
Labor & Workforce Development Committee

HB 1535

Brief Description: Concerning the reduction in force of tenured or probationary community college faculty members.

Sponsors: Representatives Fey, Moscoso, Green, Sullivan, Ormsby, Hunt, Seaquist, Upthegrove, Appleton, Haigh, Springer, McCoy, Ryu, Stonier, Lias, Jinkins, Fitzgibbon, Orwall, Dunshee, Stanford, Cody, Moeller, Sells, Reykdal, Bergquist and Pollet.

Brief Summary of Bill

- Repeals the statute establishing procedures for the reduction in force of community and technical college tenured and probationary faculty when the State Board of Community and Technical Colleges has declared a financial emergency.

Hearing Date: 2/12/13

Staff: Trudes Tango (786-7384).

Background:

There are 30 community and technical college districts, each having a Board of Trustees (Trustees) that operates the community and technical colleges in its district. The Trustees are responsible for awarding or denying tenure to the full-time teachers, counselors, librarians, and other comparable professionals at the colleges, after taking into consideration recommendations of the colleges' tenure review committees. Generally, tenured faculty and faculty under contract during their probationary appointments may not be dismissed except for sufficient cause.

The State Board of Community and Technical Colleges (State Board) has general supervision and control over the state system of community and technical colleges. The State Board may declare a financial emergency if the Governor has made a reduction in allotments of

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appropriations or the Legislature has reduced appropriated funds from one biennium to the next or within a biennium.

If the Board declares a financial emergency, the Trustees in a district may determine that a reduction in force of tenured or probationary faculty is necessary due to the financial emergency.

Written notice must be given to the affected faculty member, which shall state that the separation is not due to job performance. A faculty member who is being terminated may request a formal hearing before a hearing officer appointed by the Trustees. The only issue to be determined is whether under the applicable policies, rules, or collective bargaining agreement, that particular faculty member is the proper member to be terminated. Procedures exist that govern hearings when there are multiple faculty members being terminated under the financial emergency.

This provision modifies any collective bargaining agreement in effect and any conflicting board policies or rules, except that policies, rules, or provisions in a collective bargaining agreement related to lay-off units, seniority, and re-employment rights are not affected.

Summary of Bill:

The statute establishing procedures for the reduction in force of tenured and probationary faculty members of community and technical colleges based on a financial emergency is repealed.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.