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HOUSE BILL 1841

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State of Washington

61st Legislature

2009 Regular Session

By Representatives White, Warnick, Wallace, Angel, Sells, Hasegawa, Hinkle, Goodman, Lias, Ormsby, Anderson, Haigh, Sullivan, Haler, Priest, Morris, Kenney, Schmick, Hudgins, and Conway

Read first time 01/30/09. Referred to Committee on Higher Education.

1 AN ACT Relating to the modification of the governing boards of  
2 state colleges and universities; amending RCW 28B.20.100, 28B.30.100,  
3 28B.35.100, and 28B.40.100; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) College and university faculty members are specialists with  
7 extensive experience in teaching and learning assessment, as well as  
8 expertise in specialized fields that directly benefit their  
9 institutions and the people of the state;

10 (2) College and university faculty members are innovators who  
11 conduct research to discover new technologies and produce knowledge,  
12 design courses and curricula, assess student development, train  
13 teachers, supervise student research, and pursue grants and funding for  
14 programs and projects that drive the economy and civic life of our  
15 state; their efforts can affect the health, economy, and social well-  
16 being of its citizens and communities, and assist in the production of  
17 cultural and artistic achievements that benefit citizens throughout the  
18 state;

1 (3) College and university faculty members participate in the  
2 fundamental missions of their institutions by designing and monitoring  
3 programs, including standards, curricula, and degree requirements, at  
4 the level of department school/college, and for the college or  
5 university as a whole;

6 (4) The boards of regents and trustees of Washington's universities  
7 and colleges are charged with the establishment of their admission and  
8 degree requirements to schools, colleges, and departments, and are  
9 responsible for assessing the outcomes and budgeting of state funds;

10 (5) Faculty can provide valuable insights into the fundamental  
11 missions of the colleges and universities that will encourage and  
12 support innovative thinking, bring an important, long-range perspective  
13 to board deliberations, and contribute a wealth of experience in  
14 assessment of viable educational practices;

15 (6) Faculty, like all member of boards of regents or trustees,  
16 represent the citizens of the state and not specific constituencies;  
17 and

18 (7) RCW 28B.10.520 stipulates that "each member of a board of  
19 regents or board of trustees of a university or other state institution  
20 of higher education, before entering upon his duties, shall take and  
21 subscribe an oath to discharge faithfully and honestly his duties and  
22 to perform strictly and impartially the same to the best of his  
23 ability, such oath to be filed with the secretary of state." This oath  
24 is further defined by the ethics in public service act chapter 42.52  
25 RCW and individual boards' policies for avoiding conflict of interest  
26 in decision making.

27 **Sec. 2.** RCW 28B.20.100 and 2006 c 78 s 1 are each amended to read  
28 as follows:

29 (1) The governance of the University of Washington shall be vested  
30 in a board of regents to consist of (~~ten~~) eleven members, one of whom  
31 shall be a student and, beginning with the first appointment after the  
32 effective date of this section, one of whom shall be a full-time or  
33 emeritus member of the faculty of the university at the time of  
34 appointment. The governor shall select the student member from a list  
35 of candidates, of at least three and not more than five, submitted by  
36 the governing body of the associated students. (~~They~~) The governor  
37 shall select the faculty member from a list of five candidates

1 submitted by the governing body of the university faculty. Board  
2 members shall be appointed by the governor with the consent of the  
3 senate, and, except for the student member, shall hold their offices  
4 for a term of six years from the first day of October and until their  
5 successors shall be appointed and qualified. The student member shall  
6 hold his or her office for a term of one year from the first day of  
7 July until the first day of July of the following year or until his or  
8 her successor is appointed and qualified, whichever is later. The  
9 student member shall be a full-time student in good standing at the  
10 university at the time of appointment.

11 (2) Six members of said board shall constitute a quorum for the  
12 transaction of business. In the case of a vacancy, or when an  
13 appointment is made after the date of the expiration of a term, the  
14 governor shall fill the vacancy for the remainder of the term of the  
15 regent whose office has become vacant or expired.

16 (3) Except for the term of the student member, no more than the  
17 terms of two members will expire simultaneously on the last day of  
18 September in any one year.

19 (4) A student appointed under this section shall excuse himself or  
20 herself from participation or voting on matters relating to the hiring,  
21 discipline, or tenure of faculty members and personnel.

22 (5) The faculty member appointed under this section shall excuse  
23 himself or herself from decisions affecting faculty compensation,  
24 including union contracts.

25 **Sec. 3.** RCW 28B.30.100 and 2006 c 78 s 2 are each amended to read  
26 as follows:

27 (1) The governance of Washington State University shall be vested  
28 in a board of regents to consist of ((~~ten~~)) eleven members one of whom  
29 shall be a student and, beginning with the first appointment after the  
30 effective date of this section, one of whom shall be a full-time or  
31 emeritus member of the faculty of the university at the time of  
32 appointment. The governor shall select the student member from a list  
33 of candidates, of at least three and not more than five, submitted by  
34 the governing body of the associated students. ((~~They~~)) The governor  
35 shall select the faculty member from a list of five candidates  
36 submitted by the governing body of the university faculty. Board  
37 members shall be appointed by the governor, by and with the consent of

1 the senate and, except for the student member, shall hold their offices  
2 for a term of six years from the first day of October and until their  
3 successors are appointed and qualified. The student member shall hold  
4 his or her office for a term of one year from the first day of July  
5 until the first day of July of the following year or until his or her  
6 successor is appointed and qualified, whichever is later. The student  
7 member shall be a full-time student in good standing at the university  
8 at the time of appointment.

9 (2) Six members of said board shall constitute a quorum for the  
10 transaction of business. In the case of a vacancy or when an  
11 appointment is made after the date of the expiration of a term, the  
12 governor shall fill the vacancy for the remainder of the term of the  
13 regent whose office has become vacant or expired.

14 (3) Except for the term of the student member, no more than the  
15 terms of two members will expire simultaneously on the last day of  
16 September in any one year.

17 (4) Each regent shall, before entering upon the discharge of his  
18 respective duties as such, execute a good and sufficient bond to the  
19 state of Washington, with two or more sufficient sureties, residents of  
20 the state, or with a surety company licensed to do business within the  
21 state, in the penal sum of not less than five thousand dollars,  
22 conditioned for the faithful performance of his duties as such regent:  
23 PROVIDED, That the university shall pay any fees incurred for any such  
24 bonds for their board members.

25 (5) A student appointed under this section shall excuse himself or  
26 herself from participation or voting on matters relating to the hiring,  
27 discipline, or tenure of faculty members and personnel.

28 (6) The faculty member appointed under this section shall excuse  
29 himself or herself from decisions affecting faculty compensation,  
30 including union contracts.

31 **Sec. 4.** RCW 28B.35.100 and 2006 c 78 s 3 are each amended to read  
32 as follows:

33 (1) The governance of each of the regional universities shall be  
34 vested in a board of trustees consisting of (~~eight~~) nine members, one  
35 of whom shall be a student and, beginning with the first appointment  
36 after the effective date of this section, one of whom shall be a full-  
37 time or emeritus member of the faculty of the respective university at

1 the time of appointment. The governor shall select the student member  
2 from a list of candidates, of at least three and not more than five,  
3 submitted by the governing body of the associated students. ((They))  
4 The governor shall select the faculty member from a list of five  
5 candidates submitted by the governing body of the university faculty.  
6 Board members shall be appointed by the governor with the consent of  
7 the senate and, except for the student member, shall hold their offices  
8 for a term of six years from the first day of October and until their  
9 successors are appointed and qualified. The student member shall hold  
10 his or her office for a term of one year from the first day of July and  
11 until the first day of July of the following year or until his or her  
12 successor is appointed and qualified, whichever is later. The student  
13 member shall be a full-time student in good standing at the respective  
14 university at the time of appointment.

15 (2) Five members of the board constitute a quorum for the  
16 transaction of business. In case of a vacancy, or when an appointment  
17 is made after the date of expiration of the term, the governor shall  
18 fill the vacancy for the remainder of the term of the trustee whose  
19 office has become vacant or expired.

20 (3) Except for the term of the student member, no more than the  
21 terms of two members will expire simultaneously on the last day of  
22 September in any one year.

23 (4) A student appointed under this section shall excuse himself or  
24 herself from participation or voting on matters relating to the hiring,  
25 discipline, or tenure of faculty members and personnel.

26 (5) The faculty member appointed under this section shall excuse  
27 himself or herself from decisions affecting faculty compensation,  
28 including union contracts.

29 **Sec. 5.** RCW 28B.40.100 and 2006 c 78 s 4 are each amended to read  
30 as follows:

31 (1) The governance of The Evergreen State College shall be vested  
32 in a board of trustees consisting of ((eight)) nine members, one of  
33 whom shall be a student and, beginning with the first appointment after  
34 the effective date of this section, one of whom shall be a full-time or  
35 emeritus member of the faculty of the college at the time of  
36 appointment. The governor shall select the student member from a list  
37 of candidates, of at least three and not more than five, submitted by

1 the student body. ((They)) The governor shall select the faculty  
2 member from a list of five candidates submitted by the college faculty.  
3 Board members shall be appointed by the governor with the consent of  
4 the senate and, except for the student member, shall hold their offices  
5 for a term of six years from the first day of October and until their  
6 successors are appointed and qualified. The student member shall hold  
7 his or her office for a term of one year from the first day of July and  
8 until the first day of July of the following year or until his or her  
9 successor is appointed and qualified, whichever is later. The student  
10 member shall be a full-time student in good standing at the college at  
11 the time of appointment.

12 (2) Five members of the board constitute a quorum for the  
13 transaction of business. In case of a vacancy, or when an appointment  
14 is made after the date of expiration of the term, the governor shall  
15 fill the vacancy for the remainder of the term of the trustee whose  
16 office has become vacant or expired.

17 (3) Except for the term of the student member, no more than the  
18 terms of two members will expire simultaneously on the last day of  
19 September in any one year.

20 (4) A student appointed under this section shall excuse himself or  
21 herself from participation or voting on matters relating to the hiring,  
22 discipline, or tenure of faculty members and personnel.

23 (5) The faculty member appointed under this section shall excuse  
24 himself or herself from decisions affecting faculty compensation,  
25 including union contracts.

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