

# SENATE BILL REPORT

## SB 6232

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As of February 1, 2012

**Title:** An act relating to increasing educational attainment.

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

**Sponsors:** Senators Kilmer, Shin, McAuliffe and Eide; by request of Governor Gregoire.

**Brief History:**

**Committee Activity:** Higher Education & Workforce Development: 1/18/12, 1/24/12.

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### SENATE COMMITTEE ON HIGHER EDUCATION & WORKFORCE DEVELOPMENT

**Staff:** Kimberly Cushing (786-7421)

**Background:** In 1969 the Legislature established the Council on Higher Education (CHE). CHE only had authority to review and recommend, but maintained strong legislative support. CHE became the Council for Postsecondary Education (CPE) in 1975 when federal legislation required states to establish or designate a single state postsecondary education planning agency to qualify for federal planning and other funds. CPE's administrative responsibilities increased with respect to such programs as financial aid.

The Higher Education Coordinating Board (HECB) was established in 1985 and replaced CPE. The purpose of HECB is to provide planning, coordination, monitoring, and policy analysis for higher education in the state in cooperation and consultation with the institutions, autonomous governing boards, and with all other segments of postsecondary education, including but not limited to, the State Board for Community and Technical Colleges (SBCTC). HECB is a ten-member board that is charged with representing the broad public interest above the interests of the individual colleges and universities.

Major functions of HECB include: (1) developing a statewide strategic master plan for higher education; (2) recommending policies to enhance the availability, quality, efficiency, and accountability of public higher education in Washington; (3) administering student financial assistance programs; (4) serving as an advocate on behalf of students and the overall system of higher education; (5) coordinating with other governing boards and institutions to create a seamless system of public education for the citizens of Washington; and (6) helping families save for college.

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Mandated HECB responsibilities include reviewing, evaluating, and making recommendations on operating and capital budget requests; recommending legislation affecting higher education; recommending tuition and fee levels, and policies; making recommendations on merging or closing institutions and developing criteria identifying the need for new baccalaureate institutions; and approving new degree programs. HECB has a number of administrative functions and duties, most of which pertain to student financial assistance programs and various federal programs.

In 2011 the Legislature abolished HECB and created a Council for Higher Education subject to the recommendation of the Higher Education Steering Committee (Steering Committee), effective July 1, 2012. Additionally, all of the current student financial aid functions performed by HECB, including the administration of the advanced college tuition payment program, are transferred to a newly created Office of Student Financial Assistance (OSFA). OSFA is created as a separate agency of the state.

HECB functions regarding the duty to develop a statewide strategic master plan for higher education, and reporting on state support received by students, the costs of higher education, gender equity, technology degree production, 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 are eliminated.

The Steering Committee was created to establish the purpose and functions of the the Council on Higher Education. The Steering Committee was chaired by the Governor and included four legislators and representation from higher education sectors in the state, and it met four times in 2011 to determine membership and specific functions of the new Council on Higher Education.

**Summary of Bill:** The Office of the Student Achievement Council (Office) and the Student Achievement Council (Council). The Office is created and the executive director will be appointed by the Governor. The purpose and mission of the Office is to set goals for increasing the educational attainment in Washington and to monitor progress toward meeting those goals. The Office must connect the work of the Superintendent of Public Instruction (SPI), the State Board of Education, SBCTC, the Workforce Training and Education Coordinating Board (WTECB), and the four-year institutions of higher education, as well as the independent schools and colleges.

The Council is created and composed of nine voting members and two nonvoting members. The voting members include:

- five citizen members, appointed by the governor with the consent of the Senate;
- one representative from the four-year institutions, selected by the institutions' presidents;
- one representative from SBCTC, selected by SBCTC;
- SPI; and
- one representative from WTECB, selected by WTECB.

The nonvoting members include:

- one representative selected by an association of independent schools; and

- one representative selected from among independent degree-granting institutions.

The citizens must serve staggered four-year terms. The chair must be selected by the Council from among the citizen members. The chair must serve one year, but may serve longer if selected to do so by membership. Vacancies on the Council must be filled in the same manner as original appointments.

The Council must create advisory committees on an ad hoc basis to (1) obtain input from students, faculty, higher education experts and practitioners, citizens, business and industry, and labor and (2) inform their research, policy, and programmatic functions.

The Office, in consultation with the four-year institutions and SBCTC, must recommend changes in statute and rule to create a focused, streamlined, and an efficient organization to (1) continue duties transferred that promote educational attainment or (2) eliminate duties held by the former HECB that are no longer applicable or detract from the focus on educational attainment. The Office must also recommend eliminating duplicative or unduly burdensome requirements on education providers. Initial recommendations must be made to the Legislature and Governor by October 1, 2012, with final recommendations by September 1, 2013.

The Office has the following duties:

- set short- and long-term educational attainment goals, collaborate with all sectors to each develop integrated measurable goals, and identify resources to meet goals; the Office must review and revise the goals every two years, with the first review due to the Governor and Legislature by December 1, 2013;
- conduct strategic planning to increase educational attainment, the strategic plan must be updated every two years, with the initial plan due December 1, 2014;
- conduct system reviews;
- facilitate the development and expansion of innovative practices to increase educational attainment;
- review data and analysis produced by the Educational Data Center, which includes identifying barriers and recommendations to overcome such barriers, evaluating effectiveness of educational models, identifying best practices, analyzing data from multiple sources, tracking progress toward goals, and communicating results;
- improve student transitions, which includes setting minimum college admission standards for four-year institutions; developing programs to help student prepare for postsecondary college and career programs; recommending coordinating policies; and identifying transition issues and solutions;
- administer student financial aid programs, including the State Need Grant, College Bound, the GET program, and Work Study;
- administer state and federal grants and programs;
- protect consumers, which includes approving private degree-granting postsecondary institutions and veterans' benefits programs; and
- implement statutory residency requirements.

All of HECB's powers, duties, and functions are transferred to the new Office effective June 1, 2012.

Statutes relating to budget priorities and levels of funding, development of methods and protocols for measuring educational costs, and the creation of the are repealed.

Joint Legislative Audit and Review Committee (JLARC). JLARC must conduct a review of the Office and its functions. JLARC and the Office must collaborate to identify performance measures and goals to evaluate the Council. JLARC must present its findings to the Legislature by December 1, 2019.

Joint Select Legislative Committee on Student Achievement (Committee). A Committee is established. The members must be appointed and reappointed before the close of each regular legislative session during odd-numbered years. The members must serve on education, higher education, workforce development, or appropriations committees. The Committee must consist of eight members, four appointed by the President of Senate, two each from the largest two caucuses, and four appointed by the Speaker of the House, two each from the largest two caucuses. A chair and vice chair, from opposite parties, must be chosen by the Committee.

The Committee must review the Office's work and make policy and budget recommendations on improving educational attainment in Washington. Annually, the Committee must report its findings and recommendations to the Governor and legislative committees by December 1.

The Committee will be staffed by Senate Committee Services and the Office of Program Research. Committee expenses must be paid jointly by the Senate and House of Representatives.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** Yes.

**Effective Date:** The bill takes effect on June 1, 2012, with the exception of Sec 15, which takes effect immediately.

**Staff Summary of Public Testimony:** PRO: We need more students with high school diplomas, certificates, associate degrees, baccalaureate degrees, and graduate degrees to move Washington into the future. We want to build an approach to accomplish the goal of increasing student achievement, which can be done by linking the new office with the executive branch. The review by JLARC makes sure goals are being met and the Office is accountable. The Office needs to be tied to the legislative process as closely as possible, and it is connected with a newly created Joint Select Steering Committee. Part of increasing student achievement is the reach down into secondary, for very specific purposes, to make sure that students can aspire to extend their education training beyond high school. College access and success programs are crucial to make sure transitions are smooth. The Office is not in the business of running schools at the secondary or postsecondary level. Career colleges should be eligible to hold a seat so the sector is broadly spoken to. We need balance between complete autonomy and overly prescriptive. Access and affordability issues come

from a board that has a public agenda at its forefront. There is no one perfect solution. The setting of goals has the potential for real value added. This is a rare opportunity for state to look at the system as a whole and focus on a coordinated system.

CON: We don't like that there is not a student representative; the designated ad hoc committees are not comprehensive enough. It is important that there be a student voice at table to drive discussion and debate. We don't like that the Governor appoints a director. There needs to be a more clear process to select who is on the council.

OTHER: There are extraordinary institutions in Washington. The public baccalaureates are the most efficient in nation, and the CTC system is one of best in nation. How do we add value to leverage success and efficiency of the institutions? We are supportive of the planning, coordination, and focus on the intersections, but still need to focus on the functions. We also need to look at budgetary constraints on the entity. Performance planning for individual institutions should take place with OFM and conversations about financing. Degree-program approval is not necessary, and is different from system-design. We want an entity that is really effective. We want to provide support and a foundation for students to transition from one institution to another. We should set state goals and keep them at a high level. Particular strategies would be at the institutional level. The CTC system has worked well to create reforms and initiatives, and we wouldn't want any new entity to have negative impact on the system.

***Persons Testifying:*** PRO: Senator Kilmer, prime sponsor; Leslie Goldstein, Executive Policy Office, Governor Gregoire; Steve Lindstrom, NW Career Colleges Federation; Don Bennett, HECEB; Marcia Fromhold, on behalf of State Superintendent Randy Dorn; Margaret Shepherd, University of WA (UW).

CON: Andrew J. Lewis, Associated Students, UW, WA Student Assn.

OTHER: Michael Reilly, Council of Presidents; Ann Anderson, Central WA University; Jake Atwell-Scrivner, Mike Bogatay, WA Student Assn.; David Mitchell, Olympic College, SBCTC; Chris Thompson, Independent Colleges of WA; Shelby Pelon, Associated Students of Eastern WA University.