
SUBSTITUTE SENATE BILL 5184

State of Washington

52nd Legislature

1991 Regular Session

By Senate Committee on Higher Education (originally sponsored by Senators Saling, Bauer, Thorsness, Jesernig, Stratton, Talmadge and Snyder; by request of Governor Gardner).

Read first time March 4, 1991.

1 AN ACT Relating to work force training and education; amending RCW
2 28B.50.010, 28B.50.020, 28B.50.030, 28B.50.040, 28B.50.050, 28B.50.060,
3 28B.50.085, 28B.50.090, 28B.50.092, 28B.50.093, 28B.50.095, 28B.50.100,
4 28B.50.130, 28B.50.140, 28B.50.142, 28B.50.143, 28B.50.145, 28B.50.150,
5 28B.50.205, 28B.50.242, 28B.50.250, 28B.50.320, 28B.50.330, 28B.50.340,
6 28B.50.350, 28B.50.360, 28B.50.370, 28B.50.402, 28B.50.404, 28B.50.405,
7 28B.50.409, 28B.50.520, 28B.50.535, 28B.50.551, 28B.50.600, 28B.50.740,
8 28B.50.835, 28B.50.837, 28B.50.839, 28B.50.841, 28B.50.843, 28B.50.850,
9 28B.50.851, 28B.50.867, 28B.50.869, 28B.50.870, 28B.50.873, 28B.50.875,
10 15.76.120, 28A.305.270, 28C.04.015, 28C.04.024, 28C.10.020, 28B.10.016,
11 and 43.19.190; adding a new section to chapter 28B.15 RCW; adding a new
12 section to chapter 41.06 RCW; adding a new section to chapter 41.05
13 RCW; adding a new section to chapter 41.04 RCW; adding a new section to
14 chapter 28B.16 RCW; adding a new section to chapter 41.40 RCW; adding
15 a new section to chapter 28B.52 RCW; adding a new section to chapter
16 43.01 RCW; adding a new section to chapter 41.56 RCW; adding new
17 sections to chapter 28B.50 RCW; adding a new chapter to Title 28A RCW;

1 adding new chapters to Title 28C RCW; adding a new chapter to Title 50
2 RCW; creating new sections; repealing RCW 28B.50.055, 28C.15.010,
3 28C.15.020, 28C.15.030, and 28C.15.900; decodifying RCW 28B.50.300;
4 providing an effective date; and declaring an emergency.

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

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

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

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

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

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

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.

3 (4) "Work force skills" means employability and occupational
4 competencies necessary for economic independence as a productive member
5 of society and which integrate academic knowledge, critical thinking,
6 problem-solving skills, and work ethics.

7 (5) "Vocational education" means organized educational programs
8 offering a sequence of courses which are directly related to the
9 preparation of individuals for employment in current or emerging
10 occupations requiring other than a baccalaureate or advanced degree.

11 (6) "Adult basic education" means instruction designed to achieve
12 mastery of skills in reading, writing, oral communication, and
13 computation at a level sufficient to allow the individual to function
14 effectively as a parent, worker, and citizen in the United States,
15 commensurate with that individual's actual ability level, and includes
16 English as a second language and preparation for the general education
17 development exam.

18 NEW SECTION. **Sec. 3.** There is hereby created the work force
19 training and education coordinating board as a state agency and as the
20 successor agency to the state board for vocational education. All
21 references to the state board for vocational education in the Revised
22 Code of Washington shall be construed to mean the work force training
23 and education coordinating board, except that reference to the state
24 board for vocational education in RCW 49.04.030 shall mean the state
25 board for community and technical colleges.

26 NEW SECTION. **Sec. 4.** The purpose of the board is to provide
27 planning, coordination, evaluation, monitoring, and policy analysis for
28 the state training system as a whole, and advice to the governor and

1 legislature concerning the state training system, in cooperation with
2 the agencies which comprise the state training system, and the higher
3 education coordinating board.

4 NEW SECTION. **Sec. 5.** (1) The board shall consist of nine
5 voting members appointed by the governor as follows: Three
6 representatives of business, three representatives of labor, and,
7 serving as ex officio members, the superintendent of public
8 instruction, the executive director of the state board for community
9 and technical college education, and the commissioner of the department
10 of employment security. Each member of the board may appoint a
11 designee to function in his or her place with the right to vote.

12 (2) The business representatives shall be selected from among
13 nominations provided by state-wide business organizations. The
14 nominations shall reflect the cultural diversity of the state,
15 including women and racial and ethnic minorities, and diversity in
16 sizes of businesses.

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

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

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

27 (6) The chair of the board shall appoint to the board one nonvoting
28 member to represent racial and ethnic minorities, women, and people
29 with disabilities. The nonvoting member shall serve for a term of four

1 years with the term expiring on June 30th of the fourth year of the
2 term.

3 (7) The business members of the board shall serve for terms of four
4 years, the terms expiring on June 30th of the fourth year of the term
5 except that in the case of initial members, one shall be appointed to
6 a two-year term.

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

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

14 (10) The board shall adopt bylaws and shall meet at least four
15 times each year and at such other times as determined by the chair who
16 shall give reasonable prior notice to the members.

17 (11) Members of the board shall be compensated in accordance with
18 RCW 43.03.040 and will receive travel expenses in accordance with RCW
19 43.03.050 and 43.03.060.

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

23 (2) The director shall serve as a nonvoting chair and chief
24 executive officer of the board who shall administer the provisions of
25 this chapter, employ such personnel as may be necessary to implement
26 the purposes of this chapter, and utilize staff of existing operating
27 agencies to the fullest extent possible. The director shall appoint
28 necessary deputy and assistant directors and other staff who shall be
29 exempt from the provisions of chapter 41.06 RCW. The director's

1 appointees shall serve at the director's pleasure on such terms and
2 conditions as the director determines but subject to the code of ethics
3 contained in chapter 42.18 RCW. The director shall appoint and employ
4 such other employees as may be required for the proper discharge of the
5 functions of the board. The director shall, as permissible under P.L.
6 101-392, as amended, integrate the staff of the council on vocational
7 education, and contract with the state board for community and
8 technical colleges for assistance for adult basic skills and literacy
9 policy development and planning as required by P.L. 100-297, as
10 amended.

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

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

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

24 (1) Advocate for the state training system and for meeting the
25 needs of employers and the work force for work force education and
26 training.

27 (2) Establish and maintain an inventory of the programs of the
28 state training system, and related state programs, and perform a

1 biennial assessment of the vocational education, training, and adult
2 basic education and literacy needs of the state; identify ongoing and
3 strategic education needs; and assess the extent to which employment,
4 training, vocational and basic education, rehabilitation services, and
5 public assistance services represent a consistent, integrated approach
6 to meet such needs.

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

22 (4) Review and make recommendations to the office of financial
23 management and the legislature on operating and capital facilities
24 budget requests for operating agencies of the state training system for
25 purposes of consistency with the state comprehensive plan for work
26 force training and education.

27 (5) Provide for coordination among the different operating agencies
28 of the state training system at the state level and at the regional
29 level.

1 (6) Establish standards for data collection and maintenance for the
2 operating agencies of the state training system in a format that is
3 accessible to use by the board. The board shall require a minimum of
4 common core data to be collected by each operating agency of the state
5 training system.

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

9 (7) Establish minimum standards for program evaluation for the
10 operating agencies of the state training system, including, but not
11 limited to, the use of common survey instruments and procedures for
12 measuring perceptions of program participants and employers of program
13 participants, and monitor such program evaluation.

14 (8) Every two years administer scientifically based outcome
15 evaluations of the state training system, including, but not limited
16 to, surveys of program participants, surveys of employers of program
17 participants, and matches with employment security department payroll
18 and wage files. Every five years administer scientifically based net-
19 impact and cost-benefit evaluations of the state training system.

20 (9) In cooperation with the department of employment security,
21 provide for the improvement and maintenance of quality and utility in
22 occupational information and forecasts for use in training system
23 planning and evaluation. Improvements shall include, but not be
24 limited to, development of state-based occupational change factors
25 involving input by employers and employees, and delineation of skill
26 and training requirements by education level associated with current
27 and forecasted occupations.

28 (10) Provide for the development of common course description
29 formats, common reporting requirements, and common definitions for
30 operating agencies of the training system.

1 (11) Provide for effectiveness and efficiency reviews of the state
2 training system.

3 (12) In cooperation with the higher education coordinating board,
4 facilitate transfer of credit policies and agreements between
5 institutions of the state training system, and encourage articulation
6 agreements for programs encompassing two years of secondary work force
7 education and two years of postsecondary work force education.

8 (13) In cooperation with the higher education coordinating board,
9 facilitate transfer of credit policies and agreements between private
10 training institutions and institutions of the state training system.

11 (14) Participate in the development of coordination criteria for
12 activities under the job training partnership act with related programs
13 and services provided by state and local education and training
14 agencies.

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

25 (16) Establish and administer programs for marketing and outreach
26 to businesses and potential program participants.

27 (17) Facilitate the location of support services, including but not
28 limited to, child care, financial aid, career counseling, and job
29 placement services, for students and trainees at institutions in the

1 state training system, and advocate for support services for trainees
2 and students in the state training system.

3 (18) Facilitate private sector assistance for the state training
4 system, including but not limited to: Financial assistance, rotation
5 of private and public personnel, and vocational counseling.

6 (19) Facilitate programs for the school-to-work transition that
7 combines classroom education and on-the-job training in industries and
8 occupations without apprenticeship programs.

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

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

19 (22) Administer veterans' programs, licensure of private vocational
20 schools, the job skills program, and the Washington award for
21 vocational excellence.

22 (23) Allocate funding from the state job training trust fund.

23 (24) Adopt rules as necessary to implement this chapter.

24 (25) The board may delegate to the director any of the functions of
25 this section.

26 NEW SECTION. **Sec. 9.** The state board for vocational education
27 is hereby abolished and its powers, duties, and functions are hereby
28 transferred to the work force training and education coordinating
29 board. All references to the director or the state board for

1 vocational education in the Revised Code of Washington shall be
2 construed to mean the director or the work force training and education
3 coordinating board.

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

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

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

23 NEW SECTION. **Sec. 11.** All employees of the state board for
24 vocational education who are classified under chapter 41.06 RCW, the
25 state civil service law, are assigned to the work force training and
26 education coordinating board to perform their usual duties upon the
27 same terms as formerly, without any loss of rights, subject to any

1 action that may be appropriate thereafter in accordance with the laws
2 and rules governing state civil service.

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

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

13 NEW SECTION. **Sec. 14.** If apportionments of budgeted funds are
14 required because of the transfers directed by sections 10 through 13 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. 15.** Nothing contained in sections 9 through
21 14 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. 16.** There is hereby created the Washington
2 state job training coordinating council. The council shall perform all
3 duties of state job training coordinating council as specified in the
4 federal job training partnership act, P.L. 97-300, as amended,
5 including the preparation of a coordination and special services plan
6 for a two-year period, consistent with the state comprehensive plan for
7 work force training and education prepared by the work force training
8 and education coordinating board as provided for in section 8 of this
9 act.

10 NEW SECTION. **Sec. 17.** (1) Current members of the Washington
11 state job training coordinating council appointed pursuant to P.L. 97-
12 300, as amended, shall serve as the state council for purposes of this
13 chapter until new appointments are made consistent with this section.

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

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

1 NEW SECTION. **Sec. 18.** There is hereby created the Washington
2 state council on vocational education. The council on vocational
3 education shall perform all duties of councils on vocational education
4 as specified in P.L. 101-392, as amended.

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

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

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

1 consistent with the state comprehensive plan for work force training
2 and education prepared by the work force training and education
3 coordinating board as provided for in section 8 of this act.

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

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

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

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

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

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

26 (2) Ensure that each (~~(community)~~) college district shall offer
27 thoroughly comprehensive educational, training and service programs to
28 meet the needs of both the communities and students served by

1 combining(~~(, with equal emphasis,)~~) high standards of excellence in
2 academic transfer courses; realistic and practical courses in
3 occupational education, both graded and ungraded; community services of
4 an educational, cultural, and recreational nature; and adult education,
5 including basic skills and general, family, and work force literacy
6 programs and services. However, college districts containing only
7 technical colleges shall maintain programs solely for occupational
8 education, basic skills, and literacy purposes, and may continue those
9 programs, activities, and services offered by the technical colleges
10 during the twelve-month period preceding the effective date of this
11 act;

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

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

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

22 (~~(4)~~) (6) Allow for the growth, improvement, flexibility and
23 modification of the community colleges and their education, training
24 and service programs as future needs occur; and

25 (~~(5)~~) (7) Establish firmly that community colleges are, for
26 purposes of academic training, two year institutions, and are an
27 independent, unique, and vital section of our state's higher education
28 system, separate from both the common school system and other
29 institutions of higher learning, and never to be considered for
30 conversion into four-year liberal arts colleges.

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

3 As used in this chapter, unless the context requires otherwise, the
4 term:

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

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

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

11 ~~((3))~~ (4) "Director" shall mean the administrative director for
12 the state system of community and technical colleges;

13 ~~((4))~~ (5) "District" shall mean any one of the community and
14 technical college districts created by this chapter;

15 ~~((5))~~ (6) "Board of trustees" shall mean the local community and
16 technical college board of trustees established for each ~~((community))~~
17 college district within the state;

18 ~~((6))~~ "Council" shall mean the ~~coordinating council for~~
19 ~~occupational education~~;

20 (7) "Occupational education" shall mean that education or training
21 that ~~((will prepare a student))~~ prepares a student to enter, continue
22 in, or upgrade skills for employment that does not require a
23 baccalaureate degree, and may include home and family life education;

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

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

28 (10) "Community college" shall include ~~((where applicable,~~
29 ~~vocational technical and adult))~~ those higher education institutions
30 that conduct education programs ~~((conducted by community colleges and~~

1 ~~vocational-technical institutes whose major emphasis is in post-high~~
2 ~~school education)) under RCW 28B.50.020;~~

3 (11) "Technical college" shall include those higher education
4 institutions with the sole mission of conducting occupational
5 education, basic skills, and literacy programs. The programs of
6 technical colleges shall include, but not be limited to, continuous
7 enrollment, competency-based instruction, industry-experienced faculty,
8 and curriculum approved by representatives of employers and labor. For
9 purposes of this chapter, technical colleges shall include Lake
10 Washington Vocational-Technical Institute, Renton Vocational-Technical
11 Institute, Bates Vocational-Technical Institute, Clover Park Vocational
12 Institute, and Bellingham Vocational-Technical Institute.

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

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

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

3 (1) The first district shall encompass the counties of Clallam and
4 Jefferson;

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

7 (3) The third district shall encompass the counties of Kitsap and
8 Mason;

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

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

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

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

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

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

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

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

4 (12) The twelfth district shall encompass Lewis county, the
5 Rochester common school district No. 401, the Tenino common school
6 district No. 402 of Thurston county, and the Thurston county portion of
7 the Centralia common school district No. 401;

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

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

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

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

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

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

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

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

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

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

4 (23) The twenty-third district shall encompass that portion of
5 Snohomish county within such boundaries as the state board for
6 community and technical colleges ~~((education))~~ shall determine:
7 PROVIDED, That the twenty-third district shall encompass the Edmonds
8 Community College; and

9 (24) The twenty-fourth district shall encompass all of Thurston
10 county except the Rochester common school district No. 401, the Tenino
11 common school district No. 402, and the Thurston county portion of the
12 Centralia common school district No. 401.

13 NEW SECTION. **Sec. 26.** (1) Notwithstanding the provisions of
14 RCW 28B.50.040, there is hereby created a board of trustees for Lake
15 Washington Vocational-Technical Institute, hereafter known as Lake
16 Washington Technical College. The boundaries of the district served by
17 Lake Washington Technical College shall be determined according to
18 section 112 of this act. The board shall consist of five members
19 appointed by the governor, with the consent of the senate, as follows:
20 Two representatives of business, two representatives of labor, and one
21 representative of the community.

22 (2) The business representatives shall be selected from among
23 nominations provided by county-wide business organizations. One
24 business representative shall represent businesses with fewer than
25 fifty employees, and one business representative shall represent
26 businesses with fifty or more employees. The nominations shall reflect
27 the cultural diversity of the county, including women and racial and
28 ethnic minorities.

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

5 NEW SECTION. **Sec. 27.** (1) Notwithstanding the provisions of
6 RCW 28B.50.040, there is hereby created a board of trustees for Renton
7 Vocational-Technical Institute, hereafter known as Renton Technical
8 College. The boundaries of the district served by Renton Technical
9 College shall be determined according to section 112 of this act. The
10 board shall consist of five members appointed by the governor, with the
11 consent of the senate, as follows: Two representatives of business,
12 two representatives of labor, and one representative of the community.

13 (2) The business representatives shall be selected from among
14 nominations provided by county-wide business organizations. One
15 business representative shall represent businesses with fewer than
16 fifty employees, and one business representative shall represent
17 businesses with fifty or more employees. The nominations shall reflect
18 the cultural diversity of the county, including women and racial and
19 ethnic minorities.

20 (3) The labor representatives shall be selected from among
21 nominations provided by county-wide labor organizations. The
22 nominations shall reflect the cultural diversity of the county,
23 including women and racial and ethnic minorities.

24 NEW SECTION. **Sec. 28.** (1) Notwithstanding the provisions of
25 RCW 28B.50.040, there is hereby created a board of trustees for Bates
26 Vocational-Technical Institute, hereafter known as Bates Technical
27 College. The boundaries of the district served by Bates Technical
28 College shall be determined according to section 112 of this act. The

1 board shall consist of five members appointed by the governor, with the
2 consent of the senate, as follows: Two representatives of business,
3 two representatives of labor, and one representative of the community.

4 (2) The business representatives shall be selected from among
5 nominations provided by county-wide business organizations. One
6 business representative shall represent businesses with fewer than
7 fifty employees, and one business representative shall represent
8 businesses with fifty or more employees. The nominations shall reflect
9 the cultural diversity of the county, including women and racial and
10 ethnic minorities.

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

15 NEW SECTION. **Sec. 29.** (1) Notwithstanding the provisions of
16 RCW 28B.50.040, there is hereby created a board of trustees for Clover
17 Park Vocational-Technical Institute, hereafter known as Clover Park
18 Technical College. The boundaries of the district served by Clover
19 Park Technical College shall be determined according to section 112 of
20 this act. The board shall consist of five members appointed by the
21 governor, with the consent of the senate, as follows: Two
22 representatives of business, two representatives of labor, and one
23 representative of the community.

24 (2) The business representatives shall be selected from among
25 nominations provided by county-wide business organizations. One
26 business representative shall represent businesses with fewer than
27 fifty employees, and one business representative shall represent
28 businesses with fifty or more employees. The nominations shall reflect

1 the cultural diversity of the county, including women and racial and
2 ethnic minorities.

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

7 NEW SECTION. **Sec. 30.** (1) Notwithstanding the provisions of
8 RCW 28B.50.040, there is hereby created a board of trustees for
9 Bellingham Vocational-Technical Institute, hereafter known as
10 Bellingham Technical College. The boundaries of the district served by
11 Bellingham Technical College shall be determined according to section
12 112 of this act. The board shall consist of five members appointed by
13 the governor, with the consent of the senate, as follows: Two
14 representatives of business, two representatives of labor, and one
15 representative of the community.

16 (2) The business representatives shall be selected from among
17 nominations provided by county-wide business organizations. One
18 business representative shall represent businesses with fewer than
19 fifty employees, and one business representative shall represent
20 businesses with fifty or more employees. The nominations shall reflect
21 the cultural diversity of the county, including women and racial and
22 ethnic minorities.

23 (3) The labor representatives shall be selected from among
24 nominations provided by county-wide labor organizations. The
25 nominations shall reflect the cultural diversity of the county,
26 including women and racial and ethnic minorities.

27 **Sec. 31.** RCW 28B.50.050 and 1988 c 76 s 1 are each amended to read
28 as follows:

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

14 The successors of the members initially appointed shall be
15 appointed for terms of four years except that ((any)) a person((s))
16 appointed to fill a vacancy occurring prior to the expiration of any
17 term shall be appointed only for the remainder of such term. Each
18 member shall serve until the appointment and qualification of his or
19 her successor. All members shall be citizens and bona fide residents
20 of the state.

21 ~~((The board shall not be deemed unlawfully constituted and a member
22 of the board shall not be deemed ineligible to serve the remainder of
23 the member's unexpired term on the board solely by reason of the
24 establishment of new or revised boundaries for congressional
25 districts.))~~

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

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

4 **Sec. 32.** RCW 28B.50.060 and 1975-'76 2nd ex.s. c 34 s 75 are each
5 amended to read as follows:

6 A director of the state system of community and technical colleges
7 shall be appointed by the college board and shall serve at the pleasure
8 of the college board. ((He)) The director shall be appointed with due
9 regard to ((his)) the applicant's fitness and background in education,
10 ((by his)) and knowledge of and recent practical experience in the
11 field of educational administration particularly in institutions beyond
12 the high school level. The college board may also take into
13 consideration an applicant's proven management background even though
14 not particularly in the field of education.

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

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

24 ((He)) The director shall be the executive officer of the college
25 board and serve as its secretary and under its supervision shall
26 administer the provisions of this chapter and the rules, regulations
27 and orders established thereunder and all other laws of the state.
28 ((He)) The director shall attend, but not vote at, all meetings of the
29 college board. ((He)) The director shall be in charge of offices of

1 the college board and responsible to the college board for the
2 preparation of reports and the collection and dissemination of data and
3 other public information relating to the state system of community and
4 technical colleges. At the direction of the college board, ((he)) the
5 director shall, together with the chairman of the college board,
6 execute all contracts entered into by the college board.

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

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

20 **Sec. 33.** RCW 28B.50.085 and 1981 c 246 s 4 are each amended to
21 read as follows:

22 The state board for community and technical colleges ((education))
23 shall appoint a treasurer who shall be the financial officer of the
24 board, who shall make such vendor payments and salary payments for the
25 entire community and technical college system as authorized by the
26 state board, and who shall hold office during the pleasure of the
27 board. All moneys received by the state board and not required to be
28 deposited elsewhere, shall be deposited in a depository selected by the
29 board, which moneys shall be subject to the budgetary and audit

1 provisions of law applicable to state agencies. The depository
2 selected by the state board shall conform to the collateral
3 requirements required for the deposit of other state funds.
4 Disbursement shall be made by check signed by the treasurer. The
5 treasurer shall render a true and faithful account of all moneys
6 received and paid out by him or her and shall give bond for the
7 faithful performance of the duties of his or her office in such amount
8 as the board requires: PROVIDED, That the board shall pay the fee for
9 any such bonds.

10 **Sec. 34.** RCW 28B.50.090 and 1982 c 50 s 1 are each amended to read
11 as follows:

12 The college board shall have general supervision and control over
13 the state system of community and technical colleges. In addition to
14 the other powers and duties imposed upon the college board by this
15 chapter, the college board shall be charged with the following powers,
16 duties and responsibilities:

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

23 (2) Establish guidelines for the disbursement of funds; and receive
24 and disburse such funds for adult education and maintenance and
25 operation and capital support of the ((community)) college districts in
26 conformance with the state and district budgets, and in conformance
27 with chapter 43.88 RCW;

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

1 (a) ~~That each ((community)) college district shall offer thoroughly~~
2 ~~comprehensive educational, training and service programs to meet the~~
3 ~~needs of both the communities and students served by combining((,with~~
4 ~~equal emphasis,)) high standards of excellence in academic transfer~~
5 ~~courses; realistic and practical courses in occupational education,~~
6 ~~both graded and ungraded; and community services of an educational,~~
7 ~~cultural, and recreational nature; and adult education((:—PROVIDED,~~
8 ~~That notwithstanding any other provisions of this chapter, a community~~
9 ~~college shall not be required to offer a program of vocational-~~
10 ~~technical training, when such a program as approved by the coordinating~~
11 ~~council for occupational education is already operating in the~~
12 ~~district)), including basic skills and general, family, and work force~~
13 literacy programs and services. However, technical colleges, and
14 college districts containing only technical colleges, shall maintain
15 programs solely for occupational education, basic skills, and literacy
16 purposes, and may continue those programs, activities, and services
17 offered by the technical colleges during the twelve-month period
18 preceding the effective date of this act;

19 (b) ~~That each ((community)) college district shall maintain an~~
20 ~~open-door policy, to the end that no student will be denied admission~~
21 ~~because of the location of ((his)) the student's residence or because~~
22 ~~of ((his)) the student's educational background or ability; that,~~
23 ~~insofar as is practical in the judgment of the college board,~~
24 ~~curriculum offerings will be provided to meet the educational and~~
25 ~~training needs of the community generally and the students thereof; and~~
26 ~~that all students, regardless of their differing courses of study, will~~
27 ~~be considered, known and recognized equally as members of the student~~
28 ~~body: PROVIDED, That the administrative officers of a community or~~
29 ~~technical college may deny admission to a prospective student or~~
30 ~~attendance to an enrolled student if, in their judgment, ((he)) the~~

1 student would not be competent to profit from the curriculum offerings
2 of the ((community)) college, or would, by his or her presence or
3 conduct, create a disruptive atmosphere within the ((community))
4 college not consistent with the purposes of the institution. This
5 subsection (b) shall not apply to competency, conduct, or presence
6 associated with a disability;

7 (4) Prepare a comprehensive master plan for the development of
8 community and technical college education and training in the state;
9 and assist the office of financial management in the preparation of
10 enrollment projections to support plans for providing adequate
11 ((community)) college facilities in all areas of the state;

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

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

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

21 (a) Qualifications and credentials of instructional and key
22 administrative personnel, except as otherwise provided in the state
23 plan for vocational education,

24 (b) Internal budgeting, accounting, auditing, and financial
25 procedures as necessary to supplement the general requirements
26 prescribed pursuant to chapter 43.88 RCW,

27 (c) The content of the curriculums and other educational and
28 training programs, and the requirement for degrees and certificates
29 awarded by the colleges,

30 (d) Standard admission policies,

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

2 (8) Establish and administer criteria and procedures for all
3 capital construction including the establishment, installation, and
4 expansion of facilities within the various (~~community~~) college
5 districts;

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

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

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

15 (12) Notwithstanding any other law or statute regarding the sale of
16 state property, sell or exchange and convey any or all interest in any
17 community and technical college real and personal property, except such
18 property as is received by a (~~community~~) college district in
19 accordance with RCW 28B.50.140(8), when it determines that such
20 property is surplus or that such a sale or exchange is in the best
21 interests of the community and technical college system;

22 (13) In order that the treasurer for the state board for community
23 and technical colleges (~~education~~) appointed in accordance with RCW
24 28B.50.085 may make vendor payments, the state treasurer will honor
25 warrants drawn by the state board providing for an initial advance on
26 July 1, 1982, of the current biennium and on July 1 of each succeeding
27 biennium from the state general fund in an amount equal to twenty-four
28 percent of the average monthly allotment for such budgeted biennium
29 expenditures for the state board for community and technical colleges
30 (~~education~~) as certified by the office of financial management; and

1 at the conclusion of such initial month and for each succeeding month
2 of any biennium, the state treasurer will reimburse expenditures
3 incurred and reported monthly by the state board treasurer in
4 accordance with chapter 43.88 RCW: PROVIDED, That the reimbursement to
5 the state board for actual expenditures incurred in the final month of
6 each biennium shall be less the initial advance made in such biennium;

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

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

18 (16) Provide general supervision over the state's technical
19 colleges. The president of each technical college shall report
20 directly to the director of the state board for community and technical
21 colleges, or the director's designee, until local control is assumed by
22 a new or existing board of trustees as appropriate, except that a
23 college president shall have authority over program decisions of his or
24 her college until the establishment of a board of trustees for that
25 college. Until June 30, 1996, technical colleges shall be administered
26 by a division of technical colleges within the office of the college
27 board. The division shall report to the director or the deputy
28 director of the college board.

1 **Sec. 35.** RCW 28B.50.092 and 1977 ex.s. c 131 s 1 are each amended
2 to read as follows:

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

18 **Sec. 36.** RCW 28B.50.093 and 1973 c 105 s 2 are each amended to
19 read as follows:

20 Prior to the state board granting authorization for any programs
21 authorized under RCW 28B.50.092, the state board shall determine that
22 such authorization will not deter from the primary functions of the
23 community and technical college system within the state of Washington
24 as prescribed by chapter 28B.50 RCW.

25 **Sec. 37.** RCW 28B.50.095 and 1983 c 3 s 40 are each amended to read
26 as follows:

27 In addition to other powers and duties, the college board may issue
28 rules and regulations permitting a student to register at more than one

1 community and technical college, provided that such student shall pay
2 tuition and fees as if ((he)) the student were registered at a single
3 college, but not to exceed tuition and fees charged a full-time student
4 as established by RCW 28B.15.502.

5 **Sec. 38.** RCW 28B.50.100 and 1987 c 330 s 1001 are each amended to
6 read as follows:

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

17 The successors of the trustees initially appointed shall be
18 appointed by the governor to serve for a term of five years except that
19 any person appointed to fill a vacancy occurring prior to the
20 expiration of any term shall be appointed only for the remainder of the
21 term. Each member shall serve until a successor is appointed and
22 qualified.

23 Every trustee shall be a resident and qualified elector of the
24 ((~~community~~)) college district. No trustee may be an employee of the
25 community and technical college system, a member of the board of
26 directors of any school district, or a member of the governing board of
27 any public or private educational institution.

28 Each board of trustees shall organize itself by electing a chairman
29 from its members. The board shall adopt a seal and may adopt such

1 bylaws, rules and regulations as it deems necessary for its own
2 government. Three members of the board shall constitute a quorum, but
3 a lesser number may adjourn from time to time and may compel the
4 attendance of absent members in such manner as prescribed in its
5 bylaws, rules, or regulations. The district president, or if there be
6 none, the president of the ((community)) college, shall serve as, or
7 may designate another person to serve as, the secretary of the board,
8 who shall not be deemed to be a member of the board.

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

11 **Sec. 39.** RCW 28B.50.130 and 1977 c 75 s 27 are each amended to
12 read as follows:

13 Within thirty days of their appointment ((~~or July 1, 1967,~~
14 ~~whichever is sooner,~~)) the various district boards of trustees shall
15 organize, adopt bylaws for its own government, and make such rules and
16 regulations not inconsistent with this chapter as they deem necessary.
17 At such organizational meeting it shall elect from among its members a
18 ((~~chairman and a vice-chairman~~)) chair and vice-chair, each to serve
19 for one year, and annually thereafter shall elect such officers to
20 serve until their successors are appointed or qualified. The chief
21 executive officer of the ((community)) college district, or ((his))
22 designee, shall serve as secretary of the board. Three trustees shall
23 constitute a quorum, and no action shall be taken by less than a
24 majority of the trustees of the board. The district boards shall
25 transmit such reports to the college board as may be requested by the
26 college board. The fiscal year of the district boards shall conform to
27 the fiscal year of the state.

1 **Sec. 40.** RCW 28B.50.140 and 1990 c 135 s 1 are each amended to
2 read as follows:

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

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

6 (2) Shall create comprehensive programs of community and technical
7 college education and training and maintain an open-door policy in
8 accordance with the provisions of RCW 28B.50.090(3). However,
9 technical colleges, and college districts containing only technical
10 colleges, shall maintain programs solely for occupational education,
11 basic skills, and literacy purposes, and may continue those programs,
12 activities, and services offered by the technical colleges during the
13 twelve-month period preceding the effective date of this act;

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

1 ((education)) shall adopt rules defining the permissible elements of
2 compensation under this subsection;

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

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

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

22 (7) May establish fees and charges for the facilities authorized
23 hereunder, including reasonable rules and regulations for the
24 government thereof, not inconsistent with the rules and regulations of
25 the college board; each board of trustees operating a community and
26 technical college may enter into agreements, subject to rules and
27 regulations of the college board, with owners of facilities to be used
28 for housing regarding the management, operation, and government of such
29 facilities, and any board entering into such an agreement may:

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

3 (b) Employ necessary employees to govern, manage and operate the
4 same;

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

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

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

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

27 (12) May grant to every student, upon graduation or completion of
28 a course of study, a suitable diploma, nonbaccalaureate degree or
29 certificate. Technical colleges shall offer only nonbaccalaureate

1 associate of technical arts degrees, certificates, or diplomas for
2 occupational courses of study;

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

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

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

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

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

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

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

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

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

1 **Sec. 41.** RCW 28B.50.142 and 1977 ex.s. c 331 s 1 are each amended
2 to read as follows:

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

12 **Sec. 42.** RCW 28B.50.143 and 1985 c 180 s 1 are each amended to
13 read as follows:

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

1 **Sec. 43.** RCW 28B.50.145 and 1969 ex.s. c 283 s 51 are each amended
2 to read as follows:

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

9 **Sec. 44.** RCW 28B.50.150 and 1969 ex.s. c 223 s 28B.50.150 are each
10 amended to read as follows:

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

15 **Sec. 45.** RCW 28B.50.205 and 1988 c 206 s 502 are each amended to
16 read as follows:

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

23 **Sec. 46.** 28B.50.242 and 1990 c 208 s 10 are each amended to read
24 as follows:

25 The state board for community and technical colleges ~~((education))~~
26 shall provide state-wide coordination of video telecommunications
27 programming for the community and technical college system.

1 **Sec. 47.** RCW 28B.50.250 and 1969 ex.s. c 261 s 25 are each amended
2 to read as follows:

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

17 **Sec. 48.** RCW 28B.50.320 and 1971 ex.s. c 279 s 17 are each amended
18 to read as follows:

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

26 Disbursement shall be made by check signed by the president of the
27 ~~((community))~~ college or ~~((his))~~ the president's designee appointed in
28 writing, and such other person as may be designated by the board of
29 trustees of the ~~((community))~~ college district. Each person authorized

1 to sign as provided above, shall execute a surety bond as provided in
2 RCW 43.17.100. Said bond or bonds shall be filed in the office of the
3 secretary of state.

4 **Sec. 49.** RCW 28B.50.330 and 1979 ex.s. c 12 s 2 are each amended
5 to read as follows:

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

25 Where the estimated cost to any ((community)) college of any
26 building, improvements, or repairs, or other work, is less than five
27 thousand dollars, the publication requirements of RCW 39.04.020 and
28 ((39.04.090)) 39.04.070 shall be inapplicable.

1 **Sec. 50.** RCW 28B.50.340 and 1985 c 390 s 54 are each amended to
2 read as follows:

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

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

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

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

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

20 **Sec. 51.** RCW 28B.50.350 and 1985 c 390 s 55 are each amended to
21 read as follows:

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

27 (1) Shall not constitute:

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

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

1 (2) Shall be:

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

3 (b) Issued in denominations of not less than one hundred dollars;
4 and

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

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

12 (3) Shall state:

13 (a) The date of issue; and

14 (b) The series of the issue and be consecutively numbered within
15 the series; and

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

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

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

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

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

27 (8) Shall be issued under and subject to such terms, conditions and
28 covenants providing for the payment of the principal thereof and
29 interest thereon and such other terms, conditions, covenants and
30 protective provisions safeguarding such payment, not inconsistent with

1 RCW 28B.50.330 through 28B.50.400, and as found to be necessary by the
2 board for the most advantageous sale thereof, which may include but not
3 be limited to:

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

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

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

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

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

25 **Sec. 52.** RCW 28B.50.360 and 1985 c 390 s 56 are each amended to
26 read as follows:

27 There is hereby created in the state treasury a community and
28 technical college bond retirement fund. Within thirty-five days from
29 the date of start of each quarter all building fees of each such

1 community and technical college shall be paid into the state treasury,
2 and shall be credited as follows:

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

21 (2) That portion of the building fees not required for or in excess
22 of the amounts necessary to pay and secure the payment of any of the
23 bonds as provided in subsection (1) (~~(above)~~) of this section shall be
24 deposited in the community and technical college capital projects
25 account which account is hereby created in the state treasury. The
26 sums deposited in the capital projects account shall be appropriated
27 and expended exclusively for the construction, reconstruction,
28 erection, equipping, maintenance, demolition and major alteration of
29 buildings and other capital assets owned by the state board for
30 community and technical colleges (~~(education)~~) in the name of the state

1 of Washington, and the acquisition of sites, rights-of-way, easements,
2 improvements or appurtenances in relation thereto, and for the payment
3 of principal of and interest on any bonds issued for such purposes.
4 All earnings of investments of balances in the (~~community college~~)
5 capital projects account shall be credited to the general fund.

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

1 **Sec. 53.** RCW 28B.50.370 and 1985 c 390 s 57 are each amended to
2 read as follows:

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

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

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

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

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

22 **Sec. 54.** RCW 28B.50.402 and 1977 ex.s. c 223 s 2 are each amended
23 to read as follows:

24 Notwithstanding anything to the contrary contained in RCW
25 28B.50.360(1) and (2) and in RCW 28B.50.370, all moneys on deposit on
26 or before June 30, 1977, in the community and technical college bond
27 retirement fund, shall be transferred by the state treasurer to the
28 state general fund, except for those moneys appropriated by section 17,
29 chapter 1, Laws of 1977.

1 **Sec. 55.** RCW 28B.50.404 and 1985 c 390 s 60 are each amended to
2 read as follows:

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

11 **Sec. 56.** RCW 28B.50.405 and 1974 ex.s. c 112 s 3 are each amended
12 to read as follows:

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

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

24 **Sec. 57.** RCW 28B.50.409 and 1974 ex.s. c 112 s 7 are each amended
25 to read as follows:

26 All bonds issued after February 16, 1974 by the college board or
27 any ((community-college)) board of trustees for any ((community))
28 college district under provisions of chapter 28B.50 RCW, as now or

1 hereafter amended, shall be issued by such boards only upon the prior
2 advice and consent of the state finance committee.

3 **Sec. 58.** RCW 28B.50.520 and 1969 ex.s. c 223 s 28B.50.520 are each
4 amended to read as follows:

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

11 **Sec. 59.** RCW 28B.50.535 and 1969 ex.s. c 261 s 30 are each amended
12 to read as follows:

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

16 **Sec. 60.** RCW 28B.50.551 and 1980 c 182 s 3 are each amended to
17 read as follows:

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

1 all such persons leave with full compensation for illness, injury,
2 bereavement and emergencies as follows:

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

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

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

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

22 (5) Accumulated leave for illness, injury, bereavement and
23 emergencies under this section shall be transferred from one
24 ((community)) college district or community and technical college to
25 another, to the ((state)) college board ((for community college
26 education)), to the state superintendent of public instruction, to any
27 educational service district, to any school district, or to any other
28 institutions of higher learning of the state; ((and))

29 (6) Leave accumulated by a person in a ((community)) college
30 district or community and technical college prior to leaving that

1 district or college may, under the policy of the board of trustees, be
2 granted to such person when he or she returns to the employment of that
3 district or college; and

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

6 **Sec. 61.** RCW 28B.50.600 and 1969 ex.s. c 223 s 28B.50.600 are each
7 amended to read as follows:

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

14 **Sec. 62.** RCW 28B.50.740 and 1969 ex.s. c 223 s 28B.50.740 are each
15 amended to read as follows:

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

1 **Sec. 63.** RCW 28B.50.835 and 1990 c 29 s 1 are each amended to read
2 as follows:

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

9 **Sec. 64.** RCW 28B.50.837 and 1990 c 29 s 2 are each amended to read
10 as follows:

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

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

26 **Sec. 65.** RCW 28B.50.839 and 1990 c 29 s 3 are each amended to read
27 as follows:

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

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

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

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

28 **Sec. 66.** RCW 28B.50.841 and 1990 c 29 s 4 are each amended to read
29 as follows:

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

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

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

21 **Sec. 67.** RCW 28B.50.843 and 1990 c 29 s 5 are each amended to read
22 as follows:

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

1 **Sec. 68.** RCW 28B.50.850 and 1969 ex.s. c 283 s 32 are each amended
2 to read as follows:

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

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

12 **Sec. 69.** RCW 28B.50.851 and 1988 c 32 s 2 are each amended to read
13 as follows:

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

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

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

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

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

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

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

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

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

16 **Sec. 70.** RCW 28B.50.867 and 1969 ex.s. c 283 s 43 are each amended
17 to read as follows:

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

25 **Sec. 71.** RCW 28B.50.869 and 1974 ex.s. c 33 s 2 are each amended
26 to read as follows:

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

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

9 **Sec. 72.** RCW 28B.50.870 and 1977 ex.s. c 282 s 1 are each amended
10 to read as follows:

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

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

11 **Sec. 73.** RCW 28B.50.873 and 1990 c 33 s 559 are each amended to
12 read as follows:

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

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

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

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

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

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

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

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

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

6 **Sec. 74.** RCW 28B.50.875 and 1969 ex.s. c 261 s 35 are each amended
7 to read as follows:

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

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

16 **Sec. 75.** RCW 15.76.120 and 1961 c 61 s 3 are each amended to read
17 as follows:

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

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

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

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

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

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

16 **Sec. 76.** RCW 28A.305.270 and 1989 c 146 s 2 are each amended to
17 read as follows:

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

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

3 (2) The program shall include the following:

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

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

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

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

16 **Sec. 77.** RCW 28C.04.015 and 1990 c 188 s 1 are each amended to
17 read as follows:

18 As used in this chapter the following definitions shall apply:

19 (1) "Board" means the (~~state board for vocational education~~) work
20 force training and education coordinating board.

21 (2) "Vocational education" means a planned series of learning
22 experiences, the specific objective of which is to prepare persons to
23 enter, continue in, or upgrade themselves in gainful employment in
24 recognized occupations, and home and family life programs, which are
25 not designated as professional or requiring a baccalaureate or higher
26 degree.

27 **Sec. 78.** RCW 28C.04.024 and 1990 c 188 s 2 are each amended to
28 read as follows:

1 (1) The ~~((state board for vocational education))~~ work force
2 training and education coordinating board is hereby created as a state
3 agency and as the successor agency to the commission for vocational
4 education. The board shall have authority to carry out any existing
5 statutory duties formerly administered by the commission and other
6 duties assigned by the governor. ~~((The board shall be composed of five
7 members consisting of the governor, the superintendent of public
8 instruction, the director of the state board for community college
9 education, one representative of organized labor appointed by the
10 governor, and one representative of business appointed by the governor.
11 Each board member may appoint a designee to function in his or her
12 place with the right to vote. The governor shall appoint an executive
13 director of the board. The board may delegate, by resolution, to the
14 executive director any of its duties or responsibilities. The board
15 may also delegate by interagency agreement its responsibilities under
16 the Washington award for vocational excellence program to any existing
17 state agency, board, or council. The board may employ such other
18 personnel as may be necessary to carry out the purposes of this
19 chapter.~~

20 ~~((2) All references to the commission for vocational education in
21 the Revised Code of Washington shall be construed to mean the state
22 board for vocational education.))~~

23 **Sec. 79.** RCW 28C.10.020 and 1990 c 188 s 5 are each amended to
24 read as follows:

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

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

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

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

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

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

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

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

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

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

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

8 NEW SECTION. **Sec. 80.** Community and technical colleges may
9 contract with local common school districts to provide occupational and
10 academic programs for high school students. Common school districts
11 whose students currently attend vocational technical institutes shall
12 not suffer loss of opportunity to continue to enroll their students at
13 technical colleges.

14 NEW SECTION. **Sec. 81.** When the state system of community and
15 technical colleges assumes administrative control of the vocational-
16 technical institutes, personnel employed by the vocational-technical
17 institutes shall:

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

22 (2) To the extent applicable to faculty members, any faculty
23 currently employed on a "continuing contract" basis under RCW
24 28A.405.210 be awarded tenure pursuant to RCW 28B.50.851 through
25 28B.50.873, except for any faculty members who are provisional
26 employees under RCW 28A.405.220;

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

4 (4) Be eligible to participate in old age annuities or retirement
5 income plans under the rules of the state board for community college
6 and technical college pursuant to RCW 28B.10.400, however, no affected
7 vocational-technical institute employee shall be required to choose
8 from among any available retirement plan options prior to six months
9 after the effective date of this section;

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

13 (6) Be eligible to participate in the deferred compensation plan
14 pursuant to RCW 41.04.250 and the dependent care program pursuant to
15 RCW 41.04.600 under the rules established by the state deferred
16 compensation committee.

17 An exclusive bargaining representative certified to represent a
18 bargaining unit covering employees of a vocational technical institute
19 on the effective date of this section shall remain the exclusive
20 representative of such employees thereafter until and unless such
21 representative is replaced or decertified in accordance with state law.

22 Any collective bargaining agreement in effect on the effective date
23 of this section shall remain in effect as it applies to employees of
24 vocational technical institutes until its expiration or renewal date or
25 until renegotiated or renewed in accordance with chapter 28B.52 or
26 41.56 RCW. Labor relations processes and agreements covering faculty
27 members of vocational technical institutes after the effective date of
28 this section shall be governed by chapter 28B.52 RCW. Labor relations
29 processes and agreements covering classified employees of vocational

1 technical institutes after the effective date of this section shall
2 continue to be governed by chapter 41.56 RCW.

3 NEW SECTION. **Sec. 82.** Notwithstanding the provisions of
4 chapter 28B.15 RCW, technical colleges and the Seattle Vocational
5 Institute may continue to collect student tuition and fees per their
6 standard operating procedures in effect on the effective date of this
7 section. The applicability of existing community college rules and
8 statutes pursuant to chapter 28B.15 RCW regarding tuition and fees
9 shall be determined by the state board for community and technical
10 colleges within two years of the effective date of this section.

11 NEW SECTION. **Sec. 83.** A new section is added to chapter 28B.15
12 RCW to read as follows:

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

17 NEW SECTION. **Sec. 84.** All powers, duties, and functions of the
18 superintendent of public instruction and the state board of education
19 pertaining to projects of adult education, except the state-funded Even
20 Start, including the adult education programs operated pursuant to 20
21 U.S.C. Sec. 1201 as amended by P.L. 100-297, are transferred to the
22 state board for community and technical colleges. All references to
23 the director or superintendent of public instruction or the state board
24 of education in the Revised Code of Washington shall be construed to
25 mean the director or the state board for community and technical
26 colleges when referring to the functions transferred in this section.

1 NEW SECTION. **Sec. 85.** All reports, documents, surveys, books,
2 records, files, papers, or written material in the possession of the
3 superintendent of public instruction pertaining to the powers,
4 functions, and duties transferred shall be delivered to the custody of
5 the state board for community and technical colleges. All cabinets,
6 furniture, office equipment, motor vehicles, and other tangible
7 property employed by the superintendent of public instruction in
8 carrying out the powers, functions, and duties transferred shall be
9 made available to the state board for community and technical colleges.
10 All funds, credits, or other assets held in connection with the powers,
11 functions, and duties transferred shall be assigned to the state board
12 for community and technical colleges.

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

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

23 The superintendent or designee, and the director of the state board
24 shall work out a mutually agreeable schedule to accomplish this
25 transfer by no later than January 1, 1992.

26 NEW SECTION. **Sec. 86.** All employees of the superintendent of
27 public instruction engaged in performing the powers, functions, and
28 duties transferred are transferred to the jurisdiction of the state
29 board for community and technical colleges. All employees classified

1 under chapter 41.06 RCW, the state civil service law, are assigned to
2 the state board for community and technical colleges to perform their
3 usual duties upon the same terms as formerly, without any loss of
4 rights, subject to any action that may be appropriate thereafter in
5 accordance with the laws and rules governing state civil service.

6 NEW SECTION. **Sec. 87.** All rules and all pending business
7 before the superintendent of public instruction pertaining to the
8 powers, functions, and duties transferred shall be continued and acted
9 upon by the state board for community and technical colleges. All
10 existing contracts and obligations shall remain in full force and shall
11 be performed by the state board for community and technical colleges.

12 NEW SECTION. **Sec. 88.** The transfer of the powers, duties,
13 functions, and personnel of the superintendent of public instruction
14 shall not affect the validity of any act performed prior to the
15 effective date of this section.

16 NEW SECTION. **Sec. 89.** If apportionments of budgeted funds are
17 required because of the transfers directed by sections 85 through 88 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. 90.** Nothing contained in sections 85 through
24 89 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. 91.** The college board personnel
4 administering state and federally funded programs for adult basic
5 skills and literacy education shall be known as the state office for
6 adult literacy.

7 NEW SECTION. **Sec. 92.** The legislature finds that a vocational
8 institute in the central area of the city of Seattle provides civic,
9 social, and economic benefits to the people of the state of Washington.
10 Economic development is enhanced by increasing the number of skilled
11 individuals who enter the labor market and social welfare costs are
12 reduced by the training of individuals lacking marketable skills. The
13 students at the institute are historically economically disadvantaged,
14 and include racial and ethnic minorities, recent immigrants,
15 single-parent heads of households, and persons who are dislocated
16 workers or without specific occupational skills. The institute
17 presents a unique opportunity for business, labor, and community-based
18 organizations, and educators to work together to provide effective
19 vocational-technical training to the economically disadvantaged of
20 urban Seattle, and to serve as a national model of such cooperation.
21 Moreover, a trained work force is a major factor in attracting new
22 employers, and with greater minority participation in the work force,
23 the institute is uniquely located to deliver training and education to
24 the individuals employers must increasingly turn to for their future
25 workers.

26 NEW SECTION. **Sec. 93.** The public nonprofit corporation for the
27 Washington institute for applied technology is hereby abolished and its

1 powers, duties, and functions are hereby transferred to the sixth
2 college 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 or
5 sixth college district.

6 NEW SECTION. **Sec. 94.** 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. All funds, credits,
14 or other assets held by the public nonprofit corporation for the
15 Washington institute for applied technology shall be assigned to the
16 sixth college district.

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

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. 95.** All contractual obligations, rules, and
28 all pending business before the public nonprofit corporation for the

1 Washington institute for applied technology shall be continued and
2 acted upon by the sixth college district. All existing contracts and
3 obligations shall remain in full force and shall be performed by the
4 sixth college district.

5 NEW SECTION. **Sec. 96.** The transfer of the powers, duties,
6 functions, and personnel of the public nonprofit corporation for the
7 Washington institute for applied technology shall not affect the
8 validity of any act performed prior to the effective date of this
9 section.

10 NEW SECTION. **Sec. 97.** If apportionments of budgeted funds are
11 required because of the transfers directed by sections 94 through 96 of
12 this act, the director of financial management shall certify the
13 apportionments to the agencies affected, the state auditor, and the
14 state treasurer. Each of these shall make the appropriate transfer and
15 adjustments in funds and appropriation accounts and equipment records
16 in accordance with the certification.

17 NEW SECTION. **Sec. 98.** The mission of the institute shall be to
18 provide occupational, basic skills, and literacy education
19 opportunities to economically disadvantaged populations in urban areas
20 of the college district it serves. The board of trustees of the sixth
21 college district shall appoint a nine-member advisory committee
22 consisting of equal representation from business, labor, and community
23 representatives to provide advice and counsel to the administration of
24 the institute and the district administration.

25 NEW SECTION. **Sec. 99.** Funding for the institute shall be
26 included in a separate allocation to the sixth college district, and

1 funds allocated for the institute shall be used only for purposes of
2 the institute.

3 NEW SECTION. **Sec. 100.** The sixth college district shall conduct
4 a survey of the capital facilities and equipment necessary to operate
5 the program at the institute. The district shall present the survey to
6 the state board for community and technical colleges by December 1,
7 1991. The board shall include the survey in its budget request to the
8 legislature which shall consider a supplementary appropriation for the
9 1992-93 fiscal year to the sixth college district based on the results
10 of this survey.

11 NEW SECTION. **Sec. 101.** The district may provide for waivers of
12 tuition and fees and provide scholarships for students at the
13 institute. The district may negotiate with applicable public or
14 private service providers to conduct the instructional activities of
15 the institute, however, the district shall not hire instructional staff
16 or faculty. In order to allow the district flexibility in its
17 personnel policies with the institute, the district and the institute,
18 with reference to employees of the institute employed during an initial
19 two-year period until July 1, 1993, are exempt from chapters 28B.16,
20 28B.52 (relating to collective bargaining), 41.04, 41.05, 41.06, and
21 41.40 RCW; from RCW 43.01.040 through 43.01.044; and from RCW
22 28B.50.551 and 28B.50.850 through 28B.50.875 (relating to faculty
23 tenure).

24 NEW SECTION. **Sec. 102.** A new section is added to chapter 41.06
25 RCW to read as follows:

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

1 NEW SECTION. **Sec. 103.** A new section is added to chapter 41.05
2 RCW to read as follows:
3 Employees of the Seattle Vocational Institute are exempt from the
4 provisions of this chapter until July 1, 1993.

5 NEW SECTION. **Sec. 104.** A new section is added to chapter 41.04
6 RCW to read as follows:
7 Employees of the Seattle Vocational Institute are exempt from the
8 provisions of this chapter until July 1, 1993.

9 NEW SECTION. **Sec. 105.** A new section is added to chapter 28B.16
10 RCW to read as follows:
11 Employees of the Seattle Vocational Institute are exempt from the
12 provisions of this chapter until July 1, 1993.

13 NEW SECTION. **Sec. 106.** A new section is added to chapter 41.40
14 RCW to read as follows:
15 Employees of the Seattle Vocational Institute are exempt from the
16 provisions of this chapter until July 1, 1993.

17 NEW SECTION. **Sec. 107.** A new section is added to chapter 28B.52
18 RCW to read as follows:
19 Employees of the Seattle Vocational Institute are exempt from the
20 provisions of this chapter until July 1, 1993.

21 NEW SECTION. **Sec. 108.** A new section is added to chapter 43.01
22 RCW to read as follows:
23 Employees of the Seattle Vocational Institute are exempt from RCW
24 43.01.040 through 43.01.044 until July 1, 1993.

1 NEW SECTION. **Sec. 109.** Related and supplemental instruction for
2 apprentices, coordination of instruction with job experiences, and the
3 selection and training of teachers and coordinators for such
4 instruction shall be the responsibility of the state board for
5 community and technical colleges and its local community and technical
6 colleges.

7 NEW SECTION. **Sec. 110.** A new section is added to chapter 41.56
8 RCW to read as follows:

9 In addition to the entities listed in RCW 41.56.020, this chapter
10 shall apply to classified employees of technical colleges as provided
11 for in section 81 of this act.

12 **Sec. 111.** RCW 28B.10.016 and 1977 ex.s. c 169 s 1 are each amended
13 to read as follows:

14 For the purposes of this title:

15 (1) "State universities" means the University of Washington and
16 Washington State University.

17 (2) "Regional universities" means Western Washington University at
18 Bellingham, Central Washington University at Ellensburg, and Eastern
19 Washington University at Cheney.

20 (3) "State college" means The Evergreen State College in Thurston
21 county.

22 (4) "Institutions of higher education" or "postsecondary
23 institutions" means the state universities, the regional universities,
24 The Evergreen State College, ~~((and))~~ the community colleges, and the
25 technical colleges.

26 NEW SECTION. **Sec. 112.** There is hereby established the task
27 force on technical colleges appointed by the governor. The task force

1 shall consist of representatives of the state board for community and
2 technical colleges, community colleges, and the directors of the
3 vocational-technical institutes. The purpose of the task force shall
4 be to reach agreement on transitional issues posed by the bringing
5 together of technical colleges and community colleges under the state
6 board for community and technical colleges. The areas of agreement
7 shall include, but not be limited to, the district boundaries, service
8 areas, and boards of trustees for technical colleges the district
9 boundaries, service areas, or boards of trustees of which are not
10 specified by this act. The task force may appoint one or more
11 committees that may consider transitional issues other than local
12 governance, district boundaries, and service areas. The task force
13 shall report on its final recommendations to the college board and the
14 governor by December 1, 1991. Those issues remaining in dispute shall
15 be settled by the governor or the governor's designee.

16 NEW SECTION. **Sec. 113.** Title to or all interest in real estate,
17 choses in action and all other assets, including but not limited to
18 assignable contracts, cash, deposits in county funds (including any
19 interest or premiums thereon), equipment, buildings, facilities, and
20 appurtenances thereto held as of the effective date of this section by
21 or for a school district and obtained identifiably with federal, state,
22 or local funds appropriated for vocational-technical institutes
23 purposes or postsecondary vocational educational purposes, or used or
24 obtained with funds budgeted for postsecondary vocational educational
25 purposes, or used or obtained primarily for vocational-technical
26 institute educational purposes, shall, on the date on which the first
27 board of trustees of each district takes office, vest in or be assigned
28 to the district board. Cash, funds, accounts, or other deposits
29 obtained or raised by a school district to pay for indebtedness, bonded

1 or otherwise, contracted on or before the effective date of this
2 section, for vocational-technical institute purposes shall remain with
3 and continue to be, after February 2, 1992, an asset of the school
4 district. Any option acquired by the school district to purchase real
5 property which in the judgment of the school district will be used in
6 the common school program may remain with the school district
7 notwithstanding that such option was obtained in consideration of the
8 purchase by such school district of other property for vocational-
9 technical institute purposes. Unexpended funds of a common school
10 district derived from the sale, before the effective date of this
11 section, of bonds authorized for any purpose which includes vocational-
12 technical institute purposes and not committed for any existing
13 construction contract, shall remain with and continue to be an asset of
14 such common school district, unless within thirty days after said date
15 such common school district determines to transfer such funds to the
16 board of trustees.

17 NEW SECTION. **Sec. 114.** All powers, duties, and functions of the
18 school district pertaining to a vocational-technical institute are
19 transferred to the state board for community and technical colleges
20 until the establishment of local boards of trustees with authority for
21 the technical college. All references to the director or school
22 district in the Revised Code of Washington shall be construed to mean
23 the director or state board for community and technical colleges when
24 referring to the functions transferred in this section.

25 NEW SECTION. **Sec. 115.** All reports, documents, surveys, books,
26 records, files, papers, or written material in the possession of the
27 school district pertaining to the powers, functions, and duties
28 transferred shall be delivered to the custody of the state board for

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

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

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

18 NEW SECTION. **Sec. 116.** All employees of the school district
19 engaged in performing the powers, functions, and duties transferred are
20 transferred to the jurisdiction of the state board for community and
21 technical colleges. All employees classified under chapter 41.06 RCW,
22 the state civil service law, are assigned to the state board for
23 community and technical colleges to perform their usual duties upon the
24 same terms as formerly, without any loss of rights, subject to any
25 action that may be appropriate thereafter in accordance with the laws
26 and rules governing state civil service.

27 NEW SECTION. **Sec. 117.** All rules and all pending business
28 before the school district pertaining to the powers, functions, and

1 duties transferred shall be continued and acted upon by the state board
2 for community and technical colleges. All existing contracts and
3 obligations shall remain in full force and shall be performed by the
4 state board for community and technical colleges.

5 NEW SECTION. **Sec. 118.** The transfer of the powers, duties,
6 functions, and personnel of the school district shall not affect the
7 validity of any act performed prior to the effective date of this
8 section.

9 NEW SECTION. **Sec. 119.** If apportionments of budgeted funds are
10 required because of the transfers directed by sections 115 through 118
11 of this act, the director of financial management shall certify the
12 apportionments to the agencies affected, the state auditor, and the
13 state treasurer. Each of these shall make the appropriate transfer and
14 adjustments in funds and appropriation accounts and equipment records
15 in accordance with the certification.

16 NEW SECTION. **Sec. 120.** All powers, duties, and functions of the
17 superintendent of public instruction pertaining to vocational-technical
18 institutes are transferred to the state board for community and
19 technical colleges. All references to the director or superintendent
20 of public instruction in the Revised Code of Washington shall be
21 construed to mean the director or state board for community and
22 technical colleges when referring to the functions transferred in this
23 section.

24 NEW SECTION. **Sec. 121.** 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,

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

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

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

20 NEW SECTION. **Sec. 122.** All employees of the superintendent of
21 public instruction engaged in performing the powers, functions, and
22 duties transferred are transferred to the jurisdiction of the state
23 board for community and technical colleges. All employees classified
24 under chapter 41.06 RCW, the state civil service law, are assigned to
25 the state board for community and technical colleges to perform their
26 usual duties upon the same terms as formerly, without any loss of
27 rights, subject to any action that may be appropriate thereafter in
28 accordance with the laws and rules governing state civil service.

1 NEW SECTION. **Sec. 123.** All rules and all pending business
2 before the superintendent of public instruction pertaining to the
3 powers, functions, and duties transferred shall be continued and acted
4 upon by the state board for community and technical colleges. All
5 existing contracts and obligations shall remain in full force and shall
6 be performed by the state board for community and technical colleges.

7 NEW SECTION. **Sec. 124.** The transfer of the powers, duties,
8 functions, and personnel of the superintendent of public instruction
9 shall not affect the validity of any act performed prior to the
10 effective date of this section.

11 NEW SECTION. **Sec. 125.** If apportionments of budgeted funds are
12 required because of the transfers directed by sections 121 through 124
13 of this act, the director of financial management shall certify the
14 apportionments to the agencies affected, the state auditor, and the
15 state treasurer. Each of these shall make the appropriate transfer and
16 adjustments in funds and appropriation accounts and equipment records
17 in accordance with the certification.

18 NEW SECTION. **Sec. 126.** All funds appropriated by the
19 legislature in the capital budget for the 1991-93 biennium pertaining
20 to vocational-technical institutes and to community colleges are hereby
21 combined under the capital budget for the state board for community and
22 technical colleges, provided that funds appropriated in the 1991-93
23 biennium pertaining to vocational-technical institutes or technical
24 colleges shall be made available solely for the use of those entities.

25 NEW SECTION. **Sec. 127.** Capital and (RMI) projections for
26 vocational-technical institutes are hereby incorporated into the six-

1 year capital plan for community colleges that begins in the 1993-95
2 biennium and placed under the capital plans and projections for the
3 state board for community and technical colleges.

4 NEW SECTION. **Sec. 128.** All funds appropriated by the
5 legislature in the operating budget for the 1991-93 biennium pertaining
6 to vocational-technical institutes and to community colleges are
7 combined under the operating budget for the state board for community
8 and technical colleges, provided that funds appropriated in the 1991-93
9 biennium pertaining to vocational-technical institutes or technical
10 colleges shall be made available solely for the use of those entities.

11 NEW SECTION. **Sec. 129.** Title to or all interest in real estate,
12 choses in action, and all other assets, including but not limited to
13 assignable contracts, cash, deposits in county funds (including any
14 interest or premiums thereon), equipment, buildings, facilities, and
15 appurtenances thereto held as of the effective date of this section by
16 or for a school district and obtained identifiably with federal, state,
17 or local funds appropriated for vocational-technical institute purposes
18 or postsecondary vocational educational purposes, or used or obtained
19 with funds budgeted for vocational-technical institute purposes or
20 postsecondary vocational education purposes, or used or obtained
21 primarily for vocational education purposes, shall, on the date on
22 which the first board of trustees of each college district takes
23 office, vest in or be assigned to the state board for community and
24 technical college education.

25 Cash, funds, accounts, or other deposits obtained or raised by a
26 school district to pay for indebtedness, bonded or otherwise,
27 contracted on or before the effective date of this section for
28 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 authorized for any purpose which includes vocational-technical
11 institute purposes and not committed for any existing construction
12 contract, shall be reserved for the purposes of the college district of
13 which the institute is a part.

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 sixty 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.

1 The ultimate decision and approval with respect to the allocation
2 and disposition of the assets under this section shall be made by the
3 governor, or the task force appointed by the governor for that purpose.
4 The decision of the governor or the governor's advisory committee may
5 be appealed within sixty days after such decision is issued by
6 appealing to the district court of Thurston county. The decision of
7 the superior court may be appealed to the supreme court of the state in
8 accordance with the provision of the Administrative Procedure Act,
9 chapter 34.05 RCW.

10 NEW SECTION. **Sec. 130.** If, before the effective date of this
11 section, the use of a single building facility is being shared between
12 an existing vocational-technical institute program and a K-12 program,
13 the respective boards shall continue to share the use of the facility
14 until such time as it is convenient to remove one of the two programs
15 to another facility. The determination of convenience shall be based
16 solely upon the best interests of the students involved.

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

24 The board charged with the administration and control of such
25 facility may share expenses with the other board for the use of the
26 facility.

27 In the event that the two boards are unable to agree upon which
28 board is to administer and control the facility or upon a fair share of
29 expenses for the use of the facility, the governor shall appoint an

1 arbitrator to settle the matter. The decisions of the arbitrator shall
2 be final and binding upon both boards. The expenses of the arbitration
3 shall be divided equally by each board.

4 NEW SECTION. **Sec. 131.** All funds remaining from any public or
5 private grant, contract, or in various auxiliary enterprise accounts
6 for vocational-technical institute purposes shall be transferred to the
7 appropriate college district under the state board for community and
8 technical colleges once a district board of trustees has been
9 appointed.

10 NEW SECTION. **Sec. 132.** In the event a new college district is
11 created, the governor shall appoint new trustees to the district's
12 board of trustees in accordance with RCW 28B.50.100.

13 NEW SECTION. **Sec. 133.** All college district expenditures,
14 transfers, and other fiscal transactions, and accounting, and other
15 fiscal records must be approved by the state board for community and
16 technical colleges.

17 **Sec. 134.** RCW 43.19.190 and 1987 c 414 s 10 are each amended to
18 read as follows:

19 The director of general administration, through the state
20 purchasing and material control director, shall:

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

24 (2) Purchase all material, supplies, services, and equipment needed
25 for the support, maintenance, and use of all state institutions,
26 colleges, community colleges, technical colleges, college districts,

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

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

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

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

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

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

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

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

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

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

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

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

13 NEW SECTION. **Sec. 135.** Sick leave accumulated by employees of
14 vocational-technical institutes shall be transferred to the college
15 districts without loss of time subject to the provisions of RCW
16 28B.50.551 and the further provisions of any negotiated agreements then
17 in force.

18 NEW SECTION. **Sec. 136.** The state employees' benefit board shall
19 adopt rules to preclude any preexisting conditions or limitations in
20 existing health care service contracts for school district employees at
21 vocational-technical institutes transferred to the state board for
22 community and technical colleges. The board shall also provide for the
23 disposition of any dividends or refundable reserves in the school
24 district's health care service contracts applicable to
25 vocational-technical institute employees.

26 NEW SECTION. **Sec. 137.** If a school board has contracted to
27 redeem general obligation bonds used for the construction or

1 acquisition of facilities which are now to be under the administration,
2 control, and occupancy of the college district board, the school board
3 shall continue to redeem the bonds in accordance with the provisions of
4 the bonds.

5 NEW SECTION. **Sec. 138.** If a technical college is created after
6 the effective date of this section, that college may contract with an
7 adjacent college district for administrative services until such time
8 that an existing or new college district may assume jurisdiction over
9 the college.

10 NEW SECTION. **Sec. 139.** The legislature finds that the needs of
11 the work force and the economy necessitate enhanced vocational
12 education opportunities in secondary education including curriculum
13 which integrates vocational and academic education. In order for the
14 state's work force to be competitive in the world market, employees
15 need competencies in both vocational/technical skills and in core
16 essential competencies such as English, math, science/technology,
17 geography, history, and critical thinking. Curriculum which integrates
18 vocational and academic education reflects that many students learn
19 best through applied learning, and that students should be offered
20 flexible education opportunities which prepare them for both the world
21 of work and for higher education.

22 NEW SECTION. **Sec. 140.** The superintendent of public instruction
23 shall with the advice of the work force training and education
24 coordinating board develop model curriculum integrating vocational and
25 academic education at the secondary level. The curriculum shall
26 integrate vocational education for gainful employment with education in
27 the academic subjects of English, math, science/technology, geography,

1 and history, and with education in critical thinking. Upon completion,
2 the model curriculum shall be provided for consideration and use by
3 school districts.

4 NEW SECTION. **Sec. 141.** The following acts or parts of acts are
5 each repealed:

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

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

22 NEW SECTION. **Sec. 143.** Sections 139 and 140 of this act shall
23 constitute a new chapter in Title 28A RCW.

24 NEW SECTION. **Sec. 144.** Sections 16 and 17 of this act shall
25 constitute a new chapter in Title 50 RCW.

1 NEW SECTION. **Sec. 145.** Sections 2 through 9 of this act shall
2 constitute a new chapter in Title 28C RCW.

3 NEW SECTION. **Sec. 146.** Sections 18 through 20 of this act shall
4 constitute a new chapter in Title 28C RCW.

5 NEW SECTION. **Sec. 147.** Sections 21, 26 through 30, 80 through
6 82, 92 through 97, and 142 of this act are each added to chapter 28B.50
7 RCW.

8 NEW SECTION. **Sec. 148.** RCW 28B.50.300 is decodified.

9 NEW SECTION. **Sec. 149.** If specific funding for the purposes of
10 this act, referencing this act by bill number, is not provided for
11 sections 92 through 99 and 141 of this act by June 30, 1993, in the
12 omnibus appropriations act, sections 92 through 99 and 141 of this act
13 shall be null and void.

14 NEW SECTION. **Sec. 150.** This act is necessary for the immediate
15 preservation of the public peace, health, or safety, or support of the
16 state government and its existing public institutions, and shall take
17 effect July 1, 1991, except for sections 113 through 130 of this act
18 which shall take effect immediately.