

WSR 23-11-115

PROPOSED RULES

BATES TECHNICAL COLLEGE

[Filed May 22, 2023, 10:51 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-06-046.

Title of Rule and Other Identifying Information: Time and place of board meetings.

Hearing Location(s): On June 27, 2023, at 9 a.m., virtual.

Date of Intended Adoption: July 1, 2023.

Submit Written Comments to: Nick Lutes, 1101 South Yakima Avenue, Tacoma, WA 98405, email nlutes@Batestech.edu.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Allowing flexibility in establishing the time and location will assist in ensuring trustees can be fully engaged in college governance.

Reasons Supporting Proposal: The fixed timing of the current rule has created challenges for the board in obtaining a quorum due to board members being unavailable at the established time. The fixed location also limits the college governing body from meeting at other campus locations. When the rule was written, there was only one Bates campus, and now there are three.

Statutory Authority for Adoption: RCW 28B.50.100.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: Bates Technical College, governmental.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Nicholas Lutes, 1101 South Yakima Avenue, Tacoma, WA, 253-680-7123.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328.

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

May 19, 2023

Nicholas Lutes

Vice President for Administrative Services

OTS-4475.1

AMENDATORY SECTION (Amending WSR 20-09-030, filed 4/6/20, effective 5/7/20)

WAC 495A-104-015 Time and place of board meetings. The board of trustees shall hold ~~((one regular meeting on the third Monday of each month except for the month of August.))~~ regular meetings in accordance with the Open Public Meetings Act, chapter 42.30 RCW, and other applicable law. These meetings will be scheduled throughout the year (except August) on the third Monday of a scheduled month. If needed,

meetings will begin with a study session at 2:00 p.m., followed by the business meeting at 3:00 p.m. Special meetings, as may be requested by the chair of the board or by a majority of the members of the board, shall be announced in accordance with applicable open public meetings requirements.

All regular and special meetings of the board of trustees shall be held at one of the Bates Technical College campuses, ((Downtown Campus, 1101 South Yakima Avenue, Tacoma, WA 98405)) as designated by the board, unless scheduled elsewhere and so noted in accordance with the requirements of the Open Public Meetings Act ~~((, chapter 42.30 RCW))~~. Notices of the time and place of all regular and special meetings shall be governed by the requirements of chapter 42.30 RCW, Open Public Meetings Act. Board meetings are open to the general public, except for lawful executive sessions.

No official business may be conducted by the board of trustees except during a regular or special meeting.

[Statutory Authority: RCW 42.30.075 and chapter 34.05 RCW. WSR 20-09-030, § 495A-104-015, filed 4/6/20, effective 5/7/20.]