports clubs, and league affiliations.

The governance of the System is vested in a 19-member Board of Regents (Board). Members must be appointed by the Governor with the consent of the Senate, for six-year terms. Eighteen members must be selected from the congressional district where they live. Each district must be represented by two members. Ten members constitute a quorum. The Governor must fill vacancies, and no more than three members' terms may expire simultaneously.

The Board may elect a president and executive committee. The Board must hold at least quarterly meetings, and the executive committee may transact business for the whole board between meetings. The executive committee may call special meetings of the whole board when necessary. The Board must preserve a record of all board proceedings. A nonvoting secretary and treasurer may be appointed by the Board. If appointed, the treasurer must give bond for the performance of the duties of his or her office. The System must have no more than one full-time equivalent position assigned to perform governmental relations functions.

The general powers and duties of the Board are to:

- control the System and its property of various kinds, except as otherwise provided by law;
- employ the chancellor for the System, a chief operating officer or president for each campus, assistants, faculty, and employees of each institution;
- establish entrance requirements for students;
- establish colleges, schools, and departments necessary to carry out the purpose of the institution;
- prescribe the courses of study for each campus;
- grant degrees and certificates;
- accept gifts and grants for the use and benefit of the System or campuses;
- enter into contracts as essential to the System and its campuses;
- submit reports to the Governor and Legislature; and
- subject to the approval of the HECB, offer new degree programs, and purchase or lease major off-campus facilities.

All duties, powers, functions, reports, documents, surveys, books, records, files, tangible property, and personnel pertaining to the governing boards of UW, WSU, the regional universities, and TESC are transferred to the Board of Regents, effective July 1, 2012. Classified employees who are members of an existing collective bargaining unit must become part of a bargaining unit with the Board of Regents.

The statutes establishing the board of regents and board of trustees for Washington's six public baccalaureate degree granting institutions are repealed. Additionally, the statutes establishing the HECB and the Workforce Board are repealed. Additional duties for WSU relating to agricultural interests under RCW 28B.30.150 are repealed and recodified in part in 28B.10 RCW.

The Council of Presidents is abolished.

By December 1, 2011, the House of Representatives and Senate higher education and fiscal committees must report to the Legislature their recommendations and draft legislation to conform existing higher education statutes to the newly created system of higher education governance. The recommendations must include (1) methods of increasing access cost-effectively; (2) budgeting systems to provide performance-based budgeting procedures and incentive funding; (3) methods to accomplish vital responsibilities of the HECB and Workforce Board.

The Governor must appoint the Board of Regents no later than November 1, 2011, and the Board must begin meeting as soon as possible after appointment to plan for the orderly transition of the baccalaureate institutions to the Board.

Appropriation: None.

Fiscal Note: Requested on January 17, 2011.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony: CON: The COP supports reforms to government structure that increase efficiencies and value by reducing duplication and additional administration activities that don't add value to the system. The COP supports the role of regents and trustees, which bring the value of citizen input and oversight. In evaluating systems costs overall, 5107 will add additional administrative activity & oversight. A one-size fits all approach doesn't reflect the unique institutional roles and missions that each of the six institutions have. There is fantastic diversity in Washington's four-year institutions. Each serves a unique population and geographic area. Creating a statewide system would make all institution's governance systems equivalent. There is quite an impact on the private sector, because the Workforce Board credentials over 250 programs that generate between 8 and 15 percent of graduates and certificate and license holders who enter our workforce. Technical amendments are needed. Why are there 19 trustees; will there need to be more with a new congressional district? The effective dates don't make sense.

Persons Testifying: CON: Margaret Shepherd, Council of Presidents; Quinn Majeski, Washington Student Association; Steve Lindstrom, NW Career Colleges Federation.