

CERTIFICATION OF ENROLLMENT

SENATE BILL 5475

Chapter 228, Laws of 1991
(partial veto)

52nd Legislature
1991 Regular Session

COLLEGES AND UNIVERSITIES--GRADUATE ASSISTANTS--ENGLISH
COMPETENCY REQUIRED

EFFECTIVE DATE: 7/28/91

Passed by the Senate April 27, 1991
Yeas 38 Nays 4

JOEL PRITCHARD
President of the Senate

Passed by the House April 26, 1991
Yeas 97 Nays 0

JOE KING
**Speaker of the
House of Representatives**

Approved May 16, 1991, with
the exception of sections
5 and 6, which are vetoed.

BOOTH GARDNER
Governor of the State of Washington

CERTIFICATE

I, Gordon Golob, Secretary of the
Senate of the State of Washington, do
hereby certify that the attached is
SENATE BILL 5475 as passed by the
Senate and the House of
Representatives on the dates hereon
set forth.

GORDON A. GOLOB
Secretary

FILED

May 16, 1991 - 10:52 a.m.

**Secretary of State
State of Washington**

SENATE BILL 5475

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By Senators Bauer, Saling, Rinehart, Bailey and Murray.

Read first time February 1, 1991. Referred to Committee on Higher Education.

1 AN ACT Relating to higher education; amending RCW 28B.108.010,
2 28B.108.030, and 28B.108.070; adding new sections to Title 28B RCW;
3 adding new sections to chapter 28B.80 RCW; adding a new section to
4 chapter 28B.15 RCW; creating new sections; and providing an expiration
5 date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that the quality
8 of undergraduate education is enhanced by association with graduate
9 assistants from other countries who can effectively communicate their
10 knowledge and diverse cultural backgrounds.

11 It is the intent of the legislature to assist the institutions in
12 their effort to improve the quality of undergraduate education at the
13 state's four-year colleges and universities. Attainment of an
14 excellent education is facilitated when communication is clear,
15 concise, sensitive to cultural differences, and demonstrative of proven

1 pedagogical skills. It is the further intent of the legislature to
2 assure students and parents that graduate teaching assistants at our
3 state institutions of higher education are able to communicate
4 effectively and understandably with undergraduate students.

5 NEW SECTION. **Sec. 2.** The Washington state legislature affirms
6 the following principles:

7 (1) Washington's college and university students are entitled to
8 excellent instruction at the state's institutions of higher education.
9 Excellent education requires the ability to communicate effectively in
10 college classrooms and laboratories.

11 (2) The presence of students, faculty, and staff from other
12 countries on Washington's college campuses enriches the educational
13 experience of Washington's students and enhances scholarship and
14 research at the state's colleges and universities.

15 (3) With the exception of courses designed to be taught primarily
16 in a foreign language, undergraduate students shall be provided with
17 classroom instruction, laboratory instruction, clinics, seminars,
18 studios, and other participatory and activity courses by a person
19 fluent in both the spoken and written English language.

20 (4) Persons of all nationalities, races, religions, and ethnic
21 backgrounds are welcome and valued in the state of Washington.

22 NEW SECTION. **Sec. 3.** The governing board of each state
23 university, regional university, state college, and community college
24 shall ensure that the principles in section 1 of this act are
25 implemented at its institution of higher education.

26 NEW SECTION. **Sec. 4.** The council of presidents, in
27 consultation with the higher education coordinating board, shall

1 convene a task force of representatives from the four-year universities
2 and colleges. The task force shall:

3 (1) Review institutional policies and procedures designed to ensure
4 that faculty and teaching assistants are able to communicate
5 effectively with undergraduate students in classrooms and laboratories;

6 (2) Research methods and procedures designed to improve the
7 communication and teaching skills of any person funded by state money
8 who instructs undergraduate students in classrooms and laboratories;

9 (3) Share the results of that research with each participating
10 university and college; and

11 (4) Work with each participating university and college to assist
12 the institution in its efforts to improve the communication and
13 pedagogical skills of faculty and teaching assistants instructing
14 undergraduate students.

15 **NEW SECTION. Sec. 5. The legislature finds that sick leave*
16 *policies for faculty members and administrators at the state's*
17 *institutions of higher education are inconsistent. The legislature*
18 *further finds that sick leave policies for faculty and administrators*
19 *at some institutions of higher education differ substantially from*
20 *policies for other state employees. It is the intent of the*
21 *legislature that sick leave policies are uniform and consistent for all*
22 *faculty and administrators hired after May 1, 1992, at the state's*
23 *community colleges, regional universities, state college and research*
24 *universities.*

25
26 *Sec. 5 was vetoed, see message at end of chapter.

1 *

2 **NEW SECTION.** **Sec. 6.** *The higher education coordinating board,*
3 *in consultation with the state board for community college education,*
4 *shall study institutional sick leave policies and shall recommend a*
5 *mandated uniform and consistent policy for all faculty and*
6 *administrators hired after May 1, 1992, at all public higher education*
7 *institutions. By December 1, 1991, the uniform policy, and proposed*
8 *legislation to implement that policy, shall be submitted to the senate*
9 *and house committees on higher education.*

10 *Sec. 6 was vetoed, see message at end of chapter.

11 **NEW SECTION.** **Sec. 7.** The higher education coordinating board
12 shall establish an advisory committee on access to higher education for
13 students with disabilities. The committee shall include but need not
14 be limited to representation from the following: Students with
15 disabilities, coordinators of services for students with disabilities,
16 the governor's committee on disability issues and employment, and
17 agencies and organizations that work with or represent persons with
18 disabilities.

19 **NEW SECTION.** **Sec. 8.** In consultation with the advisory
20 committee on access to higher education for students with disabilities
21 the board shall:

22 (1) Inventory existing campus and agency resources available to
23 address the accommodation needs of students with disabilities;

24 (2) Distribute the inventory to institutions of higher education
25 and to the superintendent of public instruction for further
26 distribution to appropriate personnel in the K-12 system;

1 (3) Survey institutions of higher education and students with
2 disabilities to identify specific services that have been requested but
3 not provided;

4 (4) Report the results of the survey, with recommendations on a
5 phased plan to meet identified needs in priority order, to the
6 governor, the house of representatives and senate higher education and
7 fiscal committees, and the institutions of higher education;

8 (5) In coordination with the state board for community college
9 education, conduct a state-wide training workshop for coordinators of
10 services for students with disabilities.

11 NEW SECTION. **Sec. 9.** Sections 7 and 8 of this act are each
12 added to chapter 28B.80 RCW.

13 **Sec. 10.** RCW 28B.108.010 and 1990 c 287 s 2 are each amended to
14 read as follows:

15 Unless the context clearly requires otherwise, the definitions in
16 this section apply throughout this chapter.

17 (1) "Institution of higher education" or "institution" means a
18 college or university in the state of Washington which is accredited by
19 an accrediting association recognized as such by rule of the higher
20 education coordinating board.

21 (2) "Board" means the higher education coordinating board.

22 (3) "Eligible student" or "student" means an American Indian
23 (~~student as defined by the board in consultation with the advisory~~
24 ~~committee described in RCW 28B.108.030,~~) who is a financially needy
25 student, as defined in RCW 28B.10.802, who is a resident student, as
26 defined by RCW 28B.15.012(2), who is a full-time student at an
27 institution of higher education, and who promises to use his or her
28 education to benefit other American Indians.

1 **Sec. 11.** RCW 28B.108.030 and 1990 c 287 s 4 are each amended to
2 read as follows:

3 The higher education coordinating board shall establish an advisory
4 committee to assist in program design and to develop criteria for the
5 screening and selection of scholarship recipients. The committee shall
6 be composed of representatives of the same groups as the screening
7 committee described in RCW 28B.108.020. ~~((These))~~ The criteria shall
8 assess the student's social and cultural ties to an American Indian
9 community within the state. The criteria shall include a priority for
10 upper-division or graduate students. The criteria may include a
11 priority for students who are majoring in program areas in which
12 expertise is needed by the state's American Indians.

13 **Sec. 12.** RCW 28B.108.070 and 1990 c 287 s 8 are each amended to
14 read as follows:

15 The higher education coordinating board may request that the
16 treasurer deposit ~~((five hundred))~~ fifty thousand dollars of state
17 matching funds into the American Indian scholarship endowment fund when
18 the board can match the state funds with an equal amount of private
19 cash donations. Private cash donations means moneys from nonstate
20 sources that include, but are not limited to, federal moneys, tribal
21 moneys, and assessments by commodity commissions authorized to conduct
22 research activities, including but not limited to research studies
23 authorized under RCW 15.66.030 and 15.65.040.

24 NEW SECTION. **Sec. 13.** It is the intent of the legislature to
25 enable Washington residents who have actively served in the Persian
26 Gulf combat zone to attend any Washington institution of higher
27 education at 1990 tuition rates.

1 NEW SECTION. **Sec. 14.** A new section is added to chapter 28B.15
2 RCW to read as follows:

3 A veteran of the Persian Gulf combat zone shall be exempted from
4 increases in tuition and fees at any public institution of higher
5 education that occur during and after their period of service, and
6 shall not be required to pay more than the total amount of tuition and
7 fees established for the 1990-91 academic year, if the veteran could
8 have qualified as a Washington resident student under RCW
9 28B.15.012(2), had he or she been enrolled as a student on August 1,
10 1990, and if the veteran's adjusted gross family income as most
11 recently reported to the internal revenue service does not exceed
12 Washington state's median family income as established by the federal
13 bureau of the census. For the purposes of this section, "a veteran of
14 the Persian Gulf combat zone" means a person who during any portion of
15 calendar year 1991 served in active federal service as a member of the
16 armed military or naval forces of the United States in a combat zone as
17 designated by the president of the United States by executive order.

18 NEW SECTION. **Sec. 15.** Sections 13 and 14 of this act shall
19 expire on June 30, 1994.

20 NEW SECTION. **Sec. 16.** Sections 1 through 4 of this act are
21 each added to Title 28B RCW.

Passed the Senate April 27, 1991.

Passed the House April 26, 1991.

Approved by the Governor May 16, 1991, with the exception of
certain items which were vetoed.

Filed in Office of Secretary of State May 16, 1991.

1 Note: Governor's explanation of partial veto is as follows:

2 "I am returning herewith, without my approval as to sections 5 and
3 6, Senate Bill No. 5475 entitled:

4 "AN ACT Relating to higher education."

5 Section 5 of Senate Bill No. 5475 states the intent of the
6 Legislature that sick leave policies be uniform and consistent for all
7 faculty and administrators hired after May 1, 1992 at the state's
8 community colleges, regional universities, state colleges and research
9 universities. Section 6 requires the Higher Education Coordinating
10 Board, in consultation with the State Board for Community College
11 Education, to study institutional sick leave policies and recommend
12 mandated uniform and consistent policy for all faculty and
13 administrators hired after May 1, 1992.

14 The rationale for passing this legislation is not clear. The
15 Legislative Budget Committee reviewed higher education sick leave
16 policies in 1989 and concluded that, prior to modifying the sick leave
17 policies, better data should be collected to permit informed decision-
18 making. In 1990, a law was passed requiring the institutions of higher
19 education to maintain complete and accurate sick leave records. One
20 year of data collection is insufficient to conclude that uniform and
21 consistent sick leave policies are appropriate for the institutions of
22 higher education. As the Legislative Budget Committee correctly
23 observed in their report, sick leave benefits should be considered in
24 the broader context of an overall compensation package, and
25 compensation should be related to the complexity and amount of work
26 assignments.

27 This legislation disregards the advice of the Legislative Budget
28 Committee and inappropriately prescribes the outcome of the Higher
29 Education Coordinating Board study required in Section 6.

30 For the reasons stated above, I have vetoed sections 5 and 6 of
31 Senate Bill No. 5475.

32 With the exception of sections 5 and 6, Senate Bill No. 5475 is
33 approved."