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HOUSE BILL 1733

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State of Washington

68th Legislature

2023 Regular Session

By Representatives Paul and Klicker

1 AN ACT Relating to degrees in nursing; amending RCW 28B.50.140  
2 and 28B.15.069; adding a new section to chapter 28B.50 RCW; and  
3 creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature recognizes that there is a  
6 critical shortage of health care providers in Washington. The  
7 legislature also finds it essential that Washington students,  
8 especially low-income students and students of color, have the  
9 necessary credentials to secure high-demand jobs. The legislature  
10 intends to create this act to expand access to education and  
11 registered nurse career pathways.

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

14 (1) Subject to approval by the college board, three community or  
15 technical colleges are authorized to offer bachelor of science  
16 degrees in nursing. Of the three authorized colleges:

17 (a) One must serve a county with a population between 125,000 and  
18 150,000 residents; and

19 (b) One must serve a county located east of the crest of the  
20 Cascade mountains.

1 (2) The three colleges authorized in this section may develop  
2 curriculum for and design and deliver courses leading to a bachelor  
3 of science degree in nursing.

4 (3) Degree programs developed under this section are subject to  
5 approval by the college board under RCW 28B.50.090 before a college  
6 may enroll students in upper-division courses.

7 **Sec. 3.** RCW 28B.50.140 and 2018 c 267 s 3 are each amended to  
8 read as follows:

9 Each board of trustees:

10 (1) Shall operate all existing community and technical colleges  
11 in its district;

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

15 (3) Shall employ for a period to be fixed by the board a college  
16 president for each community and technical college and, may appoint a  
17 president for the district, and fix their duties and compensation,  
18 which may include elements other than salary. Compensation under this  
19 subsection shall not affect but may supplement retirement, health  
20 care, and other benefits that are otherwise applicable to the  
21 presidents as state employees. The board shall also employ for a  
22 period to be fixed by the board members of the faculty and such other  
23 administrative officers and other employees as may be necessary or  
24 appropriate and fix their salaries and duties. Except as provided for  
25 academic employees in RCW 28B.52.035 and technical college classified  
26 employees under chapter 41.56 RCW, compensation and salary increases  
27 under this subsection shall not exceed the amount or percentage  
28 established for those purposes in the state appropriations act by the  
29 legislature as allocated to the board of trustees by the state board  
30 for community and technical colleges. The state board for community  
31 and technical colleges shall adopt rules defining the permissible  
32 elements of compensation under this subsection;

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

38 (5) May establish or lease, operate, equip and maintain  
39 dormitories, food service facilities, bookstores and other self-

1 supporting facilities connected with the operation of the community  
2 and technical college;

3 (6) May, with the approval of the college board, borrow money and  
4 issue and sell revenue bonds or other evidences of indebtedness for  
5 the construction, reconstruction, erection, equipping with permanent  
6 fixtures, demolition and major alteration of buildings or other  
7 capital assets, and the acquisition of sites, rights-of-way,  
8 easements, improvements or appurtenances, for dormitories, food  
9 service facilities, and other self-supporting facilities connected  
10 with the operation of the community and technical college in  
11 accordance with the provisions of RCW 28B.10.300 through 28B.10.330  
12 where applicable;

13 (7) May establish fees and charges for the facilities authorized  
14 hereunder, including reasonable rules and regulations for the  
15 government thereof, not inconsistent with the rules of the college  
16 board; each board of trustees operating a community and technical  
17 college may enter into agreements, subject to rules of the college  
18 board, with owners of facilities to be used for housing regarding the  
19 management, operation, and government of such facilities, and any  
20 board entering into such an agreement may:

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

23 (b) Employ necessary employees to govern, manage and operate the  
24 same;

25 (8) May receive such gifts, grants, conveyances, devises and  
26 bequests of real or personal property from private sources, as may be  
27 made from time to time, in trust or otherwise, whenever the terms and  
28 conditions thereof will aid in carrying out the community and  
29 technical college programs as specified by law and the rules of the  
30 state college board; sell, lease or exchange, invest or expend the  
31 same or the proceeds, rents, profits and income thereof according to  
32 the terms and conditions thereof; and adopt rules to govern the  
33 receipt and expenditure of the proceeds, rents, profits and income  
34 thereof;

35 (9) May establish and maintain night schools whenever in the  
36 discretion of the board of trustees it is deemed advisable, and  
37 authorize classrooms and other facilities to be used for summer or  
38 night schools, or for public meetings and for any other uses  
39 consistent with the use of such classrooms or facilities for  
40 community and technical college purposes;

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

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

7 (12) May grant to every student, upon graduation or completion of  
8 a course of study, a suitable diploma, degree, or certificate under  
9 the rules of the state board for community and technical colleges  
10 that are appropriate to their mission. The purposes of these  
11 diplomas, certificates, and degrees are to lead individuals directly  
12 to employment in a specific occupation or prepare individuals for a  
13 bachelor's degree or beyond. Technical colleges may only offer  
14 transfer degrees that prepare students for bachelor's degrees in  
15 professional fields, subject to rules adopted by the college board.  
16 In adopting rules, the college board, where possible, shall create  
17 consistency between community and technical colleges and may address  
18 issues related to tuition and fee rates; tuition waivers; enrollment  
19 counting, including the use of credits instead of clock hours;  
20 degree-granting authority; or any other rules necessary to offer the  
21 associate degrees that prepare students for transfer to bachelor's  
22 degrees in professional areas. Only colleges under RCW 28B.50.810  
23 (~~(e)~~), 28B.50.825, or section 2 of this act may award baccalaureate  
24 degrees. The board, upon recommendation of the faculty, may also  
25 confer honorary associate of arts degrees, or if it is authorized to  
26 award baccalaureate degrees may confer honorary bachelor of applied  
27 science degrees, upon persons other than graduates of the community  
28 college, in recognition of their learning or devotion to education,  
29 literature, art, or science. No degree may be conferred in  
30 consideration of the payment of money or the donation of any kind of  
31 property;

32 (13) Shall enforce the rules prescribed by the state board for  
33 community and technical colleges for the government of community and  
34 technical colleges, students and teachers, and adopt such rules and  
35 perform all other acts not inconsistent with law or rules of the  
36 state board for community and technical colleges as the board of  
37 trustees may in its discretion deem necessary or appropriate to the  
38 administration of college districts: PROVIDED, That such rules shall  
39 include, but not be limited to, rules relating to housing,  
40 scholarships, conduct at the various community and technical college

1 facilities, and discipline: PROVIDED, FURTHER, That the board of  
2 trustees may suspend or expel from community and technical colleges  
3 students who refuse to obey any of the duly adopted rules;

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

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

10 (16) Notwithstanding any other provision of law, may offer  
11 educational services on a contractual basis other than the tuition  
12 and fee basis set forth in chapter 28B.15 RCW for a special fee to  
13 private or governmental entities, consistent with rules adopted by  
14 the state board for community and technical colleges: PROVIDED, That  
15 the whole of such special fee shall go to the college district and be  
16 not less than the full instructional costs of such services including  
17 any salary increases authorized by the legislature for community and  
18 technical college employees during the term of the agreement:  
19 PROVIDED FURTHER, That enrollments generated hereunder shall not be  
20 counted toward the official enrollment level of the college district  
21 for state funding purposes;

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

36 (18) Shall be authorized to pay dues to any association of  
37 trustees that may be formed by the various boards of trustees; such  
38 association may expend any or all of such funds to submit biennially,  
39 or more often if necessary, to the governor and to the legislature,

1 the recommendations of the association regarding changes which would  
2 affect the efficiency of such association;

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

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

8 (21) May confer honorary associate of arts degrees upon persons  
9 who request an honorary degree if they were students at the college  
10 in 1942 and did not graduate because they were ordered into an  
11 internment camp. The honorary degree may also be requested by a  
12 representative of deceased persons who meet these requirements. For  
13 the purposes of this subsection, "internment camp" means a relocation  
14 center to which persons were ordered evacuated by Presidential  
15 Executive Order 9066, signed on February 19, 1942.

16 **Sec. 4.** RCW 28B.15.069 and 2018 c 202 s 1 are each amended to  
17 read as follows:

18 (1) The building fee for each academic year shall be a percentage  
19 of total tuition fees. This percentage shall be calculated by the  
20 office of financial management and be based on the actual percentage  
21 the building fee is of total tuition for each tuition category in the  
22 1994-95 academic year, rounded up to the nearest half percent. After  
23 October 9, 2015, the dollar value of the building fee shall not be  
24 reduced below the level in the 2014-15 academic year adjusted for  
25 inflation. As used in this subsection, "inflation" has the meaning in  
26 RCW 28B.15.066(2).

27 (2) The governing boards of each institution of higher education  
28 shall charge to and collect from each student a services and  
29 activities fee. A governing board may increase the existing fee  
30 annually, consistent with budgeting procedures set forth in RCW  
31 28B.15.045, by amounts that shall not exceed four percent per year,  
32 judged reasonable and necessary by the services and activities fee  
33 committee and the governing board. The governing boards of the  
34 community and technical colleges may increase the existing student  
35 and activities fee annually, consistent with budgeting procedures set  
36 forth in RCW 28B.15.045, by a percentage not to exceed the annual  
37 percentage increase in student tuition fees for resident  
38 undergraduate students: PROVIDED, That such percentage increase shall  
39 not apply to that portion of the services and activities fee

1 previously committed to the repayment of bonded debt. These rate  
2 adjustments may exceed the fiscal growth factor. The services and  
3 activities fee committee provided for in RCW 28B.15.045 may initiate  
4 a request to the governing board for a fee increase.

5 (3) Tuition and services and activities fees consistent with  
6 subsection (2) of this section shall be set by the state board for  
7 community and technical colleges for community and technical college  
8 summer school students unless the college charges fees in accordance  
9 with RCW 28B.15.515.

10 (4) Subject to the limitations of RCW 28B.15.910, each governing  
11 board of a community or technical college may charge such fees for  
12 ungraded courses, noncredit courses, community services courses, and  
13 self-supporting courses as it, in its discretion, may determine,  
14 consistent with the rules of the state board for community and  
15 technical colleges.

16 (5) The governing board of a college offering an applied  
17 baccalaureate degree program under RCW 28B.50.810 (~~(or)~~), a bachelor  
18 of science degree program described in RCW 28B.50.825, or a bachelor  
19 of nursing degree program described in section 2 of this act may  
20 charge tuition fees for those courses above the associate degree  
21 level at rates consistent with rules adopted by the state board for  
22 community and technical colleges, not to exceed tuition fee rates at  
23 the regional universities.

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