
SUBSTITUTE HOUSE BILL 1039

State of Washington

52nd Legislature

1991 Regular Session

By House Committee on Higher Education (originally sponsored by Representatives Ebersole, Forner, Dorn, R. Meyers, Basich, Wineberry, Zellinsky, H. Myers, Peery, Wang, Sprenkle, Rayburn, Ludwig, Haugen, Rust, Pruitt, Jacobsen, Valle, Morris and Rasmussen; by request of Governor Gardner).

Read first time February 6, 1991.

1 AN ACT Relating to work force training and education; amending RCW
2 28B.50.010, 28B.50.020, 28B.50.030, 28B.50.040, 28B.50.050, 28B.50.060,
3 28B.50.085, 28B.50.090, 28B.50.092, 28B.50.093, 28B.50.095, 28B.50.100,
4 28B.50.130, 28B.50.140, 28B.50.142, 28B.50.143, 28B.50.145, 28B.50.150,
5 28B.50.205, 28B.50.242, 28B.50.250, 28B.50.320, 28B.50.330, 28B.50.340,
6 28B.50.350, 28B.50.360, 28B.50.370, 28B.50.402, 28B.50.404, 28B.50.405,
7 28B.50.409, 28B.50.520, 28B.50.535, 28B.50.551, 28B.50.600, 28B.50.740,
8 28B.50.835, 28B.50.837, 28B.50.839, 28B.50.841, 28B.50.843, 28B.50.850,
9 28B.50.851, 28B.50.867, 28B.50.869, 28B.50.870, 28B.50.873, 28B.50.875,
10 15.76.120, 28A.305.270, 28C.10.020, 28B.10.016, and 43.19.190; adding
11 a new section to chapter 28A.150 RCW; adding a new section to chapter
12 28A.300 RCW; adding a new section to chapter 50.12 RCW; adding a new
13 section to chapter 28B.15 RCW; adding a new section to chapter 41.06
14 RCW; adding a new section to chapter 41.05 RCW; adding a new section to
15 chapter 41.04 RCW; adding a new section to chapter 28B.16 RCW; adding
16 a new section to chapter 41.40 RCW; adding a new section to chapter
17 28B.52 RCW; adding a new section to chapter 43.01 RCW; adding a new

1 section to chapter 41.56 RCW; adding new sections to chapter 28B.50
2 RCW; adding a new chapter to Title 28A RCW; adding new chapters to
3 Title 28C RCW; adding a new chapter to Title 50 RCW; creating new
4 sections; repealing RCW 28B.50.055, 28C.15.010, 28C.15.020, 28C.15.030,
5 28C.15.900, 28C.04.015, 28C.04.024, 28C.04.035, and 28C.04.045;
6 decodifying RCW 28B.50.300; providing effective dates; and declaring an
7 emergency.

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

9 NEW SECTION. **Sec. 1.** The legislature finds that the state's
10 system of work force training and education is inadequate for meeting
11 the needs of the state's workers, employers, and economy. A growing
12 shortage of skilled workers is already hurting the state's economy.
13 There is a shortage of available workers and too often prospective
14 employees lack the skills and training needed by employers. Moreover,
15 with demographic changes in the state's population employers will need
16 to employ a more culturally diverse work force in the future.

17 The legislature further finds that the state's current work force
18 training and education system is fragmented among numerous agencies,
19 councils, boards, and committees, with inadequate overall coordination.
20 No comprehensive strategic plan guides the different parts of the
21 system. There is no single point of leadership and responsibility.
22 There is insufficient guidance from employers and workers built into
23 the system to ensure that the system is responsive to the needs of its
24 customers. Adult work force education lacks a uniform system of
25 governance, with an inefficient division in governance between
26 community colleges and vocational technical institutes, and inadequate
27 local authority. The parts of the system providing adult basic skills
28 and literacy education are especially uncoordinated and lack sufficient

1 visibility to adequately address the needs of the large number of
2 adults in the state who are functionally illiterate. The work force
3 training and education system's data and evaluation methods are
4 inconsistent and unable to provide adequate information for determining
5 how well the system is performing on a regular basis so that the system
6 may be held accountable for the outcomes it produces. Much of the work
7 force training and education system provides inadequate opportunities
8 to meet the needs of people from culturally diverse backgrounds.
9 Finally, our educational institutions are not producing the number of
10 people educated in vocational/technical skills needed by employers.

11 The legislature recognizes that we must make certain that our
12 institutions of education place appropriate emphasis on the needs of
13 employers and on the needs of the approximately eighty percent of our
14 young people who enter the world of work without completing a four-year
15 program of higher education. We must make our work force education and
16 training system better coordinated, more efficient, more responsive to
17 the needs of business and workers and local communities, more
18 accountable for its performance, and more open to the needs of a
19 culturally diverse population.

20 NEW SECTION. **Sec. 2.** Unless the context clearly requires
21 otherwise, the definitions in this section apply throughout this title.

22 (1) "Board" means the work force training and education
23 coordinating board.

24 (2) "Director" means the director of the work force training and
25 education coordinating board.

26 (3) "Training system" means programs and courses of secondary
27 vocational education, technical college programs and courses, community
28 college vocational programs and courses, adult basic education programs
29 and courses, programs and courses funded by the job training

1 partnership act, programs and courses funded by the federal vocational
2 act, programs and courses funded under the federal adult education act,
3 publicly funded programs and courses for adult literacy education, and
4 apprenticeships.

5 (4) "Work force skills" means skills developed through applied
6 learning that strengthen and reinforce an individual's academic
7 knowledge, critical thinking, problem solving, and work ethic and,
8 thereby, develop the employability, occupational skills, and management
9 of home and work responsibilities necessary for economic independence.

10 (5) "Vocational education" means organized educational programs
11 offering a sequence of courses which are directly related to the
12 preparation or retraining of individuals in paid or unpaid employment
13 in current or emerging occupations requiring other than a baccalaureate
14 or advanced degree. Such programs shall include competency-based
15 applied learning which contributes to an individual's academic
16 knowledge, higher-order reasoning, and problem-solving skills, work
17 attitudes, general employability skills, and the occupational-specific
18 skills necessary for economic independence as a productive and
19 contributing member of society. Such term also includes applied
20 technology education.

21 (6) "Adult basic education" means instruction designed to achieve
22 mastery of skills in reading, writing, oral communication, and
23 computation at a level sufficient to allow the individual to function
24 effectively as a parent, worker, and citizen in the United States,
25 commensurate with that individual's actual ability level, and includes
26 English as a second language and preparation and testing service for
27 the general education development exam.

28 NEW SECTION. **Sec. 3.** There is hereby created the work force
29 training and education coordinating board as a state agency and as the

1 successor agency to the state board for vocational education. All
2 references to the state board for vocational education in the Revised
3 Code of Washington shall be construed to mean the work force training
4 and education coordinating board, except that reference to the state
5 board for vocational education in RCW 49.04.030 shall mean the state
6 board for community and technical colleges.

7 NEW SECTION. **Sec. 4.** The purpose of the board is to provide
8 planning, coordination, evaluation, monitoring, and policy analysis for
9 the state training system as a whole, and advice to the governor and
10 legislature concerning the state training system, in cooperation with
11 the agencies which comprise the state training system, and the higher
12 education coordinating board.

13 NEW SECTION. **Sec. 5.** (1) The board shall consist of ten
14 voting members appointed by the governor as follows: Three
15 representatives of business, three representatives of labor, and,
16 serving as ex officio members, the superintendent of public
17 instruction, the executive director of the state board for community
18 and technical college education, and the commissioner of the department
19 of employment security. The chair of the board shall be a voting
20 member selected by the governor and shall serve at the pleasure of the
21 governor. In selecting the chair, the governor shall seek a person who
22 understands the future economic needs of the state and nation and the
23 role that the state's training system has in meeting those needs. Each
24 member of the board may appoint a designee to function in his or her
25 place with the right to vote.

26 (2) The business representatives shall be selected from among
27 nominations provided by state-wide business organizations. The
28 nominations shall reflect the cultural diversity of the state,

1 including women and racial and ethnic minorities, and diversity in
2 sizes of businesses.

3 (3) The labor representatives shall be selected from among
4 nominations provided by state-wide labor organizations. The
5 nominations shall reflect the cultural diversity of the state,
6 including women and racial and ethnic minorities.

7 (4) Each business member may cast a proxy vote or votes for any
8 business member who is not present and who authorizes in writing the
9 present member to cast such vote.

10 (5) Each labor member may cast a proxy vote for any labor member
11 who is not present and who authorizes in writing the present member to
12 cast such vote.

13 (6) The chair shall appoint to the board one nonvoting member to
14 represent racial and ethnic minorities, women, and people with
15 disabilities. The nonvoting member appointed by the chair shall serve
16 for a term of four years with the term expiring on June 30th of the
17 fourth year of the term.

18 (7) The business members of the board shall serve for terms of four
19 years, the terms expiring on June 30th of the fourth year of the term
20 except that in the case of initial members, one shall be appointed to
21 a two-year term and one appointed to a three-year term.

22 (8) The labor members of the board shall serve for terms of four
23 years, the terms expiring on June 30th of the fourth year of the term
24 except that in the case of initial members, one shall be appointed to
25 a two-year term and one appointed to a three-year term.

26 (9) Any vacancies among board members representing business or
27 labor shall be filled by the governor with nominations provided by
28 state-wide organizations representing business or labor, respectively.

29 (10) The board shall adopt bylaws and shall meet at least bimonthly
30 and at such other times as determined by the chair who shall give

1 reasonable prior notice to the members or at the request of a majority
2 of the voting members.

3 (11) Members of the board shall be compensated in accordance with
4 RCW 43.03.040 and will receive travel expenses in accordance with RCW
5 43.03.050 and 43.03.060.

6 (12) The board shall be formed and ready to assume its
7 responsibilities under this chapter by October 1, 1991.

8 NEW SECTION. **Sec. 6.** (1) The director of the board shall be
9 appointed by the board, and hold office at the pleasure of the board.

10 (2) The director shall serve as chief executive officer of the
11 board who shall administer the provisions of this chapter, employ such
12 personnel as may be necessary to implement the purposes of this
13 chapter, and utilize staff of existing operating agencies to the
14 fullest extent possible. The director shall not be the chair of the
15 board. Subject to the approval of the board, the director shall
16 appoint necessary deputy and assistant directors and other staff who
17 shall be exempt from the provisions of chapter 41.06 RCW. The
18 director's appointees shall serve at the director's pleasure on such
19 terms and conditions as the director determines but subject to the code
20 of ethics contained in chapter 42.18 RCW. The director shall appoint
21 and employ such other employees as may be required for the proper
22 discharge of the functions of the board. The director shall, as
23 permissible under P.L. 101-392, as amended, integrate the staff of the
24 council on vocational education, and contract with the state board for
25 community and technical colleges for assistance for adult basic skills
26 and literacy policy development and planning as required by P.L. 100-
27 297, as amended.

1 NEW SECTION. **Sec. 7.** (1) The board shall be designated as the
2 state board of vocational education as provided for in P.L. 98-524, as
3 amended, and shall perform such functions as is necessary to comply
4 with federal directives pertaining to the provisions of such law.

5 (2) The board shall monitor for consistency with the state
6 comprehensive plan for work force training and education the policies
7 and plans established by the state job training coordinating council,
8 the advisory council on adult education, and the Washington state plan
9 for adult basic education, and provide guidance for making such
10 policies and plans consistent with the state comprehensive plan for
11 work force training and education.

12 NEW SECTION. **Sec. 8.** The board shall, in cooperation with the
13 operating agencies of the state training system:

14 (1) Advocate for the state training system and for meeting the
15 needs of employers and the work force for work force education and
16 training.

17 (2) Establish and maintain an inventory of the programs of the
18 state training system, and related state programs, and perform a
19 biennial assessment of the vocational education, training, and adult
20 basic education and literacy needs of the state; identify ongoing and
21 strategic education needs; and assess the extent to which employment,
22 training, vocational and basic education, rehabilitation services, and
23 public assistance services represent a consistent, integrated approach
24 to meet such needs.

25 (3) Develop and maintain a state comprehensive plan for work force
26 training and education, including but not limited to, goals,
27 objectives, and priorities for the state training system, and review
28 the state training system for consistency with the state comprehensive
29 plan. In developing the state comprehensive plan for work force

1 training and education, the board shall use, but shall not be limited
2 to: Economic, labor market, and populations trends reports in office
3 of financial management forecasts; joint office of financial management
4 and department of employment security labor force, industry employment,
5 and occupational forecasts; the results of scientifically based
6 outcome, net-impact and cost-benefit evaluations; the needs of
7 employers as evidenced in formal employer surveys and other employer
8 input; and the needs of program participants and workers as evidenced
9 in formal surveys and other input from program participants and the
10 labor community.

11 (4) In consultation with the higher education coordinating board,
12 review and make recommendations to the office of financial management
13 and the legislature on operating and capital facilities budget requests
14 for operating agencies of the state training system for purposes of
15 consistency with the state comprehensive plan for work force training
16 and education.

17 (5) Provide for coordination among the different operating agencies
18 of the state training system at the state level and at the regional
19 level.

20 (6) Develop a consistent and reliable data base on vocational
21 education enrollments, costs, program activities, and job placements
22 from publicly funded vocational education programs in this state.

23 (7) Establish standards for data collection and maintenance for the
24 operating agencies of the state training system in a format that is
25 accessible to use by the board. The board shall require a minimum of
26 common core data to be collected by each operating agency of the state
27 training system.

28 The board shall develop requirements for minimum common core data
29 in consultation with the office of financial management and the
30 operating agencies of the training system.

1 (8) Establish minimum standards for program evaluation for the
2 operating agencies of the state training system, including, but not
3 limited to, the use of common survey instruments and procedures for
4 measuring perceptions of program participants and employers of program
5 participants, and monitor such program evaluation.

6 (9) Every two years administer scientifically based outcome
7 evaluations of the state training system, including, but not limited
8 to, surveys of program participants, surveys of employers of program
9 participants, and matches with employment security department payroll
10 and wage files. Every five years administer scientifically based net-
11 impact and cost-benefit evaluations of the state training system.

12 (10) In cooperation with the department of employment security,
13 provide for the improvement and maintenance of quality and utility in
14 occupational information and forecasts for use in training system
15 planning and evaluation. Improvements shall include, but not be
16 limited to, development of state-based occupational change factors
17 involving input by employers and employees, and delineation of skill
18 and training requirements by education level associated with current
19 and forecasted occupations.

20 (11) Provide for the development of common course description
21 formats, common reporting requirements, and common definitions for
22 operating agencies of the training system.

23 (12) Provide for effectiveness and efficiency reviews of the state
24 training system.

25 (13) In cooperation with the higher education coordinating board,
26 facilitate transfer of credit policies and agreements between
27 institutions of the state training system, and encourage articulation
28 agreements for programs encompassing two years of secondary work force
29 education and two years of postsecondary work force education.

1 (14) In cooperation with the higher education coordinating board,
2 facilitate transfer of credit policies and agreements between private
3 training institutions and institutions of the state training system.

4 (15) Participate in the development of coordination criteria for
5 activities under the job training partnership act with related programs
6 and services provided by state and local education and training
7 agencies.

8 (16) Make recommendations to the commission of student assessment,
9 the state board of education, and the superintendent of public
10 instruction, concerning basic skill competencies and essential core
11 competencies for K-12 education. Basic skills for this purpose shall
12 be reading, writing, computation, speaking, and critical thinking,
13 essential core competencies for this purpose shall be English, math,
14 science/technology, history, geography, and critical thinking. The
15 board shall monitor the development of and provide advice concerning
16 secondary curriculum which integrates vocational and academic
17 education.

18 (17) Establish and administer programs for marketing and outreach
19 to businesses and potential program participants.

20 (18) Facilitate the location of support services, including but not
21 limited to, child care, financial aid, career counseling, and job
22 placement services, for students and trainees at institutions in the
23 state training system, and advocate for support services for trainees
24 and students in the state training system.

25 (19) Facilitate private sector assistance for the state training
26 system, including but not limited to: Financial assistance, rotation
27 of private and public personnel, and vocational counseling.

28 (20) Facilitate programs for school-to-work transition that combine
29 classroom education and on-the-job training in industries and
30 occupations without a significant number of apprenticeship programs.

1 (21) Encourage and assess progress for the equitable representation
2 of racial and ethnic minorities, women, and people with disabilities
3 among the students, teachers, and administrators of the state training
4 system. Equitable, for this purpose, shall mean substantially
5 proportional to their percentage of the state population in the
6 geographic area served. This function of the board shall in no way
7 lessen more stringent state or federal requirements for representation
8 of racial and ethnic minorities, women, and people with disabilities.

9 (22) Participate in the planning and policy development of governor
10 set-aside grants under P.L. 97-300, as amended.

11 (23) Administer veterans' programs, licensure of private vocational
12 schools, the job skills program, and the Washington award for
13 vocational excellence.

14 (24) Allocate funding from the state job training trust fund.

15 (25) Adopt rules as necessary to implement this chapter.

16 (26) The board may delegate to the director any of the functions of
17 this section.

18 NEW SECTION. **Sec. 9.** The state board for vocational education
19 is hereby abolished and its powers, duties, and functions are hereby
20 transferred to the work force training and education coordinating
21 board. All references to the director or the state board for
22 vocational education in the Revised Code of Washington shall be
23 construed to mean the director or the work force training and education
24 coordinating board.

25 NEW SECTION. **Sec. 10.** All reports, documents, surveys, books,
26 records, files, papers, or written material in the possession of the
27 state board for vocational education shall be delivered to the custody
28 of the work force training and education coordinating board. All

1 cabinets, furniture, office equipment, motor vehicles, and other
2 tangible property employed by the state board for vocational education
3 shall be made available to the work force training and education
4 coordinating board. All funds, credits, or other assets held by the
5 state board for vocational education shall be assigned to the work
6 force training and education coordinating board.

7 Any appropriations made to the state board for vocational education
8 shall, on the effective date of this section, be transferred and
9 credited to the work force training and education coordinating board.

10 Whenever any question arises as to the transfer of any personnel,
11 funds, books, documents, records, papers, files, equipment, or other
12 tangible property used or held in the exercise of the powers and the
13 performance of the duties and functions transferred, the director of
14 financial management shall make a determination as to the proper
15 allocation and certify the same to the state agencies concerned.

16 NEW SECTION. **Sec. 11.** All employees of the state board for
17 vocational education who are classified under chapter 41.06 RCW, the
18 state civil service law, are assigned to the work force training and
19 education coordinating board to perform their usual duties upon the
20 same terms as formerly, without any loss of rights, subject to any
21 action that may be appropriate thereafter in accordance with the laws
22 and rules governing state civil service.

23 NEW SECTION. **Sec. 12.** All rules and all pending business
24 before the state board for vocational education shall be continued and
25 acted upon by the work force training and education coordinating board.
26 All existing contracts and obligations shall remain in full force and
27 shall be performed by the work force training and education
28 coordinating board.

1 NEW SECTION. **Sec. 13.** The transfer of the powers, duties,
2 functions, and personnel of the state board for vocational education
3 shall not affect the validity of any act performed prior to the
4 effective date of this section.

5 NEW SECTION. **Sec. 14.** If apportionments of budgeted funds are
6 required because of the transfers directed by sections 10 through 13 of
7 this act, the director of financial management shall certify the
8 apportionments to the agencies affected, the state auditor, and the
9 state treasurer. Each of these shall make the appropriate transfer and
10 adjustments in funds and appropriation accounts and equipment records
11 in accordance with the certification.

12 NEW SECTION. **Sec. 15.** Nothing contained in sections 9 through
13 14 of this act may be construed to alter any existing collective
14 bargaining unit or the provisions of any existing collective bargaining
15 agreement until the agreement has expired or until the bargaining unit
16 has been modified by action of the personnel board as provided by law.

17 NEW SECTION. **Sec. 16.** (1) There is hereby created the
18 Washington state job training coordinating council for so long as a
19 state council is required by federal law or regulation as a condition
20 for receipt of federal funds. The council shall perform all duties of
21 state job training coordinating council as specified in the federal job
22 training partnership act, P.L. 97-300, as amended, including the
23 preparation of a coordination and special services plan for a two-year
24 period, consistent with the state comprehensive plan for work force
25 training and education prepared by the work force training and
26 education coordinating board as provided for in section 8 of this act.

1 (2) The legislative budget committee shall monitor the need for the
2 council as described in subsection (1) of this section, and, if that
3 need no longer exists, propose legislation to terminate the council.

4 NEW SECTION. **Sec. 17.** (1) Current members of the Washington
5 state job training coordinating council appointed pursuant to P.L. 97-
6 300, as amended, shall serve as the state council for purposes of this
7 chapter until new appointments are made consistent with this section.

8 (2) New appointments to the state council shall be made by July 1,
9 1991. Members of the Washington state job training council shall be
10 appointed by the governor as required by federal law and shall be
11 representative of the population of the state with regard to sex, race,
12 ethnic background, and geographical distribution. Ten members of the
13 council shall consist of the chair and voting members of the work force
14 training and education coordinating board. One voting member of the
15 council shall be a representative of the administrators for the service
16 delivery areas established under P.L. 97-300. One voting member of the
17 council shall be a representative of the private industry councils
18 established under P.L. 97-300.

19 (3) The Washington state job training coordinating council shall
20 provide staff and allocate funds to the work force training and
21 education coordinating board, as appropriate, to carry out the
22 overlapping functions of the two bodies.

23 NEW SECTION. **Sec. 18.** (1) There is hereby created the
24 Washington state council on vocational education for so long as a state
25 council is required by federal law or regulation as a condition for
26 receipt of federal funds. The council on vocational education shall
27 perform all duties of councils on vocational education as specified in
28 P.L. 101-392, as amended.

1 (2) The legislative budget committee shall monitor the need for the
2 council as described in subsection (1) of this section, and, if that
3 need no longer exists, propose legislation to terminate the council.

4 NEW SECTION. **Sec. 19.** Current members of the Washington state
5 council on vocational education appointed pursuant to P.L. 98-524, as
6 amended, shall serve as the state council on vocational education for
7 purposes of this chapter until new appointments are made consistent
8 with this section. New appointments to the state council on vocational
9 education shall be made by July 1, 1991. The council on vocational
10 education shall consist of thirteen members appointed by the governor
11 consistent with the provisions of P.L. 101-392, as amended. In making
12 these appointments, to the maximum extent feasible, the governor shall
13 give consideration to providing overlapping membership with the
14 membership of the state job training coordinating council.

15 NEW SECTION. **Sec. 20.** The council on vocational education
16 shall perform its functions consistent with the state comprehensive
17 plan for work force training and education prepared by the work force
18 training and education coordinating board as provided for in section 8
19 of this act.

20 NEW SECTION. **Sec. 21.** (1) There is hereby created the
21 Washington advisory council on adult education. The advisory council
22 shall advise the state board for community and technical colleges and
23 the work force training and education coordinating board concerning
24 adult basic education and literacy programs. The advisory council
25 shall perform all duties of state advisory councils on adult education
26 as specified in P.L. 100-297, as amended. The advisory council's
27 actions shall be consistent with the state comprehensive plan for work

1 force training and education prepared by the work force training and
2 education coordinating board as provided for in section 8 of this act.

3 (2) The advisory council on adult education shall consist of nine
4 members as required by federal law, appointed by the governor. In
5 making these appointments, to the maximum extent feasible, the governor
6 shall give consideration to providing overlapping membership with the
7 membership of the state job training coordinating council, and the
8 governor shall give consideration to individuals with expertise and
9 experience in adult basic education.

10 (3) The legislative budget committee shall monitor the need for the
11 council as described in subsection (1) of this section, and, if that
12 need no longer exists, propose legislation to terminate the council.

13 **Sec. 22.** RCW 28B.50.010 and 1969 ex.s. c 223 s 28B.50.010 are each
14 amended to read as follows:

15 This chapter shall be known as and may be cited as the community
16 and technical college act of (~~1967~~) 1991.

17 **Sec. 23.** RCW 28B.50.020 and 1969 ex.s. c 261 s 17 are each amended
18 to read as follows:

19 The purpose of this chapter is to provide for the dramatically
20 increasing number of students requiring high standards of education
21 either as a part of the continuing higher education program or for
22 occupational education and training, or for adult basic skills and
23 literacy education, by creating a new, independent system of community
24 and technical colleges which will:

25 (1) Offer an open door to every citizen, regardless of his or her
26 academic background or experience, at a cost normally within his or her
27 economic means;

1 (2) Ensure that each (~~community~~) college district shall offer
2 thoroughly comprehensive educational, training and service programs to
3 meet the needs of both the communities and students served by
4 combining(~~(, with equal emphasis,)~~) high standards of excellence in
5 academic transfer courses; realistic and practical courses in
6 occupational education, both graded and ungraded; community services of
7 an educational, cultural, and recreational nature; and adult education,
8 including basic skills and general, family, and work force literacy
9 programs and services. However, college districts containing only
10 technical colleges or the Seattle Vocational Institute shall maintain
11 programs solely for occupational education, basic skills, and literacy
12 purposes;

13 (3) Provide for basic skills and literacy education, and
14 occupational education and technical training at technical colleges in
15 order to prepare students for careers in a competitive work force;

16 (4) Provide for related and supplemental instruction for
17 apprentices at community and technical colleges;

18 (5) Provide administration by state and local boards which will
19 avoid unnecessary duplication of facilities or programs; and which will
20 encourage efficiency in operation and creativity and imagination in
21 education, training and service to meet the needs of the community and
22 students;

23 (~~(+4)~~) (6) Allow for the growth, improvement, flexibility and
24 modification of the community colleges and their education, training
25 and service programs as future needs occur; and

26 (~~(+5)~~) (7) Establish firmly that community colleges are, for
27 purposes of academic training, two year institutions, and are an
28 independent, unique, and vital section of our state's higher education
29 system, separate from both the common school system and other

1 institutions of higher learning, and never to be considered for
2 conversion into four-year liberal arts colleges.

3 **Sec. 24.** RCW 28B.50.030 and 1985 c 461 s 14 are each amended to
4 read as follows:

5 As used in this chapter, unless the context requires otherwise, the
6 term:

7 (1) "System" shall mean the state system of community and
8 technical colleges, which shall be a system of higher education;

9 (2) "Board" shall mean the work force training and education
10 coordinating board;

11 (3) "College board" shall mean the state board for community and
12 technical colleges ~~((education))~~ created by this chapter;

13 ~~((+3))~~ (4) "Director" shall mean the administrative director for
14 the state system of community and technical colleges;

15 ~~((+4))~~ (5) "District" shall mean any one of the community and
16 technical college districts created by this chapter;

17 ~~((+5))~~ (6) "Board of trustees" shall mean the local community and
18 technical college board of trustees established for each ~~((community))~~
19 college district within the state;

20 ~~((+6) "Council" shall mean the coordinating council for~~
21 ~~occupational education;))~~

22 (7) "Occupational education" shall mean that education or training
23 that will prepare a student for employment that does not require a
24 baccalaureate degree;

25 (8) "K-12 system" shall mean the public school program including
26 kindergarten through the twelfth grade;

27 (9) "Common school board" shall mean a public school district board
28 of directors;

1 (10) "Community college" shall include ~~((where applicable,~~
2 ~~vocational-technical and adult))~~ those higher education institutions
3 that conduct education programs ~~((conducted by community colleges and~~
4 ~~vocational-technical institutes whose major emphasis is in post-high~~
5 ~~school education))~~ under RCW 28B.50.020;

6 (11) "Technical college" shall include those higher education
7 institutions with the sole mission of conducting occupational
8 education, basic skills, literacy programs, and offering on short
9 notice, when appropriate, programs that meet specific industry needs.
10 The programs of technical colleges shall include, but not be limited
11 to, continuous enrollment, competency-based instruction, industry-
12 experienced faculty, and curriculum approved by representatives of
13 employers and labor. For purposes of this chapter, technical colleges
14 shall include Lake Washington Vocational-Technical Institute, Renton
15 Vocational-Technical Institute, Bates Vocational-Technical Institute,
16 Clover Park Vocational Institute, Bellingham Vocational-Technical
17 Institute, and the Seattle Vocational Institute.

18 (12) "Adult education" shall mean all education or instruction,
19 including academic, vocational education or training, basic skills and
20 literacy training, and "occupational education" provided by public
21 educational institutions, including common school districts for persons
22 who are eighteen years of age and over or who hold a high school
23 diploma or certificate(~~(:—PROVIDED, That))~~). However, "adult
24 education" shall not include academic education or instruction for
25 persons under twenty-one years of age who do not hold a high school
26 degree or diploma and who are attending a public high school for the
27 sole purpose of obtaining a high school diploma or certificate(~~(:—~~
28 ~~PROVIDED, FURTHER, That))~~, nor shall "adult education" ((shall not))
29 include education or instruction provided by any four year public
30 institution of higher education(~~(:—AND PROVIDED FURTHER, That adult~~

1 ~~education shall not include education or instruction provided by a~~
2 ~~vocational-technical institute)).~~

3 **Sec. 25.** RCW 28B.50.040 and 1988 c 77 s 1 are each amended to read
4 as follows:

5 The state of Washington is hereby divided into twenty-four
6 ((community)) college districts as follows:

7 (1) The first district shall encompass the counties of Clallam and
8 Jefferson;

9 (2) The second district shall encompass the counties of Grays
10 Harbor and Pacific;

11 (3) The third district shall encompass the counties of Kitsap and
12 Mason;

13 (4) The fourth district shall encompass the counties of San Juan,
14 Skagit and Island;

15 (5) The fifth district shall encompass Snohomish county except for
16 the Northshore common school district and that portion encompassed by
17 the twenty-third district created in subsection (23) of this section:
18 PROVIDED, That the fifth district shall encompass the Everett Community
19 College;

20 (6) The sixth district shall encompass the present boundaries of
21 the common school districts of Seattle and Vashon Island, King county;

22 (7) The seventh district shall encompass the present boundaries of
23 the common school districts of Shoreline in King county and Northshore
24 in King and Snohomish counties;

25 (8) The eighth district shall encompass the present boundaries of
26 the common school districts of Lake Washington, Bellevue, Issaquah,
27 Lower Snoqualmie, Mercer Island, Skykomish and Snoqualmie, King county;

1 (9) The ninth district shall encompass the present boundaries of
2 the common school districts of Federal Way, Highline and South Central,
3 King county;

4 (10) The tenth district shall encompass the present boundaries of
5 the common school districts of Auburn, Black Diamond, Renton, Enumclaw,
6 Kent, Lester and Tahoma, King county, and the King county portion of
7 Puyallup common school district No. 3;

8 (11) The eleventh district shall encompass all of Pierce county,
9 except for the present boundaries of the common school districts of
10 Tacoma and Peninsula;

11 (12) The twelfth district shall encompass Lewis county, the
12 Rochester common school district No. 401, the Tenino common school
13 district No. 402 of Thurston county, and the Thurston county portion of
14 the Centralia common school district No. 401;

15 (13) The thirteenth district shall encompass the counties of
16 Cowlitz, and Wahkiakum;

17 (14) The fourteenth district shall encompass the counties of Clark,
18 Skamania and that portion of Klickitat county not included in the
19 sixteenth district;

20 (15) The fifteenth district shall encompass the counties of Chelan,
21 Douglas and Okanogan;

22 (16) The sixteenth district shall encompass the counties of
23 Kittitas, Yakima, and that portion of Klickitat county included in
24 United States census divisions 1 through 4;

25 (17) The seventeenth district shall encompass the counties of
26 Ferry, Lincoln (except consolidated school district 105-157-166J and
27 the Lincoln county portion of common school district 167-202), Pend
28 Oreille, Spokane, Stevens and Whitman;

1 (18) The eighteenth district shall encompass the counties of Adams
2 and Grant, and that portion of Lincoln county comprising consolidated
3 school district 105-157-166J and common school district 167-202;

4 (19) The nineteenth district shall encompass the counties of Benton
5 and Franklin;

6 (20) The twentieth district shall encompass the counties of Asotin,
7 Columbia, Garfield and Walla Walla;

8 (21) The twenty-first district shall encompass Whatcom county;

9 (22) The twenty-second district shall encompass the present
10 boundaries of the common school districts of Tacoma and Peninsula,
11 Pierce county;

12 (23) The twenty-third district shall encompass that portion of
13 Snohomish county within such boundaries as the state board for
14 community and technical colleges ~~((education))~~ shall determine:
15 PROVIDED, That the twenty-third district shall encompass the Edmonds
16 Community College; and

17 (24) The twenty-fourth district shall encompass all of Thurston
18 county except the Rochester common school district No. 401, the Tenino
19 common school district No. 402, and the Thurston county portion of the
20 Centralia common school district No. 401.

21 NEW SECTION. **Sec. 26.** Notwithstanding the provisions of RCW
22 28B.50.040, there is hereby created a board of trustees, appointed
23 pursuant to the provisions of RCW 28B.50.100, for Lake Washington
24 Vocational-Technical Institute, hereafter known as Lake Washington
25 Technical College. The boundaries of the district served by Lake
26 Washington Technical College shall be determined according to section
27 117 of this act.

1 NEW SECTION. **Sec. 27.** Notwithstanding the provisions of RCW
2 28B.50.040, there is hereby created a board of trustees, appointed
3 pursuant to the provisions of RCW 28B.50.100, for Renton Vocational-
4 Technical Institute, hereafter known as Renton Technical College. The
5 boundaries of the district served by Renton Technical College shall be
6 determined as provided for in section 117 of this act.

7 NEW SECTION. **Sec. 28.** Notwithstanding the provisions of RCW
8 28B.50.040, there is hereby created a board of trustees, appointed
9 pursuant to the provisions of RCW 28B.50.100, for Bates Technical
10 College. The boundaries of the district served by Bates Technical
11 College shall be determined as provided for in section 117 of this act.

12 NEW SECTION. **Sec. 29.** Notwithstanding the provisions of RCW
13 28B.50.040, there is hereby created a board of trustees, appointed
14 pursuant to the provisions of RCW 28B.50.100, for Clover Park Technical
15 College. The boundaries of the district served by Clover Park
16 Technical College shall be determined as provided for in section 117 of
17 this act.

18 NEW SECTION. **Sec. 30.** Notwithstanding the provisions of RCW
19 28B.50.040, there is hereby created a board of trustees, appointed
20 pursuant to the provisions of RCW 28B.50.100, for Bellingham Technical
21 College. The boundaries of the district served by Bellingham Technical
22 College shall be determined as prescribed for in section 117 of this
23 act.

24 NEW SECTION. **Sec. 31.** Notwithstanding the provisions of RCW
25 28B.50.040, there is hereby created a board of trustees for the Seattle
26 Vocational Institute, formerly known as the Washington institute of

1 applied technology. The members of the board shall be appointed by the
2 governor. Three members shall represent business, three members shall
3 represent labor, and three members shall represent community-based
4 organizations. The boundaries and service areas of the institute shall
5 be determined according to section 117 of this act.

6 **Sec. 32.** RCW 28B.50.050 and 1988 c 76 s 1 are each amended to read
7 as follows:

8 There is hereby created the "state board for community (~~college~~
9 ~~education~~) and technical colleges", to consist of (~~eight~~) nine
10 ~~members~~ (~~(, one from each congressional district, as now or hereafter~~
11 ~~existing~~) who represent the geographic diversity of the state, and who
12 shall be appointed by the governor, with the consent of the senate. In
13 making these appointments, the governor shall give consideration to
14 representing labor, business, women, and racial and ethnic minorities,
15 among the membership of the board. The current members of the state
16 board for community college education on the effective date of this
17 section shall serve on the state board for community and technical
18 colleges until their terms expire. Successors to these members shall
19 be appointed according to the terms of this section. A ninth member
20 shall be appointed by the effective date of this section for a complete
21 term.

22 The successors of the members initially appointed shall be
23 appointed for terms of four years except that (~~any~~) a person (~~(s)~~)
24 appointed to fill a vacancy occurring prior to the expiration of any
25 term shall be appointed only for the remainder of such term. Each
26 member shall serve until the appointment and qualification of his or
27 her successor. All members shall be citizens and bona fide residents
28 of the state.

1 (~~The board shall not be deemed unlawfully constituted and a member~~
2 ~~of the board shall not be deemed ineligible to serve the remainder of~~
3 ~~the member's unexpired term on the board solely by reason of the~~
4 ~~establishment of new or revised boundaries for congressional~~
5 ~~districts.))~~)

6 Members of the college board shall be compensated in accordance
7 with RCW 43.03.240 and shall receive reimbursement for travel expenses
8 in accordance with RCW 43.03.050 and 43.03.060 for each day actually
9 spent in attending to the duties as a member of the college board.

10 The members of the college board may be removed by the governor for
11 inefficiency, neglect of duty, or malfeasance in office, in the manner
12 provided by RCW 28B.10.500.

13 **Sec. 33.** RCW 28B.50.060 and 1975-'76 2nd ex.s. c 34 s 75 are each
14 amended to read as follows:

15 A director of the state system of community and technical colleges
16 shall be appointed by the college board and shall serve at the pleasure
17 of the college board. ((He)) The director shall be appointed with due
18 regard to ((his)) the applicant's fitness and background in education,
19 ((by his)) and knowledge of and recent practical experience in the
20 field of educational administration particularly in institutions beyond
21 the high school level. The college board may also take into
22 consideration an applicant's proven management background even though
23 not particularly in the field of education.

24 The director shall devote his or her time to the duties of his or
25 her office and shall not have any direct pecuniary interest in or any
26 stock or bonds of any business connected with or selling supplies to
27 the field of education within this state, in keeping with chapter 42.18
28 RCW, the executive conflict of interest act.

1 ((He)) The director shall receive a salary to be fixed by the
2 college board and shall be reimbursed for travel expenses incurred ((by
3 him)) in the discharge of his or her official duties in accordance with
4 RCW 43.03.050 and 43.03.060, as now existing or hereafter amended.

5 ((He)) The director shall be the executive officer of the college
6 board and serve as its secretary and under its supervision shall
7 administer the provisions of this chapter and the rules, regulations
8 and orders established thereunder and all other laws of the state.

9 ((He)) The director shall attend, but not vote at, all meetings of the
10 college board. ((He)) The director shall be in charge of offices of
11 the college board and responsible to the college board for the
12 preparation of reports and the collection and dissemination of data and
13 other public information relating to the state system of community and
14 technical colleges. At the direction of the college board, ((he)) the
15 director shall, together with the chairman of the college board,
16 execute all contracts entered into by the college board.

17 The director shall, with the approval of the college board: (1)
18 Employ necessary assistant directors of major staff divisions who shall
19 serve at ((his)) the director's pleasure on such terms and conditions
20 as ((he)) the director determines, and (2) subject to the provisions of
21 chapter 28B.16 RCW, the higher education personnel law, the director
22 shall, with the approval of the college board, appoint and employ such
23 field and office assistants, clerks and other employees as may be
24 required and authorized for the proper discharge of the functions of
25 the college board and for whose services funds have been appropriated.

26 The board may, by written order filed in its office, delegate to
27 the director any of the powers and duties vested in or imposed upon it
28 by this chapter. Such delegated powers and duties may be exercised by
29 the director in the name of the college board.

1 **Sec. 34.** RCW 28B.50.085 and 1981 c 246 s 4 are each amended to
2 read as follows:

3 The state board for community and technical colleges ~~((education))~~
4 shall appoint a treasurer who shall be the financial officer of the
5 board, who shall make such vendor payments and salary payments for the
6 entire community and technical college system as authorized by the
7 state board, and who shall hold office during the pleasure of the
8 board. All moneys received by the state board and not required to be
9 deposited elsewhere, shall be deposited in a depository selected by the
10 board, which moneys shall be subject to the budgetary and audit
11 provisions of law applicable to state agencies. The depository
12 selected by the state board shall conform to the collateral
13 requirements required for the deposit of other state funds.
14 Disbursement shall be made by check signed by the treasurer. The
15 treasurer shall render a true and faithful account of all moneys
16 received and paid out by him or her and shall give bond for the
17 faithful performance of the duties of his or her office in such amount
18 as the board requires: PROVIDED, That the board shall pay the fee for
19 any such bonds.

20 **Sec. 35.** RCW 28B.50.090 and 1982 c 50 s 1 are each amended to read
21 as follows:

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

27 (1) Review the budgets prepared by the ~~((community college))~~
28 of trustees, prepare a single budget for the support of the state
29 system of community and technical colleges and adult education, and

1 submit this budget to the governor as provided in RCW 43.88.090(~~(; the~~
2 ~~coordinating council shall assist with the preparation of the community~~
3 ~~college budget that has to do with vocational education programs)) ;~~

4 (2) Establish guidelines for the disbursement of funds; and receive
5 and disburse such funds for adult education and maintenance and
6 operation and capital support of the ((community)) college districts in
7 conformance with the state and district budgets, and in conformance
8 with chapter 43.88 RCW;

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

10 (a) That each ((community)) college district shall offer thoroughly
11 comprehensive educational, training and service programs to meet the
12 needs of both the communities and students served by combining(~~(, with~~
13 equal emphasis,)) high standards of excellence in academic transfer
14 courses; realistic and practical courses in occupational education,
15 both graded and ungraded; and community services of an educational,
16 cultural, and recreational nature; and adult education(~~(; PROVIDED,~~
17 That notwithstanding any other provisions of this chapter, a community
18 college shall not be required to offer a program of vocational
19 technical training, when such a program as approved by the coordinating
20 council for occupational education is already operating in the
21 district)), including basic skills and general, family, and work force
22 literacy programs and services. However, technical colleges, and
23 college districts containing only technical colleges, shall maintain
24 programs solely for occupational education, basic skills, and literacy
25 purposes;

26 (b) That each ((community)) college district shall maintain an
27 open-door policy, to the end that no student will be denied admission
28 because of the location of ((his)) the student's residence or because
29 of ((his)) the student's educational background or ability; that,
30 insofar as is practical in the judgment of the college board,

1 curriculum offerings will be provided to meet the educational and
2 training needs of the community generally and the students thereof; and
3 that all students, regardless of their differing courses of study, will
4 be considered, known and recognized equally as members of the student
5 body: PROVIDED, That the administrative officers of a community or
6 technical college may deny admission to a prospective student or
7 attendance to an enrolled student if, in their judgment, ((he)) the
8 student would not be competent to profit from the curriculum offerings
9 of the ((community)) college, or would, by his or her presence or
10 conduct, create a disruptive atmosphere within the ((community))
11 college not consistent with the purposes of the institution;

12 (4) Prepare a comprehensive master plan for the development of
13 community and technical college education and training in the state;
14 and assist the office of financial management in the preparation of
15 enrollment projections to support plans for providing adequate
16 ((community)) college facilities in all areas of the state;

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

20 (6) Establish criteria and procedures for modifying district
21 boundary lines consistent with the purposes set forth in RCW 28B.50.020
22 as now or hereafter amended and in accordance therewith make such
23 changes as it deems advisable;

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

26 (a) Qualifications and credentials of instructional and key
27 administrative personnel, except as otherwise provided in the state
28 plan for vocational education,

1 (b) Internal budgeting, accounting, auditing, and financial
2 procedures as necessary to supplement the general requirements
3 prescribed pursuant to chapter 43.88 RCW,

4 (c) The content of the curriculums and other educational and
5 training programs, and the requirement for degrees and certificates
6 awarded by the colleges,

7 (d) Standard admission policies,

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

9 (8) Establish and administer criteria and procedures for all
10 capital construction including the establishment, installation, and
11 expansion of facilities within the various ((community)) college
12 districts;

13 (9) Encourage innovation in the development of new educational and
14 training programs and instructional methods; coordinate research
15 efforts to this end; and disseminate the findings thereof;

16 (10) Exercise any other powers, duties and responsibilities
17 necessary to carry out the purposes of this chapter;

18 (11) Authorize the various community and technical colleges to
19 offer programs and courses in other districts when it determines that
20 such action is consistent with the purposes set forth in RCW 28B.50.020
21 as now or hereafter amended;

22 (12) Notwithstanding any other law or statute regarding the sale of
23 state property, sell or exchange and convey any or all interest in any
24 community and technical college real and personal property, except such
25 property as is received by a ((community)) college district in
26 accordance with RCW 28B.50.140(8), when it determines that such
27 property is surplus or that such a sale or exchange is in the best
28 interests of the community and technical college system;

29 (13) In order that the treasurer for the state board for community
30 and technical colleges ((education)) appointed in accordance with RCW

1 28B.50.085 may make vendor payments, the state treasurer will honor
2 warrants drawn by the state board providing for an initial advance on
3 July 1, 1982, of the current biennium and on July 1 of each succeeding
4 biennium from the state general fund in an amount equal to twenty-four
5 percent of the average monthly allotment for such budgeted biennium
6 expenditures for the state board for community and technical colleges
7 (~~education~~) as certified by the office of financial management; and
8 at the conclusion of such initial month and for each succeeding month
9 of any biennium, the state treasurer will reimburse expenditures
10 incurred and reported monthly by the state board treasurer in
11 accordance with chapter 43.88 RCW: PROVIDED, That the reimbursement to
12 the state board for actual expenditures incurred in the final month of
13 each biennium shall be less the initial advance made in such biennium;

14 (14) Notwithstanding the provisions of subsection (12) of this
15 section, may receive such gifts, grants, conveyances, devises, and
16 bequests of real or personal property from private sources as may be
17 made from time to time, in trust or otherwise, whenever the terms and
18 conditions thereof will aid in carrying out the community and technical
19 college programs and may sell, lease or exchange, invest or expend the
20 same or the proceeds, rents, profits and income thereof according to
21 the terms and conditions thereof; and adopt regulations to govern the
22 receipt and expenditure of the proceeds, rents, profits and income
23 thereof(~~(-)~~);

24 (15) The college board shall have the power of eminent domain;

25 (16) Provide general supervision over the state's technical
26 colleges. The president of each technical college shall report
27 directly to the director of the state board for community and technical
28 colleges, or the director's designee, until local control is assumed by
29 a new or existing board of trustees as appropriate, except that a
30 college president shall have authority over program decisions of his or

1 her college until the establishment of a board of trustees for that
2 college. Until June 30, 1996, technical colleges shall be administered
3 by a division of technical colleges within the office of the college
4 board. The division shall report to the director or the deputy
5 director of the college board.

6 **Sec. 36.** RCW 28B.50.092 and 1977 ex.s. c 131 s 1 are each amended
7 to read as follows:

8 The state board for community and technical colleges ~~((education))~~
9 may authorize any ~~((community college))~~ board of trustees to do all
10 things necessary to conduct an education, training, and service program
11 authorized by chapter 28B.50 RCW, as now or hereafter amended, for
12 United States military personnel and their dependents, and department
13 of defense civilians and their dependents, at any geographical
14 location: PROVIDED, That such programs shall be limited to those
15 colleges which conducted programs for United States military personnel
16 prior to January 1, 1977: PROVIDED FURTHER, That any high school
17 completion program conducted pursuant to this section shall comply with
18 standards set forth in rules and regulations promulgated by the
19 superintendent of public instruction and the state board of education:
20 AND PROVIDED FURTHER, That the superintendent of public instruction
21 shall issue the certificate or diploma in recognition of high school
22 completion education provided pursuant to this section.

23 **Sec. 37.** RCW 28B.50.093 and 1973 c 105 s 2 are each amended to
24 read as follows:

25 Prior to the state board granting authorization for any programs
26 authorized under RCW 28B.50.092, the state board shall determine that
27 such authorization will not deter from the primary functions of the

1 community and technical college system within the state of Washington
2 as prescribed by chapter 28B.50 RCW.

3 **Sec. 38.** RCW 28B.50.095 and 1983 c 3 s 40 are each amended to read
4 as follows:

5 In addition to other powers and duties, the college board may issue
6 rules and regulations permitting a student to register at more than one
7 community and technical college, provided that such student shall pay
8 tuition and fees as if ((he)) the student were registered at a single
9 college, but not to exceed tuition and fees charged a full-time student
10 as established by RCW 28B.15.502.

11 **Sec. 39.** RCW 28B.50.100 and 1987 c 330 s 1001 are each amended to
12 read as follows:

13 There is hereby created a ((~~community college~~)) board of trustees
14 for each ((~~community~~)) college district as set forth in this chapter.
15 Each ((~~community college~~)) board of trustees shall be composed of five
16 trustees, who shall be appointed by the governor for terms commencing
17 October 1st of the year in which appointed. In making such
18 appointments the governor shall give consideration to geographical
19 ((~~exigencies, and the interests of labor, industry, agriculture, the~~
20 ~~professions and ethnic groups~~)) diversity, and representing labor,
21 business, women, and racial and ethnic minorities, in the membership of
22 the boards of trustees.

23 The successors of the trustees initially appointed shall be
24 appointed by the governor to serve for a term of five years except that
25 any person appointed to fill a vacancy occurring prior to the
26 expiration of any term shall be appointed only for the remainder of the
27 term. Each member shall serve until a successor is appointed and
28 qualified.

1 Every trustee shall be a resident and qualified elector of the
2 ((community)) college district. No trustee may be an employee of the
3 community and technical college system, a member of the board of
4 directors of any school district, or a member of the governing board of
5 any public or private educational institution.

6 Each board of trustees shall organize itself by electing a chairman
7 from its members. The board shall adopt a seal and may adopt such
8 bylaws, rules and regulations as it deems necessary for its own
9 government. Three members of the board shall constitute a quorum, but
10 a lesser number may adjourn from time to time and may compel the
11 attendance of absent members in such manner as prescribed in its
12 bylaws, rules, or regulations. The district president, or if there be
13 none, the president of the ((community)) college, shall serve as, or
14 may designate another person to serve as, the secretary of the board,
15 who shall not be deemed to be a member of the board.

16 Members of the boards of trustees may be removed for misconduct or
17 malfeasance in office in the manner provided by RCW 28B.10.500.

18 **Sec. 40.** RCW 28B.50.130 and 1977 c 75 s 27 are each amended to
19 read as follows:

20 Within thirty days of their appointment ((~~or July 1, 1967,~~
21 ~~whichever is sooner,~~)) the various district boards of trustees shall
22 organize, adopt bylaws for its own government, and make such rules and
23 regulations not inconsistent with this chapter as they deem necessary.
24 At such organizational meeting it shall elect from among its members a
25 ((~~chairman and a vice-chairman~~)) chair and vice-chair, each to serve
26 for one year, and annually thereafter shall elect such officers to
27 serve until their successors are appointed or qualified. The chief
28 executive officer of the ((community)) college district, or ((his))
29 designee, shall serve as secretary of the board. Three trustees shall

1 constitute a quorum, and no action shall be taken by less than a
2 majority of the trustees of the board. The district boards shall
3 transmit such reports to the college board as may be requested by the
4 college board. The fiscal year of the district boards shall conform to
5 the fiscal year of the state.

6 **Sec. 41.** RCW 28B.50.140 and 1990 c 135 s 1 are each amended to
7 read as follows:

8 Each ~~((community college))~~ board of trustees:

9 (1) Shall operate all existing community and technical colleges
10 ~~((and vocational technical institutes))~~ in its district;

11 (2) Shall create comprehensive programs of community and technical
12 college education and training and maintain an open-door policy in
13 accordance with the provisions of RCW 28B.50.090(3). However,
14 technical colleges, and college districts containing only technical
15 colleges, shall maintain programs solely for occupational education,
16 basic skills, and literacy purposes;

17 (3) Shall employ for a period to be fixed by the board a college
18 president for each community and technical college ~~((district,))~~ and
19 ~~((where applicable community college))~~ the board may appoint a
20 president~~((s within))~~ for the district, and fix their duties and
21 compensation, which may include elements other than salary.
22 Compensation under this subsection shall not affect but may supplement
23 retirement, health care, and other benefits that are otherwise
24 applicable to the presidents as state employees. The board shall also
25 employ for a period to be fixed by the board members of the faculty and
26 such other administrative officers and other employees as may be
27 necessary or appropriate and fix their salaries and duties.
28 Compensation and salary increases under this subsection shall not
29 exceed the amount or percentage established for those purposes in the

1 state appropriations act by the legislature as allocated to the board
2 of trustees by the state board for community and technical colleges
3 (~~education~~). The state board for community and technical colleges
4 (~~education~~) shall adopt rules defining the permissible elements of
5 compensation under this subsection;

6 (4) May establish, under the approval and direction of the college
7 board, new facilities as community needs and interests demand.
8 However, the authority of (~~community college~~) boards of trustees to
9 purchase or lease major off-campus facilities shall be subject to the
10 approval of the higher education coordinating board pursuant to RCW
11 28B.80.340(5);

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

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

25 (7) May establish fees and charges for the facilities authorized
26 hereunder, including reasonable rules and regulations for the
27 government thereof, not inconsistent with the rules and regulations of
28 the college board; each board of trustees operating a community and
29 technical college may enter into agreements, subject to rules and
30 regulations of the college board, with owners of facilities to be used

1 for housing regarding the management, operation, and government of such
2 facilities, and any board entering into such an agreement may:

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

5 (b) Employ necessary employees to govern, manage and operate the
6 same;

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

16 (9) May establish and maintain night schools whenever in the
17 discretion of the board of trustees it is deemed advisable, and
18 authorize classrooms and other facilities to be used for summer or
19 night schools, or for public meetings and for any other uses consistent
20 with the use of such classrooms or facilities for community and
21 technical college purposes;

22 (10) May make rules and regulations for pedestrian and vehicular
23 traffic on property owned, operated, or maintained by the ((community
24 college)) district;

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

29 (12) May grant to every student, upon graduation or completion of
30 a course of study, a suitable diploma, nonbaccalaureate degree or

1 certificate. Technical colleges shall offer only nonbaccalaureate
2 technical degrees, certificates, or diplomas for occupational courses
3 of study under the rules of the state board;

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

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

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

24 (16) Notwithstanding any other provision of law, may offer
25 educational services on a contractual basis other than the tuition and
26 fee basis set forth in chapter 28B.15 RCW for a special fee to private
27 or governmental entities, consistent with rules and regulations adopted
28 by the state board for community and technical colleges (~~(education)~~):
29 PROVIDED, That the whole of such special fee shall go to the college
30 district and be not less than the full instructional costs of such

1 services including any salary increases authorized by the legislature
2 for community and technical college employees during the term of the
3 agreement: PROVIDED FURTHER, That enrollments generated hereunder
4 shall not be counted toward the official enrollment level of the
5 college district for state funding purposes;

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

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

26 (19) Subject to the approval of the higher education coordinating
27 board pursuant to RCW 28B.80.340(4), may participate in higher
28 education centers and consortia that involve any four-year public or
29 independent college or university; and

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

3 **Sec. 42.** RCW 28B.50.142 and 1977 ex.s. c 331 s 1 are each amended
4 to read as follows:

5 Each board of ((~~community college~~)) trustees shall appoint a
6 treasurer who shall be the financial officer of the board and who shall
7 hold office during the pleasure of the board. Each treasurer shall
8 render a true and faithful account of all moneys received and paid out
9 by him or her, comply with the provisions of RCW 28B.50.143, and shall
10 give bond for the faithful performance of the duties of his or her
11 office in such amount as the trustees require: PROVIDED, That the
12 respective community and technical colleges shall pay the fees for any
13 such bonds.

14 **Sec. 43.** RCW 28B.50.143 and 1985 c 180 s 1 are each amended to
15 read as follows:

16 In order that each ((~~community~~)) college treasurer appointed in
17 accordance with RCW 28B.50.142 may make vendor payments, the state
18 treasurer will honor warrants drawn by each community and technical
19 college providing for one initial advance ((~~on September 1, 1977, of~~
20 ~~the current biennium and~~)) on July 1 of each succeeding biennium from
21 the state general fund in an amount equal to seventeen percent of each
22 institution's average monthly allotment for such budgeted biennium
23 expenditures as certified by the office of financial management, and at
24 the conclusion of each such initial month, and for each succeeding
25 month of any biennium, the state treasurer will reimburse each
26 institution for each expenditure incurred and reported monthly by each
27 ((~~community~~)) college treasurer in accordance with chapter 43.83 RCW:
28 PROVIDED, That the reimbursement to each institution for actual

1 expenditures incurred in the final month of each biennium shall be less
2 the initial advance.

3 **Sec. 44.** RCW 28B.50.145 and 1969 ex.s. c 283 s 51 are each amended
4 to read as follows:

5 The boards of trustees of the various ~~((community))~~ college
6 districts are hereby directed to create no later than ~~((January 1,~~
7 ~~1970))~~ July 1, 1992, at each ~~((community))~~ technical college ~~((or~~
8 ~~vocational-technical-institute))~~ under their control a faculty senate
9 or similar organization to be selected by periodic vote of the
10 respective faculties thereof.

11 **Sec. 45.** RCW 28B.50.150 and 1969 ex.s. c 223 s 28B.50.150 are each
12 amended to read as follows:

13 Any resident of the state may enroll in any program or course
14 maintained or conducted by a ~~((community))~~ college district upon the
15 same terms and conditions regardless of the district of his or her
16 residence.

17 **Sec. 46.** RCW 28B.50.205 and 1988 c 206 s 502 are each amended to
18 read as follows:

19 The state board for community and technical colleges ~~((education))~~
20 shall make information available to all newly matriculated students on
21 methods of transmission of the human immunodeficiency virus and
22 prevention of acquired immunodeficiency syndrome. The curricula and
23 materials shall be reviewed for medical accuracy by the office on AIDS
24 in coordination with the appropriate regional AIDS service network.

25 **Sec. 47.** RCW 28B.50.242 and 1990 c 208 s 10 are each amended to
26 read as follows:

1 The state board for community and technical colleges ((education))
2 shall provide state-wide coordination of video telecommunications
3 programming for the community and technical college system.

4 **Sec. 48.** RCW 28B.50.250 and 1969 ex.s. c 261 s 25 are each amended
5 to read as follows:

6 The state board for community and technical colleges ((education))
7 and the state board of education are hereby authorized to permit, on an
8 ad hoc basis, the common school districts to conduct pursuant to RCW
9 28B.50.530 a program in adult education in behalf of a ((community))
10 college district when such program will not conflict with existing
11 programs of the same nature and in the same geographical area conducted
12 by the ((community)) college districts: PROVIDED, That federal
13 programs for adult education ((which are funded directly to the state
14 board of education)) shall be administered by the ((superintendent of
15 public instruction in cooperation with the director of the)) state
16 board for community and technical colleges ((education)), which agency
17 is hereby declared to be the state educational agency primarily
18 responsible for supervision of adult education in the public schools as
19 defined by RCW 28B.50.020.

20 **Sec. 49.** RCW 28B.50.320 and 1971 ex.s. c 279 s 17 are each amended
21 to read as follows:

22 All operating fees, services and activities fees, and all other
23 income which the trustees are authorized to impose shall be deposited
24 as the trustees may direct unless otherwise provided by law. Such sums
25 of money shall be subject to the budgetary and audit provisions of law
26 applicable to state agencies. The depository selected by the trustees
27 shall conform to the collateral requirements required for deposit of
28 other state funds.

1 Disbursement shall be made by check signed by the president of the
2 ((community)) college or ((his)) the president's designee appointed in
3 writing, and such other person as may be designated by the board of
4 trustees of the ((community)) college district. Each person authorized
5 to sign as provided above, shall execute a surety bond as provided in
6 RCW 43.17.100. Said bond or bonds shall be filed in the office of the
7 secretary of state.

8 **Sec. 50.** RCW 28B.50.330 and 1979 ex.s. c 12 s 2 are each amended
9 to read as follows:

10 The boards of trustees of ((community)) college districts are
11 empowered in accordance with the provisions of this chapter to provide
12 for the construction, reconstruction, erection, equipping, demolition,
13 and major alterations of buildings and other capital assets, and the
14 acquisition of sites, rights-of-way, easements, improvements, or
15 appurtenances for the use of the aforementioned colleges as authorized
16 by the college board in accordance with RCW 28B.50.140; to be financed
17 by bonds payable out of special funds from revenues hereafter derived
18 from income received from such facilities, gifts, bequests, or grants,
19 and such additional funds as the legislature may provide, and payable
20 out of a bond retirement fund to be established by the respective
21 district boards in accordance with rules and regulations of the state
22 board. With respect to building, improvements, or repairs, or other
23 work, where the estimated cost exceeds five thousand dollars, complete
24 plans and specifications for such work shall be prepared and such work
25 shall be prepared and such work shall be put out for public bids and
26 the contract shall be awarded to the lowest responsible bidder if in
27 accordance with the bid specifications: PROVIDED, That any project
28 regardless of dollar amount may be put to public bid.

1 Where the estimated cost to any (~~community~~) college of any
2 building, improvements, or repairs, or other work, is less than five
3 thousand dollars, the publication requirements of RCW 39.04.020 and
4 (~~39.04.090~~) 39.04.070 shall be inapplicable.

5 **Sec. 51.** RCW 28B.50.340 and 1985 c 390 s 54 are each amended to
6 read as follows:

7 In addition to the powers conferred under RCW 28B.50.090, the
8 (~~community~~) college (~~state~~) board is authorized and shall have the
9 power:

10 (1) To permit the district boards of trustees to contract for the
11 construction, reconstruction, erection, equipping, maintenance,
12 demolition and major alterations of buildings and other capital assets,
13 and the acquisition of sites, rights-of-way, easements, improvements or
14 appurtenances of the college as approved by the (~~community college~~)
15 state board.

16 (2) To finance the same by the issuance of bonds secured by the
17 pledge of up to one hundred percent of the building fees.

18 (3) Without limitation of the foregoing, to accept grants from the
19 United States government, or any federal or state agency or
20 instrumentality, or private corporation, association, or person to aid
21 in defraying the costs of any such projects.

22 (4) To retain bond counsel and professional bond consultants to aid
23 it in issuing bonds pursuant to RCW 28B.50.340 through 28B.50.400.

24 **Sec. 52.** RCW 28B.50.350 and 1985 c 390 s 55 are each amended to
25 read as follows:

26 For the purpose of financing the cost of any projects, the college
27 board is hereby authorized to adopt the resolution or resolutions and
28 prepare all other documents necessary for the issuance, sale and

1 delivery of the bonds or any part thereof at such time or times as it
2 shall deem necessary and advisable. Said bonds:

3 (1) Shall not constitute:

4 (a) An obligation, either general or special, of the state; or

5 (b) A general obligation of the college or of the college board;

6 (2) Shall be:

7 (a) Either registered or in coupon form; and

8 (b) Issued in denominations of not less than one hundred dollars;

9 and

10 (c) Fully negotiable instruments under the laws of this state; and

11 (d) Signed on behalf of the college board with the manual or
12 facsimile signature of the chairman of the board, attested by the
13 secretary of the board, have the seal of the college board impressed
14 thereon or a facsimile of such seal printed or lithographed in the
15 bottom border thereof, and the coupons attached thereto shall be signed
16 with the facsimile signatures of such chairman and the secretary;

17 (3) Shall state:

18 (a) The date of issue; and

19 (b) The series of the issue and be consecutively numbered within
20 the series; and

21 (c) That the bond is payable both principal and interest solely out
22 of the bond retirement fund created for retirement thereof;

23 (4) Each series of bonds shall bear interest, payable either
24 annually or semiannually, as the board may determine;

25 (5) Shall be payable both principal and interest out of the bond
26 retirement fund;

27 (6) Shall be payable at such times over a period of not to exceed
28 forty years from date of issuance, at such place or places, and with
29 such reserved rights of prior redemption, as the board may prescribe;

1 (7) Shall be sold in such manner and at such price as the board may
2 prescribe;

3 (8) Shall be issued under and subject to such terms, conditions and
4 covenants providing for the payment of the principal thereof and
5 interest thereon and such other terms, conditions, covenants and
6 protective provisions safeguarding such payment, not inconsistent with
7 RCW 28B.50.330 through 28B.50.400, and as found to be necessary by the
8 board for the most advantageous sale thereof, which may include but not
9 be limited to:

10 (a) A covenant that a reserve account shall be created in the bond
11 retirement fund to secure the payment of the principal of and interest
12 on all bonds issued and a provision made that certain amounts be set
13 aside and maintained therein;

14 (b) A covenant that sufficient moneys may be transferred from the
15 capital projects account of the college board issuing the bonds to the
16 bond retirement fund of the college board when ordered by the board in
17 the event there is ever an insufficient amount of money in the bond
18 retirement fund to pay any installment of interest or principal and
19 interest coming due on the bonds or any of them;

20 (c) A covenant fixing conditions under which bonds on a parity with
21 any bonds outstanding may be issued.

22 The proceeds of the sale of all bonds, exclusive of accrued
23 interest which shall be deposited in the bond retirement fund, shall be
24 deposited in the state treasury to the credit of the capital projects
25 account of the college board and shall be used solely for paying the
26 costs of the projects, the costs of bond counsel and professional bond
27 consultants incurred in issuing the bonds, and for the purposes set
28 forth in (8)(b) (~~above~~) of this subsection;

29 (9) Shall constitute a prior lien and charge against the building
30 fees of the community and technical colleges.

1 **Sec. 53.** RCW 28B.50.360 and 1985 c 390 s 56 are each amended to
2 read as follows:

3 There is hereby created in the state treasury a community and
4 technical college bond retirement fund. Within thirty-five days from
5 the date of start of each quarter all building fees of each such
6 community and technical college shall be paid into the state treasury,
7 and shall be credited as follows:

8 (1) On or before June 30th of each year the college board if
9 issuing bonds payable out of building fees shall certify to the state
10 treasurer the amounts required in the ensuing twelve-month period to
11 pay and secure the payment of the principal of and interest on such
12 bonds. The state treasurer shall thereupon deposit the amounts so
13 certified in the community and technical college bond retirement fund
14 which fund as required, is hereby created in the state treasury. Such
15 amounts of the funds deposited in the bond retirement fund as are
16 necessary to pay and secure the payment of the principal of and
17 interest on the building bonds issued by the college board as
18 authorized by this chapter shall be exclusively devoted to that
19 purpose. If in any twelve-month period it shall appear that the amount
20 certified by the college board is insufficient to pay and secure the
21 payment of the principal of and interest on the outstanding building
22 bonds, the state treasurer shall notify the college board and such
23 board shall adjust its certificate so that all requirements of moneys
24 to pay and secure the payment of the principal and interest on all such
25 bonds then outstanding shall be fully met at all times.

26 (2) That portion of the building fees not required for or in excess
27 of the amounts necessary to pay and secure the payment of any of the
28 bonds as provided in subsection (1) (~~above~~) of this section shall be
29 deposited in the community and technical college capital projects
30 account which account is hereby created in the state treasury. The

1 sums deposited in the capital projects account shall be appropriated
2 and expended exclusively for the construction, reconstruction,
3 erection, equipping, maintenance, demolition and major alteration of
4 buildings and other capital assets owned by the state board for
5 community and technical colleges ((~~education~~)) in the name of the state
6 of Washington, and the acquisition of sites, rights-of-way, easements,
7 improvements or appurtenances in relation thereto, and for the payment
8 of principal of and interest on any bonds issued for such purposes.
9 All earnings of investments of balances in the ((~~community college~~))
10 capital projects account shall be credited to the general fund.

11 (3) Notwithstanding the provisions of subsections (1) and (2)
12 ((~~above~~)) of this section, at such time as all outstanding building
13 bonds of the college board payable from the community and technical
14 college bond retirement fund have been paid, redeemed, and retired, or
15 at such time as ample provision has been made by the state for full
16 payment, from some source other than the ((~~community college~~)) bond
17 retirement fund, of the principal of and the interest on and call
18 premium, if applicable, of such bonds as they mature and/or upon their
19 call prior to their maturity, through refunding or otherwise, that
20 portion of all building fees of the community and technical colleges
21 equal to the amount required to pay yearly debt service on any general
22 obligation bonds issued by the state in accordance with Article VIII,
23 section 1, Washington state Constitution, for community and technical
24 college purposes, shall be paid into the general fund of the state
25 treasury. The state finance committee shall determine whether ample
26 provision has been made for payment of such bonds payable from the said
27 bond retirement fund and shall determine the amount required to pay
28 yearly debt service on such general obligation bonds of the state.
29 Nothing in this subsection shall be construed as obligating the
30 legislature or the state to provide for payment of such ((~~community~~))

1 college building bonds from some source other than the community and
2 technical college bond retirement fund or as pledging the general
3 credit of the state to the payment of such bonds.

4 **Sec. 54.** RCW 28B.50.370 and 1985 c 390 s 57 are each amended to
5 read as follows:

6 For the purpose of paying and securing the payment of the principal
7 of and interest on the bonds as the same shall become due, there shall
8 be paid into the state treasury and credited to the bond retirement
9 fund of the ((state)) college board ((for—community—college
10 education)), the following:

11 (1) Amounts derived from building fees as are necessary to pay the
12 principal of and interest on the bonds and to secure the same;

13 (2) Any grants which may be made, or may become available for the
14 purpose of furthering the construction of any authorized projects, or
15 for the repayment of the costs thereof;

16 (3) Such additional funds as the legislature may provide.

17 Said bond retirement fund shall be kept segregated from all moneys
18 in the state treasury and shall, while any of such bonds or any
19 interest thereon remains unpaid, be available solely for the payment
20 thereof. As a part of the contract of sale of such bonds, the college
21 board shall charge and collect building fees as established by this
22 chapter and deposit such fees in the bond retirement fund in amounts
23 which will be sufficient to pay and secure the payment of the principal
24 of, and interest on all such bonds outstanding.

25 **Sec. 55.** RCW 28B.50.402 and 1977 ex.s. c 223 s 2 are each amended
26 to read as follows:

27 Notwithstanding anything to the contrary contained in RCW
28 28B.50.360(1) and (2) and in RCW 28B.50.370, all moneys on deposit on

1 or before June 30, 1977, in the community and technical college bond
2 retirement fund, shall be transferred by the state treasurer to the
3 state general fund, except for those moneys appropriated by section 17,
4 chapter 1, Laws of 1977.

5 **Sec. 56.** RCW 28B.50.404 and 1985 c 390 s 60 are each amended to
6 read as follows:

7 Subject to the specific provisions of RCW 28B.50.360 and 28B.50.403
8 through 28B.50.407, such general obligation refunding bonds shall be
9 issued and the refunding of said community and technical college
10 building bonds shall be carried out pursuant to chapters 39.42 and
11 39.53 RCW as now or hereafter amended. The bonds shall pledge the full
12 faith and credit of the state of Washington and contain an
13 unconditional promise of the state to pay the principal thereof and
14 interest thereon when due.

15 **Sec. 57.** RCW 28B.50.405 and 1974 ex.s. c 112 s 3 are each amended
16 to read as follows:

17 There is hereby created in the state treasury the community and
18 technical college refunding bond retirement fund of 1974, which fund
19 shall be exclusively devoted to the payment of the principal of and
20 interest on the refunding bonds authorized by RCW 28B.50.360 and
21 28B.50.403 through 28B.50.407.

22 The state finance committee shall, on or before June 30th of each
23 year, certify to the state treasurer the amount needed in the ensuing
24 twelve months to pay the principal of and interest on such bonds. On
25 July 1st of each year the state treasurer shall deposit such amount in
26 the ((community college)) refunding bond retirement fund of 1974 from
27 any general state revenues received in the state treasury.

1 **Sec. 58.** RCW 28B.50.409 and 1974 ex.s. c 112 s 7 are each amended
2 to read as follows:

3 All bonds issued after February 16, 1974 by the college board or
4 any ((~~community college~~)) board of trustees for any ((~~community~~))
5 college district under provisions of chapter 28B.50 RCW, as now or
6 hereafter amended, shall be issued by such boards only upon the prior
7 advice and consent of the state finance committee.

8 **Sec. 59.** RCW 28B.50.520 and 1969 ex.s. c 223 s 28B.50.520 are each
9 amended to read as follows:

10 The ((~~state~~)) college board ((~~for community college education~~)) or
11 any ((~~community college~~)) board of trustees is authorized to receive
12 federal funds made available for the assistance of community and
13 technical colleges, and providing physical facilities, maintenance or
14 operation of schools, or for any educational purposes, according to the
15 provisions of the acts of congress making such funds available.

16 **Sec. 60.** RCW 28B.50.535 and 1969 ex.s. c 261 s 30 are each amended
17 to read as follows:

18 A community or technical college may issue a high school diploma or
19 certificate, subject to rules and regulations promulgated by the
20 superintendent of public instruction and the state board of education.

21 **Sec. 61.** RCW 28B.50.551 and 1980 c 182 s 3 are each amended to
22 read as follows:

23 The board of trustees of each ((~~community~~)) college district shall
24 adopt for each community and technical college under its jurisdiction
25 written policies on granting leaves to employees of the district and
26 those colleges, including but not limited to leaves for attendance at
27 official or private institutions and conferences; professional leaves

1 for personnel consistent with the provisions of RCW 28B.10.650; leaves
2 for illness, injury, bereavement and emergencies, and except as
3 otherwise in this section provided, all with such compensation as the
4 board of trustees may prescribe, except that the board shall grant to
5 all such persons leave with full compensation for illness, injury,
6 bereavement and emergencies as follows:

7 (1) For persons under contract to be employed, or otherwise
8 employed, for at least three quarters, not more than twelve days per
9 year, commencing with the first day on which work is to be performed;
10 provisions of any contract in force on June 12, 1980, which conflict
11 with requirements of this subsection shall continue in effect until
12 contract expiration; after expiration, any new contract executed
13 between the parties shall be consistent with this subsection;

14 (2) Such leave entitlement may be accumulated after the first
15 three-quarter period of employment for full time employees, and may be
16 taken at any time;

17 (3) Leave for illness, injury, bereavement and emergencies
18 heretofore accumulated pursuant to law, rule, regulation or policy by
19 persons presently employed by ((community)) college districts and
20 community and technical colleges shall be added to such leave
21 accumulated under this section;

22 (4) Except as otherwise provided in this section or other law,
23 accumulated leave under this section not taken at the time such person
24 retires or ceases to be employed by ((community)) college districts or
25 community and technical colleges shall not be compensable;

26 (5) Accumulated leave for illness, injury, bereavement and
27 emergencies under this section shall be transferred from one
28 ((community)) college district or community and technical college to
29 another, to the ((state)) college board ((for community college
30 education)), to the state superintendent of public instruction, to any

1 educational service district, to any school district, or to any other
2 institutions of higher learning of the state; ((and))

3 (6) Leave accumulated by a person in a ((community)) college
4 district or community and technical college prior to leaving that
5 district or college may, under the policy of the board of trustees, be
6 granted to such person when he or she returns to the employment of that
7 district or college; and

8 (7) Employees of the Seattle Vocational Institute are exempt from
9 this section until July 1, 1993.

10 **Sec. 62.** RCW 28B.50.600 and 1969 ex.s. c 223 s 28B.50.600 are each
11 amended to read as follows:

12 Whenever a common school board has contracted to redeem general
13 obligation bonds used for the construction or acquisition of facilities
14 which are now to be under the administration, control and occupancy of
15 the ((community)) college district board, the common school board shall
16 continue to redeem the bonds in accordance with the provisions of the
17 bonds.

18 **Sec. 63.** RCW 28B.50.740 and 1969 ex.s. c 223 s 28B.50.740 are each
19 amended to read as follows:

20 Notwithstanding any other statutory provision relating to
21 indebtedness of school districts, bonds heretofore issued by any common
22 school district for the purpose of providing funds for community and
23 technical college facilities shall not be considered as indebtedness in
24 determining the maximum allowable indebtedness under any statutory
25 limitation of indebtedness when the sum of all indebtedness therein
26 does not exceed the maximum constitutional allowable indebtedness
27 applied to the value of the taxable property contained in such school
28 district: PROVIDED, That nothing contained herein shall be construed

1 to affect the distribution of state funds under any applicable
2 distribution formula.

3 **Sec. 64.** RCW 28B.50.835 and 1990 c 29 s 1 are each amended to read
4 as follows:

5 The legislature recognizes that quality in the state's community
6 and technical colleges would be strengthened by additional partnerships
7 between citizens and the institutions. The legislature intends to
8 foster these partnerships by creating a matching grant program to
9 assist public community and technical colleges in creating endowments
10 for funding exceptional faculty awards.

11 **Sec. 65.** RCW 28B.50.837 and 1990 c 29 s 2 are each amended to read
12 as follows:

13 (1) The Washington community and technical college exceptional
14 faculty awards program is established. The program shall be
15 administered by the ((state)) college board ((for community college
16 education)). The ((community)) college faculty awards trust fund
17 hereby created shall be administered by the state treasurer.

18 (2) Funds appropriated by the legislature for the community and
19 technical college exceptional faculty awards program shall be deposited
20 in the ((community)) college faculty awards trust fund. All moneys
21 deposited in the fund shall be invested by the state treasurer.
22 Notwithstanding RCW 43.84.090, all earnings of investments of balances
23 in the fund shall be credited to the fund. At the request of the
24 ((state)) college board ((for community college education)), the
25 treasurer shall release the state matching funds to the designated
26 institution's local endowment fund. No appropriation is necessary for
27 the expenditure of moneys from the fund.

1 **Sec. 66.** RCW 28B.50.839 and 1990 c 29 s 3 are each amended to read
2 as follows:

3 (1) In consultation with eligible community and technical colleges,
4 the ((state)) college board ((for community college education)) shall
5 set priorities and guidelines for the program.

6 (2) Under this section, a ((community)) college shall not receive
7 more than four faculty grants in twenty-five thousand dollar
8 increments, with a maximum total of one hundred thousand dollars per
9 campus in any biennium.

10 (3) All community and technical colleges shall be eligible for
11 matching trust funds. Institutions may apply to the ((state)) college
12 board ((for community college education)) for grants from the fund in
13 twenty-five thousand dollar increments up to a maximum of one hundred
14 thousand dollars when they can match the state funds with equal cash
15 donations from private sources, except that in the initial year of the
16 program, no college may receive more than one grant until every college
17 has received one grant. These donations shall be made specifically to
18 the exceptional faculty awards program and deposited by the institution
19 in a local endowment fund. Otherwise unrestricted gifts may be
20 deposited in the endowment fund by the institution.

21 (4) Once sufficient private donations are received by the
22 institution, the institution shall inform the ((state)) college board
23 ((for community college education)) and request state matching funds.
24 The ((state)) college board ((for community college education)) shall
25 evaluate the request for state matching funds based on program
26 priorities and guidelines. The ((state)) college board ((for community
27 college education)) may ask the state treasurer to release the state
28 matching funds to a local endowment fund established by the institution
29 for each faculty award created.

1 **Sec. 67.** RCW 28B.50.841 and 1990 c 29 s 4 are each amended to read
2 as follows:

3 (1) The faculty awards are the property of the institution and may
4 be named in honor of a donor, benefactor, or honoree of the
5 institution, at the option of the institution. The institution shall
6 designate the use of the award. The designation shall be made or
7 renewed annually.

8 (2) The institution is responsible for soliciting private
9 donations, investing and maintaining its endowment funds, administering
10 the faculty awards, and reporting on the program to the governor, the
11 ((state)) college board ((for community college education)), and the
12 legislature, upon request. The institution may augment its endowment
13 fund with additional unrestricted private donations. The principal of
14 the invested endowment fund shall not be invaded.

15 (3) The proceeds from the endowment fund shall be used to pay
16 expenses for faculty awards, which may include in-service training,
17 temporary substitute or replacement costs directly associated with
18 faculty development programs, conferences, travel, publication and
19 dissemination of exemplary projects; to supplement the salary of the
20 holder or holders of a faculty award; or to pay expenses associated
21 with the holder's program area. Funds from this program shall not be
22 used to supplant existing faculty development funds.

23 **Sec. 68.** RCW 28B.50.843 and 1990 c 29 s 5 are each amended to read
24 as follows:

25 The process for determining local awards shall be subject to
26 collective bargaining. Decisions regarding the amounts of individual
27 awards and who receives them shall not be subject to collective
28 bargaining and shall be subject to approval of the applicable
29 ((community college)) board of trustees.

1 **Sec. 69.** RCW 28B.50.850 and 1969 ex.s. c 283 s 32 are each amended
2 to read as follows:

3 It shall be the purpose of RCW 28B.50.850 through 28B.50.869 to
4 establish a system of faculty tenure which protects the concepts of
5 faculty employment rights and faculty involvement in the protection of
6 those rights in the state system of community and technical colleges.
7 RCW 28B.50.850 through 28B.50.869 shall define a reasonable and orderly
8 process for appointment of faculty members to tenure status and the
9 dismissal of the tenured faculty member.

10 Employees of the Seattle Vocational Institute are exempt from this
11 section until July 1, 1993.

12 **Sec. 70.** RCW 28B.50.851 and 1988 c 32 s 2 are each amended to read
13 as follows:

14 As used in RCW 28B.50.850 through 28B.50.869:

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

18 (2)(a) "Faculty appointment", except as otherwise provided in
19 subsection ~~((+2))~~(b) ~~((below))~~ of this subsection, shall mean full
20 time employment as a teacher, counselor, librarian or other position
21 for which the training, experience and responsibilities are comparable
22 as determined by the appointing authority, except administrative
23 appointments; "faculty appointment" shall also mean department heads,
24 division heads and administrators to the extent that such department
25 heads, division heads or administrators have had or do have status as
26 a teacher, counselor, or librarian; faculty appointment shall also mean
27 employment on a reduced work load basis when a faculty member has
28 retained tenure under RCW 28B.50.859;

1 (b) "Faculty appointment" shall not mean special faculty
2 appointment as a teacher, counselor, librarian, or other position as
3 enumerated in (~~subsection (2)~~)(a) of this subsection, when such
4 employment results from special funds provided to a community college
5 district from federal moneys or other special funds which other funds
6 are designated as "special funds" by the (~~state~~) college board (~~for~~
7 ~~community college education~~): PROVIDED, That such "special funds" so
8 designated by the (~~state~~) college board for purposes of this section
9 shall apply only to teachers, counselors and librarians hired from
10 grants and service agreements and teachers, counselors and librarians
11 hired in nonformula positions. A special faculty appointment resulting
12 from such special financing may be terminated upon a reduction or
13 elimination of funding or a reduction or elimination of program:
14 PROVIDED FURTHER, That "faculty appointees" holding faculty
15 appointments pursuant to subsections (1) or (2) (a) of this section who
16 have been subsequently transferred to positions financed from "special
17 funds" pursuant to (~~subsection (2)~~) (b) of this subsection and who
18 thereafter lose their positions upon reduction or elimination of such
19 "special funding" shall be entitled to be returned to previous status
20 as faculty appointees pursuant to subsection (1) or (2) (a) of this
21 section depending upon their status prior to the "special funding"
22 transfer. Notwithstanding the fact that tenure shall not be granted to
23 anyone holding a special faculty appointment, the termination of any
24 such faculty appointment prior to the expiration of the term of such
25 faculty member's individual contract for any cause which is not related
26 to elimination or reduction of financing or the elimination or
27 reduction of program shall be considered a termination for cause
28 subject to the provisions of this chapter;

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

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

6 (5) "Administrative appointment" shall mean employment in a
7 specific administrative position as determined by the appointing
8 authority;

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

11 (7) "Review committee" shall mean a committee composed of the
12 probationer's faculty peers, a student representative, and the
13 administrative staff of the community or technical college: PROVIDED,
14 That the majority of the committee shall consist of the probationer's
15 faculty peers.

16 **Sec. 71.** RCW 28B.50.867 and 1969 ex.s. c 283 s 43 are each amended
17 to read as follows:

18 Upon transfer of employment from one community or technical college
19 to another community or technical college within a district, a tenured
20 faculty member shall have the right to retain tenure and the rights
21 accruing thereto which he or she had in his or her previous employment:
22 PROVIDED, That upon permanent transfer of employment to another
23 ((community)) college district a tenured faculty member shall not have
24 the right to retain his tenure or any of the rights accruing thereto.

25 **Sec. 72.** RCW 28B.50.869 and 1974 ex.s. c 33 s 2 are each amended
26 to read as follows:

27 The review committees required by RCW 28B.50.850 through 28B.50.869
28 shall be composed of members of the administrative staff, a student

1 representative, and the teaching faculty. The representatives of the
2 teaching faculty shall represent a majority of the members on each
3 review committee. The members representing the teaching faculty on
4 each review committee shall be selected by a majority of the teaching
5 faculty and faculty department heads acting in a body. The student
6 representative, who shall be a full time student, shall be chosen by
7 the student association of the particular community or technical
8 college in such manner as the members thereof shall determine.

9 **Sec. 73.** RCW 28B.50.870 and 1977 ex.s. c 282 s 1 are each amended
10 to read as follows:

11 The district board of trustees of any ((community)) college
12 district currently operating an educational program with funds provided
13 by another state agency, including federal funds, which program has
14 been in existence for five or more years under the administration of
15 one or more ((community)) college districts, shall provide for the
16 award or denial of tenure to anyone who holds a special faculty
17 appointment in such curricular program and for as long as the program
18 continues to be funded in such manner, utilizing the prescribed
19 probationary processes and procedures set forth in this chapter with
20 the exception that no student representative shall be required to serve
21 on the review committee defined in RCW 28B.50.851: PROVIDED, That such
22 review processes and procedures shall not be applicable to faculty
23 members whose contracts are renewed after the effective date of this
24 1977 amendatory act and who have completed at least three consecutive
25 years of satisfactory full time service in such program, who shall be
26 granted tenure by the ((community)) college district: PROVIDED
27 FURTHER, That faculty members who have completed one year or more of
28 satisfactory full time service in such program shall be credited with
29 such service for the purposes of this section: PROVIDED, FURTHER, That

1 provisions relating to tenure for faculty under the provisions of this
2 section shall be distinct from provisions relating to tenure for other
3 faculty of the ((community)) college district and faculty appointed to
4 such special curricular program shall be treated as a separate unit as
5 respects selection, retention, reduction in force or dismissal
6 hereunder: AND PROVIDED FURTHER, That the provisions of this section
7 shall only be applicable to faculty holding a special faculty
8 appointment in an educational program operated in a state correctional
9 institution pursuant to a written contract with a ((community)) college
10 district.

11 **Sec. 74.** RCW 28B.50.873 and 1990 c 33 s 559 are each amended to
12 read as follows:

13 The ((state)) college board ((for community college education)) may
14 declare a financial emergency under the following conditions: (1)
15 Reduction of allotments by the governor pursuant to RCW 43.88.110(2),
16 or (2) reduction by the legislature from one biennium to the next or
17 within a biennium of appropriated funds based on constant dollars using
18 the implicit price deflator. When a district board of trustees
19 determines that a reduction in force of tenured or probationary faculty
20 members may be necessary due to financial emergency as declared by the
21 state board, written notice of the reduction in force and separation
22 from employment shall be given the faculty members so affected by the
23 president or district president as the case may be. Said notice shall
24 clearly indicate that separation is not due to the job performance of
25 the employee and hence is without prejudice to such employee and need
26 only state in addition the basis for the reduction in force as one or
27 more of the reasons enumerated in subsections (1) and (2) of this
28 section.

1 Said tenured or probationary faculty members will have a right to
2 request a formal hearing when being dismissed pursuant to subsections
3 (1) and (2) of this section. The only issue to be determined shall be
4 whether under the applicable policies, rules or collective bargaining
5 agreement the particular faculty member or members advised of severance
6 are the proper ones to be terminated. Said hearing shall be initiated
7 by filing a written request therefor with the president or district
8 president, as the case may be, within ten days after issuance of such
9 notice. At such formal hearing the tenure review committee provided
10 for in RCW 28B.50.863 may observe the formal hearing procedure and
11 after the conclusion of such hearing offer its recommended decision for
12 consideration by the hearing officer. Failure to timely request such
13 a hearing shall cause separation from service of such faculty members
14 so notified on the effective date as stated in the notice, regardless
15 of the duration of any individual employment contract.

16 The hearing required by this section shall be an adjudicative
17 proceeding pursuant to chapter 34.05 RCW, the Administrative Procedure
18 Act, conducted by a hearing officer appointed by the board of trustees
19 and shall be concluded by the hearing officer within sixty days after
20 written notice of the reduction in force has been issued. Ten days
21 written notice of the formal hearing will be given to faculty members
22 who have requested such a hearing by the president or district
23 president as the case may be. The hearing officer within ten days
24 after conclusion of such formal hearing shall prepare findings,
25 conclusions of law and a recommended decision which shall be forwarded
26 to the board of trustees for its final action thereon. Any such
27 determination by the hearing officer under this section shall not be
28 subject to further tenure review committee action as otherwise provided
29 in this chapter.

1 Notwithstanding any other provision of this section, at the time of
2 a faculty member or members request for formal hearing said faculty
3 member or members may ask for participation in the choosing of the
4 hearing officer in the manner provided in RCW 28A.405.310(4), said
5 employee therein being a faculty member for the purposes hereof and
6 said board of directors therein being the board of trustees for the
7 purposes hereof: PROVIDED, That where there is more than one faculty
8 member affected by the board of trustees' reduction in force such
9 faculty members requesting hearing must act collectively in making such
10 request: PROVIDED FURTHER, That costs incurred for the services and
11 expenses of such hearing officer shall be shared equally by the
12 community or technical college and the faculty member or faculty
13 members requesting hearing.

14 When more than one faculty member is notified of termination
15 because of a reduction in force as provided in this section, hearings
16 for all such faculty members requesting formal hearing shall be
17 consolidated and only one such hearing for the affected faculty members
18 shall be held, and such consolidated hearing shall be concluded within
19 the time frame set forth herein.

20 Separation from service without prejudice after formal hearing
21 under the provisions of this section shall become effective upon final
22 action by the board of trustees.

23 It is the intent of the legislature by enactment of this section
24 and in accordance with RCW 28B.52.035, to modify any collective
25 bargaining agreements in effect, or any conflicting board policies or
26 rules, so that any reductions in force which take place after December
27 21, 1981, whether in progress or to be initiated, will comply solely
28 with the provisions of this section: PROVIDED, That any applicable
29 policies, rules, or provisions contained in a collective bargaining

1 agreement related to lay-off units, seniority and re-employment rights
2 shall not be affected by the provisions of this paragraph.

3 Nothing in this section shall be construed to affect the right of
4 the board of trustees or its designated appointing authority not to
5 renew a probationary faculty appointment pursuant to RCW 28B.50.857.

6 **Sec. 75.** RCW 28B.50.875 and 1969 ex.s. c 261 s 35 are each amended
7 to read as follows:

8 Local law enforcement agencies or such other public agencies that
9 shall be in need of such service may contract with any community or
10 technical college for laboratory services for the analyzing of samples
11 that chemists associated with such ((community)) colleges may be able
12 to perform under such terms and conditions as the individual
13 ((community)) college may determine.

14 Employees of the Seattle Vocational Institute are exempt from this
15 section until July 1, 1993.

16 **Sec. 76.** RCW 15.76.120 and 1961 c 61 s 3 are each amended to read
17 as follows:

18 For the purposes of this chapter all agricultural fairs in the
19 state which may become eligible for state allocations shall be divided
20 into categories, to wit:

21 (1) "Area fairs"--those not under the jurisdiction of boards of
22 county commissioners; organized to serve an area larger than one
23 county, having both open and junior participation, and having an
24 extensive diversification of classes, displays and exhibits;

25 (2) "County and district fairs"--organized to serve the interests
26 of single counties other than those in which a recognized area fair or
27 a district fair as defined in RCW 36.37.050, is held and which are
28 under the direct control and supervision of the county commissioners of

1 the respective counties, which have both open and junior participation,
2 but whose classes, displays and exhibits may be more restricted or
3 limited than in the case of area or district fairs. There may be but
4 one county fair in a single county: PROVIDED, HOWEVER, That the county
5 commissioners of two or more counties may, by resolution, jointly
6 sponsor a county fair.

7 (3) "Community fairs"--organized primarily to serve a smaller area
8 than an area or county fair, which may have open or junior classes,
9 displays, or exhibits. There may be more than one community fair in a
10 county.

11 (4) "Youth shows and fairs"--approved by duly constituted agents of
12 Washington State University and/or the Washington (~~state board for~~
13 ~~vocational education~~) work force training and education coordinating
14 board, serving three or more counties, and having for their purpose the
15 education and training of rural youth in matters of rural living.

16 **Sec. 77.** RCW 28A.305.270 and 1989 c 146 s 2 are each amended to
17 read as follows:

18 (1) The Washington state minority teacher recruitment program is
19 established. The program shall be administered by the state board of
20 education. The state board of education shall consult with the higher
21 education coordinating board, representatives of institutions of higher
22 education, education organizations having an interest in teacher
23 recruitment issues, the superintendent of public instruction, the state
24 board for community and technical colleges (~~education~~), the
25 department of employment security, and the (~~state board of vocational~~
26 ~~education within the office of the governor~~) work force training and
27 education coordinating board. The program shall be designed to recruit
28 future teachers from students in the targeted groups who are in the

1 ninth through twelfth grades and from adults in the targeted groups who
2 have entered other occupations.

3 (2) The program shall include the following:

4 (a) Encouraging students in targeted groups in grades nine through
5 twelve to acquire the academic and related skills necessary to prepare
6 for the study of teaching at an institution of higher education;

7 (b) Promoting teaching career opportunities to develop an awareness
8 of opportunities in the education profession;

9 (c) Providing opportunities for students to experience the
10 application of regular high school course work to activities related to
11 a teaching career; and

12 (d) Providing for increased cooperation among institutions of
13 higher education including community colleges, the superintendent of
14 public instruction, the state board of education, and local school
15 districts in working toward the goals of the program.

16 NEW SECTION. **Sec. 78.** A new section is added to chapter 28A.150
17 RCW to read as follows:

18 (1) Each local education agency or college district offering
19 vocational educational programs shall establish local advisory
20 committees to provide that agency or district with advice on current
21 job needs and on the courses necessary to meet these needs.

22 (2) The local program committees shall:

23 (a) Participate in the determination of program goals;

24 (b) Review and evaluate program curricula, equipment, and
25 effectiveness;

26 (c) Include representatives of business and labor who reflect the
27 local industry, and the community; and

28 (d) Actively consult with other representatives of business,
29 industry, labor, and agriculture.

1 NEW SECTION. **Sec. 79.** (1) Each local education agency or
2 college district offering vocational educational programs shall
3 establish local advisory committees to provide that agency or district
4 with advice on current job needs and on the courses necessary to meet
5 these needs.

6 (2) The local program committees shall:

7 (a) Participate in the determination of program goals;

8 (b) Review and evaluate program curricula, equipment, and
9 effectiveness;

10 (c) Include representatives of business and labor who reflect the
11 local industry, and the community; and

12 (d) Actively consult with other representatives of business,
13 industry, labor, and agriculture.

14 NEW SECTION. **Sec. 80.** A new section is added to chapter 28A.300
15 RCW to read as follows:

16 The superintendent shall cooperate with the workforce training and
17 education coordinating board in the conduct of the board's
18 responsibilities under section 8 of this act and shall provide
19 information and data in a format that is accessible to the board.

20 NEW SECTION. **Sec. 81.** The college board shall cooperate with
21 the work force training and education coordinating board in the conduct
22 of the board's responsibilities under section 8 of this act and shall
23 provide information and data in a format that is accessible to the
24 board.

25 NEW SECTION. **Sec. 82.** A new section is added to chapter 50.12 RCW
26 to read as follows:

1 The commissioner shall cooperate with the work force training and
2 education coordinating board in the conduct of the board's
3 responsibilities under section 8 of this act and shall provide
4 information and data in a format that is accessible to the board.

5 **Sec. 83.** RCW 28C.10.020 and 1990 c 188 s 5 are each amended to
6 read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Agency" means the (~~state board for vocational education~~)
10 work force training and education coordinating board or its successor.

11 (2) "Agent" means a person owning an interest in, employed by, or
12 representing for remuneration a private vocational school within or
13 without this state, who enrolls or personally attempts to secure the
14 enrollment in a private vocational school of a resident of this state,
15 offers to award educational credentials for remuneration on behalf of
16 a private vocational school, or holds himself or herself out to
17 residents of this state as representing a private vocational school for
18 any of these purposes.

19 (3) "Degree" means any designation, appellation, letters, or words
20 including but not limited to "associate," "bachelor," "master,"
21 "doctor," or "fellow" which signify or purport to signify satisfactory
22 completion of an academic program of study beyond the secondary school
23 level.

24 (4) "Education" includes but is not limited to, any class, course,
25 or program of training, instruction, or study.

26 (5) "Educational credentials" means degrees, diplomas,
27 certificates, transcripts, reports, documents, or letters of
28 designation, marks, appellations, series of letters, numbers, or words
29 which signify or appear to signify enrollment, attendance, progress, or

1 satisfactory completion of the requirements or prerequisites for any
2 educational program.

3 (6) "Entity" includes, but is not limited to, a person, company,
4 firm, society, association, partnership, corporation, or trust.

5 (7) "Private vocational school" means any location where [there is]
6 an entity offering postsecondary education in any form or manner for
7 the purpose of instructing, training, or preparing persons for any
8 vocation or profession.

9 (8) "To grant" includes to award, issue, sell, confer, bestow, or
10 give.

11 (9) "To offer" includes, in addition to its usual meanings, to
12 advertise or publicize. "To offer" also means to solicit or encourage
13 any person, directly or indirectly, to perform the act described.

14 (10) "To operate" means to establish, keep, or maintain any
15 facility or location where, from, or through which education is offered
16 or educational credentials are offered or granted to residents of this
17 state, and includes contracting for the performance of any such act.

18 NEW SECTION. **Sec. 84.** Community and technical colleges may
19 contract with local common school districts to provide occupational
20 programs for high school students. Common school districts whose
21 students currently attend vocational technical institutes shall not
22 suffer loss of opportunity to continue to enroll their students at
23 technical colleges.

24 NEW SECTION. **Sec. 85.** When the state system of community and
25 technical colleges assumes administrative control of the vocational-
26 technical institutes, personnel employed by the vocational-technical
27 institutes shall:

1 (1) Suffer no reduction in compensation, seniority, or employment
2 status. After the effective date of this section, classified employees
3 shall continue to be covered by chapter 41.56 RCW and faculty members
4 and administrators shall be covered by chapter 28B.50 RCW;

5 (2) To the extent applicable to faculty members, any faculty
6 currently employed on a "continuing contract" basis under RCW
7 28A.405.210 be awarded tenure pursuant to RCW 28B.50.851 through
8 28B.50.873, except for any faculty members who are provisional
9 employees under RCW 28A.405.220;

10 (3) Be eligible to participate in the health care and other
11 insurance plans provided by the health care authority and the state
12 employee benefits board pursuant to chapter 41.05 RCW;

13 (4) Be eligible to participate in old age annuities or retirement
14 income plans under the rules of the state board for community college
15 and technical college pursuant to RCW 28B.10.400, or the teachers'
16 retirement system plan I for personnel employed before July 1, 1977, or
17 plan II for personnel employed after July 1, 1977, under chapter 41.32
18 RCW; however, no affected vocational-technical institute employee shall
19 be required to change retirement systems or to choose from among any
20 available retirement plan options prior to six months after the
21 effective date of this section;

22 (5) Have transferred to their new administrative college district
23 all accrued sick and vacation leave and thereafter shall earn and use
24 all such leave under the rule established pursuant to RCW 28B.50.551;

25 (6) Be eligible to participate in the deferred compensation plan
26 pursuant to RCW 41.04.250 and the dependent care program pursuant to
27 RCW 41.04.600 under the rules established by the state deferred
28 compensation committee.

29 An exclusive bargaining representative certified to represent a
30 bargaining unit covering employees of a vocational technical institute

1 on the effective date of this section shall remain the exclusive
2 representative of such employees thereafter until and unless such
3 representative is replaced or decertified in accordance with state law.

4 Any collective bargaining agreement in effect on the effective date
5 of this section shall remain in effect as it applies to employees of
6 vocational technical institutes until its expiration or renewal date or
7 until renegotiated or renewed in accordance with chapter 28B.52 RCW.
8 Labor relations processes and agreements covering faculty members of
9 vocational technical institutes after the effective date of this
10 section shall be governed by chapter 28B.52 RCW. Labor relations
11 processes and agreements covering classified employees of vocational
12 technical institutes after the effective date of this section shall
13 continue to be governed by chapter 41.56 RCW.

14 NEW SECTION. **Sec. 86.** Notwithstanding the provisions of
15 chapter 28B.15 RCW, technical colleges and the Seattle Vocational
16 Institute may continue to collect student tuition and fees per their
17 standard operating procedures in effect on the effective date of this
18 section. The applicability of existing community college rules and
19 statutes pursuant to chapter 28B.15 RCW regarding tuition and fees
20 shall be determined by the state board for community and technical
21 colleges within two years of the effective date of this section.

22 NEW SECTION. **Sec. 87.** A new section is added to chapter 28B.15
23 RCW to read as follows:

24 Notwithstanding the provisions of this chapter, technical colleges,
25 as defined in chapter 28B.50 RCW, may continue to collect student
26 tuition and fees per their standard operating procedures in effect on
27 the effective date of this section.

1 NEW SECTION. **Sec. 88.** All powers, duties, and functions of the
2 superintendent of public instruction and the state board of education
3 pertaining to projects of adult education, including the state-funded
4 Even Start, and including the adult education programs operated
5 pursuant to 20 U.S.C. Sec. 1201 as amended by P.L. 100-297, are
6 transferred to the state board for community and technical colleges.
7 All references to the director or superintendent of public instruction
8 or the state board of education in the Revised Code of Washington shall
9 be construed to mean the director or the state board for community and
10 technical colleges when referring to the functions transferred in this
11 section.

12 NEW SECTION. **Sec. 89.** All reports, documents, surveys, books,
13 records, files, papers, or written material in the possession of the
14 superintendent of public instruction pertaining to the superintendent's
15 powers, functions, and duties transferred shall be delivered to the
16 custody of the state board for community and technical colleges. All
17 cabinets, furniture, office equipment, motor vehicles, and other
18 tangible property employed by the superintendent of public instruction
19 in carrying out the powers, functions, and duties transferred shall be
20 made available to the state board for community and technical colleges.
21 All funds, credits, or other assets held in connection with the powers,
22 functions, and duties transferred shall be assigned to the state board
23 for community and technical colleges.

24 Any appropriations made to the superintendent of public instruction
25 for carrying out the powers, functions, and duties transferred shall,
26 on the effective date of this section, be transferred and credited to
27 the state board for community and technical colleges.

28 Whenever any question arises as to the transfer of any personnel,
29 funds, books, documents, records, papers, files, equipment, or other

1 tangible property used or held in the exercise of the powers and the
2 performance of the duties and functions transferred, the director of
3 financial management shall make a determination as to the proper
4 allocation and certify the same to the state agencies concerned.

5 The superintendent or designee, and the director of the state board
6 shall work out a mutually agreeable schedule to accomplish this
7 transfer by no later than July 1, 1991.

8 NEW SECTION. **Sec. 90.** All employees of the superintendent of
9 public instruction engaged in performing the powers, functions, and
10 duties transferred are transferred to the jurisdiction of the state
11 board for community and technical colleges. All employees classified
12 under chapter 41.06 RCW, the state civil service law, are assigned to
13 the state board for community and technical colleges to perform their
14 usual duties upon the same terms as formerly, without any loss of
15 rights, subject to any action that may be appropriate thereafter in
16 accordance with the laws and rules governing state civil service.

17 NEW SECTION. **Sec. 91.** All rules and all pending business
18 before the superintendent of public instruction pertaining to the
19 powers, functions, and duties transferred shall be continued and acted
20 upon by the state board for community and technical colleges. All
21 existing contracts and obligations shall remain in full force and shall
22 be performed by the state board for community and technical colleges.

23 NEW SECTION. **Sec. 92.** The transfer of the powers, duties,
24 functions, and personnel of the superintendent of public instruction
25 shall not affect the validity of any act performed prior to the
26 effective date of this section.

1 NEW SECTION. **Sec. 93.** If apportionments of budgeted funds are
2 required because of the transfers directed by sections 89 through 92 of
3 this act, the director of financial management shall certify the
4 apportionments to the agencies affected, the state auditor, and the
5 state treasurer. Each of these shall make the appropriate transfer and
6 adjustments in funds and appropriation accounts and equipment records
7 in accordance with the certification.

8 NEW SECTION. **Sec. 94.** Nothing contained in sections 89 through
9 92 of this act may be construed to alter any existing collective
10 bargaining unit or the provisions of any existing collective bargaining
11 agreement until the agreement has expired or until the bargaining unit
12 has been modified by action of the personnel board as provided by law.

13 NEW SECTION. **Sec. 95.** The college board personnel
14 administering state and federally funded programs for adult basic
15 skills and literacy education shall be known as the state office for
16 adult literacy.

17 NEW SECTION. **Sec. 96.** The legislature finds that a vocational
18 institute in the central area of the city of Seattle provides civic,
19 social, and economic benefits to the people of the state of Washington.
20 Economic development is enhanced by increasing the number of skilled
21 individuals who enter the labor market and social welfare costs are
22 reduced by the training of individuals lacking marketable skills. The
23 students at the institute are historically economically disadvantaged,
24 and include racial and ethnic minorities, recent immigrants,
25 single-parent heads of households, and persons who are dislocated
26 workers or without specific occupational skills. The institute
27 presents a unique opportunity for business, labor, and community-based

1 organizations, and educators to work together to provide effective
2 vocational-technical training to the economically disadvantaged of
3 urban Seattle, and to serve as a national model of such cooperation.
4 Moreover, a trained work force is a major factor in attracting new
5 employers, and with greater minority participation in the work force,
6 the institute is uniquely located to deliver training and education to
7 the individuals employers must increasingly turn to for their future
8 workers.

9 NEW SECTION. **Sec. 97.** The public nonprofit corporation for the
10 Washington institute for applied technology is hereby abolished and its
11 powers, duties, and functions are hereby transferred to the Seattle
12 Vocational Institute which is hereby created. All references to the
13 director or public nonprofit corporation for the Washington institute
14 for applied technology in the Revised Code of Washington shall be
15 construed to mean the director or the institute.

16 NEW SECTION. **Sec. 98.** All reports, documents, surveys, books,
17 records, files, papers, or written material in the possession of the
18 public nonprofit corporation for the Washington institute for applied
19 technology shall be delivered to the custody of the Seattle Vocational
20 Institute. All cabinets, furniture, office equipment, motor vehicles,
21 and other tangible property employed by the public nonprofit
22 corporation for the Washington institute for applied technology shall
23 be made available to the institute. All funds, credits, or other
24 assets held by the public nonprofit corporation for the Washington
25 institute for applied technology shall be assigned to the institute.

26 Any appropriations made to the public nonprofit corporation for the
27 Washington institute for applied technology shall, on the effective

1 date of this section, be transferred and credited to the Seattle
2 Vocational Institute.

3 Whenever any question arises as to the transfer of any personnel,
4 funds, books, documents, records, papers, files, equipment, or other
5 tangible property used or held in the exercise of the powers and the
6 performance of the duties and functions transferred, the director of
7 financial management shall make a determination as to the proper
8 allocation and certify the same to the state agencies concerned.

9 NEW SECTION. **Sec. 99.** All contractual obligations, rules, and
10 all pending business before the public nonprofit corporation for the
11 Washington institute for applied technology shall be continued and
12 acted upon by the Seattle Vocational Institute. All existing contracts
13 and obligations shall remain in full force and shall be performed by
14 the Seattle Vocational Institute.

15 NEW SECTION. **Sec. 100.** All employees of the Washington
16 institute for applied technology engaged in performing the powers,
17 functions, and duties transferred are transferred to the jurisdiction
18 of the Seattle Vocational Institute. All employees classified under
19 chapter 41.06 RCW, the state civil service law, are assigned to the
20 Seattle Vocational Institute to perform their usual duties upon the
21 same terms as formerly, without any loss of rights, subject to any
22 action that may be appropriate thereafter in accordance with the laws
23 and rules governing state civil service.

24 NEW SECTION. **Sec. 101.** The transfer of the powers, duties,
25 functions, and personnel of the public nonprofit corporation for the
26 Washington institute for applied technology shall not affect the

1 validity of any act performed prior to the effective date of this
2 section.

3 NEW SECTION. **Sec. 102.** If apportionments of budgeted funds are
4 required because of the transfers directed by sections 98 through 100
5 of this act, the director of financial management shall certify the
6 apportionments to the agencies affected, the state auditor, and the
7 state treasurer. Each of these shall make the appropriate transfer and
8 adjustments in funds and appropriation accounts and equipment records
9 in accordance with the certification.

10 NEW SECTION. **Sec. 103.** The mission of the institute shall be to
11 provide occupational, basic skills, and literacy education
12 opportunities to economically disadvantaged populations in urban areas
13 of the college district it serves.

14 NEW SECTION. **Sec. 104.** Funding for the institute shall be
15 included in a separate allocation to the institute, and funds allocated
16 for the institute shall be used only for purposes of the institute.

17 NEW SECTION. **Sec. 105.** In consultation with the college board,
18 the institute shall conduct a survey of the capital facilities and
19 equipment necessary to operate the institute's programs at the
20 institute. The institute shall present the survey to the state board
21 for community and technical colleges by December 1, 1991. The board
22 shall include the survey in its budget request to the legislature which
23 shall consider a supplementary appropriation for the 1992-93 fiscal
24 year to the institute based on the results of this survey.

1 NEW SECTION. **Sec. 106.** The institute may provide for waivers of
2 tuition and fees and provide scholarships for students at the
3 institute. The institute may negotiate with applicable public or
4 private service providers to conduct the instructional activities of
5 the institute, however, until July 1, 1993, the institute shall not
6 hire instructional staff or faculty. In order to allow the district
7 flexibility in its personnel policies with the institute, the
8 institute, with reference to employees of the institute employed during
9 an initial two-year period until July 1, 1993, are exempt from chapters
10 28B.16, 28B.52 (relating to collective bargaining), 41.04, 41.05,
11 41.06, and 41.40 RCW; from RCW 43.01.040 through 43.01.044; and from
12 RCW 28B.50.551 and 28B.50.850 through 28B.50.875 (relating to faculty
13 tenure).

14 NEW SECTION. **Sec. 107.** A new section is added to chapter 41.06
15 RCW to read as follows:

16 Employees of the Seattle Vocational Institute are exempt from the
17 provisions of this chapter until July 1, 1993.

18 NEW SECTION. **Sec. 108.** A new section is added to chapter 41.05
19 RCW to read as follows:

20 Employees of the Seattle Vocational Institute are exempt from the
21 provisions of this chapter until July 1, 1993.

22 NEW SECTION. **Sec. 109.** A new section is added to chapter 41.04
23 RCW to read as follows:

24 Employees of the Seattle Vocational Institute are exempt from the
25 provisions of this chapter until July 1, 1993.

1 NEW SECTION. **Sec. 110.** A new section is added to chapter 28B.16
2 RCW to read as follows:

3 Employees of the Seattle Vocational Institute are exempt from the
4 provisions of this chapter until July 1, 1993.

5 NEW SECTION. **Sec. 111.** A new section is added to chapter 41.40
6 RCW to read as follows:

7 Employees of the Seattle Vocational Institute are exempt from the
8 provisions of this chapter until July 1, 1993.

9 NEW SECTION. **Sec. 112.** A new section is added to chapter 28B.52
10 RCW to read as follows:

11 Employees of the Seattle Vocational Institute are exempt from the
12 provisions of this chapter until July 1, 1993.

13 NEW SECTION. **Sec. 113.** A new section is added to chapter 43.01
14 RCW to read as follows:

15 Employees of the Seattle Vocational Institute are exempt from RCW
16 43.01.040 through 43.01.044 until July 1, 1993.

17 NEW SECTION. **Sec. 114.** Related and supplemental instruction for
18 apprentices, coordination of instruction with job experiences, and the
19 selection and training of teachers and coordinators for such
20 instruction shall be the responsibility of the state board for
21 community and technical colleges and its local community and technical
22 colleges.

23 NEW SECTION. **Sec. 115.** A new section is added to chapter 41.56
24 RCW to read as follows:

1 In addition to the entities listed in RCW 41.56.020, this chapter
2 shall apply to classified employees of technical colleges as provided
3 for in section 85 of this act.

4 **Sec. 116.** RCW 28B.10.016 and 1977 ex.s. c 169 s 1 are each amended
5 to read as follows:

6 For the purposes of this title:

7 (1) "State universities" means the University of Washington and
8 Washington State University.

9 (2) "Regional universities" means Western Washington University at
10 Bellingham, Central Washington University at Ellensburg, and Eastern
11 Washington University at Cheney.

12 (3) "State college" means The Evergreen State College in Thurston
13 county.

14 (4) "Institutions of higher education" or "postsecondary
15 institutions" means the state universities, the regional universities,
16 The Evergreen State College, ~~((and))~~ the community colleges, and the
17 technical colleges.

18 NEW SECTION. **Sec. 117.** There is hereby established the task
19 force on technical colleges appointed by the governor. The task force
20 shall consist of representatives of the state board for community and
21 technical colleges, community colleges, and the directors of the
22 vocational-technical institutes. The purpose of the task force shall
23 be to reach agreement on transitional issues posed by the bringing
24 together of technical colleges and community colleges under the state
25 board for community and technical colleges. The areas of agreement
26 shall include, but not be limited to, the district boundaries and
27 service areas for technical colleges and the Seattle Vocational
28 Institute. The task force may appoint one or more committees that may

1 consider transitional issues other than local governance, district
2 boundaries, and service areas. The task force shall report on its
3 final recommendations to the college board and the governor by December
4 1, 1991. Those issues remaining in dispute shall be settled by the
5 governor or the governor's designee.

6 NEW SECTION. **Sec. 118.** Title to or all interest in real estate,
7 choses in action and all other assets, including but not limited to
8 assignable contracts, cash, deposits in county funds (including any
9 interest or premiums thereon), equipment, buildings, facilities, and
10 appurtenances thereto held as of the effective date of this section by
11 or for a school district and obtained identifiably with federal, state,
12 or local funds appropriated for vocational-technical institutes
13 purposes or postsecondary vocational educational purposes, or used or
14 obtained with funds budgeted for postsecondary vocational educational
15 purposes, or used or obtained primarily for vocational-technical
16 institute educational purposes, shall, on the date on which the first
17 board of trustees of each district takes office, vest in or be assigned
18 to the district board. Cash, funds, accounts, or other deposits
19 obtained or raised by a school district to pay for indebtedness, bonded
20 or otherwise, contracted on or before the effective date of this
21 section, for vocational-technical institute purposes shall remain with
22 and continue to be, after February 2, 1992, an asset of the school
23 district. Any option acquired by the school district to purchase real
24 property which in the judgment of the school district will be used in
25 the common school program may remain with the school district
26 notwithstanding that such option was obtained in consideration of the
27 purchase by such school district of other property for vocational-
28 technical institute purposes. Unexpended funds of a common school
29 district derived from the sale, before the effective date of this

1 section, of bonds authorized for any purpose which includes vocational-
2 technical institute purposes and not committed for any existing
3 construction contract, shall remain with and continue to be an asset of
4 such common school district, unless within thirty days after said date
5 such common school district determines to transfer such funds to the
6 board of trustees.

7 NEW SECTION. **Sec. 119.** All powers, duties, and functions of the
8 school district pertaining to a vocational-technical institute are
9 transferred to the state board for community and technical colleges
10 until the establishment of local boards of trustees with authority for
11 the technical college. All references to the director or school
12 district in the Revised Code of Washington shall be construed to mean
13 the director or state board for community and technical colleges when
14 referring to the functions transferred in this section.

15 NEW SECTION. **Sec. 120.** All reports, documents, surveys, books,
16 records, files, papers, or written material in the possession of the
17 school district pertaining to the powers, functions, and duties
18 transferred shall be delivered to the custody of the state board for
19 community and technical colleges until the establishment of local
20 boards of trustees with authority for their respective college. All
21 cabinets, furniture, office equipment, motor vehicles, and other
22 tangible property employed by the school district in carrying out the
23 powers, functions, and duties transferred shall be made available to
24 the state board for community and technical colleges. All funds,
25 credits, or other assets held in connection with the powers, functions,
26 and duties transferred shall be assigned to the state board for
27 community and technical colleges.

1 Any appropriations made to the school district for carrying out the
2 powers, functions, and duties transferred shall, on the effective date
3 of this section, be transferred and credited to the state board for
4 community and technical colleges.

5 Whenever any question arises as to the transfer of any personnel,
6 funds, books, documents, records, papers, files, equipment, or other
7 tangible property used or held in the exercise of the powers and the
8 performance of the duties and functions transferred, the director of
9 financial management shall make a determination as to the proper
10 allocation and certify the same to the state agencies concerned.

11 NEW SECTION. **Sec. 121.** All employees of the school district
12 engaged in performing the powers, functions, and duties transferred are
13 transferred to the jurisdiction of the state board for community and
14 technical colleges until the establishment of local boards of trustees
15 with authority for their respective college. All employees classified
16 under chapter 41.06 RCW, the state civil service law, are assigned to
17 the state board for community and technical colleges to perform their
18 usual duties upon the same terms as formerly, without any loss of
19 rights, subject to any action that may be appropriate thereafter in
20 accordance with the laws and rules governing state civil service.

21 NEW SECTION. **Sec. 122.** All rules and all pending business
22 before the school district pertaining to the powers, functions, and
23 duties transferred shall be continued and acted upon by the state board
24 for community and technical colleges until the establishment of local
25 boards of trustees with authority for their respective college. All
26 existing contracts and obligations shall remain in full force and shall
27 be performed by the state board for community and technical colleges.

1 NEW SECTION. **Sec. 123.** The transfer of the powers, duties,
2 functions, and personnel of the school district shall not affect the
3 validity of any act performed prior to the effective date of this
4 section.

5 NEW SECTION. **Sec. 124.** If apportionments of budgeted funds are
6 required because of the transfers directed by sections 120 through 123
7 of this act, the director of financial management shall certify the
8 apportionments to the agencies affected, the state auditor, and the
9 state treasurer. Each of these shall make the appropriate transfer and
10 adjustments in funds and appropriation accounts and equipment records
11 in accordance with the certification.

12 NEW SECTION. **Sec. 125.** All powers, duties, and functions of the
13 superintendent of public instruction pertaining to vocational-technical
14 institutes are transferred to the state board for community and
15 technical colleges. All references to the director or superintendent
16 of public instruction in the Revised Code of Washington shall be
17 construed to mean the director or state board for community and
18 technical colleges when referring to the functions transferred in this
19 section.

20 NEW SECTION. **Sec. 126.** All reports, documents, surveys, books,
21 records, files, papers, or written material in the possession of the
22 superintendent of public instruction pertaining to the powers,
23 functions, and duties transferred shall be delivered to the custody of
24 the state board for community and technical colleges. All cabinets,
25 furniture, office equipment, motor vehicles, and other tangible
26 property employed by the superintendent of public instruction in
27 carrying out the powers, functions, and duties transferred shall be

1 made available to the state board for community and technical colleges.
2 All funds, credits, or other assets held in connection with the powers,
3 functions, and duties transferred shall be assigned to the state board
4 for community and technical colleges.

5 Any appropriations made to the superintendent of public instruction
6 for carrying out the powers, functions, and duties transferred shall,
7 on the effective date of this section, be transferred and credited to
8 the state board for community and technical colleges.

9 Whenever any question arises as to the transfer of any personnel,
10 funds, books, documents, records, papers, files, equipment, or other
11 tangible property used or held in the exercise of the powers and the
12 performance of the duties and functions transferred, the director of
13 financial management shall make a determination as to the proper
14 allocation and certify the same to the state agencies concerned.

15 NEW SECTION. **Sec. 127.** All employees of the superintendent of
16 public instruction engaged in performing the powers, functions, and
17 duties transferred are transferred to the jurisdiction of the state
18 board for community and technical colleges. All employees classified
19 under chapter 41.06 RCW, the state civil service law, are assigned to
20 the state board for community and technical colleges to perform their
21 usual duties upon the same terms as formerly, without any loss of
22 rights, subject to any action that may be appropriate thereafter in
23 accordance with the laws and rules governing state civil service.

24 NEW SECTION. **Sec. 128.** All rules and all pending business
25 before the superintendent of public instruction pertaining to the
26 powers, functions, and duties transferred shall be continued and acted
27 upon by the state board for community and technical colleges. All

1 existing contracts and obligations shall remain in full force and shall
2 be performed by the state board for community and technical colleges.

3 NEW SECTION. **Sec. 129.** The transfer of the powers, duties,
4 functions, and personnel of the superintendent of public instruction
5 shall not affect the validity of any act performed prior to the
6 effective date of this section.

7 NEW SECTION. **Sec. 130.** If apportionments of budgeted funds are
8 required because of the transfers directed by sections 126 through 129
9 of this act, the director of financial management shall certify the
10 apportionments to the agencies affected, the state auditor, and the
11 state treasurer. Each of these shall make the appropriate transfer and
12 adjustments in funds and appropriation accounts and equipment records
13 in accordance with the certification.

14 NEW SECTION. **Sec. 131.** All funds appropriated by the
15 legislature in the capital budget for the 1991-93 biennium pertaining
16 to vocational-technical institutes and to community colleges are hereby
17 combined under the capital budget for the state board for community and
18 technical colleges, provided that funds appropriated in the 1991-93
19 biennium pertaining to vocational-technical institutes or technical
20 colleges shall be made available solely for the use of those entities.

21 NEW SECTION. **Sec. 132.** Capital and (RMI) projections for
22 vocational-technical institutes are hereby incorporated into the six-
23 year capital plan for community colleges that begins in the 1993-95
24 biennium and placed under the capital plans and projections for the
25 state board for community and technical colleges.

1 NEW SECTION. **Sec. 133.** All funds appropriated by the
2 legislature in the operating budget for the 1991-93 biennium pertaining
3 to vocational-technical institutes and to community colleges are
4 combined under the operating budget for the state board for community
5 and technical colleges, provided that funds appropriated in the 1991-93
6 biennium pertaining to vocational-technical institutes or technical
7 colleges shall be made available solely for the use of those entities.

8 NEW SECTION. **Sec. 134.** Title to or all interest in real estate,
9 choses in action, and all other assets, including but not limited to
10 assignable contracts, cash, deposits in county funds (including any
11 interest or premiums thereon), equipment, buildings, facilities, and
12 appurtenances thereto held as of the effective date of this section by
13 or for a school district and obtained identifiably with federal, state,
14 or local funds appropriated for vocational-technical institute purposes
15 or postsecondary vocational educational purposes, or used or obtained
16 with funds budgeted for vocational-technical institute purposes or
17 postsecondary vocational education purposes, or used or obtained
18 primarily for vocational education purposes, shall, on the date on
19 which the first board of trustees of each college district takes
20 office, vest in or be assigned to the state board for community and
21 technical college education.

22 Cash, funds, accounts, or other deposits obtained or raised by a
23 school district to pay for indebtedness, bonded or otherwise,
24 contracted on or before the effective date of this section for
25 vocational-technical institute purposes shall remain with and continue
26 to be, after the effective date of this section, an asset of the school
27 district.

28 Any option acquired by the school district to purchase real
29 property which in the judgment of the school district will be used in

1 the common school program may remain with the school district not
2 withstanding that such option was obtained in consideration of the
3 purchase by such school district of other property for vocational-
4 technical institute purposes.

5 Unexpended funds of a common school district derived from the sale
6 of bonds authorized for any purpose which includes vocational-technical
7 institute purposes and not committed for any existing construction
8 contract, shall be reserved for the purposes of the college district of
9 which the institute is a part.

10 For the purposes of this section and to facilitate the process of
11 allocating the assets, the board of directors of each school district
12 in which a vocational-technical institute is located, and the director
13 of each vocational-technical institute, shall each submit to the state
14 board of education, and the state board for community and technical
15 colleges within sixty days of the effective date of this section, an
16 inventory listing all real estate, personal property, choses in action,
17 and other assets, held by a school district which, under the criteria
18 of this section, will become the assets of the state board for
19 community and technical colleges.

20 However, assets used primarily for vocational-technical institute
21 purposes shall include, but not be limited to, all assets currently
22 held by school districts which have been used on an average of at least
23 seventy-five percent of the time during the 1989-90 school year, or if
24 acquired subsequent to July 1, 1990, since its time of acquisition, for
25 vocational-technical institute purposes.

26 The ultimate decision and approval with respect to the allocation
27 and disposition of the assets under this section shall be made by the
28 governor, or the task force appointed by the governor for that purpose.
29 The decision of the governor or the governor's advisory committee may
30 be appealed within sixty days after such decision is issued by

1 appealing to the district court of Thurston county. The decision of
2 the superior court may be appealed to the supreme court of the state in
3 accordance with the provision of the Administrative Procedure Act,
4 chapter 34.05 RCW.

5 NEW SECTION. **Sec. 135.** If, before the effective date of this
6 section, the use of a single building facility is being shared between
7 an existing vocational-technical institute program and a K-12 program,
8 the respective boards shall continue to share the use of the facility
9 until such time as it is convenient to remove one of the two programs
10 to another facility. The determination of convenience shall be based
11 solely upon the best interests of the students involved.

12 If a vocational-technical institute district board and a common
13 school district board are sharing the use of a single facility, the
14 program occupying the majority of the space of such facility, exclusive
15 of space utilized equally by both, shall determine which board will be
16 charged with the administration and control of such facility. The
17 determination of occupancy shall be based upon the space occupied as of
18 January 1, 1990.

19 The board charged with the administration and control of such
20 facility may share expenses with the other board for the use of the
21 facility.

22 In the event that the two boards are unable to agree upon which
23 board is to administer and control the facility or upon a fair share of
24 expenses for the use of the facility, the governor shall appoint an
25 arbitrator to settle the matter. The decisions of the arbitrator shall
26 be final and binding upon both boards. The expenses of the arbitration
27 shall be divided equally by each board.

1 NEW SECTION. **Sec. 136.** All funds remaining from any public or
2 private grant, contract, or in various auxiliary enterprise accounts
3 for vocational-technical institute purposes shall be transferred to the
4 appropriate college district under the state board for community and
5 technical colleges once a district board of trustees has been
6 appointed.

7 NEW SECTION. **Sec. 137.** In the event a new college district is
8 created, the governor shall appoint new trustees to the district's
9 board of trustees in accordance with RCW 28B.50.100.

10 NEW SECTION. **Sec. 138.** All college district expenditures,
11 transfers, and other fiscal transactions, and accounting, and other
12 fiscal records must be approved by the state board for community and
13 technical colleges.

14 **Sec. 139.** RCW 43.19.190 and 1987 c 414 s 10 are each amended to
15 read as follows:

16 The director of general administration, through the state
17 purchasing and material control director, shall:

18 (1) Establish and staff such administrative organizational units
19 within the division of purchasing as may be necessary for effective
20 administration of the provisions of RCW 43.19.190 through 43.19.1939;

21 (2) Purchase all material, supplies, services, and equipment needed
22 for the support, maintenance, and use of all state institutions,
23 colleges, community colleges, technical colleges, college districts,
24 and universities, the offices of the elective state officers, the
25 supreme court, the court of appeals, the administrative and other
26 departments of state government, and the offices of all appointive
27 officers of the state: PROVIDED, That the provisions of RCW 43.19.190

1 through 43.19.1937 do not apply in any manner to the operation of the
2 state legislature except as requested by said legislature: PROVIDED,
3 That primary authority for the purchase of specialized equipment,
4 instructional, and research material for their own use shall rest with
5 the colleges, community colleges, and universities: PROVIDED FURTHER,
6 That universities operating hospitals and the state purchasing and
7 material control director, as the agent for state hospitals as defined
8 in RCW 72.23.010, and for health care programs provided in state
9 correctional institutions as defined in RCW 72.65.010(3) and veterans'
10 institutions as defined in RCW 72.36.010 and 72.36.070, may make
11 purchases for hospital operation by participating in contracts for
12 materials, supplies, and equipment entered into by cooperative hospital
13 service organizations as defined in section 501(e) of the Internal
14 Revenue Code, or its successor: PROVIDED FURTHER, That primary
15 authority for the purchase of materials, supplies, and equipment for
16 resale to other than public agencies shall rest with the state agency
17 concerned: PROVIDED FURTHER, That authority to purchase services as
18 included herein does not apply to personal services as defined in
19 chapter 39.29 RCW, unless such organization specifically requests
20 assistance from the division of purchasing in obtaining personal
21 services and resources are available within the division to provide
22 such assistance: PROVIDED FURTHER, That the authority for the purchase
23 of insurance and bonds shall rest with the risk manager under RCW
24 43.19.1935 as now or hereafter amended;

25 (3) Provide the required staff assistance for the state supply
26 management advisory board through the division of purchasing;

27 (4) Have authority to delegate to state agencies authorization to
28 purchase or sell, which authorization shall specify restrictions as to
29 dollar amount or to specific types of material, equipment, services,
30 and supplies: PROVIDED, That acceptance of the purchasing

1 authorization by a state agency does not relieve such agency from
2 conformance with other sections of RCW 43.19.190 through 43.19.1939, as
3 now or hereafter amended, or from policies established by the director
4 after consultation with the state supply management advisory board:
5 PROVIDED FURTHER, That delegation of such authorization to a state
6 agency, including an educational institution, to purchase or sell
7 material, equipment, services, and supplies shall not be granted, or
8 otherwise continued under a previous authorization, if such agency is
9 not in substantial compliance with overall state purchasing and
10 material control policies as established herein;

11 (5) Contract for the testing of material, supplies, and equipment
12 with public and private agencies as necessary and advisable to protect
13 the interests of the state;

14 (6) Prescribe the manner of inspecting all deliveries of supplies,
15 materials, and equipment purchased through the division;

16 (7) Prescribe the manner in which supplies, materials, and
17 equipment purchased through the division shall be delivered, stored,
18 and distributed;

19 (8) Provide for the maintenance of a catalogue library,
20 manufacturers' and wholesalers' lists, and current market information;

21 (9) Provide for a commodity classification system and may, in
22 addition, provide for the adoption of standard specifications after
23 receiving the recommendation of the supply management advisory board;

24 (10) Provide for the maintenance of inventory records of supplies,
25 materials, and other property;

26 (11) Prepare rules and regulations governing the relationship and
27 procedures between the division of purchasing and state agencies and
28 vendors;

1 (12) Publish procedures and guidelines for compliance by all state
2 agencies, including educational institutions, which implement overall
3 state purchasing and material control policies;

4 (13) Conduct periodic visits to state agencies, including
5 educational institutions, to determine if statutory provisions and
6 supporting purchasing and material control policies are being fully
7 implemented, and based upon such visits, take corrective action to
8 achieve compliance with established purchasing and material control
9 policies under existing statutes when required.

10 NEW SECTION. **Sec. 140.** Sick leave accumulated by employees of
11 vocational-technical institutes shall be transferred to the college
12 districts without loss of time subject to the provisions of RCW
13 28B.50.551 and the further provisions of any negotiated agreements then
14 in force.

15 NEW SECTION. **Sec. 141.** The state employees' benefit board shall
16 adopt rules to preclude any preexisting conditions or limitations in
17 existing health care service contracts for school district employees at
18 vocational-technical institutes transferred to the state board for
19 community and technical colleges. The board shall also provide for the
20 disposition of any dividends or refundable reserves in the school
21 district's health care service contracts applicable to
22 vocational-technical institute employees.

23 NEW SECTION. **Sec. 142.** If a school board has contracted to
24 redeem general obligation bonds used for the construction or
25 acquisition of facilities which are now to be under the administration,
26 control, and occupancy of the college district board, the school board

1 shall continue to redeem the bonds in accordance with the provisions of
2 the bonds.

3 NEW SECTION. **Sec. 143.** If a technical college is created after
4 the effective date of this section, that college may contract with an
5 adjacent college district for administrative services until such time
6 that an existing or new college district may assume jurisdiction over
7 the college.

8 NEW SECTION. **Sec. 144.** The legislature finds that the needs of
9 the work force and the economy necessitate enhanced vocational
10 education opportunities in secondary education including curriculum
11 which integrates vocational and academic education. In order for the
12 state's work force to be competitive in the world market, employees
13 need competencies in both vocational/technical skills and in core
14 essential competencies such as English, math, science/technology,
15 geography, history, and critical thinking. Curriculum which integrates
16 vocational and academic education reflects that many students learn
17 best through applied learning, and that students should be offered
18 flexible education opportunities which prepare them for both the world
19 of work and for higher education.

20 NEW SECTION. **Sec. 145.** The superintendent of public instruction
21 shall with the advice of the work force training and education
22 coordinating board develop model curriculum integrating vocational and
23 academic education at the secondary level. The curriculum shall
24 integrate vocational education for gainful employment with education in
25 the academic subjects of English, math, science/technology, geography,
26 and history, and with education in critical thinking. Upon completion,

1 the model curriculum shall be provided for consideration and use by
2 school districts.

3 NEW SECTION. **Sec. 146.** The following acts or parts of acts are
4 each repealed:

5 (1) RCW 28B.50.055 and 1982 1st ex.s. c 30 s 10;

6 (2) RCW 28C.15.010 and 1987 c 492 s 1;

7 (3) RCW 28C.15.020 and 1987 c 492 s 2;

8 (4) RCW 28C.15.030 and 1987 c 492 s 3; and

9 (5) RCW 28C.15.900 and 1987 c 492 s 4.

10 NEW SECTION. **Sec. 147.** Effective October 1, 1991, the following
11 acts or parts of acts are each repealed:

12 (1) RCW 28C.04.015 and 1990 c 188 s 1;

13 (2) RCW 28C.04.024 and 1990 c 188 s 2;

14 (3) RCW 28C.04.035 and 1990 c 188 s 3; and

15 (4) RCW 28C.04.045 and 1990 c 188 s 4.

16 NEW SECTION. **Sec. 148.** Sections 144 and 145 of this act shall
17 constitute a new chapter in Title 28A RCW.

18 NEW SECTION. **Sec. 149.** Sections 16 and 17 of this act shall
19 constitute a new chapter in Title 50 RCW.

20 NEW SECTION. **Sec. 150.** Sections 2 through 9 of this act shall
21 constitute a new chapter in Title 28C RCW.

22 NEW SECTION. **Sec. 151.** Sections 18 through 20 of this act shall
23 constitute a new chapter in Title 28C RCW.

1 NEW SECTION. **Sec. 152.** Sections 21, 26 through 28, 79, 81, 84
2 through 86, and 96 through 102 of this act are each added to chapter
3 28B.50 RCW.

4 NEW SECTION. **Sec. 153.** RCW 28B.50.300 is decodified.

5 NEW SECTION. **Sec. 154.** Sections 9 through 15 of this act shall
6 take effect October 1, 1991.

7 NEW SECTION. **Sec. 155.** If specific funding for the purposes of
8 this act, referencing this act by bill number, is not provided for
9 sections 96 through 104 and 146 of this act by June 30, 1993, in the
10 omnibus appropriations act, sections 96 through 104 and 146 of this act
11 shall be null and void.

12 NEW SECTION. **Sec. 156.** This act is necessary for the immediate
13 preservation of the public peace, health, or safety, or support of the
14 state government and its existing public institutions, and shall take
15 effect July 1, 1991, except for sections 118 through 135 of this act
16 which shall take effect immediately.

17 NEW SECTION. **Sec. 157.** If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 remainder of the act or the application of the provision to other
20 persons or circumstances is not affected.