
HOUSE BILL 1355

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By Representatives Ortiz-Self, Orwall, Ryu, Sells, Macri, Entenman, Stonier, Valdez, Frame, Gregerson, Tarleton, Doglio, Dolan, Appleton, Bergquist, Slatter, Goodman, Pollet, and Santos

Read first time 01/21/19. Referred to Committee on College & Workforce Development.

1 AN ACT Relating to establishing staffing standards and ratios for
2 counselors in community and technical colleges; amending RCW
3 28B.50.030 and 28B.50.090; and adding new sections to chapter 28B.50
4 RCW.

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

6 **Sec. 1.** RCW 28B.50.030 and 2015 c 55 s 226 are each amended to
7 read as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1) "Adult education" means all education or instruction,
11 including academic, vocational education or training, basic skills
12 and literacy training, and "occupational education" provided by
13 public educational institutions, including common school districts
14 for persons who are eighteen years of age and over or who hold a high
15 school diploma or certificate. However, "adult education" shall not
16 include academic education or instruction for persons under twenty-
17 one years of age who do not hold a high school degree or diploma and
18 who are attending a public high school for the sole purpose of
19 obtaining a high school diploma or certificate, nor shall "adult
20 education" include education or instruction provided by any four-year
21 public institution of higher education.

1 (2) "Applied baccalaureate degree" means a baccalaureate degree
2 awarded by a college under RCW 28B.50.810 for successful completion
3 of a program of study that is:

4 (a) Specifically designed for individuals who hold an associate
5 of applied science degree, or its equivalent, in order to maximize
6 application of their technical course credits toward the
7 baccalaureate degree; and

8 (b) Based on a curriculum that incorporates both theoretical and
9 applied knowledge and skills in a specific technical field.

10 (3) "Board" means the workforce training and education
11 coordinating board.

12 (4) "Board of trustees" means the local community and technical
13 college board of trustees established for each college district
14 within the state.

15 (5) "Center of excellence" means a community or technical college
16 designated by the college board as a statewide leader in
17 industry-specific, community and technical college workforce
18 education and training.

19 (6) "College board" means the state board for community and
20 technical colleges created by this chapter.

21 (7) "Common school board" means a public school district board of
22 directors.

23 (8) "Community college" includes those higher education
24 institutions that conduct education programs under RCW 28B.50.020.

25 (9) "Counselor" means a person employed by a college district who
26 meets the qualifications of section 2 of this act.

27 (10) "Director" means the administrative director for the state
28 system of community and technical colleges.

29 (~~(10)~~) (11) "Dislocated forest product worker" means a forest
30 products worker who: (a) (i) Has been terminated or received notice of
31 termination from employment and is unlikely to return to employment
32 in the individual's principal occupation or previous industry because
33 of a diminishing demand for his or her skills in that occupation or
34 industry; or (ii) is self-employed and has been displaced from his or
35 her business because of the diminishing demand for the business'
36 services or goods; and (b) at the time of last separation from
37 employment, resided in or was employed in a rural natural resources
38 impact area.

39 (~~(11)~~) (12) "Dislocated salmon fishing worker" means a finfish
40 products worker who: (a) (i) Has been terminated or received notice of

1 termination from employment and is unlikely to return to employment
2 in the individual's principal occupation or previous industry because
3 of a diminishing demand for his or her skills in that occupation or
4 industry; or (ii) is self-employed and has been displaced from his or
5 her business because of the diminishing demand for the business's
6 services or goods; and (b) at the time of last separation from
7 employment, resided in or was employed in a rural natural resources
8 impact area.

9 ~~((12))~~ (13) "District" means any one of the community and
10 technical college districts created by this chapter.

11 ~~((13))~~ (14) "Forest products worker" means a worker in the
12 forest products industries affected by the reduction of forest fiber
13 enhancement, transportation, or production. The workers included
14 within this definition shall be determined by the employment security
15 department, but shall include workers employed in the industries
16 assigned the major group standard industrial classification codes
17 "24" and "26" and the industries involved in the harvesting and
18 management of logs, transportation of logs and wood products,
19 processing of wood products, and the manufacturing and distribution
20 of wood processing and logging equipment. The commissioner may adopt
21 rules further interpreting these definitions. For the purposes of
22 this subsection, "standard industrial classification code" means the
23 code identified in RCW 50.29.025(3).

24 ~~((14))~~ (15) "High employer demand program of study" means an
25 apprenticeship, or an undergraduate or graduate certificate or degree
26 program in which the number of students prepared for employment per
27 year from in-state institutions is substantially less than the number
28 of projected job openings per year in that field, statewide or in a
29 substate region.

30 ~~((15))~~ (16) "K-12 system" means the public school program
31 including kindergarten through the twelfth grade.

32 ~~((16))~~ (17) "Occupational education" means education or
33 training that will prepare a student for employment that does not
34 require a baccalaureate degree, and education and training that will
35 prepare a student for transfer to bachelor's degrees in professional
36 fields, subject to rules adopted by the college board.

37 ~~((17))~~ (18) "Qualified institutions of higher education" means:

38 (a) Washington public community and technical colleges;

1 (b) Private career schools that are members of an accrediting
2 association recognized by rule of the student achievement council for
3 the purposes of chapter 28B.92 RCW; and

4 (c) Washington state apprenticeship and training council-approved
5 apprenticeship programs.

6 (~~(18)~~) (19) "Rural natural resources impact area" means:

7 (a) A nonmetropolitan county, as defined by the 1990 decennial
8 census, that meets three of the five criteria set forth in subsection
9 (~~(19)~~) (20) of this section;

10 (b) A nonmetropolitan county with a population of less than forty
11 thousand in the 1990 decennial census, that meets two of the five
12 criteria as set forth in subsection (~~(19)~~) (20) of this section; or

13 (c) A nonurbanized area, as defined by the 1990 decennial census,
14 that is located in a metropolitan county that meets three of the five
15 criteria set forth in subsection (~~(19)~~) (20) of this section.

16 (~~(19)~~) (20) For the purposes of designating rural natural
17 resources impact areas, the following criteria shall be considered:

18 (a) A lumber and wood products employment location quotient at or
19 above the state average;

20 (b) A commercial salmon fishing employment location quotient at
21 or above the state average;

22 (c) Projected or actual direct lumber and wood products job
23 losses of one hundred positions or more;

24 (d) Projected or actual direct commercial salmon fishing job
25 losses of one hundred positions or more; and

26 (e) An unemployment rate twenty percent or more above the state
27 average. The counties that meet these criteria shall be determined by
28 the employment security department for the most recent year for which
29 data is available. For the purposes of administration of programs
30 under this chapter, the United States post office five-digit zip code
31 delivery areas will be used to determine residence status for
32 eligibility purposes. For the purpose of this definition, a zip code
33 delivery area of which any part is ten miles or more from an
34 urbanized area is considered nonurbanized. A zip code totally
35 surrounded by zip codes qualifying as nonurbanized under this
36 definition is also considered nonurbanized. The office of financial
37 management shall make available a zip code listing of the areas to
38 all agencies and organizations providing services under this chapter.

39 (~~(20)~~) (21) "Salmon fishing worker" means a worker in the
40 finfish industry affected by 1994 or future salmon disasters. The

1 workers included within this definition shall be determined by the
2 employment security department, but shall include workers employed in
3 the industries involved in the commercial and recreational harvesting
4 of finfish including buying and processing finfish. The commissioner
5 may adopt rules further interpreting these definitions.

6 ~~((21))~~ (22) "System" means the state system of community and
7 technical colleges, which shall be a system of higher education.

8 ~~((22))~~ (23) "Technical college" includes those higher education
9 institutions with the mission of conducting occupational education,
10 basic skills, literacy programs, and offering on short notice, when
11 appropriate, programs that meet specific industry needs. For purposes
12 of this chapter, technical colleges shall include the following
13 college districts as created in RCW 28B.50.040: The twenty-fifth
14 college district, the twenty-sixth college district, the twenty-
15 seventh college district, the twenty-eighth college district, and the
16 twenty-ninth college district.

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

19 (1) Except as provided in subsection (2) of this section, to be a
20 counselor for the purposes of this chapter and RCW 28B.52.020, an
21 individual must meet the following minimum criteria:

22 (a) Have a master's degree in counseling or related field from a
23 regionally accredited university;

24 (b) Have completed a supervised counseling practicum and
25 internship with an average of one hour per week of individual or
26 triadic supervision and that consists of: (i) A minimum of one
27 hundred practicum hours with at least forty of the total hours being
28 in direct service; and (ii) a minimum of seven hundred on-site
29 internship hours with at least two hundred eighty of the total hours
30 being direct service;

31 (c) Have completed coursework with content covering the following
32 areas:

33 (i) Professional counseling orientation and ethical practice;

34 (ii) Social and cultural diversity;

35 (iii) Human growth and development;

36 (iv) Career development; and

37 (v) Counseling and helping relationships; and

38 (d) Have completed coursework with content covering at least two
39 of the following areas:

- 1 (i) Group counseling and group work;
- 2 (ii) Assessment and testing;
- 3 (iii) Research and program evaluation.

4 (2) The requirements in subsection (1) of this section do not
5 apply to an individual employed by a college district as a counselor
6 before the effective date of this section.

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50
8 RCW to read as follows:

9 (1) Beginning the fall academic quarter of 2020, every community
10 and technical college must have and maintain a staffing ratio of no
11 more than nine hundred students to one full-time equivalent
12 counselor, based on the previous fall quarter's unduplicated student
13 head count.

14 (2) The ratio required under this section applies to counselor
15 positions that are state-funded. Counselor positions that are funded
16 by sources other than state funds may not be counted when determining
17 if a community or technical college has met the student-to-counselor
18 ratio requirement.

19 (3) The college board shall include data on each community and
20 technical college's student-to-counselor ratio in its annual fall
21 quarter enrollment and staffing report.

22 **Sec. 4.** RCW 28B.50.090 and 2013 c 57 s 1 are each amended to
23 read as follows:

24 The college board shall have general supervision and control over
25 the state system of community and technical colleges. In addition to
26 the other powers and duties imposed upon the college board by this
27 chapter, the college board shall be charged with the following
28 powers, duties and responsibilities:

29 (1) Review the budgets prepared by the boards of trustees,
30 prepare a single budget for the support of the state system of
31 community and technical colleges and adult education, and submit this
32 budget to the governor as provided in RCW 43.88.090;

33 (2) Establish guidelines for the disbursement of funds; and
34 receive and disburse such funds for adult education and maintenance
35 and operation and capital support of the college districts in
36 conformance with the state and district budgets, and in conformance
37 with chapter 43.88 RCW;

38 (3) Ensure, through the full use of its authority:

1 (a) That each college district, in coordination with colleges,
2 within a regional area, shall offer thoroughly comprehensive
3 educational, training, and service programs to meet the needs of both
4 the communities and students served by combining high standards of
5 excellence in academic transfer courses; realistic and practical
6 courses in occupational education, both graded and ungraded; and
7 community services of an educational, cultural, and recreational
8 nature; and adult education, including basic skills and general,
9 family, and workforce literacy programs and services;

10 (b) That each college district shall maintain an open-door
11 policy, to the end that no student will be denied admission because
12 of the location of the student's residence or because of the
13 student's educational background or ability; that, insofar as is
14 practical in the judgment of the college board, curriculum offerings
15 will be provided to meet the educational and training needs of the
16 community generally and the students thereof; and that all students,
17 regardless of their differing courses of study, will be considered,
18 known and recognized equally as members of the student body:
19 PROVIDED, That the administrative officers of a community or
20 technical college may deny admission to a prospective student or
21 attendance to an enrolled student if, in their judgment, the student
22 would not be competent to profit from the curriculum offerings of the
23 college, or would, by his or her presence or conduct, create a
24 disruptive atmosphere within the college not consistent with the
25 purposes of the institution. This subsection (3)(b) shall not apply
26 to competency, conduct, or presence associated with a disability in a
27 person twenty-one years of age or younger attending a technical
28 college;

29 (c) That each college district, in coordination with colleges,
30 meet and maintain the student-to-counselor ratio required under
31 section 3 of this act;

32 (4) Prepare a comprehensive master plan for the development of
33 community and technical college education and training in the state;
34 and assist the office of financial management in the preparation of
35 enrollment projections to support plans for providing adequate
36 college facilities in all areas of the state. The master plan shall
37 include implementation of the vision, goals, priorities, and
38 strategies in the statewide strategic master plan for higher
39 education under RCW 28B.76.200 based on the community and technical
40 college system's role and mission. The master plan shall also contain

1 measurable performance indicators and benchmarks for gauging progress
2 toward achieving the goals and priorities;

3 (5) Define and administer criteria and guidelines for the
4 establishment of new community and technical colleges or campuses
5 within the existing districts;

6 (6) Establish criteria and procedures for modifying district
7 boundary lines and consolidating district structures to form multiple
8 campus districts consistent with the purposes set forth in RCW
9 28B.50.020 as now or hereafter amended and in accordance therewith
10 make such changes as it deems advisable;

11 (7) Establish minimum standards to govern the operation of the
12 community and technical colleges with respect to:

13 (a) Qualifications and credentials of instructional and key
14 administrative personnel, except as otherwise provided in the state
15 plan for vocational education;

16 (b) Internal budgeting, accounting, auditing, and financial
17 procedures as necessary to supplement the general requirements
18 prescribed pursuant to chapter 43.88 RCW;

19 (c) The content of the curriculums and other educational and
20 training programs, and the requirement for degrees and certificates
21 awarded by the colleges;

22 (d) Standard admission policies;

23 (e) Eligibility of courses to receive state fund support; and

24 (f) Common student identifiers such that once a student has
25 enrolled at any community or technical college he or she retains the
26 same student identification upon transfer to any college district;

27 (8) Encourage colleges to use multiple measures to determine
28 whether a student must enroll in a precollege course including, but
29 not limited to, placement tests, the SAT, high school transcripts,
30 college transcripts, or initial class performance, and require
31 colleges to post all the available options for course placement on
32 their web site and in their admissions materials;

33 (9) Establish and administer criteria and procedures for all
34 capital construction including the establishment, installation, and
35 expansion of facilities within the various college districts;

36 (10) Encourage innovation in the development of new educational
37 and training programs and instructional methods; coordinate research
38 efforts to this end; and disseminate the findings thereof;

39 (11) Exercise any other powers, duties and responsibilities
40 necessary to carry out the purposes of this chapter;

1 (12) Authorize the various community and technical colleges to
2 offer programs and courses in other districts when it determines that
3 such action is consistent with the purposes set forth in RCW
4 28B.50.020 as now or hereafter amended;

5 (13) Notwithstanding any other law or statute regarding the sale
6 of state property, sell or exchange and convey any or all interest in
7 any community and technical college real and personal property,
8 except such property as is received by a college district in
9 accordance with RCW 28B.50.140(8), when it determines that such
10 property is surplus or that such a sale or exchange is in the best
11 interests of the community and technical college system;

12 (14) In order that the treasurer for the state board for
13 community and technical colleges appointed in accordance with RCW
14 28B.50.085 may make vendor payments, the state treasurer will honor
15 warrants drawn by the state board providing for an initial advance on
16 July 1, 1982, of the current biennium and on July 1st of each
17 succeeding biennium from the state general fund in an amount equal to
18 twenty-four percent of the average monthly allotment for such
19 budgeted biennium expenditures for the state board for community and
20 technical colleges as certified by the office of financial
21 management; and at the conclusion of such initial month and for each
22 succeeding month of any biennium, the state treasurer will reimburse
23 expenditures incurred and reported monthly by the state board
24 treasurer in accordance with chapter 43.88 RCW: PROVIDED, That the
25 reimbursement to the state board for actual expenditures incurred in
26 the final month of each biennium shall be less the initial advance
27 made in such biennium;

28 (15) Notwithstanding the provisions of subsection (13) of this
29 section, may receive such gifts, grants, conveyances, devises, and
30 bequests of real or personal property from private sources as may be
31 made from time to time, in trust or otherwise, whenever the terms and
32 conditions thereof will aid in carrying out the community and
33 technical college programs and may sell, lease or exchange, invest or
34 expend the same or the proceeds, rents, profits and income thereof
35 according to the terms and conditions thereof; and adopt regulations
36 to govern the receipt and expenditure of the proceeds, rents, profits
37 and income thereof; and

38 (16) The college board shall have the power of eminent domain.

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