
SENATE BILL 6339

State of Washington

62nd Legislature

2012 Regular Session

By Senators Tom, Hill, Litzow, Hobbs, McAuliffe, and Frockt

Read first time 01/18/12. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to designating courses that use open course library
2 materials in course catalogues and bulletins; and amending RCW
3 28B.50.140.

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

5 **Sec. 1.** RCW 28B.50.140 and 2010 c 51 s 4 are each amended to read
6 as follows:

7 Each board of trustees:

8 (1) Shall operate all existing community and technical colleges in
9 its district;

10 (2) Shall create comprehensive programs of community and technical
11 college education and training and maintain an open-door policy in
12 accordance with the provisions of RCW 28B.50.090(3);

13 (3) Shall employ for a period to be fixed by the board a college
14 president for each community and technical college and, may appoint a
15 president for the district, and fix their duties and compensation,
16 which may include elements other than salary. Compensation under this
17 subsection shall not affect but may supplement retirement, health care,
18 and other benefits that are otherwise applicable to the presidents as
19 state employees. The board shall also employ for a period to be fixed

1 by the board members of the faculty and such other administrative
2 officers and other employees as may be necessary or appropriate and fix
3 their salaries and duties. Compensation and salary increases under
4 this subsection shall not exceed the amount or percentage established
5 for those purposes in the state appropriations act by the legislature
6 as allocated to the board of trustees by the state board for community
7 and technical colleges. The state board for community and technical
8 colleges shall adopt rules defining the permissible elements of
9 compensation under this subsection;

10 (4) May establish, under the approval and direction of the college
11 board, new facilities as community needs and interests demand.
12 However, the authority of boards of trustees to purchase or lease major
13 off-campus facilities shall be subject to the approval of the higher
14 education coordinating board pursuant to RCW 28B.76.230;

15 (5) May establish or lease, operate, equip and maintain
16 dormitories, food service facilities, bookstores and other self-
17 supporting facilities connected with the operation of the community and
18 technical college;

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

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

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

1 (b) Employ necessary employees to govern, manage and operate the
2 same;

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

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

18 (10) May make rules for pedestrian and vehicular traffic on
19 property owned, operated, or maintained by the district;

20 (11) Shall prescribe, with the assistance of the faculty, the
21 course of study in the various departments of the community and
22 technical college or colleges under its control, and publish such
23 catalogues and bulletins as may become necessary designating in the
24 catalogues and bulletins if a course uses open course library
25 materials;

26 (12) May grant to every student, upon graduation or completion of
27 a course of study, a suitable diploma, degree, or certificate under the
28 rules of the state board for community and technical colleges that are
29 appropriate to their mission. The purposes of these diplomas,
30 certificates, and degrees are to lead individuals directly to
31 employment in a specific occupation or prepare individuals for a
32 bachelor's degree or beyond. Technical colleges may only offer
33 transfer degrees that prepare students for bachelor's degrees in
34 professional fields, subject to rules adopted by the college board. In
35 adopting rules, the college board, where possible, shall create
36 consistency between community and technical colleges and may address
37 issues related to tuition and fee rates; tuition waivers; enrollment
38 counting, including the use of credits instead of clock hours; degree

1 granting authority; or any other rules necessary to offer the associate
2 degrees that prepare students for transfer to bachelor's degrees in
3 professional areas. Only (~~pilot~~) colleges under RCW 28B.50.810 may
4 award baccalaureate degrees. The board, upon recommendation of the
5 faculty, may also confer honorary associate of arts degrees upon
6 persons other than graduates of the community college, in recognition
7 of their learning or devotion to education, literature, art, or
8 science. No degree may be conferred in consideration of the payment of
9 money or the donation of any kind of property;

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

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

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

28 (16) Notwithstanding any other provision of law, may offer
29 educational services on a contractual basis other than the tuition and
30 fee basis set forth in chapter 28B.15 RCW for a special fee to private
31 or governmental entities, consistent with rules adopted by the state
32 board for community and technical colleges: PROVIDED, That the whole
33 of such special fee shall go to the college district and be not less
34 than the full instructional costs of such services including any salary
35 increases authorized by the legislature for community and technical
36 college employees during the term of the agreement: PROVIDED FURTHER,
37 That enrollments generated hereunder shall not be counted toward the

1 official enrollment level of the college district for state funding
2 purposes;

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

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

23 (19) May participate in higher education centers and consortia that
24 involve any four-year public or independent college or university:
25 PROVIDED, That new degree programs or off-campus programs offered by a
26 four-year public or independent college or university in collaboration
27 with a community or technical college are subject to approval by the
28 higher education coordinating board under RCW 28B.76.230;

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

31 (21) May confer honorary associate of arts degrees upon persons who
32 request an honorary degree if they were students at the college in 1942
33 and did not graduate because they were ordered into an internment camp.
34 The honorary degree may also be requested by a representative of
35 deceased persons who meet these requirements. For the purposes of this
36 subsection, "internment camp" means a relocation center to which

1 persons were ordered evacuated by Presidential Executive Order 9066,
2 signed on February 19, 1942.

--- END ---