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**SENATE BILL 5699**

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**State of Washington**                      **56th Legislature**                      **1999 Regular Session**

**By** Senators Thibaudeau, McDonald, Snyder and Kohl-Welles

Read first time 02/03/1999. Referred to Committee on Higher Education.

1            AN ACT Relating to tuition setting in higher education; amending  
2 RCW 28B.15.031, 28B.15.066, 28B.15.067, 28B.15.069, 28B.15.100,  
3 28B.20.130, 28B.30.150, 28B.35.120, 28B.40.120, and 28B.50.090;  
4 creating a new section; and repealing RCW 28B.15.110.

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

6            NEW SECTION.    **Sec. 1.** It is the intent of the legislature that  
7 Washington residents have access to colleges and universities in this  
8 state that provide a high-quality education, preparing students to  
9 become partners in improving their communities and this state. To  
10 sustain excellence in higher education, adequate resources must be  
11 committed to ensure quality in instruction, research, and public  
12 service. The legislature is responsible for providing adequate funding  
13 to sustain excellence and develop strategies to make improvements as  
14 necessary. To provide a reliable measure to judge the adequacy of  
15 state funding, goals shall be established to achieve funding levels of  
16 public institutions of higher education at or above the average of  
17 public, per-student funding of peer institutions in other states. In  
18 concert with state funding, part of the responsibility for quality  
19 higher education is borne by student contributions in the form of

1 tuition. The legislature further intends that financial aid for needy  
2 students increases in relation to increasing tuition. This act  
3 establishes a permanent tuition policy for the state's public higher  
4 education system and establishes average peer tuition levels as the  
5 goal for the University of Washington.

6 **Sec. 2.** RCW 28B.15.031 and 1996 c 142 s 2 are each amended to read  
7 as follows:

8 The term "operating fees" as used in this chapter shall include the  
9 fees, other than building fees, charged all students registering at the  
10 state's colleges and universities but shall not include fees for short  
11 courses, self-supporting degree credit programs and courses, marine  
12 station work, experimental station work, correspondence or extension  
13 courses, and individual instruction and student deposits or rentals,  
14 disciplinary and library fines, which colleges and universities shall  
15 have the right to impose, laboratory, gymnasium, health, technology and  
16 student activity fees, or fees, charges, rentals, and other income  
17 derived from any or all revenue producing lands, buildings and  
18 facilities of the colleges or universities heretofore or hereafter  
19 acquired, constructed or installed, including but not limited to income  
20 from rooms, dormitories, dining rooms, hospitals, infirmaries, housing  
21 or student activity buildings, vehicular parking facilities, land, or  
22 the appurtenances thereon, or such other special fees as may be  
23 established by any college or university board of trustees or regents  
24 from time to time. All moneys received as operating fees at any  
25 institution of higher education shall be deposited in a local account  
26 containing only operating fees revenue and related interest: PROVIDED,  
27 That a minimum of three and one-half percent of operating fees shall be  
28 retained by the institutions(~~(, except the technical colleges,)~~) for  
29 the purposes of RCW 28B.15.820. Local operating fee accounts shall not  
30 be subject to appropriation by the legislature or allotment procedures  
31 under chapter 43.88 RCW.

32 **Sec. 3.** RCW 28B.15.066 and 1995 1st sp.s. c 9 s 3 are each amended  
33 to read as follows:

34 It is the intent of the legislature that:

35 In making appropriations from the state's general fund to  
36 institutions of higher education, each appropriation shall conform to  
37 the following:

1 (1) The appropriation shall not be reduced by the amount of  
2 operating fees revenue estimated to be collected from students enrolled  
3 at the state-funded enrollment level specified in the omnibus biennial  
4 operating appropriations act;

5 (2) The appropriation shall not be reduced by the amount of  
6 operating fees revenue collected from students enrolled above the  
7 state-funded level(~~(, but within the over-enrollment limitations,)~~)  
8 specified in the omnibus biennial operating appropriations act; and

9 (3) The general fund state appropriation shall not be reduced by  
10 the amount of operating fees revenue collected as a result of waiving  
11 less operating fees revenue than the amounts authorized under RCW  
12 28B.15.910.

13 **Sec. 4.** RCW 28B.15.067 and 1997 c 403 s 1 are each amended to read  
14 as follows:

15 (1) Tuition fees shall be established under the provisions of this  
16 chapter.

17 ~~(2) ((Academic year tuition for full-time students at the state's  
18 institutions of higher education for the 1997-98 academic year, other  
19 than the summer term, shall be as provided in this subsection.~~

20 ~~(a) At the University of Washington and Washington State  
21 University:~~

22 ~~(i) For resident undergraduate students and other resident students  
23 not in graduate, law, or first professional programs, two thousand nine  
24 hundred eighty-eight dollars;~~

25 ~~(ii)(A) For nonresident undergraduate students and other  
26 nonresident students at the University of Washington not in graduate,  
27 law, or first professional programs, ten thousand two hundred seventy-  
28 eight dollars;~~

29 ~~(B) For nonresident undergraduate students and other nonresident  
30 students at Washington State University not in graduate or first  
31 professional programs, nine thousand eight hundred seventy dollars;~~

32 ~~(iii) For resident graduate students, four thousand eight hundred  
33 fifty-four dollars;~~

34 ~~(iv) For nonresident graduate students, twelve thousand five  
35 hundred eighty-eight dollars;~~

36 ~~(v) For resident law students, five thousand ten dollars;~~

37 ~~(vi) For nonresident law students, twelve thousand nine hundred  
38 fifteen dollars;~~

1       ~~(vii) For resident first professional students, eight thousand one~~  
2 ~~hundred twelve dollars; and~~

3       ~~(viii) For nonresident first professional students, twenty one~~  
4 ~~thousand twenty four dollars.~~

5       ~~(b) At the regional universities and The Evergreen State College:~~

6       ~~(i) For resident undergraduate and all other resident students not~~  
7 ~~in graduate programs, two thousand two hundred eleven dollars;~~

8       ~~(ii) For nonresident undergraduate and all other nonresident~~  
9 ~~students not in graduate programs, eight thousand six hundred forty six~~  
10 ~~dollars;~~

11       ~~(iii) For resident graduate students, three thousand seven hundred~~  
12 ~~twenty six dollars; and~~

13       ~~(iv) For nonresident graduate students, eleven thousand nine~~  
14 ~~hundred seventy six dollars.~~

15       ~~(c) At the community colleges:~~

16       ~~(i) For resident students, one thousand three hundred eleven~~  
17 ~~dollars; and~~

18       ~~(ii) For nonresident students, five thousand five hundred eighty~~  
19 ~~six dollars.~~

20       ~~(3)) Academic year tuition for full-time students at the state's~~  
21 ~~institutions of higher education beginning with the 1998-99 academic~~  
22 ~~year, other than the summer term, shall be as provided in this~~  
23 ~~subsection ((unless different rates are adopted in the omnibus~~  
24 ~~appropriations act)).~~

25       ~~(a) At the University of Washington and Washington State~~  
26 ~~University:~~

27       ~~(i) For resident undergraduate students and other resident students~~  
28 ~~not in graduate, law, or first professional programs, three thousand~~  
29 ~~one hundred eight dollars;~~

30       ~~(ii)(A) For nonresident undergraduate students and other~~  
31 ~~nonresident students at the University of Washington not in graduate,~~  
32 ~~law, or first professional programs, eleven thousand one hundred thirty~~  
33 ~~dollars;~~

34       ~~(B) For nonresident undergraduate students and other nonresident~~  
35 ~~students at Washington State University not in graduate or first~~  
36 ~~professional programs, ten thousand two hundred sixty-six dollars;~~

37       ~~(iii) For resident graduate students, five thousand forty-six~~  
38 ~~dollars;~~

1 (iv) For nonresident graduate students, thirteen thousand ninety-  
2 two dollars;

3 (v) For resident law students, five thousand three hundred seventy-  
4 six dollars;

5 (vi) For nonresident law students, thirteen thousand seven hundred  
6 eighty-two dollars;

7 (vii) For resident first professional students, eight thousand four  
8 hundred thirty-six dollars; and

9 (viii) For nonresident first professional students, twenty-one  
10 thousand eight hundred sixty-four dollars.

11 (b) At the regional universities and The Evergreen State College:

12 (i) For resident undergraduate and all other resident students not  
13 in graduate programs, two thousand two hundred ninety-eight dollars;

14 (ii) For nonresident undergraduate and all other nonresident  
15 students not in graduate programs, eight thousand nine hundred ninety-  
16 one dollars;

17 (iii) For resident graduate students, three thousand eight hundred  
18 seventy-six dollars; and

19 (iv) For nonresident graduate students, twelve thousand four  
20 hundred fifty-six dollars.

21 (c) At the community colleges:

22 (i) For resident students, one thousand three hundred sixty-two  
23 dollars; and

24 (ii) For nonresident students, five thousand eight hundred eight  
25 dollars.

26 ((+4)) (3) For the ((~~1997-98 and~~)) 1998-99 academic year((~~s~~)), the  
27 University of Washington shall use at least ten percent of the revenue  
28 received from the difference between a four percent increase in tuition  
29 fees and the actual increase charged to law students to assist needy  
30 low and middle-income resident law students. For the ((~~1997-98 and~~))  
31 1998-99 academic year((~~s~~)), the University of Washington shall use at  
32 least ten percent of the revenue received from the difference between  
33 a four percent increase in tuition fees and the actual increase charged  
34 to nonresident undergraduate students and all other nonresident  
35 students not in graduate, law, or first professional programs to assist  
36 needy low and middle-income resident undergraduate students and all  
37 other resident students not enrolled in graduate, law, or first  
38 professional programs. This requirement is in addition to the deposit  
39 requirements of the institutional aid fund under RCW 28B.15.820.

1       (4) For the 1999-2000 academic year and each academic year  
2 thereafter, the governing boards of the state universities, regional  
3 universities, The Evergreen State College, and the state board for  
4 community and technical colleges may reduce full-time operating fees  
5 from the levels for academic year 1998-99 or from levels for any year  
6 thereafter, may increase full-time operating fees no more than five  
7 percent per year for resident undergraduate students, and may increase  
8 full-time operating fees no more than twenty percent per academic year  
9 for all other students during the academic year and all categories of  
10 students during the summer term. However, with respect to full-time  
11 resident undergraduate students, in order to provide the means to  
12 progress significantly toward the goal of tuition rates approximating  
13 that of peer institutions, the governing board of the University of  
14 Washington may instead increase the previous quarter's operating fees  
15 for full-time, resident undergraduate students up to fifty dollars per  
16 quarter for each quarter of academic years 1999-2000 and 2000-01.

17       (5) The tuition fees established under this chapter shall not apply  
18 to high school students enrolling in participating institutions of  
19 higher education under RCW 28A.600.300 through 28A.600.395.

20       **Sec. 5.** RCW 28B.15.069 and 1997 c 403 s 2 are each amended to read  
21 as follows:

22       (1) As used in this section, each of the following subsections is  
23 a separate tuition category:

24       (a) Resident undergraduate students and all other resident students  
25 not in first professional, graduate, or law programs;

26       (b) Nonresident undergraduate students and all other nonresident  
27 students not in first professional graduate or law programs;

28       (c) Resident graduate students;

29       (d) Resident master's in business administration students;

30       (e) Nonresident master's in business administration students;

31       (f) Resident law students;

32       ~~((e))~~ (g) Nonresident graduate students;

33       ~~((f))~~ (h) Nonresident law students;

34       ~~((g))~~ (i) Resident first professional students; ((and

35 ~~(h))~~ (j) Nonresident first professional students;

36       (k) Resident medical students;

37       (l) Nonresident medical students;

38       (m) Resident dental students; and

1        (n) Nonresident dental students.

2        (2) Unless the context clearly requires otherwise, as used in this  
3 section "first professional programs" means programs leading to one of  
4 the following degrees: Doctor of medicine, doctor of dental surgery,  
5 or doctor of veterinary medicine.

6        (3) The building fee for each academic year shall be a percentage  
7 of ~~((total tuition fees))~~ the operating fee for each tuition category.  
8 This percentage shall be ~~((calculated by the higher education~~  
9 ~~coordinating board and be based on))~~ the actual percentage the building  
10 fee ~~((is))~~ was of ~~((total tuition))~~ the operating fee for each tuition  
11 category in the 1994-95 academic year, rounded ~~((up))~~ to the nearest  
12 half percent.

13        (4) The governing boards of each institution of higher education,  
14 except for the technical colleges, shall charge to and collect from  
15 each student a services and activities fee. A governing board may  
16 increase the existing fee annually, consistent with budgeting  
17 procedures set forth in RCW 28B.15.045, by a percentage not to exceed  
18 the annual percentage increase in student tuition fees for the  
19 applicable tuition category: PROVIDED, That such percentage increase  
20 shall not apply to that portion of the services and activities fee  
21 previously committed to the repayment of bonded debt. The services and  
22 activities fee committee provided for in RCW 28B.15.045 may initiate a  
23 request to the governing board for a fee increase.

24        (5) Tuition and services and activities fees consistent with  
25 subsection (4) of this section shall be set by the state board for  
26 community and technical colleges for community college summer school  
27 students unless the community college charges fees in accordance with  
28 RCW 28B.15.515.

29        (6) Subject to the limitations of RCW 28B.15.910, each governing  
30 board of a community college may charge such fees for ungraded courses,  
31 noncredit courses, community services courses, and self-supporting  
32 courses as it, in its discretion, may determine, consistent with the  
33 rules of the state board for community and technical colleges.

34        **Sec. 6.** RCW 28B.15.100 and 1998 c 75 s 1 are each amended to read  
35 as follows:

36        (1) The governing boards of the state universities, the regional  
37 universities, The Evergreen State College, and the community colleges  
38 shall charge to and collect from each of the students registering at

1 the particular institution for any quarter or semester such tuition  
2 fees and services and activities fees, and other fees as such board  
3 shall in its discretion determine. The total of all fees shall be  
4 rounded to the nearest whole dollar amount(~~(:—PROVIDED, That such~~  
5 ~~tuition fees for other than the summer term shall be in the amounts for~~  
6 ~~the respective institutions as otherwise set forth in RCW 28B.15.067))~~).

7 (2) Part-time students shall be charged tuition and services and  
8 activities fees proportionate to full-time student rates established  
9 for residents and nonresidents: PROVIDED, That students registered at  
10 the University of Washington for fewer than two credit hours shall be  
11 charged tuition and services and activities fees at the rate  
12 established for two credit hours: PROVIDED FURTHER, That, subject to  
13 the limitations of RCW 28B.15.910, residents of Idaho or Oregon who are  
14 enrolled in community college district number twenty for six or fewer  
15 credits during any quarter or semester may be exempted from payment of  
16 all or a portion of the nonresident tuition fees differential upon a  
17 declaration by the higher education coordinating board that it finds  
18 Washington residents from the community college district are afforded  
19 substantially equivalent treatment by such other states.

20 (3) Full-time students registered for more than eighteen credit  
21 hours shall be charged an additional operating fee for each credit hour  
22 in excess of eighteen hours at the applicable established per credit  
23 hour tuition fee rate for part-time students: PROVIDED, That, subject  
24 to the limitations of RCW 28B.15.910, the governing boards of the state  
25 universities and the community colleges may exempt all or a portion of  
26 the additional charge, for students who are registered exclusively in  
27 first professional programs in medicine, dental medicine, veterinary  
28 medicine, doctor of pharmacy, or law, or who are registered exclusively  
29 in required courses in vocational preparatory programs.

30 **Sec. 7.** RCW 28B.20.130 and 1998 c 245 s 16 are each amended to  
31 read as follows:

32 General powers and duties of the board of regents are as follows:

33 (1) To have full control of the university and its property of  
34 various kinds, except as otherwise provided by law.

35 (2) To employ the president of the university, his or her  
36 assistants, members of the faculty, and employees of the institution,  
37 who except as otherwise provided by law, shall hold their positions  
38 during the pleasure of said board of regents.



1 (3) Establish entrance requirements for students seeking admission  
2 to the university which meet or exceed the standards specified under  
3 RCW 28B.80.350(2). Completion of examinations satisfactory to the  
4 university may be a prerequisite for entrance by any applicant at the  
5 university's discretion. Evidence of completion of public high schools  
6 and other educational institutions whose courses of study meet the  
7 approval of the university may be acceptable for entrance.

8 (4) Establish such colleges, schools, or departments necessary to  
9 carry out the purpose of the university and not otherwise proscribed by  
10 law.

11 (5) With the assistance of the faculty of the university, prescribe  
12 the course of study in the various colleges, schools, and departments  
13 of the institution and publish the necessary catalogues thereof.

14 (6) Grant to students such certificates or degrees as recommended  
15 for such students by the faculty. The board, upon recommendation of  
16 the faculty, may also confer honorary degrees upon persons other than  
17 graduates of this university in recognition of their learning or  
18 devotion to literature, art, or science: PROVIDED, That no degree  
19 shall ever be conferred in consideration of the payment of money or the  
20 giving of property of whatsoever kind.

21 (7) Accept such gifts, grants, conveyances, bequests, and devises,  
22 whether real or personal property, or both, in trust or otherwise, for  
23 the use or benefit of the university, its colleges, schools,  
24 departments, or agencies; and sell, lease or exchange, invest or expend  
25 the same or the proceeds, rents, profits, and income thereof except as  
26 limited by the terms of said gifts, grants, conveyances, bequests, and  
27 devises. The board shall adopt proper rules to govern and protect the  
28 receipt and expenditure of the proceeds of all fees, and the proceeds,  
29 rents, profits, and income of all gifts, grants, conveyances, bequests,  
30 and devises (~~((above-mentioned))~~) in this subsection.

31 (8) Except as otherwise provided by law, to enter into such  
32 contracts as the regents deem essential to university purposes.

33 (9) To submit upon request such reports as will be helpful to the  
34 governor and to the legislature in providing for the institution.

35 (10) Subject to the approval of the higher education coordinating  
36 board pursuant to RCW 28B.80.340, offer new degree programs, offer off-  
37 campus programs, participate in consortia or centers, contract for off-  
38 campus educational programs, and purchase or lease major off-campus  
39 facilities.

1       (11) Establish operating fees tuition rates according to RCW  
2 28B.15.067 except as otherwise provided by state law.

3       (12) Establish salary and wage compensation levels for all  
4 employees of the university except as otherwise provided by state law  
5 or collective bargaining agreements.

6       **Sec. 8.** RCW 28B.30.150 and 1998 c 245 s 19 are each amended to  
7 read as follows:

8       The regents of Washington State University, in addition to other  
9 duties prescribed by law, shall:

10       (1) Have full control of the university and its property of various  
11 kinds, except as otherwise provided by law.

12       (2) Employ the president of the university, his or her assistants,  
13 members of the faculty, and employees of the university, who, except as  
14 otherwise provided by law, shall hold their positions during the  
15 pleasure of said board of regents.

16       (3) Establish entrance requirements for students seeking admission  
17 to the university which meet or exceed the standards specified under  
18 RCW 28B.80.350(2). Completion of examinations satisfactory to the  
19 university may be a prerequisite for entrance by any applicant, at the  
20 university's discretion. Evidence of completion of public high schools  
21 and other educational institutions whose courses of study meet the  
22 approval of the university may be acceptable for entrance.

23       (4) Establish such colleges, schools, or departments necessary to  
24 carry out the purpose of the university and not otherwise proscribed by  
25 law.

26       (5) Subject to the approval of the higher education coordinating  
27 board pursuant to RCW 28B.80.340, offer new degree programs, offer off-  
28 campus programs, participate in consortia or centers, contract for off-  
29 campus educational programs, and purchase or lease major off-campus  
30 facilities.

31       (6) With the assistance of the faculty of the university, prescribe  
32 the courses of instruction in the various colleges, schools, and  
33 departments of the institution and publish the necessary catalogues  
34 thereof.

35       (7) Collect such information as the board deems desirable as to the  
36 schemes of technical instruction adopted in other parts of the United  
37 States and foreign countries.

1 (8) Provide for holding agricultural institutes including farm  
2 marketing forums.

3 (9) Provide that instruction given in the university, as far as  
4 practicable, be conveyed by means of laboratory work and provide in  
5 connection with the university one or more physical, chemical, and  
6 biological laboratories, and suitably furnish and equip the same.

7 (10) Provide training in military tactics for those students  
8 electing to participate therein.

9 (11) Establish a department of elementary science and in connection  
10 therewith provide instruction in elementary mathematics, including  
11 elementary trigonometry, elementary mechanics, elementary and  
12 mechanical drawing, and land surveying.

13 (12) Establish a department of agriculture and in connection  
14 therewith provide instruction in physics with special application of  
15 its principles to agriculture, chemistry with special application of  
16 its principles to agriculture, morphology and physiology of plants with  
17 special reference to common grown crops and fungus enemies, morphology  
18 and physiology of the lower forms of animal life, with special  
19 reference to insect pests, morphology and physiology of the higher  
20 forms of animal life and in particular of the horse, cow, sheep, and  
21 swine, agriculture with special reference to the breeding and feeding  
22 of livestock and the best mode of cultivation of farm produce, and  
23 mining and metallurgy, appointing demonstrators in each of these  
24 subjects to superintend the equipment of a laboratory and to give  
25 practical instruction therein.

26 (13) Establish agricultural experiment stations in connection with  
27 the department of agriculture, including at least one in the western  
28 portion of the state, and appoint the officers and prescribe  
29 regulations for their management.

30 (14) Grant to students such certificates or degrees, as recommended  
31 for such students by the faculty.

32 (15) Confer honorary degrees upon persons other than graduates of  
33 the university in recognition of their learning or devotion to  
34 literature, art, or science when recommended thereto by the faculty:  
35 PROVIDED, That no degree shall ever be conferred in consideration of  
36 the payment of money or the giving of property of whatsoever kind.

37 (16) Adopt plans and specifications for university buildings and  
38 facilities or improvements thereto and employ skilled architects and  
39 engineers to prepare such plans and specifications and supervise the

1 construction of buildings or facilities which the board is authorized  
2 to erect, and fix the compensation for such services. The board shall  
3 enter into contracts with one or more contractors for such suitable  
4 buildings, facilities, or improvements as the available funds will  
5 warrant, upon the most advantageous terms offered at a public  
6 competitive letting, pursuant to public notice under rules established  
7 by the board. The board shall require of all persons with whom they  
8 contract for construction and improvements a good and sufficient bond  
9 for the faithful performance of the work and full protection against  
10 all liens.

11 (17) Except as otherwise provided by law, direct the disposition of  
12 all money appropriated to or belonging to the state university.

13 (18) Receive and expend the money appropriated under the act of  
14 congress approved May 8, 1914, entitled "An Act to provide for  
15 cooperative agricultural extension work between the agricultural  
16 colleges in the several States receiving the benefits of the Act of  
17 Congress approved July 2, 1862, and Acts supplemental thereto and the  
18 United States Department of Agriculture" and organize and conduct  
19 agricultural extension work in connection with the state university in  
20 accordance with the terms and conditions expressed in the acts of  
21 congress.

22 (19) Except as otherwise provided by law, to enter into such  
23 contracts as the regents deem essential to university purposes.

24 (20) Acquire by lease, gift, or otherwise, lands necessary to  
25 further the work of the university or for experimental or  
26 demonstrational purposes.

27 (21) Establish and maintain at least one agricultural experiment  
28 station in an irrigation district to conduct investigational work upon  
29 the principles and practices of irrigational agriculture including the  
30 utilization of water and its relation to soil types, crops, climatic  
31 conditions, ditch and drain construction, fertility investigations,  
32 plant disease, insect pests, marketing, farm management, utilization of  
33 fruit byproducts, and general development of agriculture under  
34 irrigation conditions.

35 (22) Supervise and control the agricultural experiment station at  
36 Puyallup.

37 (23) Establish and maintain at Wenatchee an agricultural experiment  
38 substation for the purpose of conducting investigational work upon the  
39 principles and practices of orchard culture, spraying, fertilization,

1 pollenization, new fruit varieties, fruit diseases and pests,  
2 byproducts, marketing, management, and general horticultural problems.

3 (24) Accept such gifts, grants, conveyances, devises, and bequests,  
4 whether real or personal property, in trust or otherwise, for the use  
5 or benefit of the university, its colleges, schools, or departments;  
6 and sell, lease or exchange, invest or expend the same or the proceeds,  
7 rents, profits, and income thereof except as limited by the terms of  
8 said gifts, grants, conveyances, bequests, and devises; and adopt  
9 proper rules to govern and protect the receipt and expenditure of the  
10 proceeds of all fees, and the proceeds, rents, profits, and income of  
11 all gifts, grants, conveyances, bequests, and devises.

12 (25) Construct when the board so determines a new foundry and a  
13 mining, physical, technological building, and fabrication shop at the  
14 university, or add to the present foundry and other buildings, in order  
15 that both instruction and research be expanded to include permanent  
16 molding and die casting with a section for new fabricating techniques,  
17 especially for light metals, including magnesium and aluminum; purchase  
18 equipment for the shops and laboratories in mechanical, electrical, and  
19 civil engineering; establish a pilot plant for the extraction of  
20 alumina from native clays and other possible light metal research;  
21 purchase equipment for a research laboratory for technological research  
22 generally; and purchase equipment for research in electronics,  
23 instrumentation, energy sources, plastics, food technology, mechanics  
24 of materials, hydraulics, and similar fields.

25 (26) Make and transmit to the governor and members of the  
26 legislature upon request such reports as will be helpful in providing  
27 for the institution.

28 (27) Establish operating fees tuition rates according to RCW  
29 28B.15.067 except as otherwise provided by state law.

30 (28) Establish salary and wage compensation levels for all  
31 employees of the university except as otherwise provided by state law  
32 or collective bargaining agreements.

33 **Sec. 9.** RCW 28B.35.120 and 1985 c 370 s 94 are each amended to  
34 read as follows:

35 In addition to any other powers and duties prescribed by law, each  
36 board of trustees of the respective regional universities:

37 (1) Shall have full control of the regional university and its  
38 property of various kinds, except as otherwise provided by law.

1 (2) Shall employ the president of the regional university, his  
2 assistants, members of the faculty, and other employees of the  
3 institution, who, except as otherwise provided by law, shall hold their  
4 positions, until discharged therefrom by the board for good and lawful  
5 reason.

6 (3) With the assistance of the faculty of the regional university,  
7 shall prescribe the course of study in the various schools and  
8 departments thereof and publish such catalogues thereof as the board  
9 deems necessary: PROVIDED, That the state board of education shall  
10 determine the requisites for and give program approval of all courses  
11 leading to teacher certification by such board.

12 (4) Establish such divisions, schools or departments necessary to  
13 carry out the purposes of the regional university and not otherwise  
14 proscribed by law.

15 (5) Except as otherwise provided by law, may establish and erect  
16 such new facilities as determined by the board to be necessary for the  
17 regional university.

18 (6) May acquire real and other property as provided in RCW  
19 28B.10.020, as now or hereafter amended.

20 (7) Except as otherwise provided by law, may purchase all supplies  
21 and purchase or lease equipment and other personal property needed for  
22 the operation or maintenance of the regional university.

23 (8) May establish, lease, operate, equip and maintain self-  
24 supporting facilities in the manner provided in RCW 28B.10.300 through  
25 28B.10.330, as now or hereafter amended.

26 (9) Except as otherwise provided by law, to enter into such  
27 contracts as the trustees deem essential to regional university  
28 purposes.

29 (10) May receive such gifts, grants, conveyances, devises and  
30 bequests of real or personal property from whatsoever source, as may be  
31 made from time to time, in trust or otherwise, whenever the terms and  
32 conditions thereof will aid in carrying out the regional university  
33 programs; sell, lease or exchange, invest or expend the same or the  
34 proceeds, rents, profits and income thereof except as limited by the  
35 terms and conditions thereof; and adopt regulations to govern the  
36 receipt and expenditure of the proceeds, rents, profits and income  
37 thereof.

38 (11) Subject to the approval of the higher education coordinating  
39 board pursuant to RCW 28B.80.340, offer new degree programs, offer off-

1 campus programs, participate in consortia or centers, contract for off-  
2 campus educational programs, and purchase or lease major off-campus  
3 facilities.

4 (12) May promulgate such rules and regulations, and perform all  
5 other acts not forbidden by law, as the board of trustees may in its  
6 discretion deem necessary or appropriate to the administration of the  
7 regional university.

8 (13) Establish operating fees tuition rates according to RCW  
9 28B.15.067 except as otherwise provided by state law.

10 (14) Establish salary and wage compensation levels for all  
11 employees of the university except as otherwise provided by state law  
12 or collective bargaining agreements.

13 **Sec. 10.** RCW 28B.40.120 and 1985 c 370 s 95 are each amended to  
14 read as follows:

15 In addition to any other powers and duties prescribed by law, the  
16 board of trustees of The Evergreen State College:

17 (1) Shall have full control of the state college and its property  
18 of various kinds, except as otherwise provided by law.

19 (2) Shall employ the president of the state college, his  
20 assistants, members of the faculty, and other employees of the  
21 institution, who, except as otherwise provided by law, shall hold their  
22 positions, until discharged therefrom by the board for good and lawful  
23 reason.

24 (3) With the assistance of the faculty of the state college, shall  
25 prescribe the course of study in the various schools and departments  
26 thereof and publish such catalogues thereof as the board deems  
27 necessary: PROVIDED, That the state board of education shall determine  
28 the requisites for and give program approval of all courses leading to  
29 teacher certification by such board.

30 (4) Establish such divisions, schools or departments necessary to  
31 carry out the purposes of the college and not otherwise proscribed by  
32 law.

33 (5) Except as otherwise provided by law, may establish and erect  
34 such new facilities as determined by the board to be necessary for the  
35 college.

36 (6) May acquire real and other property as provided in RCW  
37 28B.10.020, as now or hereafter amended.

1 (7) Except as otherwise provided by law, may purchase all supplies  
2 and purchase or lease equipment and other personal property needed for  
3 the operation or maintenance of the college.

4 (8) May establish, lease, operate, equip and maintain self-  
5 supporting facilities in the manner provided in RCW 28B.10.300 through  
6 28B.10.330, as now or hereafter amended.

7 (9) Except as otherwise provided by law, to enter into such  
8 contracts as the trustees deem essential to college purposes.

9 (10) May receive such gifts, grants, conveyances, devises and  
10 bequests of real or personal property from whatsoever source, as may be  
11 made from time to time, in trust or otherwise, whenever the terms and  
12 conditions thereof will aid in carrying out the college programs; sell,  
13 lease or exchange, invest or expend the same or the proceeds, rents,  
14 profits and income thereof except as limited by the terms and  
15 conditions thereof; and adopt regulations to govern the receipt and  
16 expenditure of the proceeds, rents, profits and income thereof.

17 (11) Subject to the approval of the higher education coordinating  
18 board pursuant to RCW 28B.80.340, offer new degree programs, offer off-  
19 campus programs, participate in consortia or centers, contract for off-  
20 campus educational programs, and purchase or lease major off-campus  
21 facilities.

22 (12) May promulgate such rules and regulations, and perform all  
23 other acts not forbidden by law, as the board of trustees may in its  
24 discretion deem necessary or appropriate to the administration of the  
25 college.

26 (13) Establish operating fees tuition rates according to RCW  
27 28B.15.067 except as otherwise provided by state law.

28 (14) Establish salary and wage compensation levels for all  
29 employees of the college except as otherwise provided by state law or  
30 collective bargaining agreements.

31 **Sec. 11.** RCW 28B.50.090 and 1991 c 238 s 33 are each amended to  
32 read as follows:

33 The college board shall have general supervision and control over  
34 the state system of community and technical colleges. In addition to  
35 the other powers and duties imposed upon the college board by this  
36 chapter, the college board shall be charged with the following powers,  
37 duties and responsibilities:



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

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

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

11 (a) That each college district shall offer thoroughly comprehensive  
12 educational, training and service programs to meet the needs of both  
13 the communities and students served by combining high standards of  
14 excellence in academic transfer courses; realistic and practical  
15 courses in occupational education, both graded and ungraded; and  
16 community services of an educational, cultural, and recreational  
17 nature; and adult education, including basic skills and general,  
18 family, and work force literacy programs and services. However,  
19 technical colleges, and college districts containing only technical  
20 colleges, shall maintain programs solely for occupational education,  
21 basic skills, and literacy purposes. For as long as a need exists,  
22 technical colleges may continue those programs, activities, and  
23 services they offered during the twelve-month period preceding May 17,  
24 1991;

25 (b) That each college district shall maintain an open-door policy,  
26 to the end that no student will be denied admission because of the  
27 location of the student's residence or because of the student's  
28 educational background or ability; that, insofar as is practical in the  
29 judgment of the college board, curriculum offerings will be provided to  
30 meet the educational and training needs of the community generally and  
31 the students thereof; and that all students, regardless of their  
32 differing courses of study, will be considered, known and recognized  
33 equally as members of the student body: PROVIDED, That the  
34 administrative officers of a community or technical college may deny  
35 admission to a prospective student or attendance to an enrolled student  
36 if, in their judgment, the student would not be competent to profit  
37 from the curriculum offerings of the college, or would, by his or her  
38 presence or conduct, create a disruptive atmosphere within the college  
39 not consistent with the purposes of the institution. This subsection

1 (b) shall not apply to competency, conduct, or presence associated with  
2 a disability in a person twenty-one years of age or younger attending  
3 a technical college;

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

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

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

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

18 (a) Qualifications and credentials of instructional and key  
19 administrative personnel, except as otherwise provided in the state  
20 plan for vocational education,

21 (b) Internal budgeting, accounting, auditing, and financial  
22 procedures as necessary to supplement the general requirements  
23 prescribed pursuant to chapter 43.88 RCW,

24 (c) The content of the curriculums and other educational and  
25 training programs, and the requirement for degrees and certificates  
26 awarded by the colleges,

27 (d) Standard admission policies,

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

29 (8) Establish and administer criteria and procedures for all  
30 capital construction including the establishment, installation, and  
31 expansion of facilities within the various college districts;

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

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

37 (11) Authorize the various community and technical colleges to  
38 offer programs and courses in other districts when it determines that

1 such action is consistent with the purposes set forth in RCW 28B.50.020  
2 as now or hereafter amended;

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

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

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

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

36 (16) Provide general supervision over the state's technical  
37 colleges. The president of each technical college shall report  
38 directly to the director of the state board for community and technical  
39 colleges, or the director's designee, until local control is assumed by

1 a new or existing board of trustees as appropriate, except that a  
2 college president shall have authority over program decisions of his or  
3 her college until the establishment of a board of trustees for that  
4 college. The directors of the vocational-technical institutes on March  
5 1, 1991, shall be designated as the presidents of the new technical  
6 colleges;

7 (17) Establish operating fees tuition rates for community college  
8 students according to RCW 28B.15.067 except as otherwise provided by  
9 state law;

10 (18) Establish salary and wage compensation levels for all  
11 employees of the community and technical college system except as  
12 otherwise provided by state law or collective bargaining agreements.

13 NEW SECTION. Sec. 12. RCW 28B.15.110 and 1977 ex.s. c 126 s 1 are  
14 each repealed.

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