

SSB 6359 - S AMD 91

By Senators Kilmer, Becker, Kastama

ADOPTED 02/15/2010

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. To
15 encourage further efficiencies while maintaining Washington's
16 recognized leadership in community and technical college education,
17 enhance student access and success, strengthen academic programs, and
18 develop and retain high quality faculty, the legislature intends to
19 provide mechanisms for cost-effective partnerships and coordination
20 between institutions, including shared services, and increased
21 complementary programming, as well as structural administrative
22 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.** (1) The state board for community and
6 technical colleges, in collaboration with the boards of trustees for
7 the community and technical colleges, shall identify potential
8 administrative efficiencies, complementary administrative functions,
9 and complementary academic programs based upon consultation with
10 colleges within a regional area. To identify administrative
11 efficiencies and complementary administrative functions and programs,
12 colleges within the regional area shall work in coordination with an
13 equal number of stakeholders from their boards of trustees,
14 administration, faculty, employee union representatives, student
15 representatives, and community representatives. Factors to be
16 considered include, but are not limited to:

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

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

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

26 (d) The extent to which the changes will contribute to
27 strengthening the retention and recruitment of high quality faculty,
28 including, but not limited to, full-time faculty, faculty development,
29 and academic programs.

30 (2) The state board for community and technical colleges shall
31 develop and adopt a detailed plan for the implementation of any
32 identified changes that would result in cost savings while maintaining
33 or enhancing student access and achievement. The plan must establish
34 a time frame within which any proposed changes must be accomplished and
35 must include any agreements, approved by the state board for community
36 and technical colleges, between colleges within a regional area to
37 provide complementary academic programs or coordinate administrative

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

6 (3) Any cost savings realized as a result of the implementation of
7 administrative efficiencies, complementary administrative functions,
8 and complementary academic programming under the plan shall be retained
9 by the respective districts to be used for enhancing student access and
10 success.

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

13 (1) The college board, using the criteria established under RCW
14 28B.50.090(6) and in consultation with the boards of trustees for the
15 community and technical colleges, shall identify adjacent college
16 districts that can feasibly be consolidated or whose boundaries can
17 feasibly be modified to form a multiple campus district. The primary
18 considerations shall be the extent to which the changes will: (a)
19 Affect student access to academic programs and services, (b) affect the
20 retention and recruitment of high quality faculty, and (c) result in
21 financial efficiencies.

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

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28 On page 1, line 3 of the title, after "system;" strike the
29 remainder of the title and insert "amending RCW 28B.50.020 and

1 28B.50.090; adding a new section to chapter 28B.50 RCW; and creating
2 new sections."

EFFECT: The membership and roles of the stakeholder groups are clarified.

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