

# SENATE BILL REPORT

## SHB 1841

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As of March 18, 2009

**Title:** An act relating to the modification of the governing boards of state colleges and universities.

**Brief Description:** Adding a faculty member to the governing board of each four-year institution of higher education.

**Sponsors:** House Committee on Higher Education (originally sponsored by Representatives White, Warnick, Wallace, Angel, Sells, Hasegawa, Hinkle, Goodman, Lias, Ormsby, Anderson, Haigh, Sullivan, Haler, Priest, Morris, Kenney, Schmick, Hudgins and Conway).

**Brief History:** Passed House: 3/03/09, 95-1.

**Committee Activity:** Higher Education & Workforce Development: 3/17/09.

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### SENATE COMMITTEE ON HIGHER EDUCATION & WORKFORCE DEVELOPMENT

**Staff:** Aldo Melchiori (786-7439)

**Background:** The University of Washington and Washington State University are each governed by a board of regents. Each board has ten members appointed by the Governor with the consent of the Senate. Nine of the members serve six-year terms. The tenth member, a student, is appointed to a one-year term. The Evergreen State College (TESC) and the regional universities are each governed by an eight-member board of trustees appointed by the Governor. Seven of the members of each board serve six-year terms. The eighth member, a student, is appointed to a one-year term. The student members on each of these boards cannot participate in voting on matters related to hiring, discipline, or tenure of faculty members.

**Summary of Bill:** A full-time or emeritus member of the faculty is added to the board of regents or the board of trustees of each of the public four-year institutions. The Governor selects the faculty member from a list of five candidates supplied by the governing body of the university or college faculty or, in the case of TESC, from a list of five candidates submitted by the college faculty. The faculty member of the board serves a three-year term or until he or she is no longer a member of the faculty. Faculty members must excuse themselves from participation or voting on matters (1) related to hiring, discipline, tenure, or compensation of faculty and personnel faculty compensation; (2) subject to collective

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bargaining; and (3) relating to the review, negotiation, or approval of a collective bargaining agreement.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: This is a good time for this bill because the new faculty member would be a valuable representative speaking from the instructional perspective. Student representation was fought for many years using similar arguments, but once students were on the boards, their value was acknowledged. This bill is supported by the faculty senates at Washington State University (WSU) and Western Washington University (WWU). The voice of faculty is important during deliberations and votes, not just as an outside information source. The faculty regent would have a fiduciary duty to the institution just like the other board members. The firewalls in the bill provide adequate protection against conflicts of interest. Students support allowing faculty on the governing boards because they would bring a more holistic viewpoint. If the boards were kept the same size, the fiscal impact would be eliminated. The substitute bill addressed the concerns raised by the University of Washington (UW) Graduate and Professional Student Senate.

CON: There is a significant difference between having a student on the board and having an employee on the board. Properly functioning institutions are already listening to their faculty. Faculty have the respect of their governing boards and the system is working well as it is. This would open the door for discussions to get other employee groups on the governing boards.

**Persons Testifying:** PRO: Representative White, prime sponsor; John Purdy, WWU and Council of Faculty Representatives; Nicholas Lovrich, WSU Faculty Senate and Council of Faculty Representatives; James Pappas, Central Washington University and Council of Faculty Representatives; Richard Lum, Associated Students of the University of Washington; Dave Iseminger, UW Graduate and Professional Student Senate.

CON: David Buri, Eastern Washington University.