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HOUSE BILL 2074

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State of Washington                      62nd Legislature                      2011 Regular Session

By Representative Sullivan

Read first time 04/09/11. Referred to Committee on Ways & Means.

1            AN ACT Relating to the functions of the higher education  
2            coordinating board; amending RCW 28B.76.020, 28B.76.070, 28B.76.230,  
3            28B.76.290, and 28B.76.340; and repealing RCW 28B.76.210, 28B.76.240,  
4            28B.76.2401,        28B.76.250,        28B.76.260,        28B.76.300,        28B.76.310,  
5            28B.76.320, and 28B.76.335.

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

7            **Sec. 1.** RCW 28B.76.020 and 2010 c 245 s 4 are each amended to read  
8            as follows:

9            The definitions in this section apply throughout this chapter  
10           unless the context clearly requires otherwise.

11           (1) "Board" means the higher education coordinating board.

12           (2) "Four-year institutions" means the University of Washington,  
13           Washington State University, Central Washington University, Eastern  
14           Washington University, Western Washington University, and The Evergreen  
15           State College.

16           ~~((3) "Major expansion" means expansion of the higher education~~  
17           ~~system that requires significant new capital investment, including~~  
18           ~~building new institutions, campuses, branches, or centers or conversion~~

1 of existing campuses, branches, or centers that would result in a  
2 mission change.

3 (4) "Mission change" means a change in the level of degree awarded  
4 or institutional type not currently authorized in statute.)

5 **Sec. 2.** RCW 28B.76.070 and 1985 c 370 s 13 are each amended to  
6 read as follows:

7 The board shall adopt bylaws and shall meet ((at least)) four times  
8 each year and at such other times as determined by the chair who shall  
9 give reasonable prior notice to the members.

10 Board members are expected to consistently attend board meetings.  
11 The chair of the board may ask the governor to remove any member who  
12 misses more than two meetings in any calendar year without cause.

13 **Sec. 3.** RCW 28B.76.230 and 2010 c 245 s 5 are each amended to read  
14 as follows:

15 (1) ((The board shall develop a comprehensive and ongoing  
16 assessment process to analyze the need for additional degrees and  
17 programs, additional off-campus centers and locations for degree  
18 programs, and consolidation or elimination of programs by the four-year  
19 institutions. Board recommendations regarding proposed major expansion  
20 shall be limited to determinations of whether the major expansion is  
21 within the scope indicated in the most recent strategic master plan for  
22 higher education or most recent system design plan. Recommendations  
23 regarding existing capital prioritization processes are not within the  
24 scope of the evaluation of major expansion. Major expansion and  
25 proposed mission changes may be proposed by the board, any public  
26 institution of higher education, or by a state or local government.

27 (2) As part of the needs assessment process, the board shall  
28 examine:

29 (a) Projections of student, employer, and community demand for  
30 education and degrees, including liberal arts degrees, on a regional  
31 and statewide basis;

32 (b) Current and projected degree programs and enrollment at public  
33 and private institutions of higher education, by location and mode of  
34 service delivery;

35 (c) Data from the workforce training and education coordinating

1 ~~board and the state board for community and technical colleges on the~~  
2 ~~supply and demand for workforce education and certificates and~~  
3 ~~associate degrees; and~~

4 ~~(d) Recommendations from the technology transformation task force~~  
5 ~~created in chapter 407, Laws of 2009, and institutions of higher~~  
6 ~~education relative to the strategic and operational use of technology~~  
7 ~~in higher education. These and other reports, reviews, and audits~~  
8 ~~shall allow for: The development of enterprise wide digital~~  
9 ~~information technology across educational sectors, systems, and~~  
10 ~~delivery methods; the integration and streamlining of administrative~~  
11 ~~tools including but not limited to student information management,~~  
12 ~~financial management, payroll, human resources, data collection,~~  
13 ~~reporting, and analysis; and a determination of the costs of multiple~~  
14 ~~technology platforms, systems, and models.~~

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

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

28 ~~(5))~~ (2) The following activities are subject to approval by the  
29 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;  
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 RCW 28B.50.810.

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

8 ~~((+7))~~ (4) 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))~~ (5) The board shall periodically recommend consolidation or  
13 elimination of programs at the four-year institutions, based on ~~((the  
14 needs assessment analysis))~~ alignment with the strategic master plan in  
15 RCW 28B.76.200.

16 ~~((+9) In the case of a proposed major expansion or mission change,  
17 the needs assessment process under subsection (2) of this section  
18 constitutes a threshold inquiry. If the board determines that the need  
19 for the proposed major expansion or mission change has not been  
20 justified, the inquiry is concluded. If the board determines that the  
21 need for the proposed major expansion or mission change has been  
22 sufficiently established, the board, in consultation with any directly  
23 involved institutions and other interested agencies and individuals,  
24 shall proceed to examine the viability of the proposal using criteria  
25 including, but not limited to:~~

26 ~~(a) The specific scope of the project including the capital  
27 investment requirements, the number of full-time equivalent students  
28 anticipated, and the number of academic programs planned;~~

29 ~~(b) The existence of an efficient and sustainable financial plan;~~

30 ~~(c) The extent to which existing resources can be leveraged;~~

31 ~~(d) The current and five-year projected student population,  
32 faculty, and staff to support the proposed programs, institution, or  
33 innovation;~~

34 ~~(e) The plans to accommodate expected growth over a twenty-year  
35 time frame;~~

36 ~~(f) The extent to which new or existing partnerships and  
37 collaborations are a part of the proposal; and~~

1       ~~(g) The feasibility of any proposed innovations to accelerate~~  
2 ~~degree production.~~

3       ~~(10) After the board completes its evaluation of the proposed major~~  
4 ~~expansion or mission change using the needs assessment under subsection~~  
5 ~~(2) of this section and viability determination under subsection (9) of~~  
6 ~~this section, the board shall make a recommendation to either proceed,~~  
7 ~~modify, or not proceed with the proposed major expansion or mission~~  
8 ~~change. The board's recommendation shall be presented to the governor~~  
9 ~~and the legislature.))~~

10       **Sec. 4.** RCW 28B.76.290 and 1993 c 77 s 2 are each amended to read  
11 as follows:

12       The board shall coordinate educational activities among all  
13 segments of higher education taking into account the educational  
14 programs, facilities, and other resources of both public and  
15 independent two and four-year colleges and universities. The four-year  
16 institutions and the state board for community and technical colleges  
17 shall coordinate information and activities with the board. The board  
18 shall have the following additional responsibilities:

19       (1) Promote interinstitutional cooperation;

20       ~~((Establish minimum admission standards for four-year~~  
21 ~~institutions, including a requirement that coursework in American sign~~  
22 ~~language or an American Indian language shall satisfy any requirement~~  
23 ~~for instruction in a language other than English that the board or the~~  
24 ~~institutions may establish as a general undergraduate admissions~~  
25 ~~requirement;~~

26       ~~(3))~~ Establish transfer policies;

27       ~~((4))~~ (3) Adopt rules implementing statutory residency  
28 requirements;

29       ~~((5))~~ (4) Develop and administer reciprocity agreements with  
30 bordering states and the province of British Columbia;

31       ~~((6))~~ (5) Review and recommend compensation practices and levels  
32 for administrative employees, exempt under chapter 28B.16 RCW, and  
33 faculty using comparative data from peer institutions;

34       ~~((7))~~ (6) Monitor higher education activities for compliance with  
35 all relevant state policies for higher education;

36       ~~((8))~~ (7) Arbitrate disputes between and among four-year  
37 institutions or between and among four-year institutions and community

1 colleges at the request of one or more of the institutions involved, or  
2 at the request of the governor, or from a resolution adopted by the  
3 legislature. The decision of the board shall be binding on the  
4 participants in the dispute;

5 ((+9)) (8) Establish and implement a state system for collecting,  
6 analyzing, and distributing information;

7 ((+10)) (9) Recommend to the governor and the legislature ways to  
8 remove any economic incentives to use off-campus program funds for on-  
9 campus activities; and

10 ((+11)) (10) Make recommendations to increase minority  
11 participation, and monitor and report on the progress of minority  
12 participation in higher education.

13 **Sec. 5.** RCW 28B.76.340 and 2010 c 235 s 508 are each amended to  
14 read as follows:

15 (1) The board must establish boundaries for service regions for  
16 institutions of higher education as defined in RCW 28B.10.016  
17 implementing professional educator standards board-approved educator  
18 preparation programs. Regions shall be established to encourage and  
19 support, not exclude, the reach of public institutions of higher  
20 education across the state.

21 (2) ~~((Based on the data in the assessment in RCW 28B.76.230 and~~  
22 ~~28B.76.335,))~~ The board shall determine whether reasonable teacher  
23 preparation program access for prospective teachers is available in  
24 each region. If access is determined to be inadequate in a region, the  
25 institution of higher education responsible for the region shall submit  
26 a plan for meeting the access need to the board.

27 (3) Partnerships with other teacher preparation program providers  
28 and the use of appropriate technology shall be considered. The board  
29 shall review the plan and, as appropriate, assist the institution in  
30 developing support and resources for implementing the plan.

31 NEW SECTION. **Sec. 6.** The following acts or parts of acts are each  
32 repealed:

33 (1) RCW 28B.76.210 (Budget priorities and levels of funding--  
34 Guidelines for institutions--Review and evaluation of budget requests--  
35 Recommendations) and 2010 c 245 s 10, 2008 c 205 s 4, 2007 c 458 s 202,

1 2004 c 275 s 7, 2003 c 130 s 3, 1997 c 369 s 10, 1996 c 174 s 1, 1993  
2 c 363 s 6, & 1985 c 370 s 4;

3 (2) RCW 28B.76.240 (Statewide transfer and articulation policies)  
4 and 2004 c 275 s 10, 1998 c 245 s 23, 1985 c 370 s 27, & 1983 c 304 s  
5 1;

6 (3) RCW 28B.76.2401 (Statewide transfer of credit policy and  
7 agreement--Requirements) and 2004 c 55 s 5 & 1983 c 304 s 2;

8 (4) RCW 28B.76.250 (Transfer associate degrees--Work groups--  
9 Implementation--Progress reports) and 2004 c 55 s 2;

10 (5) RCW 28B.76.260 (Statewide system of course equivalency--Work  
11 group) and 2004 c 55 s 3;

12 (6) RCW 28B.76.300 (State support received by students--  
13 Information) and 2004 c 275 s 14, 1997 c 48 s 1, & 1993 c 250 s 1;

14 (7) RCW 28B.76.310 (Development of methods and protocols for  
15 measuring educational costs--Schedule of educational cost study  
16 reports) and 2004 c 275 s 15, 1995 1st sp.s. c 9 s 7, 1992 c 231 s 5,  
17 & 1989 c 245 s 3;

18 (8) RCW 28B.76.320 (Board to transmit amounts constituting approved  
19 educational costs) and 2004 c 275 s 16, 1995 1st sp.s. c 9 s 6, & 1989  
20 c 245 s 4; and

21 (9) RCW 28B.76.335 (Teacher preparation degree and certificate  
22 programs--Needs assessment) and 2010 c 235 s 507 & 2007 c 396 s 17.

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