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HOUSE BILL 1101

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State of Washington

59th Legislature

2005 Regular Session

By Representatives Kenney, Fromhold, Jarrett, Sommers, Ormsby, Kagi, Roberts and Haigh

Read first time 01/14/2005. Referred to Committee on Higher Education.

1 AN ACT Relating to compensation for community and technical college  
2 presidents; and amending RCW 28B.50.140.

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

4 **Sec. 1.** RCW 28B.50.140 and 2004 c 275 s 58 are each amended to  
5 read as follows:

6 Each board of trustees:

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

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

18 (3) Shall employ for a period to be fixed by the board a college  
19 president for each community and technical college and, may appoint a

1 president for the district, and fix and adjust their duties and  
2 compensation, which may include elements other than salary.  
3 Compensation under this subsection shall not affect but may supplement  
4 retirement, health care, and other benefits that are otherwise  
5 applicable to the presidents as state employees. The board shall also  
6 employ for a period to be fixed by the board members of the faculty and  
7 such other administrative officers and other employees as may be  
8 necessary or appropriate and fix their salaries and duties.  
9 Compensation and salary increases (~~(under this subsection)~~) applicable  
10 to faculty, administrative officers, and other employees shall not  
11 exceed the amount or percentage established for those purposes in the  
12 state appropriations act by the legislature as allocated to the board  
13 of trustees by the state board for community and technical colleges.  
14 The state board for community and technical colleges shall adopt rules  
15 defining the permissible elements of compensation under this  
16 subsection;

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

22 (5) May establish or lease, operate, equip and maintain  
23 dormitories, food service facilities, bookstores and other self-  
24 supporting facilities connected with the operation of the community and  
25 technical college;

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

35 (7) May establish fees and charges for the facilities authorized  
36 hereunder, including reasonable rules and regulations for the  
37 government thereof, not inconsistent with the rules and regulations of  
38 the college board; each board of trustees operating a community and

1 technical college may enter into agreements, subject to rules and  
2 regulations of the college board, with owners of facilities to be used  
3 for housing regarding the management, operation, and government of such  
4 facilities, and any board entering into such an agreement may:

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

7 (b) Employ necessary employees to govern, manage and operate the  
8 same;

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

18 (9) May establish and maintain night schools whenever in the  
19 discretion of the board of trustees it is deemed advisable, and  
20 authorize classrooms and other facilities to be used for summer or  
21 night schools, or for public meetings and for any other uses consistent  
22 with the use of such classrooms or facilities for community and  
23 technical college purposes;

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

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

30 (12) May grant to every student, upon graduation or completion of  
31 a course of study, a suitable diploma, nonbaccalaureate degree or  
32 certificate. Technical colleges shall offer only nonbaccalaureate  
33 technical degrees under the rules of the state board for community and  
34 technical colleges that are appropriate to their work force education  
35 and training mission. The primary purpose of this degree is to lead  
36 the individual directly to employment in a specific occupation.  
37 Technical colleges may not offer transfer degrees. The board, upon  
38 recommendation of the faculty, may also confer honorary associate of

1 arts degrees upon persons other than graduates of the community  
2 college, in recognition of their learning or devotion to education,  
3 literature, art, or science. No degree may be conferred in  
4 consideration of the payment of money or the donation of any kind of  
5 property;

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

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

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

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

37 (17) Notwithstanding any other provision of law, may offer  
38 educational services on a contractual basis, charging tuition and fees

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

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

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

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

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