

2 ESSB 5184 - H COMM AMD Adopted as Amended 4-19-91 by 560, 569, 614,
3 626, 627, and 628
4 By Committee on Higher Education

5

6 Strike everything after the enacting clause and insert the
7 following:

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

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

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

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

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

20 (1) "Board" means the work force training and education
21 coordinating board.

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

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

1 publicly funded programs and courses for adult literacy education, and
2 apprenticeships, and programs and courses offered by private and public
3 nonprofit organizations that are representative of communities or
4 significant segments of communities and provide job training or adult
5 literacy services.

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

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

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

1 "NEW SECTION. Sec. 3. There is hereby created the work force
2 training and education coordinating board as a state agency and as the
3 successor agency to the state board for vocational education. Once the
4 coordinating board has convened, all references to the state board for
5 vocational education in the Revised Code of Washington shall be
6 construed to mean the work force training and education coordinating
7 board, except that reference to the state board for vocational
8 education in RCW 49.04.030 shall mean the state board for community and
9 technical colleges."

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

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

1 right to vote. In making appointments to the board, the governor shall
2 seek to ensure geographic, ethnic, and gender diversity and balance.
3 The governor shall also seek to ensure diversity and balance by the
4 appointment of persons with disabilities.

5 (2) The business representatives shall be selected from among
6 nominations provided by state-wide business organizations. The
7 nominations and selections shall reflect the cultural diversity of the
8 state, including women, people with disabilities, and racial and ethnic
9 minorities, and diversity in sizes of businesses.

10 (3) The labor representatives shall be selected from among
11 nominations provided by state-wide labor organizations. The
12 nominations and selections shall reflect the cultural diversity of the
13 state, including women, people with disabilities, and racial and ethnic
14 minorities.

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

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

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

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

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

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

8 (10) The board shall adopt bylaws and shall meet at least bimonthly
9 and at such other times as determined by the chair who shall give
10 reasonable prior notice to the members or at the request of a majority
11 of the voting members.

12 (11) Members of the board shall be compensated in accordance with
13 RCW 43.03.040 and shall receive travel expenses in accordance with RCW
14 43.03.050 and 43.03.060.

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

17 (13) The board shall appoint a director who shall hold office at
18 the pleasure of the board."

19 "NEW SECTION. Sec. 6. (1) The director shall serve as chief
20 executive officer of the board who shall administer the provisions of
21 this chapter, employ such personnel as may be necessary to implement
22 the purposes of this chapter, and utilize staff of existing operating
23 agencies to the fullest extent possible.

24 (2) The director shall not be the chair of the board.

25 (3) Subject to the approval of the board, the director shall
26 appoint necessary deputy and assistant directors and other staff who
27 shall be exempt from the provisions of chapter 41.06 RCW. The
28 director's appointees shall serve at the director's pleasure on such

1 terms and conditions as the director determines but subject to the code
2 of ethics contained in chapter 42.18 RCW.

3 (4) The director shall appoint and employ such other employees as
4 may be required for the proper discharge of the functions of the board.

5 (5) The director shall, as permissible under P.L. 101-392, as
6 amended, integrate the staff of the council on vocational education,
7 and contract with the state board for community and technical colleges
8 for assistance for adult basic skills and literacy policy development
9 and planning as required by P.L. 100-297, as amended."

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

14 (2) The board shall monitor for consistency with the state
15 comprehensive plan for work force training and education the policies
16 and plans established by the state job training coordinating council,
17 the advisory council on adult education, and the Washington state plan
18 for adult basic education, and provide guidance for making such
19 policies and plans consistent with the state comprehensive plan for
20 work force training and education."

21 "NEW SECTION. Sec. 8. The board, in cooperation with the
22 operating agencies of the state training system shall:

23 (1) Concentrate its major efforts on planning, coordination
24 evaluation, policy analysis, and recommending improvements to the
25 state's training system.

26 (2) Advocate for the state training system and for meeting the
27 needs of employers and the work force for work force education and
28 training.

1 (3) Establish and maintain an inventory of the programs of the
2 state training system, and related state programs, and perform a
3 biennial assessment of the vocational education, training, and adult
4 basic education and literacy needs of the state; identify ongoing and
5 strategic education needs; and assess the extent to which employment,
6 training, vocational and basic education, rehabilitation services, and
7 public assistance services represent a consistent, integrated approach
8 to meet such needs.

9 (4) Develop and maintain a state comprehensive plan for work force
10 training and education, including but not limited to, goals,
11 objectives, and priorities for the state training system, and review
12 the state training system for consistency with the state comprehensive
13 plan. In developing the state comprehensive plan for work force
14 training and education, the board shall use, but shall not be limited
15 to: Economic, labor market, and populations trends reports in office
16 of financial management forecasts; joint office of financial management
17 and employment security department labor force, industry employment,
18 and occupational forecasts; the results of scientifically based
19 outcome, net-impact and cost-benefit evaluations; the needs of
20 employers as evidenced in formal employer surveys and other employer
21 input; and the needs of program participants and workers as evidenced
22 in formal surveys and other input from program participants and the
23 labor community.

24 (5) In consultation with the higher education coordinating board,
25 review and make recommendations to the office of financial management
26 and the legislature on operating and capital facilities budget requests
27 for operating agencies of the state training system for purposes of
28 consistency with the state comprehensive plan for work force training
29 and education.

1 (6) Provide for coordination among the different operating agencies
2 of the state training system at the state level and at the regional
3 level.

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

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

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

15 (9) Establish minimum standards for program evaluation for the
16 operating agencies of the state training system, including, but not
17 limited to, the use of common survey instruments and procedures for
18 measuring perceptions of program participants and employers of program
19 participants, and monitor such program evaluation.

20 (10) Every two years administer scientifically based outcome
21 evaluations of the state training system, including, but not limited
22 to, surveys of program participants, surveys of employers of program
23 participants, and matches with employment security department payroll
24 and wage files. Every five years administer scientifically based net-
25 impact and cost-benefit evaluations of the state training system.

26 (11) In cooperation with the employment security department,
27 provide for the improvement and maintenance of quality and utility in
28 occupational information and forecasts for use in training system
29 planning and evaluation. Improvements shall include, but not be
30 limited to, development of state-based occupational change factors

1 involving input by employers and employees, and delineation of skill
2 and training requirements by education level associated with current
3 and forecasted occupations.

4 (12) Provide for the development of common course description
5 formats, common reporting requirements, and common definitions for
6 operating agencies of the training system.

7 (13) Provide for effectiveness and efficiency reviews of the state
8 training system.

9 (14) In cooperation with the higher education coordinating board,
10 facilitate transfer of credit policies and agreements between
11 institutions of the state training system, and encourage articulation
12 agreements for programs encompassing two years of secondary work force
13 education and two years of postsecondary work force education.

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

17 (16) Participate in the development of coordination criteria for
18 activities under the job training partnership act with related programs
19 and services provided by state and local education and training
20 agencies.

21 (17) Make recommendations to the commission of student assessment,
22 the state board of education, and the superintendent of public
23 instruction, concerning basic skill competencies and essential core
24 competencies for K-12 education. Basic skills for this purpose shall
25 be reading, writing, computation, speaking, and critical thinking,
26 essential core competencies for this purpose shall be English, math,
27 science/technology, history, geography, and critical thinking. The
28 board shall monitor the development of and provide advice concerning
29 secondary curriculum which integrates vocational and academic
30 education.

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

3 (19) Facilitate the location of support services, including but not
4 limited to, child care, financial aid, career counseling, and job
5 placement services, for students and trainees at institutions in the
6 state training system, and advocate for support services for trainees
7 and students in the state training system.

8 (20) Facilitate private sector assistance for the state training
9 system, including but not limited to: Financial assistance, rotation
10 of private and public personnel, and vocational counseling.

11 (21) Facilitate programs for school-to-work transition that combine
12 classroom education and on-the-job training in industries and
13 occupations without a significant number of apprenticeship programs.

14 (22) Encourage and assess progress for the equitable representation
15 of racial and ethnic minorities, women, and people with disabilities
16 among the students, teachers, and administrators of the state training
17 system. Equitable, for this purpose, shall mean substantially
18 proportional to their percentage of the state population in the
19 geographic area served. This function of the board shall in no way
20 lessen more stringent state or federal requirements for representation
21 of racial and ethnic minorities, women, and people with disabilities.

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

24 (24) Administer veterans' programs, licensure of private vocational
25 schools, the job skills program, and the Washington award for
26 vocational excellence.

27 (25) Allocate funding from the state job training trust fund.

28 (26) Adopt rules as necessary to implement this chapter.

29 The board may delegate to the director any of the functions of this
30 section."

1 "NEW SECTION. Sec. 9. The state board for vocational education
2 is hereby abolished and its powers, duties, and functions are hereby
3 transferred to the work force training and education coordinating
4 board. All references to the director or the state board for
5 vocational education in the Revised Code of Washington shall be
6 construed to mean the director or the work force training and education
7 coordinating board."

8 "NEW SECTION. Sec. 10. All reports, documents, surveys, books,
9 records, files, papers, or written material in the possession of the
10 state board for vocational education shall be delivered to the custody
11 of the work force training and education coordinating board. All
12 cabinets, furniture, office equipment, motor vehicles, and other
13 tangible property employed by the state board for vocational education
14 shall be made available to the work force training and education
15 coordinating board. All funds, credits, or other assets held by the
16 state board for vocational education shall be assigned to the work
17 force training and education coordinating board.

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

21 Whenever any question arises as to the transfer of any personnel,
22 funds, books, documents, records, papers, files, equipment, or other
23 tangible property used or held in the exercise of the powers and the
24 performance of the duties and functions transferred, the director of
25 financial management shall make a determination as to the proper
26 allocation and certify the same to the state agencies concerned."

27 "NEW SECTION. Sec. 11. All employees of the state board for
28 vocational education who are classified under chapter 41.06 RCW, the

1 state civil service law, are assigned to the work force training and
2 education coordinating board to perform their usual duties upon the
3 same terms as formerly, without any loss of rights, subject to any
4 action that may be appropriate thereafter in accordance with the laws
5 and rules governing state civil service."

6 "NEW SECTION. **Sec. 12.** All rules and all pending business
7 before the state board for vocational education shall be continued and
8 acted upon by the work force training and education coordinating board.
9 All existing contracts and obligations shall remain in full force and
10 shall be performed by the work force training and education
11 coordinating board."

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

16 "NEW SECTION. **Sec. 14.** If apportionments of budgeted funds are
17 required because of the transfers directed by sections 10 through 13 of
18 this act, the director of financial management shall certify the
19 apportionments to the agencies affected, the state auditor, and the
20 state treasurer. Each of these shall make the appropriate transfer and
21 adjustments in funds and appropriation accounts and equipment records
22 in accordance with the certification."

23 "NEW SECTION. **Sec. 15.** Nothing contained in sections 9 through
24 14 of this act may be construed to alter any existing collective
25 bargaining unit or the provisions of any existing collective bargaining

1 agreement until the agreement has expired or until the bargaining unit
2 has been modified by action of the personnel board as provided by law."

3 "NEW SECTION. Sec. 16. (1) There is hereby created the
4 Washington state job training coordinating council for so long as a
5 state council is required by federal law or regulation as a condition
6 for receipt of federal funds. The council shall perform all duties of
7 state job training coordinating council as specified in the federal job
8 training partnership act, P.L. 97-300, as amended, including the
9 preparation of a coordination and special services plan for a two-year
10 period, consistent with the state comprehensive plan for work force
11 training and education prepared by the work force training and
12 education coordinating board as provided for in section 8 of this act.

13 (2) The work force training and education coordinating board shall
14 monitor the need for the council as described in subsection (1) of this
15 section, and, if that need no longer exists, propose legislation to
16 terminate the council."

17 "NEW SECTION. Sec. 17. (1) Current members of the Washington
18 state job training coordinating council appointed pursuant to P.L. 97-
19 300, as amended, shall serve as the state council for purposes of this
20 chapter until new appointments are made consistent with this section.

21 (2) New appointments to the state council shall be made by July 1,
22 1991. Members of the Washington state job training council shall be
23 appointed by the governor as required by federal law and shall be
24 representative of the population of the state with regard to sex, race,
25 ethnic background, and geographical distribution. To the maximum
26 extent feasible, the governor shall give consideration to providing
27 overlapping membership with the membership of the work force training
28 and education coordinating board. One voting member of the council

1 shall be a representative of the administrators for the service
2 delivery areas established under P.L. 97-300. One voting member of the
3 council shall be a representative of the private industry councils
4 established under P.L. 97-300.

5 (3) The Washington state job training coordinating council shall
6 provide staff and allocate funds to the work force training and
7 education coordinating board, as appropriate, to carry out the
8 overlapping functions of the two bodies."

9 "NEW SECTION. Sec. 18. (1) There is hereby created the
10 Washington state council on vocational education for so long as a state
11 council is required by federal law or regulation as a condition for
12 receipt of federal funds. The council on vocational education shall
13 perform all duties of councils on vocational education as specified in
14 P.L. 101-392, as amended.

15 (2) The work force training and education coordinating board shall
16 monitor the need for the council as described in subsection (1) of this
17 section, and, if that need no longer exists, propose legislation to
18 terminate the council."

19 "NEW SECTION. Sec. 19. Current members of the Washington state
20 council on vocational education appointed pursuant to P.L. 98-524, as
21 amended, shall serve as the state council on vocational education for
22 purposes of this chapter until new appointments are made consistent
23 with this section. New appointments to the state council on vocational
24 education shall be made by July 1, 1991. The council on vocational
25 education shall consist of thirteen members appointed by the governor
26 consistent with the provisions of P.L. 101-392, as amended. In making
27 these appointments, to the maximum extent feasible, the governor shall

1 give consideration to providing overlapping membership with the
2 membership of the state job training coordinating council."

3 "NEW SECTION. Sec. 20. The council on vocational education
4 shall perform its functions consistent with the state comprehensive
5 plan for work force training and education prepared by the work force
6 training and education coordinating board as provided for in section 8
7 of this act."

8 "NEW SECTION. Sec. 21. (1) There is hereby created the
9 Washington advisory council on adult education. The advisory council
10 shall advise the state board for community and technical colleges and
11 the work force training and education coordinating board concerning
12 adult basic education and literacy programs. The advisory council
13 shall perform all duties of state advisory councils on adult education
14 as specified in P.L. 100-297, as amended. The advisory council's
15 actions shall be consistent with the state comprehensive plan for work
16 force training and education prepared by the work force training and
17 education coordinating board as provided for in section 8 of this act.

18 (2) The advisory council on adult education shall consist of nine
19 members as required by federal law, appointed by the governor. In
20 making these appointments, to the maximum extent feasible, the governor
21 shall give consideration to providing overlapping membership with the
22 membership of the state job training coordinating council, and the
23 governor shall give consideration to individuals with expertise and
24 experience in adult basic education.

25 (3) The work force training and education coordinating board shall
26 monitor the need for the council as described in subsection (1) of this
27 section, and, if that need no longer exists, propose legislation to
28 terminate the council."

1 "Sec. 22. RCW 28B.50.010 and 1969 ex.s. c 223 s 28B.50.010 are
2 each amended to read as follows:

3 This chapter shall be known as and may be cited as the community
4 and technical college act of ((1967)) 1991."

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

7 The purpose of this chapter is to provide for the dramatically
8 increasing number of students requiring high standards of education
9 either as a part of the continuing higher education program or for
10 occupational education and training, or for adult basic skills and
11 literacy education, by creating a new, independent system of community
12 and technical colleges which will:

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

16 (2) Ensure that each ((community)) college district shall offer
17 thoroughly comprehensive educational, training and service programs to
18 meet the needs of both the communities and students served by
19 combining((, with equal emphasis,)) high standards of excellence in
20 academic transfer courses; realistic and practical courses in
21 occupational education, both graded and ungraded; community services of
22 an educational, cultural, and recreational nature; and adult education,
23 including basic skills and general, family, and work force literacy
24 programs and services. However, college districts containing only
25 technical colleges shall maintain programs solely for occupational
26 education, basic skills, and literacy purposes, and, for as long as a
27 need exists, may continue those programs, activities, and services
28 offered by the technical colleges during the twelve-month period
29 preceding the effective date of this section;

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

4 (4) Provide or coordinate related and supplemental instruction for
5 apprentices at community and technical colleges;

6 (5) Provide administration by state and local boards which will
7 avoid unnecessary duplication of facilities or programs; and which will
8 encourage efficiency in operation and creativity and imagination in
9 education, training and service to meet the needs of the community and
10 students;

11 (~~(4)~~) (6) Allow for the growth, improvement, flexibility and
12 modification of the community colleges and their education, training
13 and service programs as future needs occur; and

14 (~~(5)~~) (7) Establish firmly that community colleges are, for
15 purposes of academic training, two year institutions, and are an
16 independent, unique, and vital section of our state's higher education
17 system, separate from both the common school system and other
18 institutions of higher learning, and never to be considered for
19 conversion into four-year liberal arts colleges."

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

22 As used in this chapter, unless the context requires otherwise, the
23 term:

24 (1) "System" shall mean the state system of community and
25 technical colleges, which shall be a system of higher education(~~(7)~~).

26 (2) "Board" shall mean the work force training and education
27 coordinating board.

28 (3) "College board" shall mean the state board for community and
29 technical colleges (~~(education)~~) created by this chapter(~~(7)~~).

1 ~~((3))~~ (4) "Director" shall mean the administrative director for
2 the state system of community and technical colleges~~((7))~~.

3 ~~((4))~~ (5) "District" shall mean any one of the community and
4 technical college districts created by this chapter~~((7))~~.

5 ~~((5))~~ (6) "Board of trustees" shall mean the local community and
6 technical college board of trustees established for each ~~((community))~~
7 college district within the state~~((7))~~.

8 ~~((6))~~ "Council" shall mean the coordinating council for
9 occupational education~~((7))~~

10 (7) "Occupational education" shall mean that education or training
11 that will prepare a student for employment that does not require a
12 baccalaureate degree~~((7))~~.

13 (8) "K-12 system" shall mean the public school program including
14 kindergarten through the twelfth grade~~((7))~~.

15 (9) "Common school board" shall mean a public school district board
16 of directors~~((7))~~.

17 (10) "Community college" shall include ~~((where applicable,~~
18 ~~vocational technical and adult))~~ those higher education institutions
19 that conduct education programs ~~((conducted by community colleges and~~
20 ~~vocational technical institutes whose major emphasis is in post high~~
21 ~~school education))~~ under RCW 28B.50.020.

22 (11) "Technical college" shall include those higher education
23 institutions with the sole mission of conducting occupational
24 education, basic skills, literacy programs, and offering on short
25 notice, when appropriate, programs that meet specific industry needs.
26 The programs of technical colleges shall include, but not be limited
27 to, continuous enrollment, competency-based instruction, industry-
28 experienced faculty, curriculum integrating vocational and basic skills
29 education, and curriculum approved by representatives of employers and
30 labor. For purposes of this chapter, technical colleges shall include

1 Lake Washington Vocational-Technical Institute, Renton Vocational-
2 Technical Institute, Bates Vocational-Technical Institute, Clover Park
3 Vocational Institute, and Bellingham Vocational-Technical Institute.

4 (12) "Adult education" shall mean all education or instruction,
5 including academic, vocational education or training, basic skills and
6 literacy training, and "occupational education" provided by public
7 educational institutions, including common school districts for persons
8 who are eighteen years of age and over or who hold a high school
9 diploma or certificate(~~(:—PROVIDED, That)~~). However, "adult
10 education" shall not include academic education or instruction for
11 persons under twenty-one years of age who do not hold a high school
12 degree or diploma and who are attending a public high school for the
13 sole purpose of obtaining a high school diploma or certificate(~~(:—~~
14 ~~PROVIDED, FURTHER, That)~~), nor shall "adult education" (~~(shall not)~~)
15 include education or instruction provided by any four year public
16 institution of higher education(~~(:—AND PROVIDED FURTHER, That adult~~
17 ~~education shall not include education or instruction provided by a~~
18 ~~vocational-technical institute)~~)."

19 "Sec. 25. RCW 28B.50.040 and 1988 c 77 s 1 are each amended to
20 read as follows:

21 The state of Washington is hereby divided into (~~(twenty-four~~
22 ~~community)~~) twenty-nine college districts as follows:

23 (1) The first district shall encompass the counties of Clallam and
24 Jefferson;

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

27 (3) The third district shall encompass the counties of Kitsap and
28 Mason;

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

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

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

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

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

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

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

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

26 (12) The twelfth district shall encompass Lewis county, the
27 Rochester common school district No. 401, the Tenino common school
28 district No. 402 of Thurston county, and the Thurston county portion of
29 the Centralia common school district No. 401;

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

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

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

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

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

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

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

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

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

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

26 (23) The twenty-third district shall encompass that portion of
27 Snohomish county within such boundaries as the state board for
28 community and technical colleges ~~((education))~~ shall determine:
29 PROVIDED, That the twenty-third district shall encompass the Edmonds
30 Community College; ~~((and))~~

1 (24) The twenty-fourth district shall encompass all of Thurston
2 county except the Rochester common school district No. 401, the Tenino
3 common school district No. 402, and the Thurston county portion of the
4 Centralia common school district No. 401;

5 (25) The twenty-fifth district shall encompass all of Whatcom
6 county;

7 (26) The twenty-sixth district shall encompass the Northshore, Lake
8 Washington, Bellevue, Mercer Island, Issaquah, Riverview, Snoqualmie
9 Valley and Skykomish school districts;

10 (27) The twenty-seventh district shall encompass the Renton, Kent,
11 Auburn, Tahoma, and Enumclaw school districts and a portion of the
12 Seattle school district described as follows: Commencing at a point
13 established by the intersection of the Duwamish river and the south
14 boundary of the Seattle Community College District (number six) and
15 thence north along the centerline of the Duwamish river to the west
16 waterway; thence north along the centerline of the west waterway to
17 Elliot Bay; thence along Elliot Bay to a line established by the
18 intersection of the extension of Denny Way to Elliot Bay; thence east
19 along the line established by the centerline of Denny Way to Lake
20 Washington; thence south along the shoreline of Lake Washington to the
21 south line of the Seattle Community College District; and thence west
22 along the south line of the Seattle Community College District to the
23 point of beginning;

24 (28) The twenty-eighth district shall encompass all of Pierce
25 county; and

26 (29) The twenty-ninth district shall encompass all of Pierce
27 county."

28 "NEW SECTION. Sec. 26. There is hereby created a board of
29 trustees for district twenty-six and Lake Washington Vocational-

1 Technical Institute, hereafter known as Lake Washington Technical
2 College. The members of the board shall be appointed pursuant to the
3 provisions of RCW 28B.50.100."

4 "NEW SECTION. Sec. 27. There is hereby created a board of
5 trustees for district twenty-seven and Renton Vocational-Technical
6 Institute, hereafter known as Renton Technical College. The members of
7 the board shall be appointed pursuant to the provisions of RCW
8 28B.50.100."

9 "NEW SECTION. Sec. 28. There is hereby created a board of
10 trustees for district twenty-five and Bellingham Vocational-Technical
11 Institute, hereafter known as Bellingham Technical College. The
12 members of the board shall be appointed pursuant to the provisions of
13 RCW 28B.50.100."

14 "NEW SECTION. Sec. 29. There is hereby created a new board of
15 trustees for district twenty-eight and Bates Vocational-Technical
16 Institute, hereafter known as Bates Technical College. The members of
17 the board shall be appointed pursuant to the provisions of RCW
18 28B.50.100."

19 "NEW SECTION. Sec. 30. There is hereby created a new board of
20 trustees for district twenty-nine and Clover Park Vocational-Technical
21 Institute, hereafter known as Clover Park Technical College. The
22 members of the board shall be appointed pursuant to the provisions of
23 RCW 28B.50.100."

24 "NEW SECTION. Sec. 31. By December 1, 1996, the state board
25 shall complete a report evaluating successes and difficulties

1 associated with the merger of the technical and community colleges into
2 one system. The evaluation shall include but need not be limited to
3 consideration of all local governance models for technical colleges.
4 The state board shall provide the report, and any recommendations,
5 including recommendations for revisions to local governance models, to
6 the governor, the house and senate committees on higher education, and
7 the work force training and education coordinating board."

8 "Sec. 32. RCW 28B.50.050 and 1988 c 76 s 1 are each amended to
9 read as follows:

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

27 The successors of the members initially appointed shall be
28 appointed for terms of four years except that (~~any~~) a person (~~s~~)
29 appointed to fill a vacancy occurring prior to the expiration of any

1 term shall be appointed only for the remainder of such term. Each
2 member shall serve until the appointment and qualification of his or
3 her successor. All members shall be citizens and bona fide residents
4 of the state.

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

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

14 The members of the college board may be removed by the governor for
15 inefficiency, neglect of duty, or malfeasance in office, in the manner
16 provided by RCW 28B.10.500."

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

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

28 The director shall devote his or her time to the duties of his or
29 her office and shall not have any direct pecuniary interest in or any

1 stock or bonds of any business connected with or selling supplies to
2 the field of education within this state, in keeping with chapter 42.18
3 RCW, the executive conflict of interest act.

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

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

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

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

29 The board may, by written order filed in its office, delegate to
30 the director any of the powers and duties vested in or imposed upon it

1 by this chapter. Such delegated powers and duties may be exercised by
2 the director in the name of the college board."

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

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

22 "Sec. 35. RCW 28B.50.090 and 1982 c 50 s 1 are each amended to
23 read as follows:

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

1 (1) Review the budgets prepared by the ((community college)) boards
2 of trustees, prepare a single budget for the support of the state
3 system of community and technical colleges and adult education, and
4 submit this budget to the governor as provided in RCW 43.88.090(~~(; the~~
5 ~~coordinating council shall assist with the preparation of the community~~
6 ~~college budget that has to do with vocational education programs))~~);

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

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

13 (a) That each ((community)) college district shall offer thoroughly
14 comprehensive educational, training and service programs to meet the
15 needs of both the communities and students served by combining(~~(, with~~
16 equal emphasis,)) high standards of excellence in academic transfer
17 courses; realistic and practical courses in occupational education,
18 both graded and ungraded; and community services of an educational,
19 cultural, and recreational nature; and adult education(~~(; PROVIDED,~~
20 That notwithstanding any other provisions of this chapter, a community
21 college shall not be required to offer a program of vocational
22 technical training, when such a program as approved by the coordinating
23 council for occupational education is already operating in the
24 district)), including basic skills and general, family, and work force
25 literacy programs and services. However, technical colleges, and
26 college districts containing only technical colleges, shall maintain
27 programs solely for occupational education, basic skills, and literacy
28 purposes. For as long as a need exists, technical colleges may
29 continue those programs, activities, and services they offered during
30 the twelve-month period preceding the effective date of this section;

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

20 (4) Prepare a comprehensive master plan for the development of
21 community and technical college education and training in the state;
22 and assist the office of financial management in the preparation of
23 enrollment projections to support plans for providing adequate
24 ((community)) college facilities in all areas of the state;

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

28 (6) Establish criteria and procedures for modifying district
29 boundary lines consistent with the purposes set forth in RCW 28B.50.020

1 as now or hereafter amended and in accordance therewith make such
2 changes as it deems advisable;

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

5 (a) Qualifications and credentials of instructional and key
6 administrative personnel, except as otherwise provided in the state
7 plan for vocational education,

8 (b) Internal budgeting, accounting, auditing, and financial
9 procedures as necessary to supplement the general requirements
10 prescribed pursuant to chapter 43.88 RCW,

11 (c) The content of the curriculums and other educational and
12 training programs, and the requirement for degrees and certificates
13 awarded by the colleges,

14 (d) Standard admission policies,

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

16 (8) Establish and administer criteria and procedures for all
17 capital construction including the establishment, installation, and
18 expansion of facilities within the various ((community)) college
19 districts;

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

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

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

29 (12) Notwithstanding any other law or statute regarding the sale of
30 state property, sell or exchange and convey any or all interest in any

1 community and technical college real and personal property, except such
2 property as is received by a (~~community~~) college district in
3 accordance with RCW 28B.50.140(8), when it determines that such
4 property is surplus or that such a sale or exchange is in the best
5 interests of the community and technical college system;

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

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

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

2 (16) Provide general supervision over the state's technical
3 colleges. The president of each technical college shall report
4 directly to the director of the state board for community and technical
5 colleges, or the director's designee, until local control is assumed by
6 a new or existing board of trustees as appropriate, except that a
7 college president shall have authority over program decisions of his or
8 her college until the establishment of a board of trustees for that
9 college. The directors of the vocational-technical institutes on March
10 1, 1991, shall be designated as the presidents of the new technical
11 colleges."

12 "Sec. 36. RCW 28B.50.092 and 1977 ex.s. c 131 s 1 are each amended
13 to read as follows:

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

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

3 Prior to the state board granting authorization for any programs
4 authorized under RCW 28B.50.092, the state board shall determine that
5 such authorization will not deter from the primary functions of the
6 community and technical college system within the state of Washington
7 as prescribed by chapter 28B.50 RCW."

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

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

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

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

1 containing technical colleges shall include at least one member from
2 business and one member from labor.

3 The successors of the trustees initially appointed shall be
4 appointed by the governor to serve for a term of five years except that
5 any person appointed to fill a vacancy occurring prior to the
6 expiration of any term shall be appointed only for the remainder of the
7 term. Each member shall serve until a successor is appointed and
8 qualified.

9 Every trustee shall be a resident and qualified elector of the
10 ((community)) college district. No trustee may be an employee of the
11 community and technical college system, a member of the board of
12 directors of any school district, or a member of the governing board of
13 any public or private educational institution.

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

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

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

28 Within thirty days of their appointment ((~~or July 1, 1967,~~
29 ~~whichever is sooner,~~)) the various district boards of trustees shall

1 organize, adopt bylaws for its own government, and make such rules and
2 regulations not inconsistent with this chapter as they deem necessary.
3 At such organizational meeting it shall elect from among its members a
4 (~~chairman and a vice-chairman~~) chair and vice-chair, each to serve
5 for one year, and annually thereafter shall elect such officers to
6 serve until their successors are appointed or qualified. The chief
7 executive officer of the (~~community~~) college district, or (~~his~~)
8 designee, shall serve as secretary of the board. Three trustees shall
9 constitute a quorum, and no action shall be taken by less than a
10 majority of the trustees of the board. The district boards shall
11 transmit such reports to the college board as may be requested by the
12 college board. The fiscal year of the district boards shall conform to
13 the fiscal year of the state."

14 "Sec. 41. RCW 28B.50.140 and 1990 c 135 s 1 are each amended to
15 read as follows:

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

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

19 (2) Shall create comprehensive programs of community and technical
20 college education and training and maintain an open-door policy in
21 accordance with the provisions of RCW 28B.50.090(3). However,
22 technical colleges, and college districts containing only technical
23 colleges, shall maintain programs solely for occupational education,
24 basic skills, and literacy purposes. For as long as a need exists,
25 technical colleges may continue those programs, activities, and
26 services they offered during the twelve-month period preceding the
27 effective date of this section;

28 (3) Shall employ for a period to be fixed by the board a college
29 president for each community and technical college (~~district,~~) and

1 (~~where applicable community college~~), may appoint a president(~~s~~
2 ~~within~~) for the district, and fix their duties and compensation, which
3 may include elements other than salary. Compensation under this
4 subsection shall not affect but may supplement retirement, health care,
5 and other benefits that are otherwise applicable to the presidents as
6 state employees. The board shall also employ for a period to be fixed
7 by the board members of the faculty and such other administrative
8 officers and other employees as may be necessary or appropriate and fix
9 their salaries and duties. Compensation and salary increases under
10 this subsection shall not exceed the amount or percentage established
11 for those purposes in the state appropriations act by the legislature
12 as allocated to the board of trustees by the state board for community
13 and technical colleges (~~education~~). The state board for community
14 and technical colleges (~~education~~) shall adopt rules defining the
15 permissible elements of compensation under this subsection;

16 (4) May establish, under the approval and direction of the college
17 board, new facilities as community needs and interests demand.
18 However, the authority of (~~community college~~) boards of trustees to
19 purchase or lease major off-campus facilities shall be subject to the
20 approval of the higher education coordinating board pursuant to RCW
21 28B.80.340(5);

22 (5) May establish or lease, operate, equip and maintain
23 dormitories, food service facilities, bookstores and other self-
24 supporting facilities connected with the operation of the community and
25 technical college;

26 (6) May, with the approval of the college board, borrow money and
27 issue and sell revenue bonds or other evidences of indebtedness for the
28 construction, reconstruction, erection, equipping with permanent
29 fixtures, demolition and major alteration of buildings or other capital
30 assets, and the acquisition of sites, rights-of-way, easements,

1 improvements or appurtenances, for dormitories, food service
2 facilities, and other self-supporting facilities connected with the
3 operation of the community and technical college in accordance with the
4 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

5 (7) May establish fees and charges for the facilities authorized
6 hereunder, including reasonable rules and regulations for the
7 government thereof, not inconsistent with the rules and regulations of
8 the college board; each board of trustees operating a community and
9 technical college may enter into agreements, subject to rules and
10 regulations of the college board, with owners of facilities to be used
11 for housing regarding the management, operation, and government of such
12 facilities, and any board entering into such an agreement may:

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

15 (b) Employ necessary employees to govern, manage and operate the
16 same;

17 (8) May receive such gifts, grants, conveyances, devises and
18 bequests of real or personal property from private sources, as may be
19 made from time to time, in trust or otherwise, whenever the terms and
20 conditions thereof will aid in carrying out the community and technical
21 college programs as specified by law and the regulations of the state
22 college board; sell, lease or exchange, invest or expend the same or
23 the proceeds, rents, profits and income thereof according to the terms
24 and conditions thereof; and adopt regulations to govern the receipt and
25 expenditure of the proceeds, rents, profits and income thereof;

26 (9) May establish and maintain night schools whenever in the
27 discretion of the board of trustees it is deemed advisable, and
28 authorize classrooms and other facilities to be used for summer or
29 night schools, or for public meetings and for any other uses consistent

1 with the use of such classrooms or facilities for community and
2 technical college purposes;

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

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

10 (12) May grant to every student, upon graduation or completion of
11 a course of study, a suitable diploma, nonbaccalaureate degree or
12 certificate. Technical colleges shall offer only nonbaccalaureate
13 technical degrees, certificates, or diplomas for occupational courses
14 of study under rules of the college board. Technical colleges in
15 districts twenty-eight and twenty-nine may offer nonbaccalaureate
16 associate of technical or applied arts degrees only in conjunction with
17 a community college the district of which overlaps with the district of
18 the technical college, and these degrees may only be offered after a
19 contract or agreement is executed between the technical college and the
20 community college. The authority and responsibility to offer transfer
21 level academic support and general education for students of districts
22 twenty-one and twenty-five shall reside exclusively with Whatcom
23 Community College;

24 (13) Shall enforce the rules and regulations prescribed by the
25 state board for community and technical colleges ((education)) for the
26 government of community and technical colleges, students and teachers,
27 and promulgate such rules and regulations and perform all other acts
28 not inconsistent with law or rules and regulations of the state board
29 for community and technical colleges ((education)) as the board of
30 trustees may in its discretion deem necessary or appropriate to the

1 administration of (~~community~~) college districts: PROVIDED, That such
2 rules and regulations shall include, but not be limited to, rules and
3 regulations relating to housing, scholarships, conduct at the various
4 community and technical college facilities, and discipline: PROVIDED,
5 FURTHER, That the board of trustees may suspend or expel from community
6 and technical colleges students who refuse to obey any of the duly
7 promulgated rules and regulations;

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

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

14 (16) Notwithstanding any other provision of law, may offer
15 educational services on a contractual basis other than the tuition and
16 fee basis set forth in chapter 28B.15 RCW for a special fee to private
17 or governmental entities, consistent with rules and regulations adopted
18 by the state board for community and technical colleges (~~education~~):
19 PROVIDED, That the whole of such special fee shall go to the college
20 district and be not less than the full instructional costs of such
21 services including any salary increases authorized by the legislature
22 for community and technical college employees during the term of the
23 agreement: PROVIDED FURTHER, That enrollments generated hereunder
24 shall not be counted toward the official enrollment level of the
25 college district for state funding purposes;

26 (17) Notwithstanding any other provision of law, may offer
27 educational services on a contractual basis, charging tuition and fees
28 as set forth in chapter 28B.15 RCW, counting such enrollments for state
29 funding purposes, and may additionally charge a special supplemental
30 fee when necessary to cover the full instructional costs of such

1 services: PROVIDED, That such contracts shall be subject to review by
2 the state board for community and technical colleges ((education)) and
3 to such rules as the state board may adopt for that purpose in order to
4 assure that the sum of the supplemental fee and the normal state
5 funding shall not exceed the projected total cost of offering the
6 educational service: PROVIDED FURTHER, That enrollments generated by
7 courses offered on the basis of contracts requiring payment of a share
8 of the normal costs of the course will be discounted to the percentage
9 provided by the college;

10 (18) Shall be authorized to pay dues to any association of trustees
11 that may be formed by the various boards of trustees; such association
12 may expend any or all of such funds to submit biennially, or more often
13 if necessary, to the governor and to the legislature, the
14 recommendations of the association regarding changes which would affect
15 the efficiency of such association;

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

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

22 "Sec. 42. RCW 28B.50.142 and 1977 ex.s. c 331 s 1 are each amended
23 to read as follows:

24 Each board of ((community—college)) trustees shall appoint a
25 treasurer who shall be the financial officer of the board and who shall
26 hold office during the pleasure of the board. Each treasurer shall
27 render a true and faithful account of all moneys received and paid out
28 by him or her, comply with the provisions of RCW 28B.50.143, and shall
29 give bond for the faithful performance of the duties of his or her

1 office in such amount as the trustees require: PROVIDED, That the
2 respective community and technical colleges shall pay the fees for any
3 such bonds."

4 "Sec. 43. RCW 28B.50.143 and 1985 c 180 s 1 are each amended to
5 read as follows:

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

21 "Sec. 44. RCW 28B.50.145 and 1969 ex.s. c 283 s 51 are each
22 amended to read as follows:

23 The boards of trustees of the various ((community)) college
24 districts ((~~are hereby directed to~~)) may create ((~~no later than January~~
25 ~~1, 1970~~)) at each community or technical college ((~~or vocational-~~
26 ~~technical institute~~)) under their control a faculty senate or similar
27 organization to be selected by periodic vote of the respective
28 faculties thereof."

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

3 Any resident of the state may enroll in any program or course
4 maintained or conducted by a ((community)) college district upon the
5 same terms and conditions regardless of the district of his or her
6 residence."

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

9 The state board for community and technical colleges ((education))
10 shall make information available to all newly matriculated students on
11 methods of transmission of the human immunodeficiency virus and
12 prevention of acquired immunodeficiency syndrome. The curricula and
13 materials shall be reviewed for medical accuracy by the office on AIDS
14 in coordination with the appropriate regional AIDS service network."

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

17 The state board for community and technical colleges ((education))
18 shall provide state-wide coordination of video telecommunications
19 programming for the community and technical college system."

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

22 The state board for community and technical colleges ((education))
23 and the state board of education are hereby authorized to permit, on an
24 ad hoc basis, the common school districts to conduct pursuant to RCW
25 28B.50.530 a program in adult education in behalf of a ((community))
26 college district when such program will not conflict with existing
27 programs of the same nature and in the same geographical area conducted

1 by the ((community)) college districts: PROVIDED, That federal
2 programs for adult education ((which are funded directly to the state
3 board of education)) shall be administered by the ((superintendent of
4 public instruction in cooperation with the director of the)) state
5 board for community and technical colleges ((education)), which agency
6 is hereby declared to be the state educational agency primarily
7 responsible for supervision of adult education in the public schools as
8 defined by RCW 28B.50.020."

9 "Sec. 49. RCW 28B.50.320 and 1971 ex.s. c 279 s 17 are each
10 amended to read as follows:

11 All operating fees, services and activities fees, and all other
12 income which the trustees are authorized to impose shall be deposited
13 as the trustees may direct unless otherwise provided by law. Such sums
14 of money shall be subject to the budgetary and audit provisions of law
15 applicable to state agencies. The depository selected by the trustees
16 shall conform to the collateral requirements required for deposit of
17 other state funds.

18 Disbursement shall be made by check signed by the president of the
19 ((community)) college or ((his)) the president's designee appointed in
20 writing, and such other person as may be designated by the board of
21 trustees of the ((community)) college district. Each person authorized
22 to sign as provided above, shall execute a surety bond as provided in
23 RCW 43.17.100. Said bond or bonds shall be filed in the office of the
24 secretary of state."

25 "Sec. 50. RCW 28B.50.330 and 1979 ex.s. c 12 s 2 are each amended
26 to read as follows:

27 The boards of trustees of ((community)) college districts are
28 empowered in accordance with the provisions of this chapter to provide

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

19 Where the estimated cost to any ((community)) college of any
20 building, improvements, or repairs, or other work, is less than five
21 thousand dollars, the publication requirements of RCW 39.04.020 and
22 ((39.04.090)) 39.04.070 shall be inapplicable."

23 "Sec. 51. RCW 28B.50.340 and 1985 c 390 s 54 are each amended to
24 read as follows:

25 In addition to the powers conferred under RCW 28B.50.090, the
26 ((community)) college ((state)) board is authorized and shall have the
27 power:

28 (1) To permit the district boards of trustees to contract for the
29 construction, reconstruction, erection, equipping, maintenance,

1 demolition and major alterations of buildings and other capital assets,
2 and the acquisition of sites, rights-of-way, easements, improvements or
3 appurtenances of the college as approved by the ((community college))
4 state board.

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

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

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

13 "Sec. 52. RCW 28B.50.350 and 1985 c 390 s 55 are each amended to
14 read as follows:

15 For the purpose of financing the cost of any projects, the college
16 board is hereby authorized to adopt the resolution or resolutions and
17 prepare all other documents necessary for the issuance, sale and
18 delivery of the bonds or any part thereof at such time or times as it
19 shall deem necessary and advisable. Said bonds:

20 (1) Shall not constitute:

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

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

23 (2) Shall be:

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

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

26 and

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

28 (d) Signed on behalf of the college board with the manual or
29 facsimile signature of the chairman of the board, attested by the

1 secretary of the board, have the seal of the college board impressed
2 thereon or a facsimile of such seal printed or lithographed in the
3 bottom border thereof, and the coupons attached thereto shall be signed
4 with the facsimile signatures of such chairman and the secretary;

5 (3) Shall state:

6 (a) The date of issue; and

7 (b) The series of the issue and be consecutively numbered within
8 the series; and

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

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

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

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

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

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

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

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

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

9 The proceeds of the sale of all bonds, exclusive of accrued
10 interest which shall be deposited in the bond retirement fund, shall be
11 deposited in the state treasury to the credit of the capital projects
12 account of the college board and shall be used solely for paying the
13 costs of the projects, the costs of bond counsel and professional bond
14 consultants incurred in issuing the bonds, and for the purposes set
15 forth in subsection (8)(b) ((above)) of this section;

16 (9) Shall constitute a prior lien and charge against the building
17 fees of the community and technical colleges."

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

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

25 (1) On or before June 30th of each year the college board if
26 issuing bonds payable out of building fees shall certify to the state
27 treasurer the amounts required in the ensuing twelve-month period to
28 pay and secure the payment of the principal of and interest on such
29 bonds. The state treasurer shall thereupon deposit the amounts so

1 certified in the community and technical college bond retirement fund
2 which fund as required, is hereby created in the state treasury. Such
3 amounts of the funds deposited in the bond retirement fund as are
4 necessary to pay and secure the payment of the principal of and
5 interest on the building bonds issued by the college board as
6 authorized by this chapter shall be exclusively devoted to that
7 purpose. If in any twelve-month period it shall appear that the amount
8 certified by the college board is insufficient to pay and secure the
9 payment of the principal of and interest on the outstanding building
10 bonds, the state treasurer shall notify the college board and such
11 board shall adjust its certificate so that all requirements of moneys
12 to pay and secure the payment of the principal and interest on all such
13 bonds then outstanding shall be fully met at all times.

14 (2) That portion of the building fees not required for or in excess
15 of the amounts necessary to pay and secure the payment of any of the
16 bonds as provided in subsection (1) (~~(above)~~) of this section shall be
17 deposited in the community and technical college capital projects
18 account which account is hereby created in the state treasury. The
19 sums deposited in the capital projects account shall be appropriated
20 and expended exclusively for the construction, reconstruction,
21 erection, equipping, maintenance, demolition and major alteration of
22 buildings and other capital assets owned by the state board for
23 community and technical colleges (~~(education)~~) in the name of the state
24 of Washington, and the acquisition of sites, rights-of-way, easements,
25 improvements or appurtenances in relation thereto, and for the payment
26 of principal of and interest on any bonds issued for such purposes.
27 All earnings of investments of balances in the (~~(community college)~~)
28 capital projects account shall be credited to the general fund.

29 (3) Notwithstanding the provisions of subsections (1) and (2)
30 (~~(above)~~) of this section, at such time as all outstanding building

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

22 "Sec. 54. RCW 28B.50.370 and 1985 c 390 s 57 are each amended to
23 read as follows:

24 For the purpose of paying and securing the payment of the principal
25 of and interest on the bonds as the same shall become due, there shall
26 be paid into the state treasury and credited to the bond retirement
27 fund of the ((state)) college board ((for community college
28 education)), the following:

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

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

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

7 Said bond retirement fund shall be kept segregated from all moneys
8 in the state treasury and shall, while any of such bonds or any
9 interest thereon remains unpaid, be available solely for the payment
10 thereof. As a part of the contract of sale of such bonds, the college
11 board shall charge and collect building fees as established by this
12 chapter and deposit such fees in the bond retirement fund in amounts
13 which will be sufficient to pay and secure the payment of the principal
14 of, and interest on all such bonds outstanding."

15 "Sec. 55. RCW 28B.50.402 and 1977 ex.s. c 223 s 2 are each amended
16 to read as follows:

17 Notwithstanding anything to the contrary contained in RCW
18 28B.50.360(1) and (2) and in RCW 28B.50.370, all moneys on deposit on
19 or before June 30, 1977, in the community and technical college bond
20 retirement fund, shall be transferred by the state treasurer to the
21 state general fund, except for those moneys appropriated by section 17,
22 chapter 1, Laws of 1977."

23 "Sec. 56. RCW 28B.50.404 and 1985 c 390 s 60 are each amended to
24 read as follows:

25 Subject to the specific provisions of RCW 28B.50.360 and 28B.50.403
26 through 28B.50.407, such general obligation refunding bonds shall be
27 issued and the refunding of said community and technical college
28 building bonds shall be carried out pursuant to chapters 39.42 and

1 39.53 RCW as now or hereafter amended. The bonds shall pledge the full
2 faith and credit of the state of Washington and contain an
3 unconditional promise of the state to pay the principal thereof and
4 interest thereon when due."

5 "Sec. 57. RCW 28B.50.405 and 1974 ex.s. c 112 s 3 are each amended
6 to read as follows:

7 There is hereby created in the state treasury the community and
8 technical college refunding bond retirement fund of 1974, which fund
9 shall be exclusively devoted to the payment of the principal of and
10 interest on the refunding bonds authorized by RCW 28B.50.360 and
11 28B.50.403 through 28B.50.407.

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

18 "Sec. 58. RCW 28B.50.409 and 1974 ex.s. c 112 s 7 are each amended
19 to read as follows:

20 All bonds issued after February 16, 1974 by the college board or
21 any ((community college)) board of trustees for any ((community))
22 college district under provisions of chapter 28B.50 RCW, as now or
23 hereafter amended, shall be issued by such boards only upon the prior
24 advice and consent of the state finance committee."

25 "Sec. 59. RCW 28B.50.520 and 1969 ex.s. c 223 s 28B.50.520 are
26 each amended to read as follows:

1 The ((state)) college board ((for community college education)) or
2 any ((community college)) board of trustees is authorized to receive
3 federal funds made available for the assistance of community and
4 technical colleges, and providing physical facilities, maintenance or
5 operation of schools, or for any educational purposes, according to the
6 provisions of the acts of congress making such funds available."

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

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

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

14 The board of trustees of each ((community)) college district shall
15 adopt for each community and technical college under its jurisdiction
16 written policies on granting leaves to employees of the district and
17 those colleges, including but not limited to leaves for attendance at
18 official or private institutions and conferences; professional leaves
19 for personnel consistent with the provisions of RCW 28B.10.650; leaves
20 for illness, injury, bereavement and emergencies, and except as
21 otherwise in this section provided, all with such compensation as the
22 board of trustees may prescribe, except that the board shall grant to
23 all such persons leave with full compensation for illness, injury,
24 bereavement and emergencies as follows:

25 (1) For persons under contract to be employed, or otherwise
26 employed, for at least three quarters, not more than twelve days per
27 year, commencing with the first day on which work is to be performed;
28 provisions of any contract in force on June 12, 1980, which conflict

1 with requirements of this subsection shall continue in effect until
2 contract expiration; after expiration, any new contract executed
3 between the parties shall be consistent with this subsection;

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

7 (3) Leave for illness, injury, bereavement and emergencies
8 heretofore accumulated pursuant to law, rule, regulation or policy by
9 persons presently employed by ((community)) college districts and
10 community and technical colleges shall be added to such leave
11 accumulated under this section;

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

16 (5) Accumulated leave for illness, injury, bereavement and
17 emergencies under this section shall be transferred from one
18 ((community)) college district or community and technical college to
19 another, to the ((state)) college board ((for community college
20 education)), to the state superintendent of public instruction, to any
21 educational service district, to any school district, or to any other
22 institutions of higher learning of the state; ((and))

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

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

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

3 Whenever a common school board has contracted to redeem general
4 obligation bonds used for the construction or acquisition of facilities
5 which are now to be under the administration, control and occupancy of
6 the ((community)) college district board, the common school board shall
7 continue to redeem the bonds in accordance with the provisions of the
8 bonds."

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

11 Notwithstanding any other statutory provision relating to
12 indebtedness of school districts, bonds heretofore issued by any common
13 school district for the purpose of providing funds for community and
14 technical college facilities shall not be considered as indebtedness in
15 determining the maximum allowable indebtedness under any statutory
16 limitation of indebtedness when the sum of all indebtedness therein
17 does not exceed the maximum constitutional allowable indebtedness
18 applied to the value of the taxable property contained in such school
19 district: PROVIDED, That nothing contained herein shall be construed
20 to affect the distribution of state funds under any applicable
21 distribution formula."

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

24 The legislature recognizes that quality in the state's community
25 and technical colleges would be strengthened by additional partnerships
26 between citizens and the institutions. The legislature intends to
27 foster these partnerships by creating a matching grant program to

1 assist public community and technical colleges in creating endowments
2 for funding exceptional faculty awards."

3 "Sec. 65. RCW 28B.50.837 and 1990 c 29 s 2 are each amended to
4 read as follows:

5 (1) The Washington community and technical college exceptional
6 faculty awards program is established. The program shall be
7 administered by the ((state)) college board ((~~for community college~~
8 ~~education~~)). The ((community)) college faculty awards trust fund
9 hereby created shall be administered by the state treasurer.

10 (2) Funds appropriated by the legislature for the community and
11 technical college exceptional faculty awards program shall be deposited
12 in the ((community)) college faculty awards trust fund. All moneys
13 deposited in the fund shall be invested by the state treasurer.
14 Notwithstanding RCW 43.84.090, all earnings of investments of balances
15 in the fund shall be credited to the fund. At the request of the
16 ((state)) college board ((~~for community college education~~)), the
17 treasurer shall release the state matching funds to the designated
18 institution's local endowment fund. No appropriation is necessary for
19 the expenditure of moneys from the fund."

20 "Sec. 66. RCW 28B.50.839 and 1990 c 29 s 3 are each amended to
21 read as follows:

22 (1) In consultation with eligible community and technical colleges,
23 the ((state)) college board ((~~for community college education~~)) shall
24 set priorities and guidelines for the program.

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

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

12 (4) Once sufficient private donations are received by the
13 institution, the institution shall inform the ((state)) college board
14 ((for community college education)) and request state matching funds.
15 The ((state)) college board ((for community college education)) shall
16 evaluate the request for state matching funds based on program
17 priorities and guidelines. The ((state)) college board ((for community
18 college education)) may ask the state treasurer to release the state
19 matching funds to a local endowment fund established by the institution
20 for each faculty award created."

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

23 (1) The faculty awards are the property of the institution and may
24 be named in honor of a donor, benefactor, or honoree of the
25 institution, at the option of the institution. The institution shall
26 designate the use of the award. The designation shall be made or
27 renewed annually.

28 (2) The institution is responsible for soliciting private
29 donations, investing and maintaining its endowment funds, administering

1 the faculty awards, and reporting on the program to the governor, the
2 ((state)) college board ((for community college education)), and the
3 legislature, upon request. The institution may augment its endowment
4 fund with additional unrestricted private donations. The principal of
5 the invested endowment fund shall not be invaded.

6 (3) The proceeds from the endowment fund shall be used to pay
7 expenses for faculty awards, which may include in-service training,
8 temporary substitute or replacement costs directly associated with
9 faculty development programs, conferences, travel, publication and
10 dissemination of exemplary projects; to supplement the salary of the
11 holder or holders of a faculty award; or to pay expenses associated
12 with the holder's program area. Funds from this program shall not be
13 used to supplant existing faculty development funds."

14 "Sec. 68. RCW 28B.50.843 and 1990 c 29 s 5 are each amended to
15 read as follows:

16 The process for determining local awards shall be subject to
17 collective bargaining. Decisions regarding the amounts of individual
18 awards and who receives them shall not be subject to collective
19 bargaining and shall be subject to approval of the applicable
20 ((community college)) board of trustees."

21 "Sec. 69. RCW 28B.50.850 and 1969 ex.s. c 283 s 32 are each
22 amended to read as follows:

23 It shall be the purpose of RCW 28B.50.850 through 28B.50.869 to
24 establish a system of faculty tenure which protects the concepts of
25 faculty employment rights and faculty involvement in the protection of
26 those rights in the state system of community and technical colleges.
27 RCW 28B.50.850 through 28B.50.869 shall define a reasonable and orderly

1 process for appointment of faculty members to tenure status and the
2 dismissal of the tenured faculty member.

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

5 "Sec. 70. RCW 28B.50.851 and 1988 c 32 s 2 are each amended to
6 read as follows:

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

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

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

22 (b) "Faculty appointment" shall not mean special faculty
23 appointment as a teacher, counselor, librarian, or other position as
24 enumerated in (~~subsection (2)~~)(a) of this subsection, when such
25 employment results from special funds provided to a community college
26 district from federal moneys or other special funds which other funds
27 are designated as "special funds" by the (~~state~~) college board (~~for~~
28 ~~community college education~~): PROVIDED, That such "special funds" so
29 designated by the (~~state~~) college board for purposes of this section

1 shall apply only to teachers, counselors and librarians hired from
2 grants and service agreements and teachers, counselors and librarians
3 hired in nonformula positions. A special faculty appointment resulting
4 from such special financing may be terminated upon a reduction or
5 elimination of funding or a reduction or elimination of program:
6 PROVIDED FURTHER, That "faculty appointees" holding faculty
7 appointments pursuant to subsections (1) or (2)(a) of this section who
8 have been subsequently transferred to positions financed from "special
9 funds" pursuant to (~~subsection (2)~~) (b) of this subsection and who
10 thereafter lose their positions upon reduction or elimination of such
11 "special funding" shall be entitled to be returned to previous status
12 as faculty appointees pursuant to subsection (1) or (2)(a) of this
13 section depending upon their status prior to the "special funding"
14 transfer. Notwithstanding the fact that tenure shall not be granted to
15 anyone holding a special faculty appointment, the termination of any
16 such faculty appointment prior to the expiration of the term of such
17 faculty member's individual contract for any cause which is not related
18 to elimination or reduction of financing or the elimination or
19 reduction of program shall be considered a termination for cause
20 subject to the provisions of this chapter;

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

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

26 (5) "Administrative appointment" shall mean employment in a
27 specific administrative position as determined by the appointing
28 authority;

29 (6) "Appointing authority" shall mean the board of trustees of a
30 (~~community~~) college district;

1 (7) "Review committee" shall mean a committee composed of the
2 probationer's faculty peers, a student representative, and the
3 administrative staff of the community or technical college: PROVIDED,
4 That the majority of the committee shall consist of the probationer's
5 faculty peers."

6 "Sec. 71. RCW 28B.50.867 and 1969 ex.s. c 283 s 43 are each
7 amended to read as follows:

8 Upon transfer of employment from one community or technical college
9 to another community or technical college within a district, a tenured
10 faculty member shall have the right to retain tenure and the rights
11 accruing thereto which he or she had in his or her previous employment:
12 PROVIDED, That upon permanent transfer of employment to another
13 ((community)) college district a tenured faculty member shall not have
14 the right to retain his tenure or any of the rights accruing thereto."

15 "Sec. 72. RCW 28B.50.869 and 1974 ex.s. c 33 s 2 are each amended
16 to read as follows:

17 The review committees required by RCW 28B.50.850 through 28B.50.869
18 shall be composed of members of the administrative staff, a student
19 representative, and the teaching faculty. The representatives of the
20 teaching faculty shall represent a majority of the members on each
21 review committee. The members representing the teaching faculty on
22 each review committee shall be selected by a majority of the teaching
23 faculty and faculty department heads acting in a body. The student
24 representative, who shall be a full time student, shall be chosen by
25 the student association of the particular community or technical
26 college in such manner as the members thereof shall determine."

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

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

1 institution pursuant to a written contract with a ((community)) college
2 district."

3 "Sec. 74. RCW 28B.50.873 and 1990 c 33 s 559 are each amended to
4 read as follows:

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

21 Said tenured or probationary faculty members will have a right to
22 request a formal hearing when being dismissed pursuant to subsections
23 (1) and (2) of this section. The only issue to be determined shall be
24 whether under the applicable policies, rules or collective bargaining
25 agreement the particular faculty member or members advised of severance
26 are the proper ones to be terminated. Said hearing shall be initiated
27 by filing a written request therefor with the president or district
28 president, as the case may be, within ten days after issuance of such
29 notice. At such formal hearing the tenure review committee provided

1 for in RCW 28B.50.863 may observe the formal hearing procedure and
2 after the conclusion of such hearing offer its recommended decision for
3 consideration by the hearing officer. Failure to timely request such
4 a hearing shall cause separation from service of such faculty members
5 so notified on the effective date as stated in the notice, regardless
6 of the duration of any individual employment contract.

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

21 Notwithstanding any other provision of this section, at the time of
22 a faculty member or members request for formal hearing said faculty
23 member or members may ask for participation in the choosing of the
24 hearing officer in the manner provided in RCW 28A.405.310(4), said
25 employee therein being a faculty member for the purposes hereof and
26 said board of directors therein being the board of trustees for the
27 purposes hereof: PROVIDED, That where there is more than one faculty
28 member affected by the board of trustees' reduction in force such
29 faculty members requesting hearing must act collectively in making such
30 request: PROVIDED FURTHER, That costs incurred for the services and

1 expenses of such hearing officer shall be shared equally by the
2 community or technical college and the faculty member or faculty
3 members requesting hearing.

4 When more than one faculty member is notified of termination
5 because of a reduction in force as provided in this section, hearings
6 for all such faculty members requesting formal hearing shall be
7 consolidated and only one such hearing for the affected faculty members
8 shall be held, and such consolidated hearing shall be concluded within
9 the time frame set forth herein.

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

13 It is the intent of the legislature by enactment of this section
14 and in accordance with RCW 28B.52.035, to modify any collective
15 bargaining agreements in effect, or any conflicting board policies or
16 rules, so that any reductions in force which take place after December
17 21, 1981, whether in progress or to be initiated, will comply solely
18 with the provisions of this section: PROVIDED, That any applicable
19 policies, rules, or provisions contained in a collective bargaining
20 agreement related to lay-off units, seniority and re-employment rights
21 shall not be affected by the provisions of this paragraph.

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

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

27 Local law enforcement agencies or such other public agencies that
28 shall be in need of such service may contract with any community or
29 technical college for laboratory services for the analyzing of samples

1 that chemists associated with such ((community)) colleges may be able
2 to perform under such terms and conditions as the individual
3 ((community)) college may determine.

4 Employees of the Seattle Vocational Institute are exempt from this
5 section until July 1, 1993."

6 "Sec. 76. RCW 15.76.120 and 1961 c 61 s 3 are each amended to read
7 as follows:

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

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

15 (2) "County and district fairs"--organized to serve the interests
16 of single counties other than those in which a recognized area fair or
17 a district fair as defined in RCW 36.37.050, is held and which are
18 under the direct control and supervision of the county commissioners of
19 the respective counties, which have both open and junior participation,
20 but whose classes, displays and exhibits may be more restricted or
21 limited than in the case of area or district fairs. There may be but
22 one county fair in a single county: PROVIDED, HOWEVER, That the county
23 commissioners of two or more counties may, by resolution, jointly
24 sponsor a county fair.

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

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

6 "Sec. 77. RCW 28A.305.270 and 1989 c 146 s 2 are each amended to
7 read as follows:

8 (1) The Washington state minority teacher recruitment program is
9 established. The program shall be administered by the state board of
10 education. The state board of education shall consult with the higher
11 education coordinating board, representatives of institutions of higher
12 education, education organizations having an interest in teacher
13 recruitment issues, the superintendent of public instruction, the state
14 board for community and technical colleges (~~education~~), the
15 department of employment security, and the (~~state board of vocational~~
16 ~~education within the office of the governor~~) work force training and
17 education coordinating board. The program shall be designed to recruit
18 future teachers from students in the targeted groups who are in the
19 ninth through twelfth grades and from adults in the targeted groups who
20 have entered other occupations.

21 (2) The program shall include the following:

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

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

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

1 (d) Providing for increased cooperation among institutions of
2 higher education including community colleges, the superintendent of
3 public instruction, the state board of education, and local school
4 districts in working toward the goals of the program."

5 "NEW SECTION. Sec. 78. A new section is added to chapter 28A.150
6 RCW to read as follows:

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

11 (2) The local program committees shall:

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

13 (b) Review and evaluate program curricula, equipment, and
14 effectiveness;

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

17 (d) Actively consult with other representatives of business,
18 industry, labor, and agriculture."

19 "NEW SECTION. Sec. 79. (1) Each local education agency or
20 college district offering vocational educational programs shall
21 establish local advisory committees to provide that agency or district
22 with advice on current job needs and on the courses necessary to meet
23 these needs.

24 (2) The local program committees shall:

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

26 (b) Review and evaluate program curricula, equipment, and
27 effectiveness;

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

3 (d) Actively consult with other representatives of business,
4 industry, labor, and agriculture."

5 "NEW SECTION. Sec. 80. A new section is added to chapter 28A.300
6 RCW to read as follows:

7 The superintendent shall cooperate with the work force training and
8 education coordinating board in the conduct of the board's
9 responsibilities under section 8 of this act and shall provide
10 information and data in a format that is accessible to the board."

11 "NEW SECTION. Sec. 81. The college board shall cooperate with
12 the work force training and education coordinating board in the conduct
13 of the board's responsibilities under section 8 of this act and shall
14 provide information and data in a format that is accessible to the
15 board."

16 "NEW SECTION. Sec. 82. A new section is added to chapter 50.12
17 RCW to read as follows:

18 The commissioner shall cooperate with the work force training and
19 education coordinating board in the conduct of the board's
20 responsibilities under section 8 of this act and shall provide
21 information and data in a format that is accessible to the board."

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

24 Unless the context clearly requires otherwise, the definitions in
25 this section apply throughout this chapter.

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

3 (2) "Agent" means a person owning an interest in, employed by, or
4 representing for remuneration a private vocational school within or
5 without this state, who enrolls or personally attempts to secure the
6 enrollment in a private vocational school of a resident of this state,
7 offers to award educational credentials for remuneration on behalf of
8 a private vocational school, or holds himself or herself out to
9 residents of this state as representing a private vocational school for
10 any of these purposes.

11 (3) "Degree" means any designation, appellation, letters, or words
12 including but not limited to "associate," "bachelor," "master,"
13 "doctor," or "fellow" which signify or purport to signify satisfactory
14 completion of an academic program of study beyond the secondary school
15 level.

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

18 (5) "Educational credentials" means degrees, diplomas,
19 certificates, transcripts, reports, documents, or letters of
20 designation, marks, appellations, series of letters, numbers, or words
21 which signify or appear to signify enrollment, attendance, progress, or
22 satisfactory completion of the requirements or prerequisites for any
23 educational program.

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

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

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

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

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

10 NEW SECTION. Sec. 84. Community and technical colleges may
11 contract with local common school districts to provide occupational and
12 academic programs for high school students. Common school districts
13 whose students currently attend vocational-technical institutes shall
14 not suffer loss of opportunity to continue to enroll their students at
15 technical colleges.

16 For the purposes of this section, "opportunity to enroll" includes,
17 but is not limited to, the opportunity of common school districts to
18 enroll the same number of high school students enrolled at each
19 vocational-technical institute during the period July 1, 1989, through
20 June 30, 1990, and the opportunity for common school districts to
21 increase enrollments of high school students at each technical college
22 in proportion to annual increases in enrollment within the school
23 districts participating on the effective date of this section.
24 Technical colleges shall offer programs which are accessible to high
25 school students to at least the extent that existed during the period
26 July 1, 1989, through June 30, 1990, and to the extent necessary to
27 accommodate proportional annual growth in enrollments of high school
28 students within school districts participating on the effective date of
29 this section. Accommodating such annual increases in enrollment or

1 program offerings shall be the first priority within technical colleges
2 subject to any enrollment or budgetary restrictions. Technical
3 colleges shall not charge tuition or student services and activities
4 fees to high school students enrolled in the college.

5 Technical colleges may enter into interlocal agreements with local
6 school districts to provide instruction in courses required for high
7 school graduation, basic skills, and literacy training for students
8 enrolled in technical college programs."

9 "NEW SECTION. Sec. 85. When the state system of community and
10 technical colleges assumes administrative control of the vocational-
11 technical institutes, personnel employed by the vocational-technical
12 institutes shall:

13 (1) Suffer no reduction in compensation, benefits, seniority, or
14 employment status. After the effective date of this section,
15 classified employees shall continue to be covered by chapter 41.56 RCW
16 and faculty members and administrators shall be covered by chapter
17 28B.50 RCW;

18 (2) To the extent applicable to faculty members, any faculty
19 currently employed on a "continuing contract" basis under RCW
20 28A.405.210 be awarded tenure pursuant to RCW 28B.50.851 through
21 28B.50.873, except for any faculty members who are provisional
22 employees under RCW 28A.405.220;

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

26 (4) Be eligible to participate in old age annuities or retirement
27 income plans under the rules of the state board for community and
28 technical colleges pursuant to RCW 28B.10.400 or the teachers'
29 retirement system plan I for personnel employed before July 1, 1977, or

1 plan II for personnel employed after July 1, 1977, under chapter 41.32
2 RCW; however, no affected vocational-technical institute employee shall
3 be required to choose from among any available retirement plan options
4 prior to six months after the effective date of this section;

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

8 (6) Be eligible to participate in the deferred compensation plan
9 pursuant to RCW 41.04.250 and the dependent care program pursuant to
10 RCW 41.04.600 under the rules established by the state deferred
11 compensation committee.

12 An exclusive bargaining representative certified to represent a
13 bargaining unit covering employees of a vocational technical institute
14 on the effective date of this section shall remain the exclusive
15 representative of such employees thereafter until and unless such
16 representative is replaced or decertified in accordance with state law.

17 Any collective bargaining agreement in effect on June 30, 1991,
18 shall remain in effect as it applies to employees of vocational
19 technical institutes until its expiration or renewal date or until
20 renegotiated or renewed in accordance with chapter 28B.52 or 41.56 RCW.
21 After the expiration date of a collective bargaining agreement, all of
22 the terms and conditions specified in the collective bargaining
23 agreement, as it applies to employees of vocational-technical
24 institutes, shall remain in effect until the effective date of a
25 subsequent agreement, not to exceed one year from the termination date
26 stated in the agreement. The board of trustees and the employees may
27 mutually agree to continue the terms and conditions of the agreement
28 beyond the one year extension. However, nothing in this section shall
29 be construed to deny any employee right granted under chapter 28B.52 or
30 41.56 RCW. Labor relations processes and agreements covering faculty

1 members of vocational technical institutes after the effective date of
2 this section shall be governed by chapter 28B.52 RCW. Labor relations
3 processes and agreements covering classified employees of vocational
4 technical institutes after the effective date of this section shall
5 continue to be governed by chapter 41.56 RCW."

6 "NEW SECTION. **Sec. 86.** Notwithstanding the provisions of
7 chapter 28B.15 RCW, technical colleges and the Seattle Vocational
8 Institute may continue to collect student tuition and fees per their
9 standard operating procedures in effect on the effective date of this
10 section. The applicability of existing community college rules and
11 statutes pursuant to chapter 28B.15 RCW regarding tuition and fees
12 shall be determined by the state board for community and technical
13 colleges within two years of the effective date of this section."

14 "NEW SECTION. **Sec. 87.** All powers, duties, and functions of the
15 superintendent of public instruction and the state board of education
16 pertaining to projects of adult education, including the state-funded
17 Even Start and including the adult education programs operated pursuant
18 to 20 U.S.C. Sec. 1201 as amended by P.L. 100-297, are transferred to
19 the state board for community and technical colleges. All references
20 to the director or superintendent of public instruction or the state
21 board of education in the Revised Code of Washington shall be construed
22 to mean the director or the state board for community and technical
23 colleges when referring to the functions transferred in this section."

24 "NEW SECTION. **Sec. 88.** All reports, documents, surveys, books,
25 records, files, papers, or written material in the possession of the
26 superintendent of public instruction pertaining to the powers,
27 functions, and duties transferred shall be delivered to the custody of

1 the state board for community and technical colleges. All cabinets,
2 furniture, office equipment, motor vehicles, and other tangible
3 property employed by the superintendent of public instruction in
4 carrying out the powers, functions, and duties transferred shall be
5 made available to the state board for community and technical colleges.
6 All funds, credits, or other assets held in connection with the powers,
7 functions, and duties transferred shall be assigned to the state board
8 for community and technical colleges.

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

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

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

22 "NEW SECTION. **Sec. 89.** All employees of the superintendent of
23 public instruction engaged in performing the powers, functions, and
24 duties transferred are transferred to the jurisdiction of the state
25 board for community and technical colleges. All employees classified
26 under chapter 41.06 RCW, the state civil service law, are assigned to
27 the state board for community and technical colleges to perform their
28 usual duties upon the same terms as formerly, without any loss of

1 rights, subject to any action that may be appropriate thereafter in
2 accordance with the laws and rules governing chapter 28B.16 RCW."

3 "NEW SECTION. Sec. 90. All rules and all pending business
4 before the superintendent of public instruction pertaining to the
5 powers, functions, and duties transferred shall be continued and acted
6 upon by the state board for community and technical colleges. All
7 existing contracts and obligations shall remain in full force and shall
8 be performed by the state board for community and technical colleges."

9 "NEW SECTION. Sec. 91. The transfer of the powers, duties,
10 functions, and personnel of the superintendent of public instruction
11 shall not affect the validity of any act performed prior to the
12 effective date of this section."

13 "NEW SECTION. Sec. 92. If apportionments of budgeted funds are
14 required because of the transfers directed by sections 88 through 91 of
15 this act, the director of financial management shall certify the
16 apportionments to the agencies affected, the state auditor, and the
17 state treasurer. Each of these shall make the appropriate transfer and
18 adjustments in funds and appropriation accounts and equipment records
19 in accordance with the certification."

20 "NEW SECTION. Sec. 93. Nothing contained in sections 88 through
21 92 of this act may be construed to alter any existing collective
22 bargaining unit or the provisions of any existing collective bargaining
23 agreement until the agreement has expired or until the bargaining unit
24 has been modified by action of the personnel board as provided by law."

1 "NEW SECTION. Sec. 94. The college board personnel
2 administering state and federally funded programs for adult basic
3 skills and literacy education shall be known as the state office for
4 adult literacy."

5 "NEW SECTION. Sec. 95. The legislature finds that a vocational
6 institute in the central area of the city of Seattle provides civic,
7 social, and economic benefits to the people of the state of Washington.
8 Economic development is enhanced by increasing the number of skilled
9 individuals who enter the labor market and social welfare costs are
10 reduced by the training of individuals lacking marketable skills. The
11 students at the institute are historically economically disadvantaged,
12 and include racial and ethnic minorities, recent immigrants,
13 single-parent heads of households, and persons who are dislocated
14 workers or without specific occupational skills. The institute
15 presents a unique opportunity for business, labor, and community-based
16 organizations, and educators to work together to provide effective
17 vocational-technical training to the economically disadvantaged of
18 urban Seattle, and to serve as a national model of such cooperation.
19 Moreover, a trained work force is a major factor in attracting new
20 employers, and with greater minority participation in the work force,
21 the institute is uniquely located to deliver training and education to
22 the individuals employers must increasingly turn to for their future
23 workers."

24 "NEW SECTION. Sec. 96. The public nonprofit corporation for the
25 Washington institute for applied technology is hereby abolished and its
26 powers, duties, and functions are hereby transferred to the sixth
27 college district. The Washington institute for applied technology
28 shall be renamed the Seattle Vocational Institute. The Seattle

1 Vocational Institute shall become a fourth unit of the sixth college
2 district. All references to the director or public nonprofit
3 corporation for the Washington institute for applied technology in the
4 Revised Code of Washington shall be construed to mean the director of
5 the Seattle Vocational Institute."

6 "NEW SECTION. Sec. 97. All reports, documents, surveys, books,
7 records, files, papers, or written material in the possession of the
8 public nonprofit corporation for the Washington institute for applied
9 technology shall be delivered to the custody of the sixth college
10 district. All cabinets, furniture, office equipment, motor vehicles,
11 and other tangible property employed by the public nonprofit
12 corporation for the Washington institute for applied technology shall
13 be made available to the sixth college district for the use of the
14 Seattle Vocational Institute. All funds, credits, or other assets held
15 by the public nonprofit corporation for the Washington institute for
16 applied technology shall be assigned to the sixth college district for
17 the use of the institute.

18 Any appropriations made to the public nonprofit corporation for the
19 Washington institute for applied technology shall, on the effective
20 date of this section, be transferred and credited to the sixth college
21 district.

22 Whenever any question arises as to the transfer of any personnel,
23 funds, books, documents, records, papers, files, equipment, or other
24 tangible property used or held in the exercise of the powers and the
25 performance of the duties and functions transferred, the director of
26 financial management shall make a determination as to the proper
27 allocation and certify the same to the state agencies concerned."

1 "NEW SECTION. **Sec. 98.** All contractual obligations, rules, and
2 all pending business before the public nonprofit corporation for the
3 Washington institute for applied technology shall be continued and
4 acted upon by the sixth college district. All existing contracts and
5 obligations shall remain in full force and shall be performed by the
6 sixth college district."

7 "NEW SECTION. **Sec. 99.** All employees of the Washington
8 institute for applied technology engaged in performing the powers,
9 functions, and duties transferred are transferred to the jurisdiction
10 of the Seattle Vocational Institute. All employees classified under
11 chapter 41.06 RCW, the state civil service law, are assigned to the
12 Seattle Vocational Institute to perform their usual duties upon the
13 same terms as formerly, without any loss of rights, subject to any
14 action that may be appropriate thereafter in accordance with the laws
15 and rules governing state civil service."

16 "NEW SECTION. **Sec. 100.** The transfer of the powers, duties,
17 functions, and personnel of the public nonprofit corporation for the
18 Washington institute for applied technology shall not affect the
19 validity of any act performed prior to the effective date of this
20 section."

21 "NEW SECTION. **Sec. 101.** If apportionments of budgeted funds are
22 required because of the transfers directed by sections 97 through 100
23 of this act, the director of financial management shall certify the
24 apportionments to the agencies affected, the state auditor, and the
25 state treasurer. Each of these shall make the appropriate transfer and
26 adjustments in funds and appropriation accounts and equipment records
27 in accordance with the certification."

1 "NEW SECTION. Sec. 102. The mission of the institute shall be to
2 provide occupational, basic skills, and literacy education
3 opportunities to economically disadvantaged populations in urban areas
4 of the college district it serves. The mission shall be achieved
5 primarily through open-entry, open-exit, short-term, competency-based
6 basic skill, and job training programs targeted primarily to adults.
7 The board of trustees of the sixth college district shall appoint a
8 nine-member advisory committee consisting of equal representation from
9 business, labor, and community representatives to provide advice and
10 counsel to the administration of the institute and the district
11 administration."

12 "NEW SECTION. Sec. 103. Funding for the institute shall be
13 included in a separate allocation to the sixth college district, and
14 funds allocated for the institute shall be used only for purposes of
15 the institute."

16 "NEW SECTION. Sec. 104. The sixth college district shall conduct
17 a survey of the capital facilities and equipment necessary to operate
18 the program at the institute. The district shall present the survey to
19 the state board for community and technical colleges by December 1,
20 1991. The board shall include the survey in its budget request to the
21 legislature which shall consider a supplementary appropriation for the
22 1992-93 fiscal year to the sixth college district based on the results
23 of this survey."

24 "NEW SECTION. Sec. 105. The district may provide for waivers of
25 tuition and fees and provide scholarships for students at the
26 institute. The district may negotiate with applicable public or
27 private service providers to conduct the instructional activities of

1 the institute. The district may employ instructional staff or faculty.
2 The district may also contract with private individuals for
3 instructional services. Until at least July 1, 1993, all faculty and
4 staff serve at the pleasure of the district. In order to allow the
5 district flexibility in its personnel policies with the institute, the
6 district and the institute, with reference to employees of the
7 institute employed during an initial two-year period until July 1,
8 1993, are exempt from chapters 28B.16, 28B.52 (relating to collective
9 bargaining), 41.04, 41.05, 41.06, and 41.40 RCW; from RCW 43.01.040
10 through 43.01.044; and from RCW 28B.50.551 and 28B.50.850 through
11 28B.50.875 (relating to faculty tenure)."

12 "NEW SECTION. Sec. 106. A new section is added to chapter 41.06
13 RCW to read as follows:

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

16 "NEW SECTION. Sec. 107. A new section is added to chapter 41.05
17 RCW to read as follows:

18 Employees of the Seattle Vocational Institute are exempt from the
19 provisions of this chapter until July 1, 1993."

20 "NEW SECTION. Sec. 108. A new section is added to chapter 41.04
21 RCW to read as follows:

22 Employees of the Seattle Vocational Institute are exempt from the
23 provisions of this chapter until July 1, 1993."

24 "NEW SECTION. Sec. 109. A new section is added to chapter 28B.16
25 RCW to read as follows:

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

3 "NEW SECTION. **Sec. 110.** A new section is added to chapter 41.40
4 RCW to read as follows:

5 Employees of the Seattle Vocational Institute are exempt from the
6 provisions of this chapter until July 1, 1993."

7 "NEW SECTION. **Sec. 111.** A new section is added to chapter 28B.52
8 RCW to read as follows:

9 Employees of the Seattle Vocational Institute are exempt from the
10 provisions of this chapter until July 1, 1993."

11 "NEW SECTION. **Sec. 112.** A new section is added to chapter 43.01
12 RCW to read as follows:

13 Employees of the Seattle Vocational Institute are exempt from RCW
14 43.01.040 through 43.01.044 until July 1, 1993."

15 "NEW SECTION. **Sec. 113.** Related and supplemental instruction for
16 apprentices, coordination of instruction with job experiences, and the
17 selection and training of teachers and coordinators for such
18 instruction shall be the responsibility of the state board for
19 community and technical colleges and its local community and technical
20 colleges."

21 "NEW SECTION. **Sec. 114.** A new section is added to chapter 41.56
22 RCW to read as follows:

23 In addition to the entities listed in RCW 41.56.020, this chapter
24 shall apply to classified employees of technical colleges as provided
25 for in section 85 of this act."

1 **"Sec. 115.** RCW 28B.10.016 and 1977 ex.s. c 169 s 1 are each
2 amended to read as follows:

3 For the purposes of this title:

4 (1) "State universities" means the University of Washington and
5 Washington State University.

6 (2) "Regional universities" means Western Washington University at
7 Bellingham, Central Washington University at Ellensburg, and Eastern
8 Washington University at Cheney.

9 (3) "State college" means The Evergreen State College in Thurston
10 county.

11 (4) "Institutions of higher education" or "postsecondary
12 institutions" means the state universities, the regional universities,
13 The Evergreen State College, ((and)) the community colleges, and the
14 technical colleges."

15 "NEW SECTION. **Sec. 116.** There is hereby established the task
16 force on technical colleges appointed by the governor. The task force
17 shall be chaired by the director of the state board for community and
18 technical colleges. The task force shall consist of representatives of
19 the state board for community and technical colleges, community
20 colleges, and the directors of the vocational-technical institutes.
21 The purpose of the task force shall be to reach agreement on
22 transitional issues posed by the bringing together of technical
23 colleges and community colleges. The areas of agreement shall include
24 the district boundaries and service areas not specified on the
25 effective date of this section, for technical colleges that are not
26 specified on the effective date of this section and such other matters
27 as are assigned to the task force by chapter ---, Laws of 1991 (this
28 act). The director of the state board shall convene the task force
29 within thirty days after the appointment of the members. The task

1 force shall report on its final recommendations to the college board
2 and the governor by December 1, 1991. Those issues remaining in
3 dispute shall be settled by the governor or the governor's designee."

4 "NEW SECTION. Sec. 117. Title to or all interest in real estate,
5 choses in action and all other assets, and liabilities including court
6 claims, including but not limited to assignable contracts, cash,
7 deposits in county funds (including any interest or premiums thereon),
8 equipment, buildings, facilities, and appurtenances thereto held as of
9 the effective date of this section by or for a school district and
10 obtained identifiably with federal, state, or local funds appropriated
11 for vocational-technical institutes purposes or postsecondary
12 vocational educational purposes, or used or obtained with funds
13 budgeted for postsecondary vocational educational purposes, or used or
14 obtained primarily for vocational-technical institute educational
15 purposes, shall, on the date on which the first board of trustees of
16 each district takes office, vest in or be assigned to the district
17 board. Cash, funds, accounts, or other deposits obtained or raised by
18 a school district to pay for indebtedness, bonded or otherwise,
19 contracted on or before the effective date of this section, for
20 vocational-technical institute purposes shall remain with and continue
21 to be, after February 2, 1992, an asset of the school district. Any
22 option acquired by the school district to purchase real property which
23 in the judgment of the school district will be used in the common
24 school program may remain with the school district notwithstanding that
25 such option was obtained in consideration of the purchase by such
26 school district of other property for vocational-technical institute
27 purposes. Unexpended funds of a common school district derived from
28 the sale, before the effective date of this section, of bonds
29 authorized for any purpose which includes vocational-technical

1 institute purposes and not committed for any existing construction
2 contract, shall remain with and continue to be an asset of such common
3 school district, unless within thirty days after said date such common
4 school district determines to transfer such funds to the board of
5 trustees."

6 "NEW SECTION. **Sec. 118.** All powers, duties, and functions of the
7 school district pertaining to a vocational-technical institute are
8 transferred to the state board for community and technical colleges
9 until the establishment of local boards of trustees with authority for
10 the technical college. All references to the director or school
11 district in the Revised Code of Washington shall be construed to mean
12 the director or state board for community and technical colleges when
13 referring to the functions transferred in this section."

14 "NEW SECTION. **Sec. 119.** All reports, documents, surveys, books,
15 records, files, papers, licenses, or written material in the possession
16 of the school district pertaining to the powers, functions, and duties
17 transferred shall be delivered to the custody of the state board for
18 community and technical colleges. All cabinets, furniture, office
19 equipment, motor vehicles, and other tangible property employed by the
20 school district in carrying out the powers, functions, and duties
21 transferred shall be made available to the state board for community
22 and technical colleges. All funds, credits, or other assets held in
23 connection with the powers, functions, and duties transferred shall be
24 assigned to the state board for community and technical colleges.

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

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

7 "NEW SECTION. **Sec. 120.** All employees of the school district
8 engaged in performing the powers, functions, and duties transferred are
9 temporarily transferred to the jurisdiction of the state board for
10 community and technical colleges. The transfer of employees to the
11 state board for community and technical colleges shall not constitute
12 termination of employment or reductions in force by the school
13 districts and shall be excluded from the requirements of RCW
14 28A.405.210 through 28A.405.240 and 28A.405.300 through 28A.405.380.
15 Until the local board of trustees assumes control of the college, all
16 classified employees are assigned to the jurisdiction of the state
17 board for community and technical colleges to perform their usual
18 duties upon the same terms as formerly, without any loss of rights,
19 subject to any action that may be appropriate thereafter in accordance
20 with chapter 41.56 RCW."

21 "NEW SECTION. **Sec. 121.** 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. All existing contracts and
25 obligations shall remain in full force and shall be performed by the
26 state board for community and technical colleges."

1 "NEW SECTION. **Sec. 122.** 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. 123.** If apportionments of budgeted funds are
6 required because of the transfers directed by sections 119 through 122
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. 124.** 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. 125.** All reports, documents, surveys, books,
21 records, files, papers, licenses, or written material in the possession
22 of the 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. 126.** 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 chapter 28B.16 RCW."

24 "NEW SECTION. **Sec. 127.** 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. 128. 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. 129. If apportionments of budgeted funds are
8 required because of the transfers directed by sections 125 through 128
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. 130. 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. 131. 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. 132. 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. 133. Title to or all interest in real estate,
9 choses in action, and all other assets and liabilities, including court
10 claims, including but not limited to assignable contracts, cash,
11 deposits in county funds (including any interest or premiums thereon),
12 equipment, buildings, facilities, and appurtenances thereto held as of
13 the effective date of this section by or for a school district and
14 obtained identifiably with federal, state, or local funds appropriated
15 for vocational-technical institute purposes or postsecondary vocational
16 educational purposes, or used or obtained with funds budgeted for
17 vocational-technical institute purposes or postsecondary vocational
18 education purposes, or used or obtained primarily for vocational
19 education purposes, and all liabilities including, but not limited to
20 court claims incurred on behalf of a vocational-technical institute by
21 a school district, shall, on the date on which the first board of
22 trustees of each college district takes office, vest in or be assigned
23 to the state board for community and technical colleges. Grounds that
24 have been used primarily as a playground for children shall continue to
25 be made available for such use.

26 Cash, funds, accounts, or other deposits obtained or raised by a
27 school district to pay for indebtedness, bonded or otherwise,
28 contracted on or before the effective date of this section for
29 vocational-technical institute purposes shall remain with and continue

1 to be, after the effective date of this section, an asset of the school
2 district.

3 Any option acquired by the school district to purchase real
4 property which in the judgment of the school district will be used in
5 the common school program may remain with the school district not
6 withstanding that such option was obtained in consideration of the
7 purchase by such school district of other property for vocational-
8 technical institute purposes.

9 Unexpended funds of a common school district derived from the sale
10 of bonds issued for vocational-technical institute capital purposes and
11 not committed for any existing construction contract, shall be
12 transferred to the college district of which the institute is a part
13 for application to such projects.

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

24 However, assets used primarily for vocational-technical institute
25 purposes shall include, but not be limited to, all assets currently
26 held by school districts which have been used on an average of at least
27 seventy-five percent of the time during the 1989-90 school year, or if
28 acquired subsequent to July 1, 1990, since its time of acquisition, for
29 vocational-technical institute purposes, except that facilities used
30 during school construction and remodeling periods to house vocational-

1 technical institute programs temporarily and facilities that were
2 vacated by the vocational-technical institute and returned to the
3 school district during 1990-91 are not subject to this requirement.

4 The ultimate decision and approval with respect to the allocation
5 and dispositions of the assets and liabilities including court claims
6 under this section shall be made by a task force appointed by the
7 governor in consultation with the superintendent of public instruction
8 and the state board for community and technical colleges. Any issues
9 remaining in dispute shall be settled by the governor or the governor's
10 designee. The decision of the governor, the governor's designee, or
11 the task force may be appealed within sixty days after such decision is
12 issued by appealing to the district court of Thurston county. The
13 decision of the superior court may be appealed to the supreme court of
14 the state in accordance with the provision of the Administrative
15 Procedure Act, chapter 34.05 RCW."

16 "NEW SECTION. Sec. 134. If, before the effective date of this
17 section, the use of a single building facility is being shared between
18 an existing vocational-technical institute program and a K-12 program,
19 the respective boards shall continue to share the use of the facility
20 until such time as it is convenient to remove one of the two programs
21 to another facility. The determination of convenience shall be based
22 solely upon the best interests of the students involved.

23 If a vocational-technical institute district board and a common
24 school district board are sharing the use of a single facility, the
25 program occupying the majority of the space of such facility, exclusive
26 of space utilized equally by both, shall determine which board will be
27 charged with the administration and control of such facility. The
28 determination of occupancy shall be based upon the space occupied as of
29 January 1, 1990.

1 The board charged with the administration and control of such
2 facility may share expenses with the other board for the use of the
3 facility.

4 In the event that the two boards are unable to agree upon which
5 board is to administer and control the facility or upon a fair share of
6 expenses for the use of the facility, the governor shall appoint an
7 arbitrator to settle the matter. The decisions of the arbitrator shall
8 be final and binding upon both boards. The expenses of the arbitration
9 shall be divided equally by each board."

10 "NEW SECTION. **Sec. 135.** All funds remaining from any public or
11 private grant, contract, or in various auxiliary enterprise accounts
12 for vocational-technical institute purposes shall be transferred to the
13 appropriate college district under the state board for community and
14 technical colleges once a district board of trustees has been
15 appointed."

16 "NEW SECTION. **Sec. 136.** In the event a new college district is
17 created, the governor shall appoint new trustees to the district's
18 board of trustees in accordance with RCW 28B.50.100."

19 "**Sec. 137.** RCW 43.19.190 and 1987 c 414 s 10 are each amended to
20 read as follows:

21 The director of general administration, through the state
22 purchasing and material control director, shall:

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

26 (2) Purchase all material, supplies, services, and equipment needed
27 for the support, maintenance, and use of all state institutions,

1 colleges, community colleges, technical colleges, college districts,
2 and universities, the offices of the elective state officers, the
3 supreme court, the court of appeals, the administrative and other
4 departments of state government, and the offices of all appointive
5 officers of the state: PROVIDED, That the provisions of RCW 43.19.190
6 through 43.19.1937 do not apply in any manner to the operation of the
7 state legislature except as requested by said legislature: PROVIDED,
8 That primary authority for the purchase of specialized equipment,
9 instructional, and research material for their own use shall rest with
10 the colleges, community colleges, and universities: PROVIDED FURTHER,
11 That universities operating hospitals and the state purchasing and
12 material control director, as the agent for state hospitals as defined
13 in RCW 72.23.010, and for health care programs provided in state
14 correctional institutions as defined in RCW 72.65.010(3) and veterans'
15 institutions as defined in RCW 72.36.010 and 72.36.070, may make
16 purchases for hospital operation by participating in contracts for
17 materials, supplies, and equipment entered into by cooperative hospital
18 service organizations as defined in section 501(e) of the Internal
19 Revenue Code, or its successor: PROVIDED FURTHER, That primary
20 authority for the purchase of materials, supplies, and equipment for
21 resale to other than public agencies shall rest with the state agency
22 concerned: PROVIDED FURTHER, That authority to purchase services as
23 included herein does not apply to personal services as defined in
24 chapter 39.29 RCW, unless such organization specifically requests
25 assistance from the division of purchasing in obtaining personal
26 services and resources are available within the division to provide
27 such assistance: PROVIDED FURTHER, That the authority for the purchase
28 of insurance and bonds shall rest with the risk manager under RCW
29 43.19.1935 as now or hereafter amended;

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

3 (4) Have authority to delegate to state agencies authorization to
4 purchase or sell, which authorization shall specify restrictions as to
5 dollar amount or to specific types of material, equipment, services,
6 and supplies: PROVIDED, That acceptance of the purchasing
7 authorization by a state agency does not relieve such agency from
8 conformance with other sections of RCW 43.19.190 through 43.19.1939, as
9 now or hereafter amended, or from policies established by the director
10 after consultation with the state supply management advisory board:
11 PROVIDED FURTHER, That delegation of such authorization to a state
12 agency, including an educational institution, to purchase or sell
13 material, equipment, services, and supplies shall not be granted, or
14 otherwise continued under a previous authorization, if such agency is
15 not in substantial compliance with overall state purchasing and
16 material control policies as established herein;

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

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

22 (7) Prescribe the manner in which supplies, materials, and
23 equipment purchased through the division shall be delivered, stored,
24 and distributed;

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

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

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

3 (11) Prepare rules and regulations governing the relationship and
4 procedures between the division of purchasing and state agencies and
5 vendors;

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

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

15 "NEW SECTION. Sec. 138. Sick leave accumulated by employees of
16 vocational-technical institutes shall be transferred to the college
17 districts without loss of time subject to the provisions of RCW
18 28B.50.551 and the further provisions of any negotiated agreements then
19 in force."

20 "NEW SECTION. Sec. 139. The state employees' benefit board shall
21 adopt rules to preclude any preexisting conditions or limitations in
22 existing health care service contracts for school district employees at
23 vocational-technical institutes transferred to the state board for
24 community and technical colleges. The board shall also provide for the
25 disposition of any dividends or refundable reserves in the school
26 district's health care service contracts applicable to
27 vocational-technical institute employees."

1 "NEW SECTION. Sec. 140. If a school board has contracted to
2 redeem general obligation bonds used for the construction or
3 acquisition of facilities which are now to be under the administration,
4 control, and occupancy of the college district board, the school board
5 shall continue to redeem the bonds in accordance with the provisions of
6 the bonds."

7 "NEW SECTION. Sec. 141. If a technical college is created after
8 the effective date of this section, that college may contract with an
9 adjacent college district for administrative services until such time
10 that an existing or new college district may assume jurisdiction over
11 the college."

12 "NEW SECTION. Sec. 142. The legislature finds that the needs of
13 the work force and the economy necessitate enhanced vocational
14 education opportunities in secondary education including curriculum
15 which integrates vocational and academic education. In order for the
16 state's work force to be competitive in the world market, employees
17 need competencies in both vocational/technical skills and in core
18 essential competencies such as English, math, science/technology,
19 geography, history, and critical thinking. Curriculum which integrates
20 vocational and academic education reflects that many students learn
21 best through applied learning, and that students should be offered
22 flexible education opportunities which prepare them for both the world
23 of work and for higher education."

24 "NEW SECTION. Sec. 143. The superintendent of public instruction
25 shall with the advice of the work force training and education
26 coordinating board develop model curriculum integrating vocational and
27 academic education at the secondary level. The curriculum shall

1 integrate vocational education for gainful employment with education in
2 the academic subjects of English, math, science/technology, geography,
3 and history, and with education in critical thinking. Upon completion,
4 the model curriculum shall be provided for consideration and use by
5 school districts."

6 "NEW SECTION. Sec. 144. A new section is added to chapter 28A.320
7 RCW to read as follows:

8 As of the effective date of this section, school districts shall
9 not remove facilities, equipment, or property from the jurisdiction or
10 use of the technical colleges. This shall include direct and indirect
11 funds other than those indirect charges provided for in the 1990-91
12 appropriations act. School districts shall not increase direct or
13 indirect charges for central district administrative support for
14 technical college programs above the percentage rate charged in the
15 1990-91 school year. This provision on administrative charges for
16 technical college programs shall apply to any state and federal grants,
17 tuition, and other revenues generated by technical college programs.
18 School districts and the superintendent of public instruction shall
19 cooperate fully with the technical colleges and the state board for
20 community and technical colleges with regard to the implementation of
21 chapter ..., Laws of 1991 (this act). No employee of a technical
22 college may be discriminated against based on actions or opinions
23 expressed on issues surrounding chapter ..., Laws of 1991 (this act).
24 Any dispute related to issues contained in this section shall be
25 resolved under section 133 of this act."

26 "NEW SECTION. Sec. 145. During the period from the effective
27 date of this section until September 1, 1991:

1 (1) The executive director of the state board for community and
2 technical colleges, or the executive director's designee, may enter
3 into contracts, or agreements for goods, services, and personnel, on
4 behalf of the technical college, which are effective after September 1,
5 1991. The executive director, or the executive director's designee,
6 may conduct business, including budget approval, relevant to the
7 operation of the technical college in the period subsequent to
8 September 1, 1991.

9 (2) Vocational-technical institute directors may conduct business
10 relevant to the operation of the vocational-technical institutes.
11 School boards and superintendents may not restrict or remove powers
12 previously delegated to the vocational-technical institute directors
13 during the 1990-91 school year.

14 (3) Technical colleges' boards of trustees appointed before
15 September 1, 1991, shall serve in an advisory capacity to the
16 vocational-technical institute director.

17 As of September 1, 1991, technical colleges may, by interlocal
18 agreement, continue to purchase from the school districts, support
19 services within mutually agreed upon categories at a cost not to exceed
20 the indirect rate charged during the 1990-91 school year. No employee
21 of a technical college may be discriminated against based on actions or
22 opinions expressed on issues surrounding chapter ..., Laws of 1991
23 (this act). Any dispute related to issues contained in this section
24 shall be resolved under section 133 of this act."

25 "NEW SECTION. **Sec. 146.** The colleges in each overlapping service
26 area shall jointly submit for approval to the state board for community
27 and technical colleges not later than December 1, 1991, a regional
28 planning agreement. The agreement shall provide for the ongoing
29 interinstitutional coordination of community and technical college

1 programs and services operated in the overlapping service area. The
2 agreement shall include the means for the adjudication of issues
3 arising from overlapping service areas. The agreement shall include a
4 definitive statement of mission, scope, and purpose for each college
5 including the nature of courses, programs, and services to be offered
6 by each college. The statement shall include a provision that the
7 technical colleges shall not offer courses designed for transfer to
8 baccalaureate granting institutions. This shall not preclude such
9 offerings provided through contracts or agreements with a community
10 college in the service area.

11 Any part of the agreement that is not approved by all the colleges
12 in the service area, shall be determined by the state board for
13 community and technical colleges. Approved regional planning
14 agreements shall be enforced by the full authority of the state board
15 for community and technical colleges. Changes to the agreement are
16 subject to state board approval.

17 For the purpose of creating and adopting a regional planning
18 agreement, the trustees of the colleges in Pierce county shall form a
19 county coordinating committee. The county coordinating committee shall
20 consist of eight members. Each college board of trustees in Pierce
21 county shall select two of its members to serve on the county
22 coordinating committee. The county coordinating committee shall not
23 employ its own staff, but shall instead utilize staff of the colleges
24 in the county. The regional planning agreement adopted by the county
25 coordinating committee shall include, but shall not be limited to: The
26 items listed in this section, the transfer of credits between technical
27 and community colleges, program articulation, and the avoidance of
28 unnecessary duplication in programs, activities, and services."

1 **"Sec. 147.** RCW 28B.52.010 and 1987 c 314 s 1 are each amended to
2 read as follows:

3 It is the purpose of this chapter to strengthen methods of
4 administering employer-employee relations through the establishment of
5 orderly methods of communication between academic employees and the
6 ((community)) college districts by which they are employed.

7 It is the purpose of this chapter to promote cooperative efforts by
8 prescribing certain rights and obligations of the employees and
9 employers and by establishing orderly procedures governing the
10 relationship between the employees and their employers which procedures
11 are designed to meet the special requirements and needs of public
12 employment in higher education. It is the intent of this chapter to
13 promote activity that includes the elements of open communication and
14 access to information in a timely manner, with reasonable discussion
15 and interpretation of that information. It is the further intent that
16 such activity shall be characterized by mutual respect, integrity,
17 reasonableness, and a desire on the part of the parties to address and
18 resolve the points of concern."

19 **"Sec. 148.** RCW 28B.52.020 and 1987 c 314 s 2 are each amended to
20 read as follows:

21 As used in this chapter:

22 (1) "Employee organization" means any organization which includes
23 as members the academic employees of a ((community)) college district
24 and which has as one of its purposes the representation of the
25 employees in their employment relations with the ((community)) college
26 district.

27 (2) "Academic employee" means any teacher, counselor, librarian, or
28 department head, who is employed by any ((community)) college district,
29 whether full or part time, with the exception of the chief

1 administrative officer of, and any administrator in, each ((community))
2 college district.

3 (3) "Administrator" means any person employed either full or part
4 time by the ((community)) college district and who performs
5 administrative functions as at least fifty percent or more of his or
6 her assignments, and has responsibilities to hire, dismiss, or
7 discipline other employees. Administrators shall not be members of the
8 bargaining unit unless a majority of such administrators and a majority
9 of the bargaining unit elect by secret ballot for such inclusion
10 pursuant to rules ((and regulations)) as adopted in accordance with RCW
11 28B.52.080.

12 (4) "Commission" means the public employment relations commission.

13 (5) "Unfair labor practice" means any unfair labor practice listed
14 in RCW 28B.52.073.

15 (6) "Union security provision" means a provision in a collective
16 bargaining agreement under which some or all employees in the
17 bargaining unit may be required, as a condition of continued employment
18 on or after the thirtieth day following the beginning of such
19 employment or the effective date of the provision, whichever is later,
20 to become a member of the exclusive bargaining representative or pay an
21 agency fee equal to the periodic dues and initiation fees uniformly
22 required as a condition of acquiring or retaining membership in the
23 exclusive bargaining representative.

24 (7) "Exclusive bargaining representative" means any employee
25 organization which has:

26 (a) Been certified or recognized under this chapter as the
27 representative of the employees in an appropriate collective bargaining
28 unit; or

1 (b) Before July 26, 1987, been certified or recognized under a
2 predecessor statute as the representative of the employees in a
3 bargaining unit which continues to be appropriate under this chapter.

4 (8) "Collective bargaining" and "bargaining" mean the performance
5 of the mutual obligation of the representatives of the employer and the
6 exclusive bargaining representative to meet at reasonable times to
7 bargain in good faith in an effort to reach agreement with respect to
8 wages, hours, and other terms and conditions of employment, such as
9 procedures related to nonretention, dismissal, denial of tenure, and
10 reduction in force. Prior law, practice, or interpretation shall be
11 neither restrictive, expansive, nor determinative with respect to the
12 scope of bargaining. A written contract incorporating any agreements
13 reached shall be executed if requested by either party. The obligation
14 to bargain does not compel either party to agree to a proposal or to
15 make a concession.

16 In the event of a dispute between an employer and an exclusive
17 bargaining representative over the matters that are terms and
18 conditions of employment, the commission shall decide which items are
19 mandatory subjects for bargaining."

20 "**Sec. 149.** RCW 28B.52.030 and 1987 c 314 s 3 are each amended to
21 read as follows:

22 Representatives of an employee organization, which organization
23 shall by secret ballot have won a majority in an election to represent
24 the academic employees within its ((community)) college district, shall
25 have the right to bargain as defined in RCW 28B.52.020(8)."

26 "**Sec. 150.** RCW 28B.52.035 and 1987 c 314 s 4 are each amended to
27 read as follows:

1 At the conclusion of any negotiation processes as provided for in
2 RCW 28B.52.030, any matter upon which the parties have reached
3 agreement shall be reduced to writing and acted upon in a regular or
4 special meeting of the boards of trustees, and become part of the
5 official proceedings of said board meeting. Provisions of written
6 contracts relating to salary increases shall not exceed the amount or
7 percentage established by the legislature in the appropriations act and
8 allocated to the board of trustees by the state board for community and
9 technical colleges (~~education~~). The length of term of any such
10 agreement shall be for not more than three fiscal years. Any
11 provisions of these agreements pertaining to salary increases will not
12 be binding upon future actions of the legislature. If any provision of
13 a salary increase is changed by subsequent modification of the
14 appropriations act by the legislature, both parties shall immediately
15 enter into collective bargaining for the sole purpose of arriving at a
16 mutually agreed upon replacement for the modified provision."

17 "Sec. 151. RCW 28B.52.050 and 1971 ex.s. c 196 s 4 are each
18 amended to read as follows:

19 Nothing in this chapter shall prohibit any academic employee from
20 appearing in his or her own behalf on matters relating to his or her
21 employment relations with the (~~community~~) college district."

22 "Sec. 152. RCW 28B.52.060 and 1987 c 314 s 9 are each amended to
23 read as follows:

24 The commission shall conduct mediation activities upon the request
25 of either party as a means of assisting in the settlement of unresolved
26 matters considered under this chapter.

27 In the event that any matter being jointly considered by the
28 employee organization and the board of trustees of the (~~community~~)

1 college district is not settled by the means provided in this chapter,
2 either party, twenty-four hours after serving written notice of its
3 intended action to the other party, may, request the assistance and
4 advice of the commission. Nothing in this section prohibits an
5 employer and an employee organization from agreeing to substitute, at
6 their own expense, some other impasse procedure or other means of
7 resolving matters considered under this chapter."

8 "Sec. 153. RCW 28B.52.070 and 1971 ex.s. c 196 s 6 are each
9 amended to read as follows:

10 Boards of trustees of ((community)) college districts or any
11 administrative officer thereof shall not discriminate against academic
12 employees or applicants for such positions because of their membership
13 or nonmembership in employee organizations or their exercise of other
14 rights under this chapter."

15 "Sec. 154. RCW 28B.52.078 and 1987 c 314 s 13 are each amended to
16 read as follows:

17 The right of ((community)) college faculty to engage in any strike
18 is prohibited. The right of a board of trustees to engage in any
19 lockout is prohibited. Should either a strike or lockout occur, the
20 representative of the faculty or board of trustees may invoke the
21 jurisdiction of the superior court in the county in which the labor
22 dispute exists and such court shall have jurisdiction to issue an
23 appropriate order against either or both parties. In fashioning an
24 order, the court shall take into consideration not only the elements
25 necessary for injunctive relief but also the purpose and goals of this
26 chapter and any mitigating factors such as the commission of an unfair
27 labor practice by either party."

1 **"Sec. 155.** RCW 28B.52.090 and 1971 ex.s. c 196 s 8 are each
2 amended to read as follows:

3 Nothing in this chapter shall be construed to annul or modify, or
4 to preclude the renewal or continuation of, any lawful agreement
5 heretofore entered into between any ((community)) college district and
6 any representative of its employees."

7 **"Sec. 156.** RCW 28B.52.200 and 1987 c 314 s 12 are each amended to
8 read as follows:

9 Nothing in chapter 28B.52 RCW as now or hereafter amended shall
10 compel either party to agree to a proposal or to make a concession, nor
11 shall any provision in chapter 28B.52 RCW as now or hereafter amended
12 be construed as limiting or precluding the exercise by each
13 ((community)) college board of trustees of any powers or duties
14 authorized or provided to it by law unless such exercise is contrary to
15 the terms and conditions of any lawful negotiated agreement, except
16 that other than to extend the terms of a previous contract, a board of
17 trustees shall not take unilateral action on any unresolved issue under
18 negotiation, unless the parties have first participated in good faith
19 mediation or some other procedure as authorized by RCW 28B.52.060 to
20 seek resolution of the issue."

21 **"Sec. 157.** RCW 28B.52.210 and 1990 c 29 s 6 are each amended to
22 read as follows:

23 With respect to the community and technical colleges faculty awards
24 trust program, the permissible scope of collective bargaining under
25 this chapter shall be governed by RCW 28B.50.843."

26 "NEW SECTION. **Sec. 158.** The following acts or parts of acts are
27 each repealed:

- 1 (1) RCW 28B.50.055 and 1982 1st ex.s. c 30 s 10;
- 2 (2) RCW 28C.15.010 and 1987 c 492 s 1;
- 3 (3) RCW 28C.15.020 and 1987 c 492 s 2;
- 4 (4) RCW 28C.15.030 and 1987 c 492 s 3; and
- 5 (5) RCW 28C.15.900 and 1987 c 492 s 4."

6 "NEW SECTION. Sec. 159. The following acts or parts of acts as
7 now existing or hereafter amended are each repealed effective October
8 1, 1991:

- 9 (1) RCW 28C.04.015 and 1990 c 188 s 1;
- 10 (2) RCW 28C.04.024 and 1990 c 188 s 2;
- 11 (3) RCW 28C.04.035 and 1990 c 188 s 3; and
- 12 (4) RCW 28C.04.045 and 1990 c 188 s 4."

13 "NEW SECTION. Sec. 160. Each technical college shall have
14 written procedures which include provisions for the vocational
15 education of individuals with disabilities. These written procedures
16 shall include a plan to provide services to individuals with
17 disabilities, a written plan of how the technical college will comply
18 with relevant state and federal requirements for providing vocational
19 education to individuals with disabilities, a written plan of how the
20 technical college will provide on-site appropriate instructional
21 support staff in compliance with P.L. 94-142, and as since amended, and
22 section 504 of the rehabilitation act of 1973, and as thereafter
23 amended."

24 "NEW SECTION. Sec. 161. Sections 142 and 143 of this act shall
25 constitute a new chapter in Title 28A RCW."

1 "NEW SECTION. **Sec. 162.** Sections 16 and 17 of this act shall
2 constitute a new chapter in Title 50 RCW."

3 "NEW SECTION. **Sec. 163.** Sections 2 through 9 of this act shall
4 constitute a new chapter in Title 28C RCW."

5 "NEW SECTION. **Sec. 164.** Sections 18 through 20 of this act shall
6 constitute a new chapter in Title 28C RCW."

7 "NEW SECTION. **Sec. 165.** Sections 21, 26 through 31, 79, 81, 84
8 through 86, 94 through 96, 102 through 105, 113, 136, 141, 145, 146,
9 and 160 of this act are each added to chapter 28B.50 RCW."

10 "NEW SECTION. **Sec. 166.** RCW 28B.50.300 is decodified."

11 "NEW SECTION. **Sec. 167.** If specific funding for the purposes of
12 this act, referencing this act by bill number, is not provided for
13 sections 95 through 103 and 158 of this act by June 30, 1993, in the
14 omnibus appropriations act, sections 95 through 103 and 158 of this act
15 shall be null and void."

16 "NEW SECTION. **Sec. 168.** Sections 1 through 8, 16 through 21, 26
17 through 30, 35, 78 through 83, 87 through 113, 116, 142 through 146,
18 and 166 of this act are necessary for the immediate preservation of the
19 public peace, health, or safety, or support of the state government and
20 its existing public institutions.

21 Sections 35, 116, and 144 through 146 of this act shall take effect
22 immediately.

1 Sections 1 through 8, 16 through 21, 26 through 30, 78 through 83,
2 87 through 113, 142, 143, and 166 of this act shall take effect July 1,
3 1991.

4 Sections 22 through 25, 31 through 34, 36 through 77, 84 through
5 86, 114, 115, 117 through 141, and 147 through 160 of this act shall
6 take effect September 1, 1991.

7 Sections 9 through 15 of this act shall take effect October 1,
8 1991."

9 "NEW SECTION. Sec. 169. If any provision of this act or its
10 application to any person or circumstance is held invalid, the
11 remainder of the act or the application of the provision to other
12 persons or circumstances is not affected."

13 **ESSB 5184** - H COMM AMD
14 By Committee on Higher Education

15
16 On page 1, line 1 of the title, after "education;" strike the
17 remainder of the title and insert "amending RCW 28B.50.010, 28B.50.020,
18 28B.50.030, 28B.50.040, 28B.50.050, 28B.50.060, 28B.50.085, 28B.50.090,
19 28B.50.092, 28B.50.093, 28B.50.095, 28B.50.100, 28B.50.130, 28B.50.140,
20 28B.50.142, 28B.50.143, 28B.50.145, 28B.50.150, 28B.50.205, 28B.50.242,
21 28B.50.250, 28B.50.320, 28B.50.330, 28B.50.340, 28B.50.350, 28B.50.360,
22 28B.50.370, 28B.50.402, 28B.50.404, 28B.50.405, 28B.50.409, 28B.50.520,
23 28B.50.535, 28B.50.551, 28B.50.600, 28B.50.740, 28B.50.835, 28B.50.837,
24 28B.50.839, 28B.50.841, 28B.50.843, 28B.50.850, 28B.50.851, 28B.50.867,
25 28B.50.869, 28B.50.870, 28B.50.873, 28B.50.875, 15.76.120, 28A.305.270,
26 28C.10.020, 28B.10.016, 43.19.190, 28B.52.010, 28B.52.020, 28B.52.030,
27 28B.52.035, 28B.52.050, 28B.52.060, 28B.52.070, 28B.52.078, 28B.52.090,
28 28B.52.200, and 28B.52.210; adding new sections to chapter 28B.50 RCW;

1 adding a new section to chapter 28A.150 RCW; adding a new section to
2 chapter 28A.300 RCW; adding a new section to chapter 50.12 RCW; adding
3 a new section to chapter 41.06 RCW; adding a new section to chapter
4 41.05 RCW; adding a new section to chapter 41.04 RCW; adding a new
5 section to chapter 28B.16 RCW; adding a new section to chapter 41.40
6 RCW; adding a new section to chapter 28B.52 RCW; adding a new section
7 to chapter 43.01 RCW; adding a new section to chapter 41.56 RCW; adding
8 a new section to chapter 28A.320 RCW; adding a new chapter to Title 28A
9 RCW; adding new chapters to Title 28C RCW; adding a new chapter to
10 Title 50 RCW; creating new sections; repealing RCW 28B.50.055,
11 28C.15.010, 28C.15.020, 28C.15.030, 28C.15.900, 28C.04.015, 28C.04.024,
12 28C.04.035, and 28C.04.045; decodifying RCW 28B.50.300; providing
13 effective dates; and declaring an emergency."