
SUBSTITUTE HOUSE BILL 2769

State of Washington

64th Legislature

2016 Regular Session

By House Higher Education (originally sponsored by Representatives Senn, Zeiger, Bergquist, Haler, Reykdal, Frame, Rossetti, Kilduff, and Goodman)

READ FIRST TIME 02/05/16.

1 AN ACT Relating to creating a pilot program for community and
2 technical colleges to offer bachelor degrees; amending RCW
3 28B.50.140; reenacting and amending RCW 28B.15.069; adding a new
4 section to chapter 28B.50 RCW; creating new sections; and providing
5 an expiration date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that to meet the
8 state's attainment goal of seventy percent of residents twenty-five
9 to forty-four years of age having a postsecondary credential,
10 certificate, or degree; to enhance job prospects for the state's
11 residents; to improve the overall state economy and meet the skill
12 needs of employers; and to provide world-class educational
13 opportunities for all Washington's citizens anywhere in the state,
14 additional access to bachelor degree programs is needed.

15 Therefore, the legislature intends to encourage economic
16 development by increasing access to bachelor degrees through
17 expansion of upper-division capacity and the creation of bachelor
18 degree programs at community and technical colleges on a pilot basis.

19 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.50
20 RCW to read as follows:

1 (1) The college board shall select up to five community or
2 technical colleges to develop and offer programs of study leading to
3 bachelor degrees in high-demand fields of study. Colleges may submit
4 an application to become a pilot college under this section to the
5 college board. The college board shall review the applications and
6 select the pilot colleges using objective criteria, including:

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

9 (b) The college has or can readily engage faculty appropriately
10 qualified to develop and deliver a high quality curriculum at the
11 bachelor degree level;

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

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

18 (e) The proposed program fills a skills gap in the local area or
19 in the state's workforce.

20 (2)(a) A pilot college selected under this section may develop
21 the curriculum for and design and deliver courses leading to a
22 bachelor degree. However, degree programs developed under this
23 section are subject to approval by the college board under RCW
24 28B.50.090 before a college may enroll students in upper-division
25 courses.

26 (b) A pilot college selected under this section may not enroll
27 students in upper-division courses before the 2017 fall academic
28 quarter, except if the degree program has been previously authorized
29 and funded by the legislature. Such program may begin to enroll
30 students in upper-division courses when approved by the college board
31 and accredited. Such program will be counted as one of the five
32 programs authorized by this section.

33 NEW SECTION. **Sec. 3.** (1) The student achievement council, in
34 collaboration with the state board for community and technical
35 colleges, shall study the impact of allowing community and technical
36 colleges to offer baccalaureate degrees. The study must analyze
37 baccalaureate degree demand compared to the populations served by
38 current baccalaureate degree programs. The study must also include a
39 discussion of alternatives regarding the following:

1 (a) Pricing and cost models addressing different levels of
2 tuition and state support and in relation to the goal of increasing
3 the number of courses taught by full-time tenure track faculty;

4 (b) Providing adequate student advising and support services to
5 ensure student success, including financial aid and other financial
6 support services;

7 (c) Accreditation and academic quality, including acceptance of
8 applied baccalaureate and baccalaureate degrees offered by community
9 and technical colleges for purposes of postgraduate programs and
10 employer demand;

11 (d) Regional demand for additional baccalaureate degrees; and

12 (e) Any other factors that the student achievement council or the
13 state board for community and technical colleges deems relevant.

14 (2) The student achievement council shall conduct the study using
15 existing resources, but may contract with a third-party organization,
16 or request assistance from faculty and graduate research students
17 from the institutions of higher education, for research and analysis
18 services.

19 (3) The student achievement council shall report the study to the
20 appropriate policy and fiscal committees of the legislature by
21 November 1, 2018, in accordance with the reporting requirements in
22 RCW 43.01.036.

23 (4) This section expires August 1, 2019.

24 **Sec. 4.** RCW 28B.15.069 and 2015 3rd sp.s. c 36 s 5 and 2015 3rd
25 sp.s. c 4 s 945 are each reenacted and amended to read as follows:

26 (1) The building fee for each academic year shall be a percentage
27 of total tuition fees. This percentage shall be calculated by the
28 office of financial management and be based on the actual percentage
29 the building fee is of total tuition for each tuition category in the
30 1994-95 academic year, rounded up to the nearest half percent. After
31 October 9, 2015, the dollar value of the building fee shall not be
32 reduced below the level in the 2014-15 academic year adjusted for
33 inflation. As used in this subsection, "inflation" has the meaning in
34 RCW 28B.15.066(2).

35 (2) The governing boards of each institution of higher education,
36 except for the technical colleges, shall charge to and collect from
37 each student a services and activities fee. A governing board may
38 increase the existing fee annually, consistent with budgeting
39 procedures set forth in RCW 28B.15.045, by a percentage not to exceed

1 the annual percentage increase in student tuition fees for resident
2 undergraduate students: PROVIDED, That such percentage increase shall
3 not apply to that portion of the services and activities fee
4 previously committed to the repayment of bonded debt. These rate
5 adjustments may exceed the fiscal growth factor. For the 2015-2017
6 fiscal biennium, each governing board is authorized to increase the
7 services and activities fees by amounts judged reasonable and
8 necessary by the services and activities fee committee and the
9 governing board consistent with the budgeting procedures set forth in
10 RCW 28B.15.045. The services and activities fee committee provided
11 for in RCW 28B.15.045 may initiate a request to the governing board
12 for a fee increase.

13 (3) Tuition and services and activities fees consistent with
14 subsection (2) of this section shall be set by the state board for
15 community and technical colleges for community college summer school
16 students unless the community college charges fees in accordance with
17 RCW 28B.15.515.

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

24 (5) The governing board of a college offering an applied
25 baccalaureate degree program under RCW 28B.50.810 or a bachelor
26 degree program described in section 2 of this act may charge tuition
27 fees for those courses above the associate degree level at rates
28 consistent with rules adopted by the state board for community and
29 technical colleges, not to exceed tuition fee rates at the regional
30 universities.

31 **Sec. 5.** RCW 28B.50.140 and 2015 3rd sp.s. c 4 s 946 are each
32 amended to read as follows:

33 Each board of trustees:

34 (1) Shall operate all existing community and technical colleges
35 in its district;

36 (2) Shall create comprehensive programs of community and
37 technical college education and training and maintain an open-door
38 policy in accordance with the provisions of RCW 28B.50.090(3);

1 (3) Shall employ for a period to be fixed by the board a college
2 president for each community and technical college and, may appoint a
3 president for the district, and fix their duties and compensation,
4 which may include elements other than salary. Compensation under this
5 subsection shall not affect but may supplement retirement, health
6 care, and other benefits that are otherwise applicable to the
7 presidents as state employees. The board shall also employ for a
8 period to be fixed by the board members of the faculty and such other
9 administrative officers and other employees as may be necessary or
10 appropriate and fix their salaries and duties. Except for increments
11 provided with local resources during the 2015-2017 fiscal biennium,
12 compensation and salary increases under this subsection shall not
13 exceed the amount or percentage established for those purposes in the
14 state appropriations act by the legislature as allocated to the board
15 of trustees by the state board for community and technical colleges.
16 The state board for community and technical colleges shall adopt
17 rules defining the permissible elements of compensation under this
18 subsection;

19 (4) May establish, in accordance with RCW 28B.77.080, new
20 facilities as community needs and interests demand. However, the
21 authority of boards of trustees to purchase or lease major off-campus
22 facilities shall be subject to the approval of the student
23 achievement council pursuant to RCW 28B.77.080;

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
27 and 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
30 the construction, reconstruction, erection, equipping with permanent
31 fixtures, demolition and major alteration of buildings or other
32 capital assets, and the acquisition of sites, rights-of-way,
33 easements, improvements or appurtenances, for dormitories, food
34 service facilities, and other self-supporting facilities connected
35 with the operation of the community and technical college in
36 accordance with the provisions of RCW 28B.10.300 through 28B.10.330
37 where applicable;

38 (7) May establish fees and charges for the facilities authorized
39 hereunder, including reasonable rules and regulations for the
40 government thereof, not inconsistent with the rules of the college

1 board; each board of trustees operating a community and technical
2 college may enter into agreements, subject to rules of the college
3 board, with owners of facilities to be used for housing regarding the
4 management, operation, and government of such facilities, and any
5 board entering into such an agreement may:

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

8 (b) Employ necessary employees to govern, manage and operate the
9 same;

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

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

26 (10) May make rules for pedestrian and vehicular traffic on
27 property owned, operated, or maintained by the district;

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

32 (12) May grant to every student, upon graduation or completion of
33 a course of study, a suitable diploma, degree, or certificate under
34 the rules of the state board for community and technical colleges
35 that are appropriate to their mission. The purposes of these
36 diplomas, certificates, and degrees are to lead individuals directly
37 to employment in a specific occupation or prepare individuals for a
38 bachelor's degree or beyond. Technical colleges may only offer
39 transfer degrees that prepare students for bachelor's degrees in
40 professional fields, subject to rules adopted by the college board.

1 In adopting rules, the college board, where possible, shall create
2 consistency between community and technical colleges and may address
3 issues related to tuition and fee rates; tuition waivers; enrollment
4 counting, including the use of credits instead of clock hours; degree
5 granting authority; or any other rules necessary to offer the
6 associate degrees that prepare students for transfer to bachelor's
7 degrees in professional areas. Only colleges under RCW 28B.50.810 or
8 section 2 of this act may award baccalaureate degrees. The board,
9 upon recommendation of the faculty, may also confer honorary
10 associate of arts degrees, or if it is authorized to award
11 baccalaureate degrees may confer honorary bachelor of applied science
12 degrees, upon persons other than graduates of the community college,
13 in recognition of their learning or devotion to education,
14 literature, art, or science. No degree may be conferred in
15 consideration of the payment of money or the donation of any kind of
16 property;

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

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

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

35 (16) Notwithstanding any other provision of law, may offer
36 educational services on a contractual basis other than the tuition
37 and fee basis set forth in chapter 28B.15 RCW for a special fee to
38 private or governmental entities, consistent with rules adopted by
39 the state board for community and technical colleges: PROVIDED, That
40 the whole of such special fee shall go to the college district and be

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

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

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

27 (19) May participate in higher education centers and consortia
28 that involve any four-year public or independent college or
29 university in accordance with RCW 28B.77.080;

30 (20) Shall perform any other duties and responsibilities imposed
31 by law or rule of the state board; and

32 (21) May confer honorary associate of arts degrees upon persons
33 who request an honorary degree if they were students at the college
34 in 1942 and did not graduate because they were ordered into an
35 internment camp. The honorary degree may also be requested by a
36 representative of deceased persons who meet these requirements. For
37 the purposes of this subsection, "internment camp" means a relocation

1 center to which persons were ordered evacuated by Presidential
2 Executive Order 9066, signed on February 19, 1942.

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