
SUBSTITUTE HOUSE BILL 1841

State of Washington

61st Legislature

2009 Regular Session

By House Higher Education (originally sponsored by Representatives White, Warnick, Wallace, Angel, Sells, Hasegawa, Hinkle, Goodman, Llias, Ormsby, Anderson, Haigh, Sullivan, Haler, Priest, Morris, Kenney, Schmick, Hudgins, and Conway)

READ FIRST TIME 02/17/09.

1 AN ACT Relating to the modification of the governing boards of
2 state colleges and universities; amending RCW 28B.20.100, 28B.30.100,
3 28B.35.100, and 28B.40.100; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that:

6 (1) College and university faculty members are specialists with
7 extensive experience in teaching and learning assessment, as well as
8 expertise in specialized fields that directly benefit their
9 institutions and the people of the state;

10 (2) College and university faculty members are innovators who
11 conduct research to discover new technologies and produce knowledge,
12 design courses and curricula, assess student development, train
13 teachers, supervise student research, and pursue grants and funding for
14 programs and projects that drive the economy and civic life of our
15 state; their efforts can affect the health, economy, and social well-
16 being of its citizens and communities, and assist in the production of
17 cultural and artistic achievements that benefit citizens throughout the
18 state;

1 (3) College and university faculty members participate in the
2 fundamental missions of their institutions by designing and monitoring
3 programs, including standards, curricula, and degree requirements, at
4 the level of department school/college, and for the college or
5 university as a whole;

6 (4) The boards of regents and trustees of Washington's universities
7 and colleges are charged with the establishment of their admission and
8 degree requirements to schools, colleges, and departments, and are
9 responsible for assessing the outcomes and budgeting of state funds;

10 (5) Faculty can provide valuable insights into the fundamental
11 missions of the colleges and universities that will encourage and
12 support innovative thinking, bring an important, long-range perspective
13 to board deliberations, and contribute a wealth of experience in
14 assessment of viable educational practices;

15 (6) Faculty, like all member of boards of regents or trustees,
16 represent the citizens of the state and not specific constituencies;
17 and

18 (7) RCW 28B.10.520 stipulates that "each member of a board of
19 regents or board of trustees of a university or other state institution
20 of higher education, before entering upon his duties, shall take and
21 subscribe an oath to discharge faithfully and honestly his duties and
22 to perform strictly and impartially the same to the best of his
23 ability, such oath to be filed with the secretary of state." This oath
24 is further defined by the ethics in public service act chapter 42.52
25 RCW and individual boards' policies for avoiding conflict of interest
26 in decision making.

27 **Sec. 2.** RCW 28B.20.100 and 2006 c 78 s 1 are each amended to read
28 as follows:

29 (1) The governance of the University of Washington shall be vested
30 in a board of regents to consist of (~~ten~~) eleven members, one of whom
31 shall be a student and, beginning with the first appointment after the
32 effective date of this section, one of whom shall be a full-time or
33 emeritus member of the faculty of the university at the time of
34 appointment. The governor shall select the student member from a list
35 of candidates, of at least three and not more than five, submitted by
36 the governing body of the associated students. (~~They~~) The governor
37 shall select the faculty member from a list of five candidates

1 submitted by the governing body of the university faculty. Board
2 members shall be appointed by the governor with the consent of the
3 senate, and, except for the faculty member and student member, shall
4 hold their offices for a term of six years from the first day of
5 October and until their successors shall be appointed and qualified.
6 The faculty member shall hold his or her office for a term of three
7 years from the first day of October and until his or her successor
8 shall be appointed and qualified, whichever is later. The faculty
9 member shall be a full-time or emeritus member of the faculty of the
10 university at the time of the appointment and for the duration of the
11 appointed term. If the faculty member is no longer a member of the
12 faculty at the university, then the faculty member's appointment to the
13 board shall end effective on the faculty member's last day at that
14 university. The student member shall hold his or her office for a term
15 of one year from the first day of July until the first day of July of
16 the following year or until his or her successor is appointed and
17 qualified, whichever is later. The student member shall be a full-time
18 student in good standing at the university at the time of appointment.

19 (2) Six members of said board shall constitute a quorum for the
20 transaction of business. In the case of a vacancy, or when an
21 appointment is made after the date of the expiration of a term, the
22 governor shall fill the vacancy for the remainder of the term of the
23 regent whose office has become vacant or expired.

24 (3) Except for the term of the student member, no more than the
25 terms of two members will expire simultaneously on the last day of
26 September in any one year.

27 (4) A student appointed under this section shall excuse himself or
28 herself from participation or voting on matters relating to the hiring,
29 discipline, or tenure of faculty members and personnel.

30 (5) The faculty member appointed under this section shall excuse
31 himself or herself from participation or voting on matters relating to:

32 (a) The hiring, discipline, tenure, or compensation of faculty
33 members and personnel;

34 (b) Any matters subject to collective bargaining; and

35 (c) Any matters relating to the review, negotiation, or approval of
36 a collective bargaining agreement.

1 **Sec. 3.** RCW 28B.30.100 and 2006 c 78 s 2 are each amended to read
2 as follows:

3 (1) The governance of Washington State University shall be vested
4 in a board of regents to consist of (~~ten~~) eleven members one of whom
5 shall be a student and, beginning with the first appointment after the
6 effective date of this section, one of whom shall be a full-time or
7 emeritus member of the faculty of the university at the time of
8 appointment. The governor shall select the student member from a list
9 of candidates, of at least three and not more than five, submitted by
10 the governing body of the associated students. (~~They~~) The governor
11 shall select the faculty member from a list of five candidates
12 submitted by the governing body of the university faculty. Board
13 members shall be appointed by the governor, by and with the consent of
14 the senate and, except for the faculty member and student member, shall
15 hold their offices for a term of six years from the first day of
16 October and until their successors are appointed and qualified. The
17 faculty member shall hold his or her office for a term of three years
18 from the first day of October and until his or her successor shall be
19 appointed and qualified, whichever is later. The faculty member shall
20 be a full-time or emeritus member of the faculty of the university at
21 the time of the appointment and for the duration of the appointed term.
22 If the faculty member is no longer a member of the faculty at the
23 university, then the faculty member's appointment to the board shall
24 end effective on the faculty member's last day at that university. The
25 student member shall hold his or her office for a term of one year from
26 the first day of July until the first day of July of the following year
27 or until his or her successor is appointed and qualified, whichever is
28 later. The student member shall be a full-time student in good
29 standing at the university at the time of appointment.

30 (2) Six members of said board shall constitute a quorum for the
31 transaction of business. In the case of a vacancy or when an
32 appointment is made after the date of the expiration of a term, the
33 governor shall fill the vacancy for the remainder of the term of the
34 regent whose office has become vacant or expired.

35 (3) Except for the term of the student member, no more than the
36 terms of two members will expire simultaneously on the last day of
37 September in any one year.

1 (4) Each regent shall, before entering upon the discharge of his
2 respective duties as such, execute a good and sufficient bond to the
3 state of Washington, with two or more sufficient sureties, residents of
4 the state, or with a surety company licensed to do business within the
5 state, in the penal sum of not less than five thousand dollars,
6 conditioned for the faithful performance of his duties as such regent:
7 PROVIDED, That the university shall pay any fees incurred for any such
8 bonds for their board members.

9 (5) A student appointed under this section shall excuse himself or
10 herself from participation or voting on matters relating to the hiring,
11 discipline, or tenure of faculty members and personnel.

12 (6) The faculty member appointed under this section shall excuse
13 himself or herself from participation or voting on matters relating to:

14 (a) The hiring, discipline, tenure, or compensation of faculty
15 members and personnel;

16 (b) Any matters subject to collective bargaining; and

17 (c) Any matters relating to the review, negotiation, or approval of
18 a collective bargaining agreement.

19 **Sec. 4.** RCW 28B.35.100 and 2006 c 78 s 3 are each amended to read
20 as follows:

21 (1) The governance of each of the regional universities shall be
22 vested in a board of trustees consisting of (~~eight~~) nine members, one
23 of whom shall be a student and, beginning with the first appointment
24 after the effective date of this section, one of whom shall be a full-
25 time or emeritus member of the faculty of the respective university at
26 the time of appointment. The governor shall select the student member
27 from a list of candidates, of at least three and not more than five,
28 submitted by the governing body of the associated students. (~~They~~)
29 The governor shall select the faculty member from a list of five
30 candidates submitted by the governing body of the university faculty.
31 Board members shall be appointed by the governor with the consent of
32 the senate and, except for the faculty member and student member, shall
33 hold their offices for a term of six years from the first day of
34 October and until their successors are appointed and qualified. The
35 faculty member shall hold his or her office for a term of three years
36 from the first day of October and until his or her successor shall be
37 appointed and qualified, whichever is later. The faculty member shall

1 be a full-time or emeritus member of the faculty of the university at
2 the time of the appointment and for the duration of the appointed term.
3 If the faculty member is no longer a member of the faculty at the
4 university, then the faculty member's appointment to the board shall
5 end effective on the faculty member's last day at that university. The
6 student member shall hold his or her office for a term of one year from
7 the first day of July and until the first day of July of the following
8 year or until his or her successor is appointed and qualified,
9 whichever is later. The student member shall be a full-time student in
10 good standing at the respective university at the time of appointment.

11 (2) Five members of the board constitute a quorum for the
12 transaction of business. In case of a vacancy, or when an appointment
13 is made after the date of expiration of the term, the governor shall
14 fill the vacancy for the remainder of the term of the trustee whose
15 office has become vacant or expired.

16 (3) Except for the term of the student member, no more than the
17 terms of two members will expire simultaneously on the last day of
18 September in any one year.

19 (4) A student appointed under this section shall excuse himself or
20 herself from participation or voting on matters relating to the hiring,
21 discipline, or tenure of faculty members and personnel.

22 (5) The faculty member appointed under this section shall excuse
23 himself or herself from participation or voting on matters relating to:

24 (a) The hiring, discipline, tenure, or compensation of faculty
25 members and personnel;

26 (b) Any matters subject to collective bargaining; and

27 (c) Any matters relating to the review, negotiation, or approval of
28 a collective bargaining agreement.

29 **Sec. 5.** RCW 28B.40.100 and 2006 c 78 s 4 are each amended to read
30 as follows:

31 (1) The governance of The Evergreen State College shall be vested
32 in a board of trustees consisting of (~~eight~~) nine members, one of
33 whom shall be a student and, beginning with the first appointment after
34 the effective date of this section, one of whom shall be a full-time or
35 emeritus member of the faculty of the college at the time of
36 appointment. The governor shall select the student member from a list
37 of candidates, of at least three and not more than five, submitted by

1 the student body. ((They)) The governor shall select the faculty
2 member from a list of five candidates submitted by the college faculty.
3 Board members shall be appointed by the governor with the consent of
4 the senate and, except for the faculty member and student member, shall
5 hold their offices for a term of six years from the first day of
6 October and until their successors are appointed and qualified. The
7 faculty member shall hold his or her office for a term of three years
8 from the first day of October and until his or her successor shall be
9 appointed and qualified, whichever is later. The faculty member shall
10 be a full-time or emeritus member of the faculty of the college at the
11 time of the appointment and for the duration of the appointed term. If
12 the faculty member is no longer a member of the faculty at the college,
13 then the faculty member's appointment to the board shall end effective
14 on the faculty member's last day at the college. The student member
15 shall hold his or her office for a term of one year from the first day
16 of July and until the first day of July of the following year or until
17 his or her successor is appointed and qualified, whichever is later.
18 The student member shall be a full-time student in good standing at the
19 college at the time of appointment.

20 (2) Five members of the board constitute a quorum for the
21 transaction of business. In case of a vacancy, or when an appointment
22 is made after the date of expiration of the term, the governor shall
23 fill the vacancy for the remainder of the term of the trustee whose
24 office has become vacant or expired.

25 (3) Except for the term of the student member, no more than the
26 terms of two members will expire simultaneously on the last day of
27 September in any one year.

28 (4) A student appointed under this section shall excuse himself or
29 herself from participation or voting on matters relating to the hiring,
30 discipline, or tenure of faculty members and personnel.

31 (5) The faculty member appointed under this section shall excuse
32 himself or herself from participation or voting on matters relating to:

33 (a) The hiring, discipline, tenure, or compensation of faculty
34 members and personnel;

35 (b) Any matters subject to collective bargaining; and

36 (c) Any matters relating to the review, negotiation, or approval of

1 a collective bargaining agreement.

--- END ---