
HOUSE BILL 2769

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2016 Regular Session

By Representatives Senn, Zeiger, Bergquist, Haler, Reykdal, Frame, Rossetti, Kilduff, and Goodman

Read first time 01/20/16. Referred to Committee on Higher Education.

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; and creating a new section.

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

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

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

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.50
19 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 pilot college selected under this section may develop the
21 curriculum for and design and deliver courses leading to a bachelor
22 degree. However, degree programs developed under this section are
23 subject to approval by the college board under RCW 28B.50.090 before
24 a college may enroll students in upper-division courses. A pilot
25 college selected under this section may not enroll students in upper-
26 division courses before the 2017 fall academic quarter.

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

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

38 (2) The governing boards of each institution of higher education,
39 except for the technical colleges, shall charge to and collect from

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

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

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

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

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

36 Each board of trustees:

37 (1) Shall operate all existing community and technical colleges
38 in its district;

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

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

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

27 (5) May establish or lease, operate, equip and maintain
28 dormitories, food service facilities, bookstores and other self-
29 supporting facilities connected with the operation of the community
30 and technical college;

31 (6) May, with the approval of the college board, borrow money and
32 issue and sell revenue bonds or other evidences of indebtedness for
33 the construction, reconstruction, erection, equipping with permanent
34 fixtures, demolition and major alteration of buildings or other
35 capital assets, and the acquisition of sites, rights-of-way,
36 easements, improvements or appurtenances, for dormitories, food
37 service facilities, and other self-supporting facilities connected
38 with the operation of the community and technical college in
39 accordance with the provisions of RCW 28B.10.300 through 28B.10.330
40 where applicable;

1 (7) May establish fees and charges for the facilities authorized
2 hereunder, including reasonable rules and regulations for the
3 government thereof, not inconsistent with the rules of the college
4 board; each board of trustees operating a community and technical
5 college may enter into agreements, subject to rules of the college
6 board, with owners of facilities to be used for housing regarding the
7 management, operation, and government of such facilities, and any
8 board entering into such an agreement may:

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

11 (b) Employ necessary employees to govern, manage and operate the
12 same;

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

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

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

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

35 (12) May grant to every student, upon graduation or completion of
36 a course of study, a suitable diploma, degree, or certificate under
37 the rules of the state board for community and technical colleges
38 that are appropriate to their mission. The purposes of these
39 diplomas, certificates, and degrees are to lead individuals directly
40 to employment in a specific occupation or prepare individuals for a

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

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

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

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

38 (16) Notwithstanding any other provision of law, may offer
39 educational services on a contractual basis other than the tuition
40 and fee basis set forth in chapter 28B.15 RCW for a special fee to

1 private or governmental entities, consistent with rules adopted by
2 the state board for community and technical colleges: PROVIDED, That
3 the whole of such special fee shall go to the college district and be
4 not less than the full instructional costs of such services including
5 any salary increases authorized by the legislature for community and
6 technical college employees during the term of the agreement:
7 PROVIDED FURTHER, That enrollments generated hereunder shall not be
8 counted toward the official enrollment level of the college district
9 for state funding purposes;

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

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

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

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

35 (21) May confer honorary associate of arts degrees upon persons
36 who request an honorary degree if they were students at the college
37 in 1942 and did not graduate because they were ordered into an
38 internment camp. The honorary degree may also be requested by a
39 representative of deceased persons who meet these requirements. For
40 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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