

HOUSE BILL REPORT

HB 1039

*As Reported By House Committee on:
Higher Education*

Title: An act relating to work force training and education.

Brief Description: Creating a work force training and education coordinating board, and combining community and vocational-technical schools under one agency.

Sponsor(s): Representatives Ebersole, Forner, Dorn, R. Meyers, Basich, Wineberry, Zellinsky, H. Myers, Peery, Wang, Sprenkle, Rayburn, Ludwig, Haugen, Rust, Pruitt, Jacobsen, Valle, Morris and Rasmussen; by request of Governor Gardner.

Brief History:

Reported by House Committee on:
Higher Education, February 6, 1991, DPS.

**HOUSE COMMITTEE ON
HIGHER EDUCATION**

Majority Report: *That Substitute House Bill No. 1039 be substituted therefor, and the substitute bill do pass.* Signed by 11 members: Representatives Jacobsen, Chair; Ogden, Vice Chair; Wood, Ranking Minority Member; May, Assistant Ranking Minority Member; Basich; Dellwo; Fraser; Ludwig; Prince; Sheldon; and Spanel.

Minority Report: *Do not pass.* Signed by 2 members: Representatives Miller and Van Luven.

Staff: Susan Hosch (786-7120).

Background: Prior to 1967, community colleges were part of the common school system. In 1967, the Legislature combined 26 junior colleges and vocational-technical institutes into the community college system. The Olympia Vocational-Technical Institute joined the community college system in 1971.

Five vocational-technical institutes in the Puget Sound area remained within the common school system. The overwhelming majority of full-time equivalent (FTE) students attending these institutes are adults. Since 1967, a number of regional vocational skill centers have been constructed by

the common school system. These skill centers serve high school age students.

During the early 1970's, legislation was regularly introduced to reunite the two adult educational systems. When proposed legislation required the vocational technical institutes to join the community college system, the Superintendent of Public Instruction would counter by requesting that the community college system be dissolved and that each college return to the governance of its local school board, and vice versa.

In 1975, the Legislature tried to end these battles by creating the Commission on Vocational Education. The commission was charged with a number of duties, including adjudicating disputes between the two systems. The commission was scheduled for a sunset review in 1985.

In its sunset audit, the Legislative Budget Committee (LBC) recommended the commission or its successor have the responsibility for reporting consistent and reliable data on vocational students and programs to the Legislature. The LBC also recommended that the Legislature choose from a range of organizational and governance options to replace the commission. The LBC recommended that any successor organization have responsibility for compliance audits, reviewing and approving new programs, developing an enrollment and cost database, and adjudicating disputes.

The Legislature was unable to agree on legislation to either continue the existence of the commission or to create a successor agency. Therefore, the commission's authority to operate expired on June 30, 1986.

Through an executive order, the governor then created the State Board for Vocational Education to continue performing some of the commission's duties. During the 1990 legislative session, the State Board for Vocational Education was created in statute. The board's authority to exist terminates on July 1, 1992.

The 1990 session of the Legislature also approved legislation directing the Office of Financial Management (OFM) to administer a study of the state's training and retraining system. In the bill, the governor was asked to appoint members to the Advisory Council on Investment in Human Capital. The advisory council's primary mission: to make recommendations on changes necessary to improve state policies for workforce education and training. Due to legislative concern about the fragmentation of the training system, the advisory council was asked to recommend one agency to govern all postsecondary vocational education and

the first two years of higher education not under the jurisdiction of a four-year college or university.

The advisory council's recommendations covered nine major areas. These included creating a coordinating structure for vocational training, improving accountability, consolidating governance of programs for the adult workforce, and expanding apprenticeship programs. The council also recommended enhancing the following: literacy and basic skills programs, K-12 workforce programs, access to and funding for training programs, and efforts to recruit and train workers from diverse ethnic and cultural backgrounds.

Summary of Substitute Bill:

WORKFORCE TRAINING AND EDUCATION COORDINATING BOARD

The Workforce Training and Education Coordinating Board is created as the successor agency to the State Board for Vocational Education. The new board will have ten voting members. Six members, three each from business and labor, will be selected by the governor. The Superintendent of Public Instruction, the Executive Director of the State Board for Community College Education, and the Commissioner of the Department of Employment Security will be ex-officio voting members. The governor will select a chair of the board. In selecting the chair, the governor will seek to appoint a person who understands both the economic needs of the State and nation and the role that the training system has in meeting those needs. The chair will select one nonvoting member to represent minorities, women, and people with disabilities.

The director of the board will be selected by, and serve at the pleasure of, the board. The director will use staff of existing operating agencies to the fullest extent possible.

The duties of the board are described. With the exception of duties related to apprenticeship programs, the board will continue to administer programs that are currently administered by the State Board for Vocational Education. In addition, the board will establish and maintain an inventory of training programs, and will develop and maintain a comprehensive plan. The board will recommend operating and capital budget requests for the operating agencies of the training system. The board will also recommend core and basic skill competencies.

The board will provide system coordination, and will establish standards for data collection and program evaluation. The board will develop a data base on enrollments, costs, program activities, and job placements

from publicly funded vocational education programs. The board will also periodically assess the progress of women and minorities, and will evaluate the training system every two years. In addition, the board will provide for the development of common course description formats, facilitate transfer of credit policies and agreements, and facilitate the adoption and placement of a number of programs and services.

The State Board for Community and Technical Colleges, the Superintendent of Public Instruction, and the Commissioner of the Department of Employment Security will cooperate with the board, and will provide the board with information and data in an accessible format.

On October 1, 1991, classified staff from the State Board for Vocational Education are transferred to the Workforce Training and Education Coordinating Board. Exempt employees are not transferred.

COUNCILS CREATED

Three councils are statutorily created. These include the Washington State Job Training Coordinating Council, the Washington State Council on Vocational Education, and the Washington Advisory Council on Adult Education. The first two councils are required for receipt of federal program funds. Those two councils will each continue for only so long as a council is required as a condition for receipt of federal funds.

Existing members of the coordinating council and the state council will continue to serve until the governor appoints new members on July 1, 1991. Members of the advisory council will also be appointed by the governor. The types of members to be appointed, and the duties of each council, are described in the legislation. The Legislative Budget Committee will monitor the need for each of the three councils and will propose legislation to terminate any council that is no longer needed.

TECHNICAL COLLEGES

The State Board for Community College Education is replaced by the State Board for Community and Technical Colleges. The college board will consist of nine members selected by the governor. These members may represent the interests of labor, business, women, and minorities. The members of the college board will no longer be chosen from each congressional district. Existing members of the college board will continue to serve until their terms expire.

However, the governor will appoint the ninth member by July 1, 1991.

The five vocational-technical institutes currently under the jurisdiction of the common school system are renamed technical colleges and are transferred to the State Board for Community and Technical Colleges. Until June 30, 1996, the technical colleges will be administered by a division of technical colleges within the office of the college board. The division will report directly to the director or the deputy director of the college board.

The governor will appoint a five member board of trustees for each technical college. District boundaries, service areas, and transitional issues will be determined by a taskforce appointed by the governor. Issues remaining in dispute on December 1, 1991, will be settled by the governor or the governor's designee.

The presidents of the technical colleges will report to the director of the State Board for Community and Technical Colleges or to the director's designee until local control is assumed by a governing board.

The technical colleges will maintain programs solely for occupational education, basic skills and literacy. Under rules adopted by the college board, the technical colleges may grant nonbaccalaureate technical degrees, certificates or diplomas for occupational courses of study.

School districts that send students to the vocational-technical institutes may continue to send students to the technical colleges. School districts will continue to redeem general obligation bonds used for the construction of the technical colleges.

All personnel from the institutes are transferred to the new system. Technical college faculty will become subject to the tenure, benefit, and collective bargaining laws governing community college faculty. Members of the various retirement systems may continue to participate in those systems, under rules of the college board. Instead of coming under the jurisdiction of the higher personnel system with classified staff from the community colleges, classified staff of the technical colleges will remain under the state personnel system.

For up to two years, the technical colleges will continue to keep tuition and fees. The college board will determine whether tuition statutes and rules apply to the technical colleges.

Community and technical colleges will provide instruction for apprentices. College districts and local school districts offering vocational education will create local advisory committees composed of labor and business members. The duties of the advisory committees are described.

ADULT EDUCATION

All adult education functions of the State Board of Education and the Superintendent of Public Instruction are transferred to the State Board for Community and Technical Colleges. All personnel performing those functions are transferred with the functions.

The State Office of Adult Basic Skills and Literacy Education is established within the college board. Personnel in the state office will administer programs for basic skills and literacy.

SEATTLE VOCATIONAL INSTITUTE

Statutes pertaining to the Washington Institute of Applied Technology are repealed. The institute is renamed the Seattle Vocational Institute. The personnel, powers, duties, and functions of the institute are transferred to the Seattle Vocational Institute. The institute will be governed by a nine member board appointed by the governor. Three members of the board will represent business, three will represent labor, and three will represent community based organizations.

The mission of the institute is clarified. The institute will serve economically disadvantaged populations in the urban areas served by the Seattle Community College District. Funding for the institute will be provided in a separate budget allocation to the institute.

In cooperation with the state board, the institute will conduct a survey of facilities and equipment needed by the Institute. By December 1, 1991, the institute will present its findings to the State Board for Community and Technical Colleges. The state board will include the survey in its supplemental budget request. The Legislature is directed to consider a supplemental budget appropriation based on the survey.

For up to two years, the institute may continue to keep tuition and fees. In addition, the institute may provide waivers and scholarships for students at the institute. The institute is not permitted to hire instructional staff or faculty. Other staff hired for the first two years are

exempt from statutes pertaining to civil service, state benefits, tenure, and collective bargaining.

MODEL CURRICULUM DEVELOPED

With the assistance of the Workforce Training and Education Coordinating Board, the Superintendent of Public Instruction is directed to develop and distribute model curriculum integrating vocational and academic education at the secondary level.

EFFECTIVE DATES

With the following exceptions, the legislation takes effect on July 1, 1991. The transfer of staff and property from the Office of the Superintendent of Public Instruction and from the school districts takes effect immediately. The transfer of staff, property, and duties from the State Board for Vocational Education to the Coordinating Board takes effect on October 1, 1991. At that time statutes pertaining to that board are repealed. Statutes pertaining to the Washington Institute of Applied Technology are repealed on July 1, 1991, when the Seattle Vocational Institute is created.

Substitute Bill Compared to Original Bill:

Workforce Training and Education Coordinating Board.

The board will consist of ten members, including a chair appointed by, and serving at the pleasure of, the governor. In selecting the chair, the governor will seek a person who understands the state's economic and training needs. The director of the board will be appointed by, and serve at the pleasure of, the board. The director will not be the chair of the board. Subject to board approval, the director will select exempt employees. The board will develop a data base, and, with the exception of apprenticeship programs, will administer programs that are currently the responsibility of the State Board for Vocational Education (SBVE).

The agencies with board membership will cooperate with the board and will provide information and data in accessible formats. Duties and personnel of SBVE transfer to the board on October 1, 1991. In addition, definitions for adult basic education, work force skills and vocational education are clarified.

Councils

Two of the three councils created will continue for only so long as a council is required for receipt of federal funds. The Legislative Budget Committee (LBC) will monitor need for each of the three councils, and will recommend legislation if the councils are no longer needed. In making new appointments to the Washington State Job Training Coordinating Council, the governor will appoint as voting members one person representing administrators of service delivery areas and one person representing private industry councils.

Technical Colleges

The technical colleges will be administered by a Division of Technical Colleges within the office of the college board. The division will report directly to the director or the deputy director of the college board.

The governor will appoint a separate board for each technical college. The technical colleges may offer nonbaccalaureate degrees, diplomas or certificates, under rules of the college board. In addition, language regarding retirement options of personnel from the technical colleges is clarified.

Each college district or school district offering vocational programs will convene advisory committees comprised of labor and business members. The duties of the advisory committees are described.

Adult Education

The Even Start program and the GED testing service are transferred from SPI to the college board. Adult education functions and staff will transfer agencies by July 1, 1991.

Seattle Vocational Institute

The Seattle Vocational Institute is not transferred to the jurisdiction of the Seattle community colleges. Instead, the institute will have a nine member governing board appointed by the governor. Language clarifying the transfer of staff is included.

Fiscal Note: Requested February 7, 1991.

Effective Date: This bill shall take effect July 1, 1991, except for sections 118 through 135 of this act which shall take effect immediately.

Testimony For: The state's training system is fragmented, uncoordinated, and not always responsive to the changing

needs of business and labor. Changes in demographics, and in the economic and social needs of the State require the reform and restructuring of that training system. The focal point of that reform is the improved coordination of the training system that will result from the creation of a coordinating board. The restructuring of the system that will result when adult education programs are consolidated in the community college system will significantly strengthen both literacy programs and the training system. The system will also be strengthened by expansion of apprenticeship training opportunities.

This legislation will expand the training opportunities available in the community college system, and will direct that system to take training issues much more seriously. By making vocational-technical institutes into institutions of higher education, students will have an improved opportunity to access both federal financial aid and the technical degrees desired by many employers.

Testimony Against: The vocational-technical institutes (VTIs) have a unique and effective method of delivering vocational and technical education. That unique quality may be threatened by their consolidation with the community colleges. The VTIs may become lost in the new system. One piece of evidence: the community colleges have de-emphasized vocational education in recent years. Citizens of local communities have helped pay for VTI facilities using local levy funds. If the VTIs are part of the community college system, that method of funding will be lost. VTIs will have to compete with community colleges for construction funds. In addition, construction money from the common school construction fund may need to be repaid.

Witnesses: Dr. Judith Billings; John M. Davis (pro); Gena Wikstrom, Federation of Private Schools; Byron L. Brainerd (pro); Bud Scarr, Lake Washington School District (con); Glen Pascall, Vocational-Technical Institutes (con); Susan Levy, Evelyn Rieder, Joe Rosendahl, Washington Federation of Teachers (pro); Ed Tyler, Teamster #28 (con); Israel D. Mendoza, Larry Malo, Employment Security Department (pro); Dr. Duane Lowell, SJTCC (pro); Claudia Martin, Michael Crehan, Renton VTI (pro); Karen Forys, Al Green, Carl Seidel, Will Ristine, Clover Park School District (con); Lillian Barna, Pat McCartley, John Kvamme, Tacoma Public Schools (con); Art Siegal, Dr. Thomas Gonzales, Seattle Community College District (pro); Christine Cassidy, Washington Coalition for Adult Literacy (pro); Nancy Elliott, Directors of Adult Basic Education (pro); Robin Swenson, Ed Castillo, Governor's Small Business Improvement Council (pro); Thomas Lopp, Suzanne Griffin, OSPI (con); Bill Penrose, Rex Bartlett, Clover Park VTI (con); Mark S.

Peila, Bates VTI (pro); David Westberg, Stationary Engineers Council; Nickie Moran, Marc McDermott, Department of Labor and Industries (pro); Karen Davis, Washington Education Association; Barbara Daum, Washington Institute of Applied Technology (pro); David Pauldine, Art Institute of Seattle (pro); Marge Baker Stevens, Department of Social and Health Services (con); Judith Knight, Janet Fowler, Kenneth Morrger, Bill Leder, Larry Davis, Chris Mudema, Cathie Waite, Roy Stevenson, Gary Cohn, Everett Irwin, Scott Fowler, Robb Israel, Bob Monroig, Lake Washington VTI (con); Dan McConnon, State Board for Community College Education (pro); Cliff Finch, AWB (pro); Jackie Walker, Metropolitan Seattle Urban League (con); Bruce Koppe, Security Pacific Bank (con); Kenneth Minnaert, South Puget Sound Community College (pro); Bob Swanson, Neighborhood House (con); Dan Lambert, Washington Association of Community College Students; and Marlene Copter, State Board for Vocational Education.