

ESSB 6359 - H AMD TO APPE COMM AMD (H-5441.1) 1360

By Representative Miloscia

WITHDRAWN 3/03/2010

1 On page 7, after line 28, insert the following:

2 "Sec. 5. RCW 28B.50.140 and 2009 c 64 s 5 are each amended to read  
3 as follows:

4 Each board of trustees:

5 (1) Shall operate all existing community and technical colleges in  
6 its district;

7 (2) Shall create comprehensive programs of community and technical  
8 college education and training and maintain an open-door policy in  
9 accordance with the provisions of RCW 28B.50.090(3);

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

26 (4) May establish, under the approval and direction of the college  
27 board, new facilities as community needs and interests demand.

1 However, the authority of boards of trustees to purchase or lease  
2 major off-campus facilities shall be subject to the approval of the  
3 higher education coordinating board pursuant to RCW 28B.76.230;

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

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

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

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

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

30 (8) May receive such gifts, grants, conveyances, devises and  
31 bequests of real or personal property from private sources, as may be  
32 made from time to time, in trust or otherwise, whenever the terms and  
33 conditions thereof will aid in carrying out the community and  
34 technical college programs as specified by law and the rules of the

1 state college board; sell, lease or exchange, invest or expend the  
2 same or the proceeds, rents, profits and income thereof according to  
3 the terms and conditions thereof; and adopt rules to govern the  
4 receipt and expenditure of the proceeds, rents, profits and income  
5 thereof;

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

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

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

18 (12) May grant to every student, upon graduation or completion of  
19 a course of study, a suitable diploma, degree, or certificate under  
20 the rules of the state board for community and technical colleges that  
21 are appropriate to their mission. The purposes of these diplomas,  
22 certificates, and degrees are to lead individuals directly to  
23 employment in a specific occupation or prepare individuals for a  
24 bachelor's degree or beyond. Technical colleges may only offer  
25 transfer degrees that prepare students for bachelor's degrees in  
26 professional fields, subject to rules adopted by the college board.  
27 In adopting rules, the college board, where possible, shall create  
28 consistency between community and technical colleges and may address  
29 issues related to tuition and fee rates; tuition waivers; enrollment  
30 counting, including the use of credits instead of clock hours; degree  
31 granting authority; or any other rules necessary to offer the  
32 associate degrees that prepare students for transfer to bachelor's  
33 degrees in professional areas. Only pilot colleges under RCW  
34 28B.50.810 may award baccalaureate degrees. The board, upon

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

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

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  
24 chapter 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 adopted by the state  
29 board for community and technical colleges: PROVIDED, That the whole  
30 of such special fee shall go to the college district and be not less  
31 than the full instructional costs of such services including any  
32 salary increases authorized by the legislature for community and  
33 technical college employees during the term of the agreement:  
34 PROVIDED FURTHER, That enrollments generated hereunder shall not be

1 counted toward the official enrollment level of the college district  
2 for state funding purposes;

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

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

23 (19) May participate in higher education centers and consortia  
24 that involve any four-year public or independent college or  
25 university: PROVIDED, That new degree programs or off-campus programs  
26 offered by a four-year public or independent college or university in  
27 collaboration with a community or technical college are subject to  
28 approval by the higher education coordinating board under RCW  
29 28B.76.230; ((and))

30 (20) Shall require that each community or technical college in its  
31 district apply to the Washington state quality award, or similar  
32 organization, for an organization-wide Baldrige independent assessment  
33 of its quality management, accountability and performance system. The  
34 assessment shall identify specific efficiency and effectiveness

1 measures for implementation and shall take place within two years of  
2 the effective date of this act and once every three years thereafter;  
3 and

4 ((+20)) (21) Shall perform any other duties and responsibilities  
5 imposed by law or rule of the state board."

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**EFFECT:** Requires all community and technical colleges to apply to the Washington State Quality Award, or similar organization, for a Baldrige independent assessment within two years of the effective date of the act and once every three years thereafter.

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