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HOUSE BILL 2301

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State of Washington                      52nd Legislature                      1992 Regular Session  
By Representatives Ogden, Wood, Jacobsen, Spanel, Peery, H. Myers and  
Bray

Read first time 01/14/92. Referred to Committee on Higher Education.

1            AN ACT Relating to community and technical college tenure; amending  
2 RCW 28B.50.851; and adding a new section to chapter 28B.50 RCW.

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

4            **Sec. 1.** RCW 28B.50.851 and 1991 c 294 s 2 are each amended to read  
5 as follows:

6            As used in RCW 28B.50.850 through 28B.50.869 and section 2 of this  
7 act:

8            (1) "Tenure" shall mean a faculty appointment for an indefinite  
9 period of time which may be revoked only for adequate cause and by due  
10 process;

11            (2)(a) "Faculty appointment", except as otherwise provided in  
12 subsection (2)(b) below, shall mean (i) full-time employment as a  
13 teacher, counselor, librarian or other position for which the training,  
14 experience, and responsibilities are comparable as determined by the

1 appointing authority, except administrative appointments; (~~"faculty~~  
2 ~~appointment" shall also mean~~) (ii) department heads, division heads  
3 and administrators to the extent that such department heads, division  
4 heads or administrators have had or do have status as a teacher,  
5 counselor, or librarian; (~~faculty appointment shall also mean~~) (iii)  
6 employment on a reduced work load basis when a faculty member has  
7 retained tenure under RCW 28B.50.859; and (iv) employment on a reduced  
8 workload basis to one of the positions described in (a)(i) and (ii) of  
9 this subsection if employment is part of a job-share as designated by  
10 the appointing authority;

11 (b) "Faculty appointment" shall not mean special faculty  
12 appointment as a teacher, counselor, librarian, or other position as  
13 enumerated in subsection (2)(a) of this section, when such employment  
14 results from special funds provided to a community and technical  
15 college district from federal moneys or other special funds which other  
16 funds are designated as "special funds" by the state board for  
17 community and technical colleges (~~(education)~~): PROVIDED, That such  
18 "special funds" so designated by the state board for purposes of this  
19 section shall apply only to teachers, counselors and librarians hired  
20 from grants and service agreements and teachers, counselors and  
21 librarians hired in nonformula positions. A special faculty  
22 appointment resulting from such special financing may be terminated  
23 upon a reduction or elimination of funding or a reduction or  
24 elimination of program: PROVIDED FURTHER, That "faculty appointees"  
25 holding faculty appointments pursuant to subsections (1) or (2)(a) who  
26 have been subsequently transferred to positions financed from "special  
27 funds" pursuant to subsection (2)(b) and who thereafter lose their  
28 positions upon reduction or elimination of such "special funding" shall  
29 be entitled to be returned to previous status as faculty appointees  
30 pursuant to subsection (1) or (2)(a) depending upon their status prior

1 to the "special funding" transfer. Notwithstanding the fact that  
2 tenure shall not be granted to anyone holding a special faculty  
3 appointment, the termination of any such faculty appointment prior to  
4 the expiration of the term of such faculty member's individual contract  
5 for any cause which is not related to elimination or reduction of  
6 financing or the elimination or reduction of program shall be  
7 considered a termination for cause subject to the provisions of this  
8 chapter;

9 (3) "Probationary faculty appointment" shall mean a faculty  
10 appointment for a designated period of time which may be terminated  
11 without cause upon expiration of the probationer's terms of employment;

12 (4) "Probationer" shall mean an individual holding a probationary  
13 faculty appointment;

14 (5) "Administrative appointment" shall mean employment in a  
15 specific administrative position as determined by the appointing  
16 authority;

17 (6) "Appointing authority" shall mean the board of trustees of a  
18 community college district;

19 (7) "Review committee" shall mean a committee composed of the  
20 probationer's faculty peers or tenured faculty member's peers, a  
21 student representative, and the administrative staff of the community  
22 college: PROVIDED, That the majority of the committee shall consist of  
23 the probationer's faculty peers or tenured faculty member's peers.

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

26 (1) In making an appointment to a full-time faculty position, the  
27 appointing authority shall consider applications from two individuals  
28 wishing to share a job. All announcements of job openings shall

1 contain a statement indicating that applications from individuals  
2 wishing to share the position will be accepted.

3 (2) A job share appointment shall be of sufficient number of hours  
4 to permit each appointee to be eligible for benefits to the same extent  
5 as faculty with half-time or more employment.