

2 **SB 5503** - H COMM AMD **ADOPTED 4-8-97**
3 By Committee on Higher Education

4

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 28B.50.140 and 1991 c 238 s 39 and 1991 c 58 s 1 are
8 each reenacted and amended to read as follows:

9 Each board of trustees:

10 (1) Shall operate all existing community and technical colleges in
11 its district;

12 (2) Shall create comprehensive programs of community and technical
13 college education and training and maintain an open-door policy in
14 accordance with the provisions of RCW 28B.50.090(3). However,
15 technical colleges, and college districts containing only technical
16 colleges, shall maintain programs solely for occupational education,
17 basic skills, and literacy purposes. For as long as a need exists,
18 technical colleges may continue those programs, activities, and
19 services they offered during the twelve-month period preceding
20 September 1, 1991;

21 (3) Shall employ for a period to be fixed by the board a college
22 president for each community and technical college and, may appoint a
23 president for the district, and fix their duties and compensation,
24 which may include elements other than salary. Compensation under this
25 subsection shall not affect but may supplement retirement, health care,
26 and other benefits that are otherwise applicable to the presidents as
27 state employees. The board shall also employ for a period to be fixed
28 by the board members of the faculty and such other administrative
29 officers and other employees as may be necessary or appropriate and fix
30 their salaries and duties. Compensation and salary increases under
31 this subsection shall not exceed the amount or percentage established
32 for those purposes in the state appropriations act by the legislature
33 as allocated to the board of trustees by the state board for community
34 and technical colleges. The state board for community and technical
35 colleges shall adopt rules defining the permissible elements of
36 compensation under this subsection;

1 (4) May establish, under the approval and direction of the college
2 board, new facilities as community needs and interests demand.
3 However, the authority of boards of trustees to purchase or lease major
4 off-campus facilities shall be subject to the approval of the higher
5 education coordinating board pursuant to RCW 28B.80.340(5);

6 (5) May establish or lease, operate, equip and maintain
7 dormitories, food service facilities, bookstores and other self-
8 supporting facilities connected with the operation of the community and
9 technical college;

10 (6) May, with the approval of the college board, borrow money and
11 issue and sell revenue bonds or other evidences of indebtedness for the
12 construction, reconstruction, erection, equipping with permanent
13 fixtures, demolition and major alteration of buildings or other capital
14 assets, and the acquisition of sites, rights-of-way, easements,
15 improvements or appurtenances, for dormitories, food service
16 facilities, and other self-supporting facilities connected with the
17 operation of the community and technical college in accordance with the
18 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

19 (7) May establish fees and charges for the facilities authorized
20 hereunder, including reasonable rules and regulations for the
21 government thereof, not inconsistent with the rules and regulations of
22 the college board; each board of trustees operating a community and
23 technical college may enter into agreements, subject to rules and
24 regulations of the college board, with owners of facilities to be used
25 for housing regarding the management, operation, and government of such
26 facilities, and any board entering into such an agreement may:

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

29 (b) Employ necessary employees to govern, manage and operate the
30 same;

31 (8) May receive such gifts, grants, conveyances, devises and
32 bequests of real or personal property from private sources, as may be
33 made from time to time, in trust or otherwise, whenever the terms and
34 conditions thereof will aid in carrying out the community and technical
35 college programs as specified by law and the regulations of the state
36 college board; sell, lease or exchange, invest or expend the same or
37 the proceeds, rents, profits and income thereof according to the terms
38 and conditions thereof; and adopt regulations to govern the receipt and
39 expenditure of the proceeds, rents, profits and income thereof;

1 (9) May establish and maintain night schools whenever in the
2 discretion of the board of trustees it is deemed advisable, and
3 authorize classrooms and other facilities to be used for summer or
4 night schools, or for public meetings and for any other uses consistent
5 with the use of such classrooms or facilities for community and
6 technical college purposes;

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

9 (11) Shall prescribe, with the assistance of the faculty, the
10 course of study in the various departments of the community and
11 technical college or colleges under its control, and publish such
12 catalogues and bulletins as may become necessary;

13 (12) May grant to every student, upon graduation or completion of
14 a course of study, a suitable diploma, nonbaccalaureate degree or
15 certificate. (~~Technical colleges shall offer only nonbaccalaureate
16 technical degrees, certificates, or diplomas for occupational courses
17 of study under rules of the college board. Technical colleges in
18 districts twenty-eight and twenty-nine may offer nonbaccalaureate
19 associate of technical or applied arts degrees only in conjunction with
20 a community college the district of which overlaps with the district of
21 the technical college, and these degrees may only be offered after a
22 contract or agreement is executed between the technical college and the
23 community college. The authority and responsibility to offer transfer
24 level academic support and general education for students of districts
25 twenty-one and twenty-five shall reside exclusively with Whatcom
26 Community College.~~) Technical colleges shall offer only
27 nonbaccalaureate technical degrees under the rules of the state board
28 for community and technical colleges that are appropriate to their work
29 force education and training mission. The primary purpose of this
30 degree is to lead the individual directly to employment in a specific
31 occupation. Technical colleges may not offer transfer degrees. The
32 board, upon recommendation of the faculty, may also confer honorary
33 associate of arts degrees upon persons other than graduates of the
34 community college, in recognition of their learning or devotion to
35 education, literature, art, or science. No degree may be conferred in
36 consideration of the payment of money or the donation of any kind of
37 property;

38 (13) Shall enforce the rules and regulations prescribed by the
39 state board for community and technical colleges for the government of

1 community and technical colleges, students and teachers, and promulgate
2 such rules and regulations and perform all other acts not inconsistent
3 with law or rules and regulations of the state board for community and
4 technical colleges as the board of trustees may in its discretion deem
5 necessary or appropriate to the administration of college districts:
6 PROVIDED, That such rules and regulations shall include, but not be
7 limited to, rules and regulations relating to housing, scholarships,
8 conduct at the various community and technical college facilities, and
9 discipline: PROVIDED, FURTHER, That the board of trustees may suspend
10 or expel from community and technical colleges students who refuse to
11 obey any of the duly promulgated rules and regulations;

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

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

18 (16) Notwithstanding any other provision of law, may offer
19 educational services on a contractual basis other than the tuition and
20 fee basis set forth in chapter 28B.15 RCW for a special fee to private
21 or governmental entities, consistent with rules and regulations adopted
22 by the state board for community and technical colleges: PROVIDED,
23 That the whole of such special fee shall go to the college district and
24 be not less than the full instructional costs of such services
25 including any salary increases authorized by the legislature for
26 community and technical college employees during the term of the
27 agreement: PROVIDED FURTHER, That enrollments generated hereunder
28 shall not be counted toward the official enrollment level of the
29 college district for state funding purposes;

30 (17) Notwithstanding any other provision of law, may offer
31 educational services on a contractual basis, charging tuition and fees
32 as set forth in chapter 28B.15 RCW, counting such enrollments for state
33 funding purposes, and may additionally charge a special supplemental
34 fee when necessary to cover the full instructional costs of such
35 services: PROVIDED, That such contracts shall be subject to review by
36 the state board for community and technical colleges and to such rules
37 as the state board may adopt for that purpose in order to assure that
38 the sum of the supplemental fee and the normal state funding shall not
39 exceed the projected total cost of offering the educational service:

1 PROVIDED FURTHER, That enrollments generated by courses offered on the
2 basis of contracts requiring payment of a share of the normal costs of
3 the course will be discounted to the percentage provided by the
4 college;

5 (18) Shall be authorized to pay dues to any association of trustees
6 that may be formed by the various boards of trustees; such association
7 may expend any or all of such funds to submit biennially, or more often
8 if necessary, to the governor and to the legislature, the
9 recommendations of the association regarding changes which would affect
10 the efficiency of such association;

11 (19) Subject to the approval of the higher education coordinating
12 board pursuant to RCW 28B.80.340(4), may participate in higher
13 education centers and consortia that involve any four-year public or
14 independent college or university; and

15 (20) Shall perform any other duties and responsibilities imposed by
16 law or rule and regulation of the state board.

17 **Sec. 2.** RCW 28B.50.215 and 1991 c 238 s 144 are each amended to
18 read as follows:

19 The colleges in each overlapping service area shall jointly submit
20 for approval to the state board for community and technical colleges
21 (~~((not later than December 1, 1991,))~~) a regional planning agreement.
22 The agreement shall provide for the ongoing interinstitutional
23 coordination of community and technical college programs and services
24 operated in the overlapping service area. The agreement shall include
25 the means for the adjudication of issues arising from overlapping
26 service areas. The agreement shall include a definitive statement of
27 mission, scope, and purpose for each college including the nature of
28 courses, programs, and services to be offered by each college. ~~((The
29 statement shall include a provision that the technical colleges shall
30 not offer courses designed for transfer to baccalaureate granting
31 institutions. This shall not preclude such offerings provided through
32 contracts or agreements with a community college in the service area.))~~

33 Technical colleges may, under the rules of the state board for
34 community and technical colleges, offer all specific academic support
35 courses that may be at a transfer level that are required of all
36 students to earn a particular certificate or degree. This shall not be
37 interpreted to mean that their mission may be expanded to include
38 transfer preparation, nor does it preclude technical colleges from

1 voluntarily and cooperatively using available community college courses
2 as components of technical college programs.

3 Any part of the agreement that is not approved by all the colleges
4 in the service area, shall be determined by the state board for
5 community and technical colleges. Approved regional planning
6 agreements shall be enforced by the full authority of the state board
7 for community and technical colleges. Changes to the agreement are
8 subject to state board approval.

9 For the purpose of creating and adopting a regional planning
10 agreement, the trustees of the colleges in Pierce county shall form a
11 county coordinating committee. The county coordinating committee shall
12 consist of eight members. Each college board of trustees in Pierce
13 county shall select two of its members to serve on the county
14 coordinating committee. The county coordinating committee shall not
15 employ its own staff, but shall instead utilize staff of the colleges
16 in the county. The regional planning agreement adopted by the county
17 coordinating committee shall include, but shall not be limited to: The
18 items listed in this section, the transfer of credits between technical
19 and community colleges, program articulation, and the avoidance of
20 unnecessary duplication in programs, activities, and services."

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