

ESSB 5048 - H AMD TO H AMD (H-2540.1/17) **334**

By Representative Springer

ADOPTED 03/31/2017

1 On page 277, after line 32, insert the following:

2

3 **"Sec. 952.** RCW 28B.50.140 and 2016 sp.s. c 33 s 3 are each
4 amended to read as follows:

5 Each board of trustees:

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

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

11 (3) Shall employ for a period to be fixed by the board a college
12 president for each community and technical college and, may appoint
13 a president for the district, and fix their duties and compensation,
14 which may include elements other than salary. Compensation under
15 this subsection shall not affect but may supplement retirement,
16 health care, and other benefits that are otherwise applicable to the
17 presidents as state employees. The board shall also employ for a
18 period to be fixed by the board members of the faculty and such
19 other administrative officers and other employees as may be
20 necessary or appropriate and fix their salaries and duties. Except
21 for increments provided with local resources during the 2015-2017
22 and 2017-2019 fiscal (~~(biennium))~~ biennia, compensation and salary
23 increases under this subsection shall not exceed the amount or
24 percentage established for those purposes in the state
25 appropriations act by the legislature as allocated to the board of
26 trustees by the state board for community and technical colleges.
27 The state board for community and technical colleges shall adopt

1 rules defining the permissible elements of compensation under this
2 subsection;

3 (4) May establish, in accordance with RCW 28B.77.080, new
4 facilities as community needs and interests demand. However, the
5 authority of boards of trustees to purchase or lease major off-
6 campus facilities shall be subject to the approval of the student
7 achievement council pursuant to RCW 28B.77.080;

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

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

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

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

32 (b) Employ necessary employees to govern, manage and operate the
33 same;

34

1 (8) May receive such gifts, grants, conveyances, devises and
2 bequests of real or personal property from private sources, as may
3 be made from time to time, in trust or otherwise, whenever the terms
4 and conditions thereof will aid in carrying out the community and
5 technical college programs as specified by law and the rules of the
6 state college board; sell, lease or exchange, invest or expend the
7 same or the proceeds, rents, profits and income thereof according to
8 the terms and conditions thereof; and adopt rules to govern the
9 receipt and expenditure of the proceeds, rents, profits and income
10 thereof;

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

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

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

23 (12) May grant to every student, upon graduation or completion
24 of a course of study, a suitable diploma, degree, or certificate
25 under the rules of the state board for community and technical
26 colleges that are appropriate to their mission. The purposes of
27 these diplomas, certificates, and degrees are to lead individuals
28 directly to employment in a specific occupation or prepare
29 individuals for a bachelor's degree or beyond. Technical colleges
30 may only offer transfer degrees that prepare students for bachelor's
31 degrees in professional fields, subject to rules adopted by the
32 college board. In adopting rules, the college board, where possible,
33 shall create consistency between community and technical colleges
34 and may address issues related to tuition and fee rates; tuition

1 waivers; enrollment counting, including the use of credits instead
2 of clock hours; degree granting authority; or any other rules
3 necessary to offer the associate degrees that prepare students for
4 transfer to bachelor's degrees in professional areas. Only colleges
5 under RCW 28B.50.810 or 28B.50.825 may award baccalaureate degrees.
6 The board, upon recommendation of the faculty, may also confer
7 honorary associate of arts degrees, or if it is authorized to award
8 baccalaureate degrees may confer honorary bachelor of applied
9 science degrees, upon persons other than graduates of the community
10 college, in recognition of their learning or devotion to education,
11 literature, art, or science. No degree may be conferred in
12 consideration of the payment of money or the donation of any kind of
13 property;

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

26 (14) May, by written order filed in its office, delegate to the
27 president or district president any of the powers and duties vested
28 in or imposed upon it by this chapter. Such delegated powers and
29 duties may be exercised in the name of the district board;

30 (15) May perform such other activities consistent with this
31 chapter and not in conflict with the directives of the college
32 board;

33 (16) Notwithstanding any other provision of law, may offer
34 educational services on a contractual basis other than the tuition

1 and fee basis set forth in chapter 28B.15 RCW for a special fee to
2 private or governmental entities, consistent with rules adopted by
3 the state board for community and technical colleges: PROVIDED, That
4 the whole of such special fee shall go to the college district and
5 be not less than the full instructional costs of such services
6 including any salary increases authorized by the legislature for
7 community and technical college employees during the term of the
8 agreement: PROVIDED FURTHER, That enrollments generated hereunder
9 shall not be counted toward the official enrollment level of the
10 college district for state funding purposes;

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

25 (18) Shall be authorized to pay dues to any association of
26 trustees that may be formed by the various boards of trustees; such
27 association may expend any or all of such funds to submit
28 biennially, or more often if necessary, to the governor and to the
29 legislature, the recommendations of the association regarding
30 changes which would affect the efficiency of such association;

31 (19) May participate in higher education centers and consortia
32 that involve any four-year public or independent college or
33 university in accordance with RCW 28B.77.080;

34

1 (20) Shall perform any other duties and responsibilities imposed
2 by law or rule of the state board; and

3 (21) May confer honorary associate of arts degrees upon persons
4 who request an honorary degree if they were students at the college
5 in 1942 and did not graduate because they were ordered into an
6 internment camp. The honorary degree may also be requested by a
7 representative of deceased persons who meet these requirements. For
8 the purposes of this subsection, "internment camp" means a
9 relocation center to which persons were ordered evacuated by
10 Presidential Executive Order 9066, signed on February 19, 1942."

11

12 Renumber the remaining sections consecutively and correct any
13 internal references accordingly.

14

15

EFFECT: Exempts salary increments provided with local resources during the 2017-19 biennium from the requirement that compensation and salary increases not exceed the amount or percentage established in the Omnibus Operating Budget, as allocated to each community or technical college's board of trustees by the State Board for Community and Technical Colleges.

FISCAL IMPACT: No net change to appropriated levels.

--- END ---