

**RCW 28B.77.900 Transfer of powers, duties, and functions—2012 c 229.** (1) All powers, duties, and functions of the higher education coordinating board are transferred to the student achievement council. All references to the executive director or the higher education coordinating board in the Revised Code of Washington shall be construed to mean the executive director or the student achievement council when referring to the functions transferred in this section.

(2) (a) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the higher education coordinating board pertaining to the powers, functions, and duties transferred shall be delivered to the custody of the student achievement council. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the higher education coordinating board in carrying out the powers, functions, and duties transferred shall be made available to the student achievement council. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred shall be assigned to the student achievement council.

(b) Any appropriations made to the higher education coordinating board for carrying out the powers, functions, and duties transferred shall, on June 7, 2012, be transferred and credited to the student achievement council.

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

(3) All employees of the higher education coordinating board necessary to the assigned functions of the student achievement council are transferred to the jurisdiction of the student achievement council subject to review by the executive director of the student achievement council. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the student achievement council to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

(4) All rules and all pending business before the higher education coordinating board pertaining to the powers, functions, and duties transferred shall be continued and acted upon by the student achievement council. All existing contracts and obligations shall remain in full force and shall be performed by the student achievement council.

(5) The transfer of the powers, duties, and functions of the higher education coordinating board shall not affect the validity of any act performed before June 7, 2012.

(6) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(7) All classified employees of the higher education coordinating board assigned to the student achievement council under this section

whose positions are within an existing bargaining unit description at the student achievement council shall become a part of the existing bargaining unit at the student achievement council and shall be considered an appropriate inclusion or modification of the existing bargaining unit under the provisions of chapter 41.80 RCW. [2012 c 229 § 121.]