

**ESSB 6359** - H COMM AMD

By Committee on Education Appropriations

ADOPTED 03/04/2010

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that Washington's  
4 community and technical college system consists of thirty-four two-year  
5 institutions geographically dispersed across the state to encourage and  
6 enable student access and participation. The legislature also finds  
7 that, compared with other states, Washington's two-year public  
8 participation rate is ranked as high as fifth in the nation. The  
9 legislature further finds that Washington's community and technical  
10 colleges have been making and are continuing to make great progress  
11 towards system efficiencies and coordination of their efforts through  
12 such things as common course numbering, the student achievement  
13 initiative, associate transfer degrees, eLearning and integrated basic  
14 education, skills training, and some common administrative systems.  
15 While maintaining Washington's recognized leadership in community and  
16 technical college education, the legislature intends to provide  
17 mechanisms to encourage further efficiencies that will provide cost  
18 savings to be used to enhance student access and success, strengthen  
19 academic programs, and develop and retain high quality faculty through  
20 cost-effective partnerships and coordination between institutions,  
21 including shared services and increased complementary programming, as  
22 well as structural administrative efficiencies.

23 **Sec. 2.** RCW 28B.50.020 and 2009 c 64 s 2 are each amended to read  
24 as follows:

25 The purpose of this chapter is to provide for the dramatically  
26 increasing number of students requiring high standards of education  
27 either as a part of the continuing higher education program or for  
28 occupational education and training, or for adult basic skills and

1 literacy education, by creating a new, independent system of community  
2 and technical colleges which will:

3 (1) Offer an open door to every citizen, regardless of his or her  
4 academic background or experience, at a cost normally within his or her  
5 economic means;

6 (2) Ensure that each college district, in coordination with  
7 adjacent college districts, shall offer thoroughly comprehensive  
8 educational, training, and service programs to meet the needs of both  
9 the communities and students served by combining high standards of  
10 excellence in academic transfer courses; realistic and practical  
11 courses in occupational education, both graded and ungraded; community  
12 services of an educational, cultural, and recreational nature; and  
13 adult education, including basic skills and general, family, and  
14 workforce literacy programs and services;

15 (3) Provide for basic skills and literacy education, and  
16 occupational education and technical training (~~at technical colleges~~)  
17 in order to prepare students for careers in a competitive workforce;

18 (4) Provide or coordinate related and supplemental instruction for  
19 apprentices at community and technical colleges;

20 (5) Provide administration by state and local boards which will  
21 avoid unnecessary duplication of facilities (~~at~~), programs, student  
22 services, or administrative functions; and which will encourage  
23 efficiency in operation and creativity and imagination in education,  
24 training, and service to meet the needs of the community and students;

25 (6) Allow for the growth, improvement, flexibility and modification  
26 of the community colleges and their education, training, and service  
27 programs as future needs occur; and

28 (7) Establish firmly that, except on a pilot basis as provided  
29 under RCW 28B.50.810, community colleges are, for purposes of academic  
30 training, two year institutions, and are an independent, unique, and  
31 vital section of our state's higher education system, separate from  
32 both the common school system and other institutions of higher  
33 learning, and never to be considered for conversion into four-year  
34 liberal arts colleges.

35 **Sec. 3.** RCW 28B.50.090 and 2009 c 64 s 4 are each amended to read  
36 as follows:

37 The college board shall have general supervision and control over

1 the state system of community and technical colleges. In addition to  
2 the other powers and duties imposed upon the college board by this  
3 chapter, the college board shall be charged with the following powers,  
4 duties and responsibilities:

5 (1) Review the budgets prepared by the boards of trustees, prepare  
6 a single budget for the support of the state system of community and  
7 technical colleges and adult education, and submit this budget to the  
8 governor as provided in RCW 43.88.090;

9 (2) Establish guidelines for the disbursement of funds; and receive  
10 and disburse such funds for adult education and maintenance and  
11 operation and capital support of the college districts in conformance  
12 with the state and district budgets, and in conformance with chapter  
13 43.88 RCW;

14 (3) Ensure, through the full use of its authority:

15 (a) That each college district, in coordination with colleges,  
16 within a regional area, shall offer thoroughly comprehensive  
17 educational, training, and service programs to meet the needs of both  
18 the communities and students served by combining high standards of  
19 excellence in academic transfer courses; realistic and practical  
20 courses in occupational education, both graded and ungraded; and  
21 community services of an educational, cultural, and recreational  
22 nature; and adult education, including basic skills and general,  
23 family, and workforce literacy programs and services;

24 (b) That each college district shall maintain an open-door policy,  
25 to the end that no student will be denied admission because of the  
26 location of the student's residence or because of the student's  
27 educational background or ability; that, insofar as is practical in the  
28 judgment of the college board, curriculum offerings will be provided to  
29 meet the educational and training needs of the community generally and  
30 the students thereof; and that all students, regardless of their  
31 differing courses of study, will be considered, known and recognized  
32 equally as members of the student body: PROVIDED, That the  
33 administrative officers of a community or technical college may deny  
34 admission to a prospective student or attendance to an enrolled student  
35 if, in their judgment, the student would not be competent to profit  
36 from the curriculum offerings of the college, or would, by his or her  
37 presence or conduct, create a disruptive atmosphere within the college  
38 not consistent with the purposes of the institution. This subsection

1 (3)(b) shall not apply to competency, conduct, or presence associated  
2 with a disability in a person twenty-one years of age or younger  
3 attending a technical college;

4 (4) Prepare a comprehensive master plan for the development of  
5 community and technical college education and training in the state;  
6 and assist the office of financial management in the preparation of  
7 enrollment projections to support plans for providing adequate college  
8 facilities in all areas of the state. The master plan shall include  
9 implementation of the vision, goals, priorities, and strategies in the  
10 statewide strategic master plan for higher education under RCW  
11 28B.76.200 based on the community and technical college system's role  
12 and mission. The master plan shall also contain measurable performance  
13 indicators and benchmarks for gauging progress toward achieving the  
14 goals and priorities;

15 (5) Define and administer criteria and guidelines for the  
16 establishment of new community and technical colleges or campuses  
17 within the existing districts;

18 (6) Establish criteria and procedures for modifying district  
19 boundary lines and consolidating district structures to form multiple  
20 campus districts consistent with the purposes set forth in RCW  
21 28B.50.020 as now or hereafter amended and in accordance therewith make  
22 such changes as it deems advisable;

23 (7) Establish minimum standards to govern the operation of the  
24 community and technical colleges with respect to:

25 (a) Qualifications and credentials of instructional and key  
26 administrative personnel, except as otherwise provided in the state  
27 plan for vocational education,

28 (b) Internal budgeting, accounting, auditing, and financial  
29 procedures as necessary to supplement the general requirements  
30 prescribed pursuant to chapter 43.88 RCW,

31 (c) The content of the curriculums and other educational and  
32 training programs, and the requirement for degrees and certificates  
33 awarded by the colleges,

34 (d) Standard admission policies,

35 (e) Eligibility of courses to receive state fund support;

36 (8) Establish and administer criteria and procedures for all  
37 capital construction including the establishment, installation, and  
38 expansion of facilities within the various college districts;

1 (9) Encourage innovation in the development of new educational and  
2 training programs and instructional methods; coordinate research  
3 efforts to this end; and disseminate the findings thereof;

4 (10) Exercise any other powers, duties and responsibilities  
5 necessary to carry out the purposes of this chapter;

6 (11) Authorize the various community and technical colleges to  
7 offer programs and courses in other districts when it determines that  
8 such action is consistent with the purposes set forth in RCW 28B.50.020  
9 as now or hereafter amended;

10 (12) Notwithstanding any other law or statute regarding the sale of  
11 state property, sell or exchange and convey any or all interest in any  
12 community and technical college real and personal property, except such  
13 property as is received by a college district in accordance with RCW  
14 28B.50.140(8), when it determines that such property is surplus or that  
15 such a sale or exchange is in the best interests of the community and  
16 technical college system;

17 (13) In order that the treasurer for the state board for community  
18 and technical colleges appointed in accordance with RCW 28B.50.085 may  
19 make vendor payments, the state treasurer will honor warrants drawn by  
20 the state board providing for an initial advance on July 1, 1982, of  
21 the current biennium and on July 1 of each succeeding biennium from the  
22 state general fund in an amount equal to twenty-four percent of the  
23 average monthly allotment for such budgeted biennium expenditures for  
24 the state board for community and technical colleges as certified by  
25 the office of financial management; and at the conclusion of such  
26 initial month and for each succeeding month of any biennium, the state  
27 treasurer will reimburse expenditures incurred and reported monthly by  
28 the state board treasurer in accordance with chapter 43.88 RCW:  
29 PROVIDED, That the reimbursement to the state board for actual  
30 expenditures incurred in the final month of each biennium shall be less  
31 the initial advance made in such biennium;

32 (14) Notwithstanding the provisions of subsection (12) of this  
33 section, may receive such gifts, grants, conveyances, devises, and  
34 bequests of real or personal property from private sources as may be  
35 made from time to time, in trust or otherwise, whenever the terms and  
36 conditions thereof will aid in carrying out the community and technical  
37 college programs and may sell, lease or exchange, invest or expend the  
38 same or the proceeds, rents, profits and income thereof according to

1 the terms and conditions thereof; and adopt regulations to govern the  
2 receipt and expenditure of the proceeds, rents, profits and income  
3 thereof; and

4 (15) The college board shall have the power of eminent domain.

5 NEW SECTION. **Sec. 4.** A new section is added to chapter 28B.50 RCW  
6 to read as follows:

7 (1) The state board for community and technical colleges, in  
8 collaboration with the boards of trustees for the community and  
9 technical colleges, shall identify potential administrative  
10 efficiencies, complementary administrative functions, and complementary  
11 academic programs based upon consultation with colleges within a  
12 regional area. To study and identify potential administrative  
13 efficiencies and complementary administrative functions and programs,  
14 colleges within the regional area shall work with stakeholders  
15 including faculty and staff representatives appointed by their  
16 respective unions. Factors to be considered include, but are not  
17 limited to:

18 (a) The economic feasibility and cost savings anticipated from the  
19 proposed changes;

20 (b) The extent to which the changes will contribute to student  
21 access to academic programs and services, including greater flexibility  
22 for students to transfer credits and obtain degrees and certificates  
23 from other colleges within the regional area; and

24 (c) The extent to which the changes contribute to the vision,  
25 goals, priorities, and statewide strategies in the comprehensive master  
26 plan and the statewide strategic master plan for higher education.

27 (2) The state board for community and technical colleges shall  
28 develop and adopt a detailed plan for the implementation of any  
29 identified changes that would result in cost savings while maintaining  
30 or enhancing student access and achievement. If educational programs  
31 are identified that would provide cost savings if consolidated, the  
32 faculty and staff of those programs shall be convened to assist in the  
33 development of the part of the plan that will impact their programs and  
34 collective bargaining agreements. The plan must establish a time frame  
35 within which any proposed changes must be accomplished and must include  
36 any agreements, approved by the state board for community and technical  
37 colleges, between colleges within a regional area to provide

1 complementary academic programs or coordinate administrative functions.  
2 The implementation plan shall take effect upon approval by the state  
3 board for community and technical colleges. The state board shall  
4 submit a preliminary report on the plan to the appropriate legislative  
5 committees and the governor December 1, 2010, and shall submit a final  
6 report December 1, 2011.

7 (3) Any cost savings realized as a result of the implementation of  
8 administrative efficiencies, complementary administrative functions,  
9 and complementary academic programming under the plan shall be retained  
10 by the respective districts to be used for enhancing student access and  
11 success, and the retention and recruitment of high quality faculty,  
12 including but not limited to, full-time faculty, faculty development,  
13 and academic programs.

14 (4) The college board, using the criteria and processes established  
15 in this section and in consultation with the boards of trustees for the  
16 community and technical colleges, shall identify adjacent college  
17 districts that can feasibly be consolidated or whose boundaries can  
18 feasibly be modified to form a multiple campus district. The primary  
19 considerations shall be the extent to which the changes will: (a)  
20 Affect student access to academic programs and services, (b) affect the  
21 retention and recruitment of high quality faculty, and (c) result in  
22 financial efficiencies.

23 (5) By December 1, 2012, the college board, in consultation with  
24 local boards of trustees, shall evaluate any proposed district  
25 consolidations or boundary changes identified in subsection (4) of this  
26 section as it deems advisable and shall submit any required supporting  
27 legislative changes to the governor and appropriate committees of the  
28 legislature."

29 Correct the title.

EFFECT: Clarifies that the Legislature intends to encourage the  
community and technical college system to identify efficiencies rather  
than having the Legislature provide mechanisms for those efficiencies.  
Requires the SBCTC to first study potential administrative  
efficiencies rather than moving directly to identifying efficiencies.

In the event that educational programs are identified for consolidation, the SBCTC is required to convene faculty and staff to help in developing consolidation plans that would impact their programs and collective bargaining agreements.

Requires that any cost savings realized by implementation of administrative and academic efficiencies be used for the recruitment and retention of faculty, including full-time faculty, faculty development, and academic programs.

Requires the SBCTC, in consultation with the boards of trustees, to use the criteria and processes established in the planning and development process created in the bill when identifying college districts.

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