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HOUSE BILL 3126

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State of Washington                      61st Legislature                      2010 Regular Session

By Representatives Carlyle and Springer

Read first time 01/26/10. Referred to Committee on Higher Education.

1            AN ACT Relating to conferring honorary degrees at community and  
2 technical colleges; and amending RCW 28B.50.140.

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

4            **Sec. 1.** RCW 28B.50.140 and 2009 c 64 s 5 are each amended to read  
5 as follows:

6            Each board of trustees:

7            (1) Shall operate all existing community and technical colleges in  
8 its district;

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

12            (3) Shall employ for a period to be fixed by the board a college  
13 president for each community and technical college and, may appoint a  
14 president for the district, and fix their duties and compensation,  
15 which may include elements other than salary. Compensation under this  
16 subsection shall not affect but may supplement retirement, health care,  
17 and other benefits that are otherwise applicable to the presidents as  
18 state employees. The board shall also employ for a period to be fixed  
19 by the board members of the faculty and such other administrative

1 officers and other employees as may be necessary or appropriate and fix  
2 their salaries and duties. Compensation and salary increases under  
3 this subsection shall not exceed the amount or percentage established  
4 for those purposes in the state appropriations act by the legislature  
5 as allocated to the board of trustees by the state board for community  
6 and technical colleges. The state board for community and technical  
7 colleges shall adopt rules defining the permissible elements of  
8 compensation under this subsection;

9 (4) May establish, under the approval and direction of the college  
10 board, new facilities as community needs and interests demand.  
11 However, the authority of boards of trustees to purchase or lease major  
12 off-campus facilities shall be subject to the approval of the higher  
13 education coordinating board pursuant to RCW 28B.76.230;

14 (5) May establish or lease, operate, equip and maintain  
15 dormitories, food service facilities, bookstores and other self-  
16 supporting facilities connected with the operation of the community and  
17 technical college;

18 (6) May, with the approval of the college board, borrow money and  
19 issue and sell revenue bonds or other evidences of indebtedness for the  
20 construction, reconstruction, erection, equipping with permanent  
21 fixtures, demolition and major alteration of buildings or other capital  
22 assets, and the acquisition of sites, rights-of-way, easements,  
23 improvements or appurtenances, for dormitories, food service  
24 facilities, and other self-supporting facilities connected with the  
25 operation of the community and technical college in accordance with the  
26 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

27 (7) May establish fees and charges for the facilities authorized  
28 hereunder, including reasonable rules and regulations for the  
29 government thereof, not inconsistent with the rules of the college  
30 board; each board of trustees operating a community and technical  
31 college may enter into agreements, subject to rules of the college  
32 board, with owners of facilities to be used for housing regarding the  
33 management, operation, and government of such facilities, and any board  
34 entering into such an agreement may:

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

37 (b) Employ necessary employees to govern, manage and operate the  
38 same;

1 (8) May receive such gifts, grants, conveyances, devises and  
2 bequests of real or personal property from private sources, as may be  
3 made from time to time, in trust or otherwise, whenever the terms and  
4 conditions thereof will aid in carrying out the community and technical  
5 college programs as specified by law and the rules of the state college  
6 board; sell, lease or exchange, invest or expend the same or the  
7 proceeds, rents, profits and income thereof according to the terms and  
8 conditions thereof; and adopt rules to govern the receipt and  
9 expenditure of the proceeds, rents, profits and income thereof;

10 (9) May establish and maintain night schools whenever in the  
11 discretion of the board of trustees it is deemed advisable, and  
12 authorize classrooms and other facilities to be used for summer or  
13 night schools, or for public meetings and for any other uses consistent  
14 with the use of such classrooms or facilities for community and  
15 technical college purposes;

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

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

22 (12) May grant to every student, upon graduation or completion of  
23 a course of study, a suitable diploma, degree, or certificate under the  
24 rules of the state board for community and technical colleges that are  
25 appropriate to their mission. The purposes of these diplomas,  
26 certificates, and degrees are to lead individuals directly to  
27 employment in a specific occupation or prepare individuals for a  
28 bachelor's degree or beyond. Technical colleges may only offer  
29 transfer degrees that prepare students for bachelor's degrees in  
30 professional fields, subject to rules adopted by the college board. In  
31 adopting rules, the college board, where possible, shall create  
32 consistency between community and technical colleges and may address  
33 issues related to tuition and fee rates; tuition waivers; enrollment  
34 counting, including the use of credits instead of clock hours; degree  
35 granting authority; or any other rules necessary to offer the associate  
36 degrees that prepare students for transfer to bachelor's degrees in  
37 professional areas. Only pilot colleges under RCW 28B.50.810 may award  
38 baccalaureate degrees. The board, upon recommendation of the faculty,

1 may also confer honorary associate of arts degrees upon persons other  
2 than graduates of the community college, in recognition of their  
3 learning or devotion to education, literature, art, or science. In  
4 addition, boards of community and technical colleges offering  
5 baccalaureate degrees may confer honorary baccalaureate degrees upon  
6 persons other than graduates of the college in recognition of their  
7 learning, community service, or dedication to education. No degree may  
8 be conferred in consideration of the payment of money or the donation  
9 of any kind of property;

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

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

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

28 (16) Notwithstanding any other provision of law, may offer  
29 educational services on a contractual basis other than the tuition and  
30 fee basis set forth in chapter 28B.15 RCW for a special fee to private  
31 or governmental entities, consistent with rules adopted by the state  
32 board for community and technical colleges: PROVIDED, That the whole  
33 of such special fee shall go to the college district and be not less  
34 than the full instructional costs of such services including any salary  
35 increases authorized by the legislature for community and technical  
36 college employees during the term of the agreement: PROVIDED FURTHER,  
37 That enrollments generated hereunder shall not be counted toward the

1 official enrollment level of the college district for state funding  
2 purposes;

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

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

23 (19) May participate in higher education centers and consortia that  
24 involve any four-year public or independent college or university:  
25 PROVIDED, That new degree programs or off-campus programs offered by a  
26 four-year public or independent college or university in collaboration  
27 with a community or technical college are subject to approval by the  
28 higher education coordinating board under RCW 28B.76.230; and

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

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