

2 ESSB 5184 - H COMM AMD Adopted as Amended 4-19-91 by 560, 569, 614,  
3 626, 627, and 628  
4 By Committee on Higher Education

5

6 Strike everything after the enacting clause and insert the  
7 following:

8 "NEW SECTION. Sec. 1. The legislature finds that the state's  
9 system of work force training and education is inadequate for meeting  
10 the needs of the state's workers, employers, and economy. A growing  
11 shortage of skilled workers is already hurting the state's economy.  
12 There is a shortage of available workers and too often prospective  
13 employees lack the skills and training needed by employers. Moreover,  
14 with demographic changes in the state's population employers will need  
15 to employ a more culturally diverse work force in the future.

16 The legislature further finds that the state's current work force  
17 training and education system is fragmented among numerous agencies,  
18 councils, boards, and committees, with inadequate overall coordination.  
19 No comprehensive strategic plan guides the different parts of the  
20 system. There is no single point of leadership and responsibility.  
21 There is insufficient guidance from employers and workers built into  
22 the system to ensure that the system is responsive to the needs of its  
23 customers. Adult work force education lacks a uniform system of  
24 governance, with an inefficient division in governance between  
25 community colleges and vocational technical institutes, and inadequate  
26 local authority. The parts of the system providing adult basic skills  
27 and literacy education are especially uncoordinated and lack sufficient  
28 visibility to adequately address the needs of the large number of  
29 adults in the state who are functionally illiterate. The work force

1 training and education system's data and evaluation methods are  
2 inconsistent and unable to provide adequate information for determining  
3 how well the system is performing on a regular basis so that the system  
4 may be held accountable for the outcomes it produces. Much of the work  
5 force training and education system provides inadequate opportunities  
6 to meet the needs of people from culturally diverse backgrounds.  
7 Finally, our educational institutions are not producing the number of  
8 people educated in vocational/technical skills needed by employers.

9       The legislature recognizes that we must make certain that our  
10 institutions of education place appropriate emphasis on the needs of  
11 employers and on the needs of the approximately eighty percent of our  
12 young people who enter the world of work without completing a four-year  
13 program of higher education. We must make our work force education and  
14 training system better coordinated, more efficient, more responsive to  
15 the needs of business and workers and local communities, more  
16 accountable for its performance, and more open to the needs of a  
17 culturally diverse population."

18       "NEW SECTION.   **Sec. 2.**       Unless the context clearly requires  
19 otherwise, the definitions in this section apply throughout this title.

20       (1) "Board" means the work force training and education  
21 coordinating board.

22       (2) "Director" means the director of the work force training and  
23 education coordinating board.

24       (3) "Training system" means programs and courses of secondary  
25 vocational education, technical college programs and courses, community  
26 college vocational programs and courses, adult basic education programs  
27 and courses, programs and courses funded by the job training  
28 partnership act, programs and courses funded by the federal vocational  
29 act, programs and courses funded under the federal adult education act,

1 publicly funded programs and courses for adult literacy education, and  
2 apprenticeships, and programs and courses offered by private and public  
3 nonprofit organizations that are representative of communities or  
4 significant segments of communities and provide job training or adult  
5 literacy services.

6 (4) "Work force skills" means skills developed through applied  
7 learning that strengthen and reinforce an individual's academic  
8 knowledge, critical thinking, problem solving, and work ethic and,  
9 thereby, develop the employability, occupational skills, and management  
10 of home and work responsibilities necessary for economic independence.

11 (5) "Vocational education" means organized educational programs  
12 offering a sequence of courses which are directly related to the  
13 preparation or retraining of individuals in paid or unpaid employment  
14 in current or emerging occupations requiring other than a baccalaureate  
15 or advanced degree. Such programs shall include competency-based  
16 applied learning which contributes to an individual's academic  
17 knowledge, higher-order reasoning, and problem-solving skills, work  
18 attitudes, general employability skills, and the occupational-specific  
19 skills necessary for economic independence as a productive and  
20 contributing member of society. Such term also includes applied  
21 technology education.

22 (6) "Adult basic education" means instruction designed to achieve  
23 mastery of skills in reading, writing, oral communication, and  
24 computation at a level sufficient to allow the individual to function  
25 effectively as a parent, worker, and citizen in the United States,  
26 commensurate with that individual's actual ability level, and includes  
27 English as a second language and preparation and testing service for  
28 the general education development exam."

1        "NEW SECTION. Sec. 3.        There is hereby created the work force  
2 training and education coordinating board as a state agency and as the  
3 successor agency to the state board for vocational education. Once the  
4 coordinating board has convened, all references to the state board for  
5 vocational education in the Revised Code of Washington shall be  
6 construed to mean the work force training and education coordinating  
7 board, except that reference to the state board for vocational  
8 education in RCW 49.04.030 shall mean the state board for community and  
9 technical colleges."

10       "NEW SECTION. Sec. 4.        The purpose of the board is to provide  
11 planning, coordination, evaluation, monitoring, and policy analysis for  
12 the state training system as a whole, and advice to the governor and  
13 legislature concerning the state training system, in cooperation with  
14 the agencies which comprise the state training system, and the higher  
15 education coordinating board."

16       "NEW SECTION. Sec. 5.        (1) The board shall consist of nine  
17 voting members appointed by the governor with the consent of the  
18 senate, as follows: Three representatives of business, three  
19 representatives of labor, and, serving as ex officio members, the  
20 superintendent of public instruction, the executive director of the  
21 state board for community and technical colleges, and the commissioner  
22 of the employment security department. The chair of the board shall be  
23 a nonvoting member selected by the governor with the consent of the  
24 senate, and shall serve at the pleasure of the governor. In selecting  
25 the chair, the governor shall seek a person who understands the future  
26 economic needs of the state and nation and the role that the state's  
27 training system has in meeting those needs. Each voting member of the  
28 board may appoint a designee to function in his or her place with the

1 right to vote. In making appointments to the board, the governor shall  
2 seek to ensure geographic, ethnic, and gender diversity and balance.  
3 The governor shall also seek to ensure diversity and balance by the  
4 appointment of persons with disabilities.

5 (2) The business representatives shall be selected from among  
6 nominations provided by state-wide business organizations. The  
7 nominations and selections shall reflect the cultural diversity of the  
8 state, including women, people with disabilities, and racial and ethnic  
9 minorities, and diversity in sizes of businesses.

10 (3) The labor representatives shall be selected from among  
11 nominations provided by state-wide labor organizations. The  
12 nominations and selections shall reflect the cultural diversity of the  
13 state, including women, people with disabilities, and racial and ethnic  
14 minorities.

15 (4) Each business member may cast a proxy vote or votes for any  
16 business member who is not present and who authorizes in writing the  
17 present member to cast such vote.

18 (5) Each labor member may cast a proxy vote for any labor member  
19 who is not present and who authorizes in writing the present member to  
20 cast such vote.

21 (6) The chair shall appoint to the board one nonvoting member to  
22 represent racial and ethnic minorities, women, and people with  
23 disabilities. The nonvoting member appointed by the chair shall serve  
24 for a term of four years with the term expiring on June 30th of the  
25 fourth year of the term.

26 (7) The business members of the board shall serve for terms of four  
27 years, the terms expiring on June 30th of the fourth year of the term  
28 except that in the case of initial members, one shall be appointed to  
29 a two-year term and one appointed to a three-year term.

1 (8) The labor members of the board shall serve for terms of four  
2 years, the terms expiring on June 30th of the fourth year of the term  
3 except that in the case of initial members, one shall be appointed to  
4 a two-year term and one appointed to a three-year term.

5 (9) Any vacancies among board members representing business or  
6 labor shall be filled by the governor with nominations provided by  
7 state-wide organizations representing business or labor, respectively.

8 (10) The board shall adopt bylaws and shall meet at least bimonthly  
9 and at such other times as determined by the chair who shall give  
10 reasonable prior notice to the members or at the request of a majority  
11 of the voting members.

12 (11) Members of the board shall be compensated in accordance with  
13 RCW 43.03.040 and shall receive travel expenses in accordance with RCW  
14 43.03.050 and 43.03.060.

15 (12) The board shall be formed and ready to assume its  
16 responsibilities under this chapter by October 1, 1991.

17 (13) The board shall appoint a director who shall hold office at  
18 the pleasure of the board."

19 "NEW SECTION. Sec. 6. (1) The director shall serve as chief  
20 executive officer of the board who shall administer the provisions of  
21 this chapter, employ such personnel as may be necessary to implement  
22 the purposes of this chapter, and utilize staff of existing operating  
23 agencies to the fullest extent possible.

24 (2) The director shall not be the chair of the board.

25 (3) Subject to the approval of the board, the director shall  
26 appoint necessary deputy and assistant directors and other staff who  
27 shall be exempt from the provisions of chapter 41.06 RCW. The  
28 director's appointees shall serve at the director's pleasure on such

1 terms and conditions as the director determines but subject to the code  
2 of ethics contained in chapter 42.18 RCW.

3 (4) The director shall appoint and employ such other employees as  
4 may be required for the proper discharge of the functions of the board.

5 (5) The director shall, as permissible under P.L. 101-392, as  
6 amended, integrate the staff of the council on vocational education,  
7 and contract with the state board for community and technical colleges  
8 for assistance for adult basic skills and literacy policy development  
9 and planning as required by P.L. 100-297, as amended."

10 "NEW SECTION. Sec. 7. (1) The board shall be designated as the  
11 state board of vocational education as provided for in P.L. 98-524, as  
12 amended, and shall perform such functions as is necessary to comply  
13 with federal directives pertaining to the provisions of such law.

14 (2) The board shall monitor for consistency with the state  
15 comprehensive plan for work force training and education the policies  
16 and plans established by the state job training coordinating council,  
17 the advisory council on adult education, and the Washington state plan  
18 for adult basic education, and provide guidance for making such  
19 policies and plans consistent with the state comprehensive plan for  
20 work force training and education."

21 "NEW SECTION. Sec. 8. The board, in cooperation with the  
22 operating agencies of the state training system shall:

23 (1) Concentrate its major efforts on planning, coordination  
24 evaluation, policy analysis, and recommending improvements to the  
25 state's training system.

26 (2) Advocate for the state training system and for meeting the  
27 needs of employers and the work force for work force education and  
28 training.

1       (3) Establish and maintain an inventory of the programs of the  
2 state training system, and related state programs, and perform a  
3 biennial assessment of the vocational education, training, and adult  
4 basic education and literacy needs of the state; identify ongoing and  
5 strategic education needs; and assess the extent to which employment,  
6 training, vocational and basic education, rehabilitation services, and  
7 public assistance services represent a consistent, integrated approach  
8 to meet such needs.

9       (4) Develop and maintain a state comprehensive plan for work force  
10 training and education, including but not limited to, goals,  
11 objectives, and priorities for the state training system, and review  
12 the state training system for consistency with the state comprehensive  
13 plan. In developing the state comprehensive plan for work force  
14 training and education, the board shall use, but shall not be limited  
15 to: Economic, labor market, and populations trends reports in office  
16 of financial management forecasts; joint office of financial management  
17 and employment security department labor force, industry employment,  
18 and occupational forecasts; the results of scientifically based  
19 outcome, net-impact and cost-benefit evaluations; the needs of  
20 employers as evidenced in formal employer surveys and other employer  
21 input; and the needs of program participants and workers as evidenced  
22 in formal surveys and other input from program participants and the  
23 labor community.

24       (5) In consultation with the higher education coordinating board,  
25 review and make recommendations to the office of financial management  
26 and the legislature on operating and capital facilities budget requests  
27 for operating agencies of the state training system for purposes of  
28 consistency with the state comprehensive plan for work force training  
29 and education.



1 (6) Provide for coordination among the different operating agencies  
2 of the state training system at the state level and at the regional  
3 level.

4 (7) Develop a consistent and reliable data base on vocational  
5 education enrollments, costs, program activities, and job placements  
6 from publicly funded vocational education programs in this state.

7 (8) Establish standards for data collection and maintenance for the  
8 operating agencies of the state training system in a format that is  
9 accessible to use by the board. The board shall require a minimum of  
10 common core data to be collected by each operating agency of the state  
11 training system.

12 The board shall develop requirements for minimum common core data  
13 in consultation with the office of financial management and the  
14 operating agencies of the training system.

15 (9) Establish minimum standards for program evaluation for the  
16 operating agencies of the state training system, including, but not  
17 limited to, the use of common survey instruments and procedures for  
18 measuring perceptions of program participants and employers of program  
19 participants, and monitor such program evaluation.

20 (10) Every two years administer scientifically based outcome  
21 evaluations of the state training system, including, but not limited  
22 to, surveys of program participants, surveys of employers of program  
23 participants, and matches with employment security department payroll  
24 and wage files. Every five years administer scientifically based net-  
25 impact and cost-benefit evaluations of the state training system.

26 (11) In cooperation with the employment security department,  
27 provide for the improvement and maintenance of quality and utility in  
28 occupational information and forecasts for use in training system  
29 planning and evaluation. Improvements shall include, but not be  
30 limited to, development of state-based occupational change factors

1 involving input by employers and employees, and delineation of skill  
2 and training requirements by education level associated with current  
3 and forecasted occupations.

4 (12) Provide for the development of common course description  
5 formats, common reporting requirements, and common definitions for  
6 operating agencies of the training system.

7 (13) Provide for effectiveness and efficiency reviews of the state  
8 training system.

9 (14) In cooperation with the higher education coordinating board,  
10 facilitate transfer of credit policies and agreements between  
11 institutions of the state training system, and encourage articulation  
12 agreements for programs encompassing two years of secondary work force  
13 education and two years of postsecondary work force education.

14 (15) In cooperation with the higher education coordinating board,  
15 facilitate transfer of credit policies and agreements between private  
16 training institutions and institutions of the state training system.

17 (16) Participate in the development of coordination criteria for  
18 activities under the job training partnership act with related programs  
19 and services provided by state and local education and training  
20 agencies.

21 (17) Make recommendations to the commission of student assessment,  
22 the state board of education, and the superintendent of public  
23 instruction, concerning basic skill competencies and essential core  
24 competencies for K-12 education. Basic skills for this purpose shall  
25 be reading, writing, computation, speaking, and critical thinking,  
26 essential core competencies for this purpose shall be English, math,  
27 science/technology, history, geography, and critical thinking. The  
28 board shall monitor the development of and provide advice concerning  
29 secondary curriculum which integrates vocational and academic  
30 education.

1 (18) Establish and administer programs for marketing and outreach  
2 to businesses and potential program participants.

3 (19) Facilitate the location of support services, including but not  
4 limited to, child care, financial aid, career counseling, and job  
5 placement services, for students and trainees at institutions in the  
6 state training system, and advocate for support services for trainees  
7 and students in the state training system.

8 (20) Facilitate private sector assistance for the state training  
9 system, including but not limited to: Financial assistance, rotation  
10 of private and public personnel, and vocational counseling.

11 (21) Facilitate programs for school-to-work transition that combine  
12 classroom education and on-the-job training in industries and  
13 occupations without a significant number of apprenticeship programs.

14 (22) Encourage and assess progress for the equitable representation  
15 of racial and ethnic minorities, women, and people with disabilities  
16 among the students, teachers, and administrators of the state training  
17 system. Equitable, for this purpose, shall mean substantially  
18 proportional to their percentage of the state population in the  
19 geographic area served. This function of the board shall in no way  
20 lessen more stringent state or federal requirements for representation  
21 of racial and ethnic minorities, women, and people with disabilities.

22 (23) Participate in the planning and policy development of governor  
23 set-aside grants under P.L. 97-300, as amended.

24 (24) Administer veterans' programs, licensure of private vocational  
25 schools, the job skills program, and the Washington award for  
26 vocational excellence.

27 (25) Allocate funding from the state job training trust fund.

28 (26) Adopt rules as necessary to implement this chapter.

29 The board may delegate to the director any of the functions of this  
30 section."

1        "NEW SECTION.    Sec. 9.

2        The state board for vocational education  
3        is hereby abolished and its powers, duties, and functions are hereby  
4        transferred to the work force training and education coordinating  
5        board. All references to the director or the state board for  
6        vocational education in the Revised Code of Washington shall be  
7        construed to mean the director or the work force training and education  
8        coordinating board."

8        "NEW SECTION.    Sec. 10.

9        All reports, documents, surveys, books,  
10       records, files, papers, or written material in the possession of the  
11       state board for vocational education shall be delivered to the custody  
12       of the work force training and education coordinating board. All  
13       cabinets, furniture, office equipment, motor vehicles, and other  
14       tangible property employed by the state board for vocational education  
15       shall be made available to the work force training and education  
16       coordinating board. All funds, credits, or other assets held by the  
17       state board for vocational education shall be assigned to the work  
18       force training and education coordinating board.

18       Any appropriations made to the state board for vocational education  
19       shall, on the effective date of this section, be transferred and  
20       credited to the work force training and education coordinating board.

21       Whenever any question arises as to the transfer of any personnel,  
22       funds, books, documents, records, papers, files, equipment, or other  
23       tangible property used or held in the exercise of the powers and the  
24       performance of the duties and functions transferred, the director of  
25       financial management shall make a determination as to the proper  
26       allocation and certify the same to the state agencies concerned."

27       "NEW SECTION.    Sec. 11.

28       All employees of the state board for  
vocational education who are classified under chapter 41.06 RCW, the

1 state civil service law, are assigned to the work force training and  
2 education coordinating board to perform their usual duties upon the  
3 same terms as formerly, without any loss of rights, subject to any  
4 action that may be appropriate thereafter in accordance with the laws  
5 and rules governing state civil service."

6 "NEW SECTION. Sec. 12. All rules and all pending business  
7 before the state board for vocational education shall be continued and  
8 acted upon by the work force training and education coordinating board.  
9 All existing contracts and obligations shall remain in full force and  
10 shall be performed by the work force training and education  
11 coordinating board."

12 "NEW SECTION. Sec. 13. The transfer of the powers, duties,  
13 functions, and personnel of the state board for vocational education  
14 shall not affect the validity of any act performed prior to the  
15 effective date of this section."

16 "NEW SECTION. Sec. 14. If apportionments of budgeted funds are  
17 required because of the transfers directed by sections 10 through 13 of  
18 this act, the director of financial management shall certify the  
19 apportionments to the agencies affected, the state auditor, and the  
20 state treasurer. Each of these shall make the appropriate transfer and  
21 adjustments in funds and appropriation accounts and equipment records  
22 in accordance with the certification."

23 "NEW SECTION. Sec. 15. Nothing contained in sections 9 through  
24 14 of this act may be construed to alter any existing collective  
25 bargaining unit or the provisions of any existing collective bargaining

1 agreement until the agreement has expired or until the bargaining unit  
2 has been modified by action of the personnel board as provided by law."

3       "NEW SECTION. Sec. 16.       (1) There is hereby created the  
4 Washington state job training coordinating council for so long as a  
5 state council is required by federal law or regulation as a condition  
6 for receipt of federal funds. The council shall perform all duties of  
7 state job training coordinating council as specified in the federal job  
8 training partnership act, P.L. 97-300, as amended, including the  
9 preparation of a coordination and special services plan for a two-year  
10 period, consistent with the state comprehensive plan for work force  
11 training and education prepared by the work force training and  
12 education coordinating board as provided for in section 8 of this act.

13       (2) The work force training and education coordinating board shall  
14 monitor the need for the council as described in subsection (1) of this  
15 section, and, if that need no longer exists, propose legislation to  
16 terminate the council."

17       "NEW SECTION. Sec. 17.       (1) Current members of the Washington  
18 state job training coordinating council appointed pursuant to P.L. 97-  
19 300, as amended, shall serve as the state council for purposes of this  
20 chapter until new appointments are made consistent with this section.

21       (2) New appointments to the state council shall be made by July 1,  
22 1991. Members of the Washington state job training council shall be  
23 appointed by the governor as required by federal law and shall be  
24 representative of the population of the state with regard to sex, race,  
25 ethnic background, and geographical distribution. To the maximum  
26 extent feasible, the governor shall give consideration to providing  
27 overlapping membership with the membership of the work force training  
28 and education coordinating board. One voting member of the council

1 shall be a representative of the administrators for the service  
2 delivery areas established under P.L. 97-300. One voting member of the  
3 council shall be a representative of the private industry councils  
4 established under P.L. 97-300.

5 (3) The Washington state job training coordinating council shall  
6 provide staff and allocate funds to the work force training and  
7 education coordinating board, as appropriate, to carry out the  
8 overlapping functions of the two bodies."

9 "NEW SECTION. Sec. 18. (1) There is hereby created the  
10 Washington state council on vocational education for so long as a state  
11 council is required by federal law or regulation as a condition for  
12 receipt of federal funds. The council on vocational education shall  
13 perform all duties of councils on vocational education as specified in  
14 P.L. 101-392, as amended.

15 (2) The work force training and education coordinating board shall  
16 monitor the need for the council as described in subsection (1) of this  
17 section, and, if that need no longer exists, propose legislation to  
18 terminate the council."

19 "NEW SECTION. Sec. 19. Current members of the Washington state  
20 council on vocational education appointed pursuant to P.L. 98-524, as  
21 amended, shall serve as the state council on vocational education for  
22 purposes of this chapter until new appointments are made consistent  
23 with this section. New appointments to the state council on vocational  
24 education shall be made by July 1, 1991. The council on vocational  
25 education shall consist of thirteen members appointed by the governor  
26 consistent with the provisions of P.L. 101-392, as amended. In making  
27 these appointments, to the maximum extent feasible, the governor shall

1 give consideration to providing overlapping membership with the  
2 membership of the state job training coordinating council."

3       "NEW SECTION.   **Sec. 20.**       The council on vocational education  
4 shall perform its functions consistent with the state comprehensive  
5 plan for work force training and education prepared by the work force  
6 training and education coordinating board as provided for in section 8  
7 of this act."

8       "NEW SECTION.   **Sec. 21.**       (1) There is hereby created the  
9 Washington advisory council on adult education. The advisory council  
10 shall advise the state board for community and technical colleges and  
11 the work force training and education coordinating board concerning  
12 adult basic education and literacy programs. The advisory council  
13 shall perform all duties of state advisory councils on adult education  
14 as specified in P.L. 100-297, as amended. The advisory council's  
15 actions shall be consistent with the state comprehensive plan for work  
16 force training and education prepared by the work force training and  
17 education coordinating board as provided for in section 8 of this act.

18       (2) The advisory council on adult education shall consist of nine  
19 members as required by federal law, appointed by the governor. In  
20 making these appointments, to the maximum extent feasible, the governor  
21 shall give consideration to providing overlapping membership with the  
22 membership of the state job training coordinating council, and the  
23 governor shall give consideration to individuals with expertise and  
24 experience in adult basic education.

25       (3) The work force training and education coordinating board shall  
26 monitor the need for the council as described in subsection (1) of this  
27 section, and, if that need no longer exists, propose legislation to  
28 terminate the council."



1       **"Sec. 22.** RCW 28B.50.010 and 1969 ex.s. c 223 s 28B.50.010 are  
2 each amended to read as follows:

3       This chapter shall be known as and may be cited as the community  
4 and technical college act of ((1967)) 1991."

5       **"Sec. 23.** RCW 28B.50.020 and 1969 ex.s. c 261 s 17 are each  
6 amended to read as follows:

7       The purpose of this chapter is to provide for the dramatically  
8 increasing number of students requiring high standards of education  
9 either as a part of the continuing higher education program or for  
10 occupational education and training, or for adult basic skills and  
11 literacy education, by creating a new, independent system of community  
12 and technical colleges which will:

13       (1) Offer an open door to every citizen, regardless of his or her  
14 academic background or experience, at a cost normally within his or her  
15 economic means;

16       (2) Ensure that each ((community)) college district shall offer  
17 thoroughly comprehensive educational, training and service programs to  
18 meet the needs of both the communities and students served by  
19 combining((~~, with equal emphasis,~~)) high standards of excellence in  
20 academic transfer courses; realistic and practical courses in  
21 occupational education, both graded and ungraded; community services of  
22 an educational, cultural, and recreational nature; and adult education,  
23 including basic skills and general, family, and work force literacy  
24 programs and services. However, college districts containing only  
25 technical colleges shall maintain programs solely for occupational  
26 education, basic skills, and literacy purposes, and, for as long as a  
27 need exists, may continue those programs, activities, and services  
28 offered by the technical colleges during the twelve-month period  
29 preceding the effective date of this section;

1       (3) Provide for basic skills and literacy education, and  
2 occupational education and technical training at technical colleges in  
3 order to prepare students for careers in a competitive work force;

4       (4) Provide or coordinate related and supplemental instruction for  
5 apprentices at community and technical colleges;

6       (5) Provide administration by state and local boards which will  
7 avoid unnecessary duplication of facilities or programs; and which will  
8 encourage efficiency in operation and creativity and imagination in  
9 education, training and service to meet the needs of the community and  
10 students;

11       (~~((4))~~) (6) Allow for the growth, improvement, flexibility and  
12 modification of the community colleges and their education, training  
13 and service programs as future needs occur; and

14       (~~((5))~~) (7) Establish firmly that community colleges are, for  
15 purposes of academic training, two year institutions, and are an  
16 independent, unique, and vital section of our state's higher education  
17 system, separate from both the common school system and other  
18 institutions of higher learning, and never to be considered for  
19 conversion into four-year liberal arts colleges."

20       **"Sec. 24.** RCW 28B.50.030 and 1985 c 461 s 14 are each amended to  
21 read as follows:

22       As used in this chapter, unless the context requires otherwise, the  
23 term:

24       (1) "System" shall mean the state system of community and  
25 technical colleges, which shall be a system of higher education(~~((+))~~).

26       (2) "Board" shall mean the work force training and education  
27 coordinating board.

28       (3) "College board" shall mean the state board for community and  
29 technical colleges (~~((education))~~) created by this chapter(~~((+))~~).

~~((3))~~ (4) "Director" shall mean the administrative director for the state system of community and technical colleges~~((;))~~.

~~((4))~~ (5) "District" shall mean any one of the community and technical college districts created by this chapter~~((;))~~.

~~((5))~~ (6) "Board of trustees" shall mean the local community and technical college board of trustees established for each ~~((community))~~ college district within the state~~((;))~~.

~~((6))~~ "Council" shall mean the coordinating council for ~~occupational education~~~~(;))~~

(7) "Occupational education" shall mean that education or training that will prepare a student for employment that does not require a baccalaureate degree~~((;))~~.

(8) "K-12 system" shall mean the public school program including kindergarten through the twelfth grade~~((;))~~.

(9) "Common school board" shall mean a public school district board of directors~~((;))~~.

(10) "Community college" shall include ~~((where applicable, vocational-technical and adult))~~ those higher education institutions that conduct education programs ~~((conducted by community colleges and vocational-technical institutes whose major emphasis is in post-high school education~~~~(;))~~ under RCW 28B.50.020.

(11) "Technical college" shall include those higher education institutions with the sole mission of conducting occupational education, basic skills, literacy programs, and offering on short notice, when appropriate, programs that meet specific industry needs. The programs of technical colleges shall include, but not be limited to, continuous enrollment, competency-based instruction, industry-experienced faculty, curriculum integrating vocational and basic skills education, and curriculum approved by representatives of employers and labor. For purposes of this chapter, technical colleges shall include

Lake Washington Vocational-Technical Institute, Renton Vocational-Technical Institute, Bates Vocational-Technical Institute, Clover Park Vocational Institute, and Bellingham Vocational-Technical Institute.

(12) "Adult education" shall mean all education or instruction, including academic, vocational education or training, basic skills and literacy training, and "occupational education" provided by public educational institutions, including common school districts for persons who are eighteen years of age and over or who hold a high school diploma or certificate(~~(:—PROVIDED, That))~~). However, "adult education" shall not include academic education or instruction for persons under twenty-one years of age who do not hold a high school degree or diploma and who are attending a public high school for the sole purpose of obtaining a high school diploma or certificate(~~(:—PROVIDED, FURTHER, That))~~, nor shall "adult education" (~~((shall not))~~) include education or instruction provided by any four year public institution of higher education(~~(:—AND PROVIDED FURTHER, That adult education shall not include education or instruction provided by a vocational-technical institute))~~)."

**"Sec. 25.** RCW 28B.50.040 and 1988 c 77 s 1 are each amended to read as follows:

The state of Washington is hereby divided into (~~((twenty-four community))~~) twenty-nine college districts as follows:

(1) The first district shall encompass the counties of Clallam and Jefferson;

(2) The second district shall encompass the counties of Grays Harbor and Pacific;

(3) The third district shall encompass the counties of Kitsap and Mason;

1       (4) The fourth district shall encompass the counties of San Juan,  
2 Skagit and Island;

3       (5) The fifth district shall encompass Snohomish county except for  
4 the Northshore common school district and that portion encompassed by  
5 the twenty-third district created in subsection (23) of this section:  
6 PROVIDED, That the fifth district shall encompass the Everett Community  
7 College;

8       (6) The sixth district shall encompass the present boundaries of  
9 the common school districts of Seattle and Vashon Island, King county;

10       (7) The seventh district shall encompass the present boundaries of  
11 the common school districts of Shoreline in King county and Northshore  
12 in King and Snohomish counties;

13       (8) The eighth district shall encompass the present boundaries of  
14 the common school districts of Lake Washington, Bellevue, Issaquah,  
15 Lower Snoqualmie, Mercer Island, Skykomish and Snoqualmie, King county;

16       (9) The ninth district shall encompass the present boundaries of  
17 the common school districts of Federal Way, Highline and South Central,  
18 King county;

19       (10) The tenth district shall encompass the present boundaries of  
20 the common school districts of Auburn, Black Diamond, Renton, Enumclaw,  
21 Kent, Lester and Tahoma, King county, and the King county portion of  
22 Puyallup common school district No. 3;

23       (11) The eleventh district shall encompass all of Pierce county,  
24 except for the present boundaries of the common school districts of  
25 Tacoma and Peninsula;

26       (12) The twelfth district shall encompass Lewis county, the  
27 Rochester common school district No. 401, the Tenino common school  
28 district No. 402 of Thurston county, and the Thurston county portion of  
29 the Centralia common school district No. 401;

1 (13) The thirteenth district shall encompass the counties of  
2 Cowlitz, and Wahkiakum;

3 (14) The fourteenth district shall encompass the counties of Clark,  
4 Skamania and that portion of Klickitat county not included in the  
5 sixteenth district;

6 (15) The fifteenth district shall encompass the counties of Chelan,  
7 Douglas and Okanogan;

8 (16) The sixteenth district shall encompass the counties of  
9 Kittitas, Yakima, and that portion of Klickitat county included in  
10 United States census divisions 1 through 4;

11 (17) The seventeenth district shall encompass the counties of  
12 Ferry, Lincoln (except consolidated school district 105-157-166J and  
13 the Lincoln county portion of common school district 167-202), Pend  
14 Oreille, Spokane, Stevens and Whitman;

15 (18) The eighteenth district shall encompass the counties of Adams  
16 and Grant, and that portion of Lincoln county comprising consolidated  
17 school district 105-157-166J and common school district 167-202;

18 (19) The nineteenth district shall encompass the counties of Benton  
19 and Franklin;

20 (20) The twentieth district shall encompass the counties of Asotin,  
21 Columbia, Garfield and Walla Walla;

22 (21) The twenty-first district shall encompass Whatcom county;

23 (22) The twenty-second district shall encompass the present  
24 boundaries of the common school districts of Tacoma and Peninsula,  
25 Pierce county;

26 (23) The twenty-third district shall encompass that portion of  
27 Snohomish county within such boundaries as the state board for  
28 community and technical colleges ~~((education))~~ shall determine:  
29 PROVIDED, That the twenty-third district shall encompass the Edmonds  
30 Community College; ~~((and))~~

1       (24) The twenty-fourth district shall encompass all of Thurston  
2 county except the Rochester common school district No. 401, the Tenino  
3 common school district No. 402, and the Thurston county portion of the  
4 Centralia common school district No. 401;

5       (25) The twenty-fifth district shall encompass all of Whatcom  
6 county;

7       (26) The twenty-sixth district shall encompass the Northshore, Lake  
8 Washington, Bellevue, Mercer Island, Issaquah, Riverview, Snoqualmie  
9 Valley and Skykomish school districts;

10       (27) The twenty-seventh district shall encompass the Renton, Kent,  
11 Auburn, Tahoma, and Enumclaw school districts and a portion of the  
12 Seattle school district described as follows: Commencing at a point  
13 established by the intersection of the Duwamish river and the south  
14 boundary of the Seattle Community College District (number six) and  
15 thence north along the centerline of the Duwamish river to the west  
16 waterway; thence north along the centerline of the west waterway to  
17 Elliot Bay; thence along Elliot Bay to a line established by the  
18 intersection of the extension of Denny Way to Elliot Bay; thence east  
19 along the line established by the centerline of Denny Way to Lake  
20 Washington; thence south along the shoreline of Lake Washington to the  
21 south line of the Seattle Community College District; and thence west  
22 along the south line of the Seattle Community College District to the  
23 point of beginning;

24       (28) The twenty-eighth district shall encompass all of Pierce  
25 county; and

26       (29) The twenty-ninth district shall encompass all of Pierce  
27 county."

28       "NEW SECTION. Sec. 26.       There is hereby created a board of  
29 trustees for district twenty-six and Lake Washington Vocational-

1 Technical Institute, hereafter known as Lake Washington Technical  
2 College. The members of the board shall be appointed pursuant to the  
3 provisions of RCW 28B.50.100."

4 "NEW SECTION. Sec. 27. There is hereby created a board of  
5 trustees for district twenty-seven and Renton Vocational-Technical  
6 Institute, hereafter known as Renton Technical College. The members of  
7 the board shall be appointed pursuant to the provisions of RCW  
8 28B.50.100."

9 "NEW SECTION. Sec. 28. There is hereby created a board of  
10 trustees for district twenty-five and Bellingham Vocational-Technical  
11 Institute, hereafter known as Bellingham Technical College. The  
12 members of the board shall be appointed pursuant to the provisions of  
13 RCW 28B.50.100."

14 "NEW SECTION. Sec. 29. There is hereby created a new board of  
15 trustees for district twenty-eight and Bates Vocational-Technical  
16 Institute, hereafter known as Bates Technical College. The members of  
17 the board shall be appointed pursuant to the provisions of RCW  
18 28B.50.100."

19 "NEW SECTION. Sec. 30. There is hereby created a new board of  
20 trustees for district twenty-nine and Clover Park Vocational-Technical  
21 Institute, hereafter known as Clover Park Technical College. The  
22 members of the board shall be appointed pursuant to the provisions of  
23 RCW 28B.50.100."

24 "NEW SECTION. Sec. 31. By December 1, 1996, the state board  
25 shall complete a report evaluating successes and difficulties



1 associated with the merger of the technical and community colleges into  
2 one system. The evaluation shall include but need not be limited to  
3 consideration of all local governance models for technical colleges.  
4 The state board shall provide the report, and any recommendations,  
5 including recommendations for revisions to local governance models, to  
6 the governor, the house and senate committees on higher education, and  
7 the work force training and education coordinating board."

8 "Sec. 32. RCW 28B.50.050 and 1988 c 76 s 1 are each amended to  
9 read as follows:

10 There is hereby created the "state board for community (~~college~~  
11 ~~education~~) and technical colleges", to consist of (~~(eight)~~) nine  
12 ~~members((, one from each congressional district, as now or hereafter~~  
13 ~~existing))~~ who represent the geographic diversity of the state, and who  
14 shall be appointed by the governor, with the consent of the senate. At  
15 least two members shall reside east of the Cascade mountains. In  
16 making these appointments, the governor shall attempt to provide  
17 geographic balance and give consideration to representing labor,  
18 business, women, and racial and ethnic minorities, among the membership  
19 of the board. At least one member of the board shall be from business  
20 and at least one member of the board shall be from labor. The current  
21 members of the state board for community college education on the  
22 effective date of this section shall serve on the state board for  
23 community and technical colleges until their terms expire. Successors  
24 to these members shall be appointed according to the terms of this  
25 section. A ninth member shall be appointed by the effective date of  
26 this section for a complete term.

27 The successors of the members initially appointed shall be  
28 appointed for terms of four years except that (~~(any)~~) a person((s))  
29 appointed to fill a vacancy occurring prior to the expiration of any

1 term shall be appointed only for the remainder of such term. Each  
2 member shall serve until the appointment and qualification of his or  
3 her successor. All members shall be citizens and bona fide residents  
4 of the state.

5 ~~((The board shall not be deemed unlawfully constituted and a member  
6 of the board shall not be deemed ineligible to serve the remainder of  
7 the member's unexpired term on the board solely by reason of the  
8 establishment of new or revised boundaries for congressional  
9 districts.))~~

10 Members of the college board shall be compensated in accordance  
11 with RCW 43.03.240 and shall receive reimbursement for travel expenses  
12 in accordance with RCW 43.03.050 and 43.03.060 for each day actually  
13 spent in attending to the duties as a member of the college board.

14 The members of the college board may be removed by the governor for  
15 inefficiency, neglect of duty, or malfeasance in office, in the manner  
16 provided by RCW 28B.10.500."

17 **"Sec. 33.** RCW 28B.50.060 and 1975-'76 2nd ex.s. c 34 s 75 are each  
18 amended to read as follows:

19 A director of the state system of community and technical colleges  
20 shall be appointed by the college board and shall serve at the pleasure  
21 of the college board. ((He)) The director shall be appointed with due  
22 regard to ((his)) the applicant's fitness and background in education,  
23 ((by his)) and knowledge of and recent practical experience in the  
24 field of educational administration particularly in institutions beyond  
25 the high school level. The college board may also take into  
26 consideration an applicant's proven management background even though  
27 not particularly in the field of education.

28 The director shall devote his or her time to the duties of his or  
29 her office and shall not have any direct pecuniary interest in or any

1 stock or bonds of any business connected with or selling supplies to  
2 the field of education within this state, in keeping with chapter 42.18  
3 RCW, the executive conflict of interest act.

4 ((He)) The director shall receive a salary to be fixed by the  
5 college board and shall be reimbursed for travel expenses incurred ((by  
6 him)) in the discharge of his or her official duties in accordance with  
7 RCW 43.03.050 and 43.03.060, as now existing or hereafter amended.

8 ((He)) The director shall be the executive officer of the college  
9 board and serve as its secretary and under its supervision shall  
10 administer the provisions of this chapter and the rules, regulations  
11 and orders established thereunder and all other laws of the state.

12 ((He)) The director shall attend, but not vote at, all meetings of the  
13 college board. ((He)) The director shall be in charge of offices of  
14 the college board and responsible to the college board for the  
15 preparation of reports and the collection and dissemination of data and  
16 other public information relating to the state system of community and  
17 technical colleges. At the direction of the college board, ((he)) the  
18 director shall, together with the chairman of the college board,  
19 execute all contracts entered into by the college board.

20 The director shall, with the approval of the college board: (1)  
21 Employ necessary assistant directors of major staff divisions who shall  
22 serve at ((his)) the director's pleasure on such terms and conditions  
23 as ((he)) the director determines, and (2) subject to the provisions of  
24 chapter 28B.16 RCW, the higher education personnel law, the director  
25 shall, with the approval of the college board, appoint and employ such  
26 field and office assistants, clerks and other employees as may be  
27 required and authorized for the proper discharge of the functions of  
28 the college board and for whose services funds have been appropriated.

29 The board may, by written order filed in its office, delegate to  
30 the director any of the powers and duties vested in or imposed upon it

1 by this chapter. Such delegated powers and duties may be exercised by  
2 the director in the name of the college board."

3 "Sec. 34. RCW 28B.50.085 and 1981 c 246 s 4 are each amended to  
4 read as follows:

5 The state board for community and technical colleges ~~((education))~~  
6 shall appoint a treasurer who shall be the financial officer of the  
7 board, who shall make such vendor payments and salary payments for the  
8 entire community and technical college system as authorized by the  
9 state board, and who shall hold office during the pleasure of the  
10 board. All moneys received by the state board and not required to be  
11 deposited elsewhere, shall be deposited in a depository selected by the  
12 board, which moneys shall be subject to the budgetary and audit  
13 provisions of law applicable to state agencies. The depository  
14 selected by the state board shall conform to the collateral  
15 requirements required for the deposit of other state funds.  
16 Disbursement shall be made by check signed by the treasurer. The  
17 treasurer shall render a true and faithful account of all moneys  
18 received and paid out by him or her and shall give bond for the  
19 faithful performance of the duties of his or her office in such amount  
20 as the board requires: PROVIDED, That the board shall pay the fee for  
21 any such bonds."

22 "Sec. 35. RCW 28B.50.090 and 1982 c 50 s 1 are each amended to  
23 read as follows:

24 The college board shall have general supervision and control over  
25 the state system of community and technical colleges. In addition to  
26 the other powers and duties imposed upon the college board by this  
27 chapter, the college board shall be charged with the following powers,  
28 duties and responsibilities:

1 (1) Review the budgets prepared by the ((community college)) boards  
2 of trustees, prepare a single budget for the support of the state  
3 system of community and technical colleges and adult education, and  
4 submit this budget to the governor as provided in RCW 43.88.090(~~(; the~~  
5 ~~coordinating council shall assist with the preparation of the community~~  
6 ~~college budget that has to do with vocational education programs))~~;

7 (2) Establish guidelines for the disbursement of funds; and receive  
8 and disburse such funds for adult education and maintenance and  
9 operation and capital support of the ((community)) college districts in  
10 conformance with the state and district budgets, and in conformance  
11 with chapter 43.88 RCW;

12 (3) Ensure, through the full use of its authority:

13 (a) That each ((community)) college district shall offer thoroughly  
14 comprehensive educational, training and service programs to meet the  
15 needs of both the communities and students served by combining(~~(, with~~  
16 ~~equal emphasis,~~)) high standards of excellence in academic transfer  
17 courses; realistic and practical courses in occupational education,  
18 both graded and ungraded; and community services of an educational,  
19 cultural, and recreational nature; and adult education(~~(; PROVIDED,~~  
20 ~~That notwithstanding any other provisions of this chapter, a community~~  
21 ~~college shall not be required to offer a program of vocational-~~  
22 ~~technical training, when such a program as approved by the coordinating~~  
23 ~~council for occupational education is already operating in the~~  
24 ~~district))~~, including basic skills and general, family, and work force  
25 literacy programs and services. However, technical colleges, and  
26 college districts containing only technical colleges, shall maintain  
27 programs solely for occupational education, basic skills, and literacy  
28 purposes. For as long as a need exists, technical colleges may  
29 continue those programs, activities, and services they offered during  
30 the twelve-month period preceding the effective date of this section;

1 (b) That each ((community)) college district shall maintain an  
2 open-door policy, to the end that no student will be denied admission  
3 because of the location of ((his)) the student's residence or because  
4 of ((his)) the student's educational background or ability; that,  
5 insofar as is practical in the judgment of the college board,  
6 curriculum offerings will be provided to meet the educational and  
7 training needs of the community generally and the students thereof; and  
8 that all students, regardless of their differing courses of study, will  
9 be considered, known and recognized equally as members of the student  
10 body: PROVIDED, That the administrative officers of a community or  
11 technical college may deny admission to a prospective student or  
12 attendance to an enrolled student if, in their judgment, ((he)) the  
13 student would not be competent to profit from the curriculum offerings  
14 of the ((community)) college, or would, by his or her presence or  
15 conduct, create a disruptive atmosphere within the ((community))  
16 college not consistent with the purposes of the institution. This  
17 subsection (b) shall not apply to competency, conduct, or presence  
18 associated with a disability in a person twenty-one years of age or  
19 younger attending a technical college;

20 (4) Prepare a comprehensive master plan for the development of  
21 community and technical college education and training in the state;  
22 and assist the office of financial management in the preparation of  
23 enrollment projections to support plans for providing adequate  
24 ((community)) college facilities in all areas of the state;

25 (5) Define and administer criteria and guidelines for the  
26 establishment of new community and technical colleges or campuses  
27 within the existing districts;

28 (6) Establish criteria and procedures for modifying district  
29 boundary lines consistent with the purposes set forth in RCW 28B.50.020

as now or hereafter amended and in accordance therewith make such changes as it deems advisable;

(7) Establish minimum standards to govern the operation of the community and technical colleges with respect to:

(a) Qualifications and credentials of instructional and key administrative personnel, except as otherwise provided in the state plan for vocational education,

(b) Internal budgeting, accounting, auditing, and financial procedures as necessary to supplement the general requirements prescribed pursuant to chapter 43.88 RCW,

(c) The content of the curriculums and other educational and training programs, and the requirement for degrees and certificates awarded by the colleges,

(d) Standard admission policies,

(e) Eligibility of courses to receive state fund support;

(8) Establish and administer criteria and procedures for all capital construction including the establishment, installation, and expansion of facilities within the various ((community)) college districts;

(9) Encourage innovation in the development of new educational and training programs and instructional methods; coordinate research efforts to this end; and disseminate the findings thereof;

(10) Exercise any other powers, duties and responsibilities necessary to carry out the purposes of this chapter;

(11) Authorize the various community and technical colleges to offer programs and courses in other districts when it determines that such action is consistent with the purposes set forth in RCW 28B.50.020 as now or hereafter amended;

(12) Notwithstanding any other law or statute regarding the sale of state property, sell or exchange and convey any or all interest in any

community and technical college real and personal property, except such property as is received by a (~~community~~) college district in accordance with RCW 28B.50.140(8), when it determines that such property is surplus or that such a sale or exchange is in the best interests of the community and technical college system;

(13) In order that the treasurer for the state board for community and technical colleges (~~education~~) appointed in accordance with RCW 28B.50.085 may make vendor payments, the state treasurer will honor warrants drawn by the state board providing for an initial advance on July 1, 1982, of the current biennium and on July 1 of each succeeding biennium from the state general fund in an amount equal to twenty-four percent of the average monthly allotment for such budgeted biennium expenditures for the state board for community and technical colleges (~~education~~) as certified by the office of financial management; and at the conclusion of such initial month and for each succeeding month of any biennium, the state treasurer will reimburse expenditures incurred and reported monthly by the state board treasurer in accordance with chapter 43.88 RCW: PROVIDED, That the reimbursement to the state board for actual expenditures incurred in the final month of each biennium shall be less the initial advance made in such biennium;

(14) Notwithstanding the provisions of subsection (12) of this section, may receive such gifts, grants, conveyances, devises, and bequests of real or personal property from private sources as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the community and technical college programs and may sell, lease or exchange, invest or expend the same or the proceeds, rents, profits and income thereof according to the terms and conditions thereof; and adopt regulations to govern the receipt and expenditure of the proceeds, rents, profits and income thereof(~~(-)~~);



1       (15) The college board shall have the power of eminent domain;

2       (16) Provide general supervision over the state's technical  
3 colleges. The president of each technical college shall report  
4 directly to the director of the state board for community and technical  
5 colleges, or the director's designee, until local control is assumed by  
6 a new or existing board of trustees as appropriate, except that a  
7 college president shall have authority over program decisions of his or  
8 her college until the establishment of a board of trustees for that  
9 college. The directors of the vocational-technical institutes on March  
10 1, 1991, shall be designated as the presidents of the new technical  
11 colleges."

12       **"Sec. 36.** RCW 28B.50.092 and 1977 ex.s. c 131 s 1 are each amended  
13 to read as follows:

14       The state board for community and technical colleges ~~((education))~~  
15 may authorize any ~~((community college))~~ board of trustees to do all  
16 things necessary to conduct an education, training, and service program  
17 authorized by chapter 28B.50 RCW, as now or hereafter amended, for  
18 United States military personnel and their dependents, and department  
19 of defense civilians and their dependents, at any geographical  
20 location: PROVIDED, That such programs shall be limited to those  
21 colleges which conducted programs for United States military personnel  
22 prior to January 1, 1977: PROVIDED FURTHER, That any high school  
23 completion program conducted pursuant to this section shall comply with  
24 standards set forth in rules and regulations promulgated by the  
25 superintendent of public instruction and the state board of education:  
26 AND PROVIDED FURTHER, That the superintendent of public instruction  
27 shall issue the certificate or diploma in recognition of high school  
28 completion education provided pursuant to this section."

1       **"Sec. 37.** RCW 28B.50.093 and 1973 c 105 s 2 are each amended to  
2 read as follows:

3       Prior to the state board granting authorization for any programs  
4 authorized under RCW 28B.50.092, the state board shall determine that  
5 such authorization will not deter from the primary functions of the  
6 community and technical college system within the state of Washington  
7 as prescribed by chapter 28B.50 RCW."

8       **"Sec. 38.** RCW 28B.50.095 and 1983 c 3 s 40 are each amended to  
9 read as follows:

10       In addition to other powers and duties, the college board may issue  
11 rules and regulations permitting a student to register at more than one  
12 community and technical college, provided that such student shall pay  
13 tuition and fees as if ((he)) the student were registered at a single  
14 college, but not to exceed tuition and fees charged a full-time student  
15 as established by RCW 28B.15.502."

16       **"Sec. 39.** RCW 28B.50.100 and 1987 c 330 s 1001 are each amended to  
17 read as follows:

18       There is hereby created a ((~~community college~~)) board of trustees  
19 for each ((~~community~~)) college district as set forth in this chapter.  
20 Each ((~~community college~~)) board of trustees shall be composed of five  
21 trustees, who shall be appointed by the governor for terms commencing  
22 October 1st of the year in which appointed. In making such  
23 appointments the governor shall give consideration to geographical  
24 ((~~exigencies, and the interests of labor, industry, agriculture, the~~  
25 ~~professions and ethnic groups~~)) diversity, and representing labor,  
26 business, women, and racial and ethnic minorities, in the membership of  
27 the boards of trustees. The boards of trustees for districts

1 containing technical colleges shall include at least one member from  
2 business and one member from labor.

3 The successors of the trustees initially appointed shall be  
4 appointed by the governor to serve for a term of five years except that  
5 any person appointed to fill a vacancy occurring prior to the  
6 expiration of any term shall be appointed only for the remainder of the  
7 term. Each member shall serve until a successor is appointed and  
8 qualified.

9 Every trustee shall be a resident and qualified elector of the  
10 ~~((community))~~ college district. No trustee may be an employee of the  
11 community and technical college system, a member of the board of  
12 directors of any school district, or a member of the governing board of  
13 any public or private educational institution.

14 Each board of trustees shall organize itself by electing a chairman  
15 from its members. The board shall adopt a seal and may adopt such  
16 bylaws, rules and regulations as it deems necessary for its own  
17 government. Three members of the board shall constitute a quorum, but  
18 a lesser number may adjourn from time to time and may compel the  
19 attendance of absent members in such manner as prescribed in its  
20 bylaws, rules, or regulations. The district president, or if there be  
21 none, the president of the ~~((community))~~ college, shall serve as, or  
22 may designate another person to serve as, the secretary of the board,  
23 who shall not be deemed to be a member of the board.

24 Members of the boards of trustees may be removed for misconduct or  
25 malfeasance in office in the manner provided by RCW 28B.10.500."

26 "Sec. 40. RCW 28B.50.130 and 1977 c 75 s 27 are each amended to  
27 read as follows:

28 Within thirty days of their appointment ~~((or July 1, 1967,~~  
29 ~~whichever is sooner,))~~ the various district boards of trustees shall

1 organize, adopt bylaws for its own government, and make such rules and  
2 regulations not inconsistent with this chapter as they deem necessary.  
3 At such organizational meeting it shall elect from among its members a  
4 (~~chairman and a vice-chairman~~) chair and vice-chair, each to serve  
5 for one year, and annually thereafter shall elect such officers to  
6 serve until their successors are appointed or qualified. The chief  
7 executive officer of the (~~community~~) college district, or (~~his~~)  
8 designee, shall serve as secretary of the board. Three trustees shall  
9 constitute a quorum, and no action shall be taken by less than a  
10 majority of the trustees of the board. The district boards shall  
11 transmit such reports to the college board as may be requested by the  
12 college board. The fiscal year of the district boards shall conform to  
13 the fiscal year of the state."

14 "Sec. 41. RCW 28B.50.140 and 1990 c 135 s 1 are each amended to  
15 read as follows:

16 Each (~~community-college~~) board of trustees:

17 (1) Shall operate all existing community and technical colleges  
18 (~~and vocational-technical institutes~~) in its district;

19 (2) Shall create comprehensive programs of community and technical  
20 college education and training and maintain an open-door policy in  
21 accordance with the provisions of RCW 28B.50.090(3). However,  
22 technical colleges, and college districts containing only technical  
23 colleges, shall maintain programs solely for occupational education,  
24 basic skills, and literacy purposes. For as long as a need exists,  
25 technical colleges may continue those programs, activities, and  
26 services they offered during the twelve-month period preceding the  
27 effective date of this section;

28 (3) Shall employ for a period to be fixed by the board a college  
29 president for each community and technical college (~~district,~~) and

1 (~~((where applicable community college))~~), may appoint a president((s  
2 ~~within~~)) for the district, and fix their duties and compensation, which  
3 may include elements other than salary. Compensation under this  
4 subsection shall not affect but may supplement retirement, health care,  
5 and other benefits that are otherwise applicable to the presidents as  
6 state employees. The board shall also employ for a period to be fixed  
7 by the board members of the faculty and such other administrative  
8 officers and other employees as may be necessary or appropriate and fix  
9 their salaries and duties. Compensation and salary increases under  
10 this subsection shall not exceed the amount or percentage established  
11 for those purposes in the state appropriations act by the legislature  
12 as allocated to the board of trustees by the state board for community  
13 and technical colleges (~~((education))~~). The state board for community  
14 and technical colleges (~~((education))~~) shall adopt rules defining the  
15 permissible elements of compensation under this subsection;

16 (4) May establish, under the approval and direction of the college  
17 board, new facilities as community needs and interests demand.  
18 However, the authority of (~~((community college))~~) boards of trustees to  
19 purchase or lease major off-campus facilities shall be subject to the  
20 approval of the higher education coordinating board pursuant to RCW  
21 28B.80.340(5);

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

26 (6) May, with the approval of the college board, borrow money and  
27 issue and sell revenue bonds or other evidences of indebtedness for the  
28 construction, reconstruction, erection, equipping with permanent  
29 fixtures, demolition and major alteration of buildings or other capital  
30 assets, and the acquisition of sites, rights-of-way, easements,

1 improvements or appurtenances, for dormitories, food service  
2 facilities, and other self-supporting facilities connected with the  
3 operation of the community and technical college in accordance with the  
4 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

5 (7) May establish fees and charges for the facilities authorized  
6 hereunder, including reasonable rules and regulations for the  
7 government thereof, not inconsistent with the rules and regulations of  
8 the college board; each board of trustees operating a community and  
9 technical college may enter into agreements, subject to rules and  
10 regulations of the college board, with owners of facilities to be used  
11 for housing regarding the management, operation, and government of such  
12 facilities, and any board entering into such an agreement may:

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

15 (b) Employ necessary employees to govern, manage and operate the  
16 same;

17 (8) May receive such gifts, grants, conveyances, devises and  
18 bequests of real or personal property from private sources, as may be  
19 made from time to time, in trust or otherwise, whenever the terms and  
20 conditions thereof will aid in carrying out the community and technical  
21 college programs as specified by law and the regulations of the state  
22 college board; sell, lease or exchange, invest or expend the same or  
23 the proceeds, rents, profits and income thereof according to the terms  
24 and conditions thereof; and adopt regulations to govern the receipt and  
25 expenditure of the proceeds, rents, profits and income thereof;

26 (9) May establish and maintain night schools whenever in the  
27 discretion of the board of trustees it is deemed advisable, and  
28 authorize classrooms and other facilities to be used for summer or  
29 night schools, or for public meetings and for any other uses consistent

1 with the use of such classrooms or facilities for community and  
2 technical college purposes;

3 (10) May make rules and regulations for pedestrian and vehicular  
4 traffic on property owned, operated, or maintained by the ((community  
5 college)) district;

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

10 (12) May grant to every student, upon graduation or completion of  
11 a course of study, a suitable diploma, nonbaccalaureate degree or  
12 certificate. Technical colleges shall offer only nonbaccalaureate  
13 technical degrees, certificates, or diplomas for occupational courses  
14 of study under rules of the college board. Technical colleges in  
15 districts twenty-eight and twenty-nine may offer nonbaccalaureate  
16 associate of technical or applied arts degrees only in conjunction with  
17 a community college the district of which overlaps with the district of  
18 the technical college, and these degrees may only be offered after a  
19 contract or agreement is executed between the technical college and the  
20 community college. The authority and responsibility to offer transfer  
21 level academic support and general education for students of districts  
22 twenty-one and twenty-five shall reside exclusively with Whatcom  
23 Community College;

24 (13) Shall enforce the rules and regulations prescribed by the  
25 state board for community and technical colleges ((~~education~~)) for the  
26 government of community and technical colleges, students and teachers,  
27 and promulgate such rules and regulations and perform all other acts  
28 not inconsistent with law or rules and regulations of the state board  
29 for community and technical colleges ((~~education~~)) as the board of  
30 trustees may in its discretion deem necessary or appropriate to the

1 administration of (~~community~~) college districts: PROVIDED, That such  
2 rules and regulations shall include, but not be limited to, rules and  
3 regulations relating to housing, scholarships, conduct at the various  
4 community and technical college facilities, and discipline: PROVIDED,  
5 FURTHER, That the board of trustees may suspend or expel from community  
6 and technical colleges students who refuse to obey any of the duly  
7 promulgated rules and regulations;

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

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

14 (16) Notwithstanding any other provision of law, may offer  
15 educational services on a contractual basis other than the tuition and  
16 fee basis set forth in chapter 28B.15 RCW for a special fee to private  
17 or governmental entities, consistent with rules and regulations adopted  
18 by the state board for community and technical colleges (~~(education)~~):  
19 PROVIDED, That the whole of such special fee shall go to the college  
20 district and be not less than the full instructional costs of such  
21 services including any salary increases authorized by the legislature  
22 for community and technical college employees during the term of the  
23 agreement: PROVIDED FURTHER, That enrollments generated hereunder  
24 shall not be counted toward the official enrollment level of the  
25 college district for state funding purposes;

26 (17) Notwithstanding any other provision of law, may offer  
27 educational services on a contractual basis, charging tuition and fees  
28 as set forth in chapter 28B.15 RCW, counting such enrollments for state  
29 funding purposes, and may additionally charge a special supplemental  
30 fee when necessary to cover the full instructional costs of such



1 services: PROVIDED, That such contracts shall be subject to review by  
2 the state board for community and technical colleges ((education)) and  
3 to such rules as the state board may adopt for that purpose in order to  
4 assure that the sum of the supplemental fee and the normal state  
5 funding shall not exceed the projected total cost of offering the  
6 educational service: PROVIDED FURTHER, That enrollments generated by  
7 courses offered on the basis of contracts requiring payment of a share  
8 of the normal costs of the course will be discounted to the percentage  
9 provided by the college;

10 (18) Shall be authorized to pay dues to any association of trustees  
11 that may be formed by the various boards of trustees; such association  
12 may expend any or all of such funds to submit biennially, or more often  
13 if necessary, to the governor and to the legislature, the  
14 recommendations of the association regarding changes which would affect  
15 the efficiency of such association;

16 (19) Subject to the approval of the higher education coordinating  
17 board pursuant to RCW 28B.80.340(4), may participate in higher  
18 education centers and consortia that involve any four-year public or  
19 independent college or university; and

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

22 "Sec. 42. RCW 28B.50.142 and 1977 ex.s. c 331 s 1 are each amended  
23 to read as follows:

24 Each board of ((community—college)) trustees shall appoint a  
25 treasurer who shall be the financial officer of the board and who shall  
26 hold office during the pleasure of the board. Each treasurer shall  
27 render a true and faithful account of all moneys received and paid out  
28 by him or her, comply with the provisions of RCW 28B.50.143, and shall  
29 give bond for the faithful performance of the duties of his or her

1 office in such amount as the trustees require: PROVIDED, That the  
2 respective community and technical colleges shall pay the fees for any  
3 such bonds."

4 "Sec. 43. RCW 28B.50.143 and 1985 c 180 s 1 are each amended to  
5 read as follows:

6 In order that each ((community)) college treasurer appointed in  
7 accordance with RCW 28B.50.142 may make vendor payments, the state  
8 treasurer will honor warrants drawn by each community and technical  
9 college providing for one initial advance ((~~on September 1, 1977, of~~  
10 ~~the current biennium and~~)) on July 1 of each succeeding biennium from  
11 the state general fund in an amount equal to seventeen percent of each  
12 institution's average monthly allotment for such budgeted biennium  
13 expenditures as certified by the office of financial management, and at  
14 the conclusion of each such initial month, and for each succeeding  
15 month of any biennium, the state treasurer will reimburse each  
16 institution for each expenditure incurred and reported monthly by each  
17 ((community)) college treasurer in accordance with chapter 43.83 RCW:  
18 PROVIDED, That the reimbursement to each institution for actual  
19 expenditures incurred in the final month of each biennium shall be less  
20 the initial advance."

21 "Sec. 44. RCW 28B.50.145 and 1969 ex.s. c 283 s 51 are each  
22 amended to read as follows:

23 The boards of trustees of the various ((community)) college  
24 districts ((~~are hereby directed to~~)) may create ((~~no later than January~~  
25 ~~1, 1970~~)) at each community or technical college ((~~or vocational-~~  
26 ~~technical institute~~)) under their control a faculty senate or similar  
27 organization to be selected by periodic vote of the respective  
28 faculties thereof."

1       **"Sec. 45.** RCW 28B.50.150 and 1969 ex.s. c 223 s 28B.50.150 are  
2 each amended to read as follows:

3       Any resident of the state may enroll in any program or course  
4 maintained or conducted by a ((community)) college district upon the  
5 same terms and conditions regardless of the district of his or her  
6 residence."

7       **"Sec. 46.** RCW 28B.50.205 and 1988 c 206 s 502 are each amended to  
8 read as follows:

9       The state board for community and technical colleges ((education))  
10 shall make information available to all newly matriculated students on  
11 methods of transmission of the human immunodeficiency virus and  
12 prevention of acquired immunodeficiency syndrome. The curricula and  
13 materials shall be reviewed for medical accuracy by the office on AIDS  
14 in coordination with the appropriate regional AIDS service network."

15       **"Sec. 47.** RCW 28B.50.242 and 1990 c 208 s 10 are each amended to  
16 read as follows:

17       The state board for community and technical colleges ((education))  
18 shall provide state-wide coordination of video telecommunications  
19 programming for the community and technical college system."

20       **"Sec. 48.** RCW 28B.50.250 and 1969 ex.s. c 261 s 25 are each  
21 amended to read as follows:

22       The state board for community and technical colleges ((education))  
23 and the state board of education are hereby authorized to permit, on an  
24 ad hoc basis, the common school districts to conduct pursuant to RCW  
25 28B.50.530 a program in adult education in behalf of a ((community))  
26 college district when such program will not conflict with existing  
27 programs of the same nature and in the same geographical area conducted

1 by the ((community)) college districts: PROVIDED, That federal  
2 programs for adult education ((which are funded directly to the state  
3 board of education)) shall be administered by the ((superintendent of  
4 public instruction in cooperation with the director of the)) state  
5 board for community and technical colleges ((education)), which agency  
6 is hereby declared to be the state educational agency primarily  
7 responsible for supervision of adult education in the public schools as  
8 defined by RCW 28B.50.020."

9 "Sec. 49. RCW 28B.50.320 and 1971 ex.s. c 279 s 17 are each  
10 amended to read as follows:

11 All operating fees, services and activities fees, and all other  
12 income which the trustees are authorized to impose shall be deposited  
13 as the trustees may direct unless otherwise provided by law. Such sums  
14 of money shall be subject to the budgetary and audit provisions of law  
15 applicable to state agencies. The depository selected by the trustees  
16 shall conform to the collateral requirements required for deposit of  
17 other state funds.

18 Disbursement shall be made by check signed by the president of the  
19 ((community)) college or ((his)) the president's designee appointed in  
20 writing, and such other person as may be designated by the board of  
21 trustees of the ((community)) college district. Each person authorized  
22 to sign as provided above, shall execute a surety bond as provided in  
23 RCW 43.17.100. Said bond or bonds shall be filed in the office of the  
24 secretary of state."

25 "Sec. 50. RCW 28B.50.330 and 1979 ex.s. c 12 s 2 are each amended  
26 to read as follows:

27 The boards of trustees of ((community)) college districts are  
28 empowered in accordance with the provisions of this chapter to provide

1 for the construction, reconstruction, erection, equipping, demolition,  
2 and major alterations of buildings and other capital assets, and the  
3 acquisition of sites, rights-of-way, easements, improvements, or  
4 appurtenances for the use of the aforementioned colleges as authorized  
5 by the college board in accordance with RCW 28B.50.140; to be financed  
6 by bonds payable out of special funds from revenues hereafter derived  
7 from income received from such facilities, gifts, bequests, or grants,  
8 and such additional funds as the legislature may provide, and payable  
9 out of a bond retirement fund to be established by the respective  
10 district boards in accordance with rules and regulations of the state  
11 board. With respect to building, improvements, or repairs, or other  
12 work, where the estimated cost exceeds ~~((five))~~ fifteen thousand  
13 dollars, complete plans and specifications for such work shall be  
14 prepared and such work shall be prepared and such work shall be put out  
15 for public bids and the contract shall be awarded to the lowest  
16 responsible bidder if in accordance with the bid specifications:  
17 PROVIDED, That any project regardless of dollar amount may be put to  
18 public bid.

19 Where the estimated cost to any ~~((community))~~ college of any  
20 building, improvements, or repairs, or other work, is less than five  
21 thousand dollars, the publication requirements of RCW 39.04.020 and  
22 ~~((39.04.090))~~ 39.04.070 shall be inapplicable."

23 "Sec. 51. RCW 28B.50.340 and 1985 c 390 s 54 are each amended to  
24 read as follows:

25 In addition to the powers conferred under RCW 28B.50.090, the  
26 ~~((community))~~ college ~~((state))~~ board is authorized and shall have the  
27 power:

28 (1) To permit the district boards of trustees to contract for the  
29 construction, reconstruction, erection, equipping, maintenance,

1 demolition and major alterations of buildings and other capital assets,  
2 and the acquisition of sites, rights-of-way, easements, improvements or  
3 appurtenances of the college as approved by the ((community college))  
4 state board.

5 (2) To finance the same by the issuance of bonds secured by the  
6 pledge of up to one hundred percent of the building fees.

7 (3) Without limitation of the foregoing, to accept grants from the  
8 United States government, or any federal or state agency or  
9 instrumentality, or private corporation, association, or person to aid  
10 in defraying the costs of any such projects.

11 (4) To retain bond counsel and professional bond consultants to aid  
12 it in issuing bonds pursuant to RCW 28B.50.340 through 28B.50.400."

13 "Sec. 52. RCW 28B.50.350 and 1985 c 390 s 55 are each amended to  
14 read as follows:

15 For the purpose of financing the cost of any projects, the college  
16 board is hereby authorized to adopt the resolution or resolutions and  
17 prepare all other documents necessary for the issuance, sale and  
18 delivery of the bonds or any part thereof at such time or times as it  
19 shall deem necessary and advisable. Said bonds:

20 (1) Shall not constitute:

21 (a) An obligation, either general or special, of the state; or

22 (b) A general obligation of the college or of the college board;

23 (2) Shall be:

24 (a) Either registered or in coupon form; and

25 (b) Issued in denominations of not less than one hundred dollars;

26 and

27 (c) Fully negotiable instruments under the laws of this state; and

28 (d) Signed on behalf of the college board with the manual or  
29 facsimile signature of the chairman of the board, attested by the

1 secretary of the board, have the seal of the college board impressed  
2 thereon or a facsimile of such seal printed or lithographed in the  
3 bottom border thereof, and the coupons attached thereto shall be signed  
4 with the facsimile signatures of such chairman and the secretary;

5 (3) Shall state:

6 (a) The date of issue; and

7 (b) The series of the issue and be consecutively numbered within  
8 the series; and

9 (c) That the bond is payable both principal and interest solely out  
10 of the bond retirement fund created for retirement thereof;

11 (4) Each series of bonds shall bear interest, payable either  
12 annually or semiannually, as the board may determine;

13 (5) Shall be payable both principal and interest out of the bond  
14 retirement fund;

15 (6) Shall be payable at such times over a period of not to exceed  
16 forty years from date of issuance, at such place or places, and with  
17 such reserved rights of prior redemption, as the board may prescribe;

18 (7) Shall be sold in such manner and at such price as the board may  
19 prescribe;

20 (8) Shall be issued under and subject to such terms, conditions and  
21 covenants providing for the payment of the principal thereof and  
22 interest thereon and such other terms, conditions, covenants and  
23 protective provisions safeguarding such payment, not inconsistent with  
24 RCW 28B.50.330 through 28B.50.400, and as found to be necessary by the  
25 board for the most advantageous sale thereof, which may include but not  
26 be limited to:

27 (a) A covenant that a reserve account shall be created in the bond  
28 retirement fund to secure the payment of the principal of and interest  
29 on all bonds issued and a provision made that certain amounts be set  
30 aside and maintained therein;

1 (b) A covenant that sufficient moneys may be transferred from the  
2 capital projects account of the college board issuing the bonds to the  
3 bond retirement fund of the college board when ordered by the board in  
4 the event there is ever an insufficient amount of money in the bond  
5 retirement fund to pay any installment of interest or principal and  
6 interest coming due on the bonds or any of them;

7 (c) A covenant fixing conditions under which bonds on a parity with  
8 any bonds outstanding may be issued.

9 The proceeds of the sale of all bonds, exclusive of accrued  
10 interest which shall be deposited in the bond retirement fund, shall be  
11 deposited in the state treasury to the credit of the capital projects  
12 account of the college board and shall be used solely for paying the  
13 costs of the projects, the costs of bond counsel and professional bond  
14 consultants incurred in issuing the bonds, and for the purposes set  
15 forth in subsection (8)(b) ((above)) of this section;

16 (9) Shall constitute a prior lien and charge against the building  
17 fees of the community and technical colleges."

18 "Sec. 53. RCW 28B.50.360 and 1985 c 390 s 56 are each amended to  
19 read as follows:

20 There is hereby created in the state treasury a community and  
21 technical college bond retirement fund. Within thirty-five days from  
22 the date of start of each quarter all building fees of each such  
23 community and technical college shall be paid into the state treasury,  
24 and shall be credited as follows:

25 (1) On or before June 30th of each year the college board if  
26 issuing bonds payable out of building fees shall certify to the state  
27 treasurer the amounts required in the ensuing twelve-month period to  
28 pay and secure the payment of the principal of and interest on such  
29 bonds. The state treasurer shall thereupon deposit the amounts so



1 certified in the community and technical college bond retirement fund  
2 which fund as required, is hereby created in the state treasury. Such  
3 amounts of the funds deposited in the bond retirement fund as are  
4 necessary to pay and secure the payment of the principal of and  
5 interest on the building bonds issued by the college board as  
6 authorized by this chapter shall be exclusively devoted to that  
7 purpose. If in any twelve-month period it shall appear that the amount  
8 certified by the college board is insufficient to pay and secure the  
9 payment of the principal of and interest on the outstanding building  
10 bonds, the state treasurer shall notify the college board and such  
11 board shall adjust its certificate so that all requirements of moneys  
12 to pay and secure the payment of the principal and interest on all such  
13 bonds then outstanding shall be fully met at all times.

14 (2) That portion of the building fees not required for or in excess  
15 of the amounts necessary to pay and secure the payment of any of the  
16 bonds as provided in subsection (1) (~~((above))~~) of this section shall be  
17 deposited in the community and technical college capital projects  
18 account which account is hereby created in the state treasury. The  
19 sums deposited in the capital projects account shall be appropriated  
20 and expended exclusively for the construction, reconstruction,  
21 erection, equipping, maintenance, demolition and major alteration of  
22 buildings and other capital assets owned by the state board for  
23 community and technical colleges (~~((education))~~) in the name of the state  
24 of Washington, and the acquisition of sites, rights-of-way, easements,  
25 improvements or appurtenances in relation thereto, and for the payment  
26 of principal of and interest on any bonds issued for such purposes.  
27 All earnings of investments of balances in the (~~((community college))~~)  
28 capital projects account shall be credited to the general fund.

29 (3) Notwithstanding the provisions of subsections (1) and (2)  
30 (~~((above))~~) of this section, at such time as all outstanding building

1 bonds of the college board payable from the community and technical  
2 college bond retirement fund have been paid, redeemed, and retired, or  
3 at such time as ample provision has been made by the state for full  
4 payment, from some source other than the ((community-college)) bond  
5 retirement fund, of the principal of and the interest on and call  
6 premium, if applicable, of such bonds as they mature and/or upon their  
7 call prior to their maturity, through refunding or otherwise, that  
8 portion of all building fees of the community and technical colleges  
9 equal to the amount required to pay yearly debt service on any general  
10 obligation bonds issued by the state in accordance with Article VIII,  
11 section 1, Washington state Constitution, for community and technical  
12 college purposes, shall be paid into the general fund of the state  
13 treasury. The state finance committee shall determine whether ample  
14 provision has been made for payment of such bonds payable from the said  
15 bond retirement fund and shall determine the amount required to pay  
16 yearly debt service on such general obligation bonds of the state.  
17 Nothing in this subsection shall be construed as obligating the  
18 legislature or the state to provide for payment of such ((community))  
19 college building bonds from some source other than the community and  
20 technical college bond retirement fund or as pledging the general  
21 credit of the state to the payment of such bonds."

22 "Sec. 54. RCW 28B.50.370 and 1985 c 390 s 57 are each amended to  
23 read as follows:

24 For the purpose of paying and securing the payment of the principal  
25 of and interest on the bonds as the same shall become due, there shall  
26 be paid into the state treasury and credited to the bond retirement  
27 fund of the ((state)) college board ((for-community-college  
28 education)), the following:

1 (1) Amounts derived from building fees as are necessary to pay the  
2 principal of and interest on the bonds and to secure the same;

3 (2) Any grants which may be made, or may become available for the  
4 purpose of furthering the construction of any authorized projects, or  
5 for the repayment of the costs thereof;

6 (3) Such additional funds as the legislature may provide.

7 Said bond retirement fund shall be kept segregated from all moneys  
8 in the state treasury and shall, while any of such bonds or any  
9 interest thereon remains unpaid, be available solely for the payment  
10 thereof. As a part of the contract of sale of such bonds, the college  
11 board shall charge and collect building fees as established by this  
12 chapter and deposit such fees in the bond retirement fund in amounts  
13 which will be sufficient to pay and secure the payment of the principal  
14 of, and interest on all such bonds outstanding."

15 "Sec. 55. RCW 28B.50.402 and 1977 ex.s. c 223 s 2 are each amended  
16 to read as follows:

17 Notwithstanding anything to the contrary contained in RCW  
18 28B.50.360(1) and (2) and in RCW 28B.50.370, all moneys on deposit on  
19 or before June 30, 1977, in the community and technical college bond  
20 retirement fund, shall be transferred by the state treasurer to the  
21 state general fund, except for those moneys appropriated by section 17,  
22 chapter 1, Laws of 1977."

23 "Sec. 56. RCW 28B.50.404 and 1985 c 390 s 60 are each amended to  
24 read as follows:

25 Subject to the specific provisions of RCW 28B.50.360 and 28B.50.403  
26 through 28B.50.407, such general obligation refunding bonds shall be  
27 issued and the refunding of said community and technical college  
28 building bonds shall be carried out pursuant to chapters 39.42 and

1 39.53 RCW as now or hereafter amended. The bonds shall pledge the full  
2 faith and credit of the state of Washington and contain an  
3 unconditional promise of the state to pay the principal thereof and  
4 interest thereon when due."

5 "Sec. 57. RCW 28B.50.405 and 1974 ex.s. c 112 s 3 are each amended  
6 to read as follows:

7 There is hereby created in the state treasury the community and  
8 technical college refunding bond retirement fund of 1974, which fund  
9 shall be exclusively devoted to the payment of the principal of and  
10 interest on the refunding bonds authorized by RCW 28B.50.360 and  
11 28B.50.403 through 28B.50.407.

12 The state finance committee shall, on or before June 30th of each  
13 year, certify to the state treasurer the amount needed in the ensuing  
14 twelve months to pay the principal of and interest on such bonds. On  
15 July 1st of each year the state treasurer shall deposit such amount in  
16 the ((community-college)) refunding bond retirement fund of 1974 from  
17 any general state revenues received in the state treasury."

18 "Sec. 58. RCW 28B.50.409 and 1974 ex.s. c 112 s 7 are each amended  
19 to read as follows:

20 All bonds issued after February 16, 1974 by the college board or  
21 any ((community-college)) board of trustees for any ((community))  
22 college district under provisions of chapter 28B.50 RCW, as now or  
23 hereafter amended, shall be issued by such boards only upon the prior  
24 advice and consent of the state finance committee."

25 "Sec. 59. RCW 28B.50.520 and 1969 ex.s. c 223 s 28B.50.520 are  
26 each amended to read as follows:

1       The ((state)) college board ((for community college education)) or  
2 any ((community college)) board of trustees is authorized to receive  
3 federal funds made available for the assistance of community and  
4 technical colleges, and providing physical facilities, maintenance or  
5 operation of schools, or for any educational purposes, according to the  
6 provisions of the acts of congress making such funds available."

7       **"Sec. 60.**   RCW 28B.50.535 and 1969 ex.s. c 261 s 30 are each  
8 amended to read as follows:

9       A community or technical college may issue a high school diploma or  
10 certificate, subject to rules and regulations promulgated by the  
11 superintendent of public instruction and the state board of education."

12       **"Sec. 61.**   RCW 28B.50.551 and 1980 c 182 s 3 are each amended to  
13 read as follows:

14       The board of trustees of each ((community)) college district shall  
15 adopt for each community and technical college under its jurisdiction  
16 written policies on granting leaves to employees of the district and  
17 those colleges, including but not limited to leaves for attendance at  
18 official or private institutions and conferences; professional leaves  
19 for personnel consistent with the provisions of RCW 28B.10.650; leaves  
20 for illness, injury, bereavement and emergencies, and except as  
21 otherwise in this section provided, all with such compensation as the  
22 board of trustees may prescribe, except that the board shall grant to  
23 all such persons leave with full compensation for illness, injury,  
24 bereavement and emergencies as follows:

25       (1) For persons under contract to be employed, or otherwise  
26 employed, for at least three quarters, not more than twelve days per  
27 year, commencing with the first day on which work is to be performed;  
28 provisions of any contract in force on June 12, 1980, which conflict

1 with requirements of this subsection shall continue in effect until  
2 contract expiration; after expiration, any new contract executed  
3 between the parties shall be consistent with this subsection;

4 (2) Such leave entitlement may be accumulated after the first  
5 three-quarter period of employment for full time employees, and may be  
6 taken at any time;

7 (3) Leave for illness, injury, bereavement and emergencies  
8 heretofore accumulated pursuant to law, rule, regulation or policy by  
9 persons presently employed by ((community)) college districts and  
10 community and technical colleges shall be added to such leave  
11 accumulated under this section;

12 (4) Except as otherwise provided in this section or other law,  
13 accumulated leave under this section not taken at the time such person  
14 retires or ceases to be employed by ((community)) college districts or  
15 community and technical colleges shall not be compensable;

16 (5) Accumulated leave for illness, injury, bereavement and  
17 emergencies under this section shall be transferred from one  
18 ((community)) college district or community and technical college to  
19 another, to the ((state)) college board ((for community college  
20 education)), to the state superintendent of public instruction, to any  
21 educational service district, to any school district, or to any other  
22 institutions of higher learning of the state; ((and))

23 (6) Leave accumulated by a person in a ((community)) college  
24 district or community and technical college prior to leaving that  
25 district or college may, under the policy of the board of trustees, be  
26 granted to such person when he or she returns to the employment of that  
27 district or college; and

28 (7) Employees of the Seattle Vocational Institute are exempt from  
29 this section until July 1, 1993."

1       **"Sec. 62.** RCW 28B.50.600 and 1969 ex.s. c 223 s 28B.50.600 are  
2 each amended to read as follows:

3       Whenever a common school board has contracted to redeem general  
4 obligation bonds used for the construction or acquisition of facilities  
5 which are now to be under the administration, control and occupancy of  
6 the ((community)) college district board, the common school board shall  
7 continue to redeem the bonds in accordance with the provisions of the  
8 bonds."

9       **"Sec. 63.** RCW 28B.50.740 and 1969 ex.s. c 223 s 28B.50.740 are  
10 each amended to read as follows:

11       Notwithstanding any other statutory provision relating to  
12 indebtedness of school districts, bonds heretofore issued by any common  
13 school district for the purpose of providing funds for community and  
14 technical college facilities shall not be considered as indebtedness in  
15 determining the maximum allowable indebtedness under any statutory  
16 limitation of indebtedness when the sum of all indebtedness therein  
17 does not exceed the maximum constitutional allowable indebtedness  
18 applied to the value of the taxable property contained in such school  
19 district: PROVIDED, That nothing contained herein shall be construed  
20 to affect the distribution of state funds under any applicable  
21 distribution formula."

22       **"Sec. 64.** RCW 28B.50.835 and 1990 c 29 s 1 are each amended to  
23 read as follows:

24       The legislature recognizes that quality in the state's community  
25 and technical colleges would be strengthened by additional partnerships  
26 between citizens and the institutions. The legislature intends to  
27 foster these partnerships by creating a matching grant program to

1 assist public community and technical colleges in creating endowments  
2 for funding exceptional faculty awards."

3 "Sec. 65. RCW 28B.50.837 and 1990 c 29 s 2 are each amended to  
4 read as follows:

5 (1) The Washington community and technical college exceptional  
6 faculty awards program is established. The program shall be  
7 administered by the ((state)) college board ((for community college  
8 education)). The ((community)) college faculty awards trust fund  
9 hereby created shall be administered by the state treasurer.

10 (2) Funds appropriated by the legislature for the community and  
11 technical college exceptional faculty awards program shall be deposited  
12 in the ((community)) college faculty awards trust fund. All moneys  
13 deposited in the fund shall be invested by the state treasurer.  
14 Notwithstanding RCW 43.84.090, all earnings of investments of balances  
15 in the fund shall be credited to the fund. At the request of the  
16 ((state)) college board ((for community college education)), the  
17 treasurer shall release the state matching funds to the designated  
18 institution's local endowment fund. No appropriation is necessary for  
19 the expenditure of moneys from the fund."

20 "Sec. 66. RCW 28B.50.839 and 1990 c 29 s 3 are each amended to  
21 read as follows:

22 (1) In consultation with eligible community and technical colleges,  
23 the ((state)) college board ((for community college education)) shall  
24 set priorities and guidelines for the program.

25 (2) Under this section, a ((community)) college shall not receive  
26 more than four faculty grants in twenty-five thousand dollar  
27 increments, with a maximum total of one hundred thousand dollars per  
28 campus in any biennium.



1       (3) All community and technical colleges shall be eligible for  
2 matching trust funds. Institutions may apply to the ((~~state~~)) college  
3 board ((~~for community college education~~)) for grants from the fund in  
4 twenty-five thousand dollar increments up to a maximum of one hundred  
5 thousand dollars when they can match the state funds with equal cash  
6 donations from private sources, except that in the initial year of the  
7 program, no college may receive more than one grant until every college  
8 has received one grant. These donations shall be made specifically to  
9 the exceptional faculty awards program and deposited by the institution  
10 in a local endowment fund. Otherwise unrestricted gifts may be  
11 deposited in the endowment fund by the institution.

12       (4) Once sufficient private donations are received by the  
13 institution, the institution shall inform the ((~~state~~)) college board  
14 ((~~for community college education~~)) and request state matching funds.  
15 The ((~~state~~)) college board ((~~for community college education~~)) shall  
16 evaluate the request for state matching funds based on program  
17 priorities and guidelines. The ((~~state~~)) college board ((~~for community~~  
18 ~~college education~~)) may ask the state treasurer to release the state  
19 matching funds to a local endowment fund established by the institution  
20 for each faculty award created."

21       **"Sec. 67.** RCW 28B.50.841 and 1990 c 29 s 4 are each amended to  
22 read as follows:

23       (1) The faculty awards are the property of the institution and may  
24 be named in honor of a donor, benefactor, or honoree of the  
25 institution, at the option of the institution. The institution shall  
26 designate the use of the award. The designation shall be made or  
27 renewed annually.

28       (2) The institution is responsible for soliciting private  
29 donations, investing and maintaining its endowment funds, administering

1 the faculty awards, and reporting on the program to the governor, the  
2 ((state)) college board ((for community college education)), and the  
3 legislature, upon request. The institution may augment its endowment  
4 fund with additional unrestricted private donations. The principal of  
5 the invested endowment fund shall not be invaded.

6 (3) The proceeds from the endowment fund shall be used to pay  
7 expenses for faculty awards, which may include in-service training,  
8 temporary substitute or replacement costs directly associated with  
9 faculty development programs, conferences, travel, publication and  
10 dissemination of exemplary projects; to supplement the salary of the  
11 holder or holders of a faculty award; or to pay expenses associated  
12 with the holder's program area. Funds from this program shall not be  
13 used to supplant existing faculty development funds."

14 "Sec. 68. RCW 28B.50.843 and 1990 c 29 s 5 are each amended to  
15 read as follows:

16 The process for determining local awards shall be subject to  
17 collective bargaining. Decisions regarding the amounts of individual  
18 awards and who receives them shall not be subject to collective  
19 bargaining and shall be subject to approval of the applicable  
20 ((community college)) board of trustees."

21 "Sec. 69. RCW 28B.50.850 and 1969 ex.s. c 283 s 32 are each  
22 amended to read as follows:

23 It shall be the purpose of RCW 28B.50.850 through 28B.50.869 to  
24 establish a system of faculty tenure which protects the concepts of  
25 faculty employment rights and faculty involvement in the protection of  
26 those rights in the state system of community and technical colleges.  
27 RCW 28B.50.850 through 28B.50.869 shall define a reasonable and orderly

1 process for appointment of faculty members to tenure status and the  
2 dismissal of the tenured faculty member.

3 Employees of the Seattle Vocational Institute are exempt from this  
4 section until July 1, 1993."

5 "Sec. 70. RCW 28B.50.851 and 1988 c 32 s 2 are each amended to  
6 read as follows:

7 As used in RCW 28B.50.850 through 28B.50.869:

8 (1) "Tenure" shall mean a faculty appointment for an indefinite  
9 period of time which may be revoked only for adequate cause and by due  
10 process;

11 (2)(a) "Faculty appointment", except as otherwise provided in  
12 (~~subsection (2)~~)(b) (~~below~~) of this subsection, shall mean full  
13 time employment as a teacher, counselor, librarian or other position  
14 for which the training, experience and responsibilities are comparable  
15 as determined by the appointing authority, except administrative  
16 appointments; "faculty appointment" shall also mean department heads,  
17 division heads and administrators to the extent that such department  
18 heads, division heads or administrators have had or do have status as  
19 a teacher, counselor, or librarian; faculty appointment shall also mean  
20 employment on a reduced work load basis when a faculty member has  
21 retained tenure under RCW 28B.50.859;

22 (b) "Faculty appointment" shall not mean special faculty  
23 appointment as a teacher, counselor, librarian, or other position as  
24 enumerated in (~~subsection (2)~~)(a) of this subsection, when such  
25 employment results from special funds provided to a community college  
26 district from federal moneys or other special funds which other funds  
27 are designated as "special funds" by the (~~state~~) college board (~~for~~  
28 ~~community college education~~): PROVIDED, That such "special funds" so  
29 designated by the (~~state~~) college board for purposes of this section

1 shall apply only to teachers, counselors and librarians hired from  
2 grants and service agreements and teachers, counselors and librarians  
3 hired in nonformula positions. A special faculty appointment resulting  
4 from such special financing may be terminated upon a reduction or  
5 elimination of funding or a reduction or elimination of program:  
6 PROVIDED FURTHER, That "faculty appointees" holding faculty  
7 appointments pursuant to subsections (1) or (2)(a) of this section who  
8 have been subsequently transferred to positions financed from "special  
9 funds" pursuant to ((~~subsection (2)~~)) (b) of this subsection and who  
10 thereafter lose their positions upon reduction or elimination of such  
11 "special funding" shall be entitled to be returned to previous status  
12 as faculty appointees pursuant to subsection (1) or (2)(a) of this  
13 section depending upon their status prior to the "special funding"  
14 transfer. Notwithstanding the fact that tenure shall not be granted to  
15 anyone holding a special faculty appointment, the termination of any  
16 such faculty appointment prior to the expiration of the term of such  
17 faculty member's individual contract for any cause which is not related  
18 to elimination or reduction of financing or the elimination or  
19 reduction of program shall be considered a termination for cause  
20 subject to the provisions of this chapter;

21 (3) "Probationary faculty appointment" shall mean a faculty  
22 appointment for a designated period of time which may be terminated  
23 without cause upon expiration of the probationer's terms of employment;

24 (4) "Probationer" shall mean an individual holding a probationary  
25 faculty appointment;

26 (5) "Administrative appointment" shall mean employment in a  
27 specific administrative position as determined by the appointing  
28 authority;

29 (6) "Appointing authority" shall mean the board of trustees of a  
30 ((community)) college district;

1 (7) "Review committee" shall mean a committee composed of the  
2 probationer's faculty peers, a student representative, and the  
3 administrative staff of the community or technical college: PROVIDED,  
4 That the majority of the committee shall consist of the probationer's  
5 faculty peers."

6 "Sec. 71. RCW 28B.50.867 and 1969 ex.s. c 283 s 43 are each  
7 amended to read as follows:

8 Upon transfer of employment from one community or technical college  
9 to another community or technical college within a district, a tenured  
10 faculty member shall have the right to retain tenure and the rights  
11 accruing thereto which he or she had in his or her previous employment:  
12 PROVIDED, That upon permanent transfer of employment to another  
13 ((community)) college district a tenured faculty member shall not have  
14 the right to retain his tenure or any of the rights accruing thereto."

15 "Sec. 72. RCW 28B.50.869 and 1974 ex.s. c 33 s 2 are each amended  
16 to read as follows:

17 The review committees required by RCW 28B.50.850 through 28B.50.869  
18 shall be composed of members of the administrative staff, a student  
19 representative, and the teaching faculty. The representatives of the  
20 teaching faculty shall represent a majority of the members on each  
21 review committee. The members representing the teaching faculty on  
22 each review committee shall be selected by a majority of the teaching  
23 faculty and faculty department heads acting in a body. The student  
24 representative, who shall be a full time student, shall be chosen by  
25 the student association of the particular community or technical  
26 college in such manner as the members thereof shall determine."

1       **"Sec. 73.** RCW 28B.50.870 and 1977 ex.s. c 282 s 1 are each amended  
2 to read as follows:

3       The district board of trustees of any ((community)) college  
4 district currently operating an educational program with funds provided  
5 by another state agency, including federal funds, which program has  
6 been in existence for five or more years under the administration of  
7 one or more ((community)) college districts, shall provide for the  
8 award or denial of tenure to anyone who holds a special faculty  
9 appointment in such curricular program and for as long as the program  
10 continues to be funded in such manner, utilizing the prescribed  
11 probationary processes and procedures set forth in this chapter with  
12 the exception that no student representative shall be required to serve  
13 on the review committee defined in RCW 28B.50.851: PROVIDED, That such  
14 review processes and procedures shall not be applicable to faculty  
15 members whose contracts are renewed after the effective date of this  
16 1977 amendatory act and who have completed at least three consecutive  
17 years of satisfactory full time service in such program, who shall be  
18 granted tenure by the ((community)) college district: PROVIDED  
19 FURTHER, That faculty members who have completed one year or more of  
20 satisfactory full time service in such program shall be credited with  
21 such service for the purposes of this section: PROVIDED, FURTHER, That  
22 provisions relating to tenure for faculty under the provisions of this  
23 section shall be distinct from provisions relating to tenure for other  
24 faculty of the ((community)) college district and faculty appointed to  
25 such special curricular program shall be treated as a separate unit as  
26 respects selection, retention, reduction in force or dismissal  
27 hereunder: AND PROVIDED FURTHER, That the provisions of this section  
28 shall only be applicable to faculty holding a special faculty  
29 appointment in an educational program operated in a state correctional

1 institution pursuant to a written contract with a ((community)) college  
2 district."

3 "Sec. 74. RCW 28B.50.873 and 1990 c 33 s 559 are each amended to  
4 read as follows:

5 The ((state)) college board ((for community college education)) may  
6 declare a financial emergency under the following conditions: (1)  
7 Reduction of allotments by the governor pursuant to RCW 43.88.110(2),  
8 or (2) reduction by the legislature from one biennium to the next or  
9 within a biennium of appropriated funds based on constant dollars using  
10 the implicit price deflator. When a district board of trustees  
11 determines that a reduction in force of tenured or probationary faculty  
12 members may be necessary due to financial emergency as declared by the  
13 state board, written notice of the reduction in force and separation  
14 from employment shall be given the faculty members so affected by the  
15 president or district president as the case may be. Said notice shall  
16 clearly indicate that separation is not due to the job performance of  
17 the employee and hence is without prejudice to such employee and need  
18 only state in addition the basis for the reduction in force as one or  
19 more of the reasons enumerated in subsections (1) and (2) of this  
20 section.

21 Said tenured or probationary faculty members will have a right to  
22 request a formal hearing when being dismissed pursuant to subsections  
23 (1) and (2) of this section. The only issue to be determined shall be  
24 whether under the applicable policies, rules or collective bargaining  
25 agreement the particular faculty member or members advised of severance  
26 are the proper ones to be terminated. Said hearing shall be initiated  
27 by filing a written request therefor with the president or district  
28 president, as the case may be, within ten days after issuance of such  
29 notice. At such formal hearing the tenure review committee provided

1 for in RCW 28B.50.863 may observe the formal hearing procedure and  
2 after the conclusion of such hearing offer its recommended decision for  
3 consideration by the hearing officer. Failure to timely request such  
4 a hearing shall cause separation from service of such faculty members  
5 so notified on the effective date as stated in the notice, regardless  
6 of the duration of any individual employment contract.

7 The hearing required by this section shall be an adjudicative  
8 proceeding pursuant to chapter 34.05 RCW, the Administrative Procedure  
9 Act, conducted by a hearing officer appointed by the board of trustees  
10 and shall be concluded by the hearing officer within sixty days after  
11 written notice of the reduction in force has been issued. Ten days  
12 written notice of the formal hearing will be given to faculty members  
13 who have requested such a hearing by the president or district  
14 president as the case may be. The hearing officer within ten days  
15 after conclusion of such formal hearing shall prepare findings,  
16 conclusions of law and a recommended decision which shall be forwarded  
17 to the board of trustees for its final action thereon. Any such  
18 determination by the hearing officer under this section shall not be  
19 subject to further tenure review committee action as otherwise provided  
20 in this chapter.

21 Notwithstanding any other provision of this section, at the time of  
22 a faculty member or members request for formal hearing said faculty  
23 member or members may ask for participation in the choosing of the  
24 hearing officer in the manner provided in RCW 28A.405.310(4), said  
25 employee therein being a faculty member for the purposes hereof and  
26 said board of directors therein being the board of trustees for the  
27 purposes hereof: PROVIDED, That where there is more than one faculty  
28 member affected by the board of trustees' reduction in force such  
29 faculty members requesting hearing must act collectively in making such  
30 request: PROVIDED FURTHER, That costs incurred for the services and



1 expenses of such hearing officer shall be shared equally by the  
2 community or technical college and the faculty member or faculty  
3 members requesting hearing.

4 When more than one faculty member is notified of termination  
5 because of a reduction in force as provided in this section, hearings  
6 for all such faculty members requesting formal hearing shall be  
7 consolidated and only one such hearing for the affected faculty members  
8 shall be held, and such consolidated hearing shall be concluded within  
9 the time frame set forth herein.

10 Separation from service without prejudice after formal hearing  
11 under the provisions of this section shall become effective upon final  
12 action by the board of trustees.

13 It is the intent of the legislature by enactment of this section  
14 and in accordance with RCW 28B.52.035, to modify any collective  
15 bargaining agreements in effect, or any conflicting board policies or  
16 rules, so that any reductions in force which take place after December  
17 21, 1981, whether in progress or to be initiated, will comply solely  
18 with the provisions of this section: PROVIDED, That any applicable  
19 policies, rules, or provisions contained in a collective bargaining  
20 agreement related to lay-off units, seniority and re-employment rights  
21 shall not be affected by the provisions of this paragraph.

22 Nothing in this section shall be construed to affect the right of  
23 the board of trustees or its designated appointing authority not to  
24 renew a probationary faculty appointment pursuant to RCW 28B.50.857."

25 "Sec. 75. RCW 28B.50.875 and 1969 ex.s. c 261 s 35 are each  
26 amended to read as follows:

27 Local law enforcement agencies or such other public agencies that  
28 shall be in need of such service may contract with any community or  
29 technical college for laboratory services for the analyzing of samples

1 that chemists associated with such ((community)) colleges may be able  
2 to perform under such terms and conditions as the individual  
3 ((community)) college may determine.

4 Employees of the Seattle Vocational Institute are exempt from this  
5 section until July 1, 1993."

6 "Sec. 76. RCW 15.76.120 and 1961 c 61 s 3 are each amended to read  
7 as follows:

8 For the purposes of this chapter all agricultural fairs in the  
9 state which may become eligible for state allocations shall be divided  
10 into categories, to wit:

11 (1) "Area fairs"--those not under the jurisdiction of boards of  
12 county commissioners; organized to serve an area larger than one  
13 county, having both open and junior participation, and having an  
14 extensive diversification of classes, displays and exhibits;

15 (2) "County and district fairs"--organized to serve the interests  
16 of single counties other than those in which a recognized area fair or  
17 a district fair as defined in RCW 36.37.050, is held and which are  
18 under the direct control and supervision of the county commissioners of  
19 the respective counties, which have both open and junior participation,  
20 but whose classes, displays and exhibits may be more restricted or  
21 limited than in the case of area or district fairs. There may be but  
22 one county fair in a single county: PROVIDED, HOWEVER, That the county  
23 commissioners of two or more counties may, by resolution, jointly  
24 sponsor a county fair.

25 (3) "Community fairs"--organized primarily to serve a smaller area  
26 than an area or county fair, which may have open or junior classes,  
27 displays, or exhibits. There may be more than one community fair in a  
28 county.

1 (4) "Youth shows and fairs"--approved by duly constituted agents of  
2 Washington State University and/or the Washington (~~((state board for~~  
3 ~~vocational education))~~) work force training and education coordinating  
4 board, serving three or more counties, and having for their purpose the  
5 education and training of rural youth in matters of rural living."

6 "Sec. 77. RCW 28A.305.270 and 1989 c 146 s 2 are each amended to  
7 read as follows:

8 (1) The Washington state minority teacher recruitment program is  
9 established. The program shall be administered by the state board of  
10 education. The state board of education shall consult with the higher  
11 education coordinating board, representatives of institutions of higher  
12 education, education organizations having an interest in teacher  
13 recruitment issues, the superintendent of public instruction, the state  
14 board for community and technical colleges (~~((education))~~), the  
15 department of employment security, and the (~~((state board of vocational~~  
16 ~~education within the office of the governor))~~) work force training and  
17 education coordinating board. The program shall be designed to recruit  
18 future teachers from students in the targeted groups who are in the  
19 ninth through twelfth grades and from adults in the targeted groups who  
20 have entered other occupations.

21 (2) The program shall include the following:

22 (a) Encouraging students in targeted groups in grades nine through  
23 twelve to acquire the academic and related skills necessary to prepare  
24 for the study of teaching at an institution of higher education;

25 (b) Promoting teaching career opportunities to develop an awareness  
26 of opportunities in the education profession;

27 (c) Providing opportunities for students to experience the  
28 application of regular high school course work to activities related to  
29 a teaching career; and

(d) Providing for increased cooperation among institutions of higher education including community colleges, the superintendent of public instruction, the state board of education, and local school districts in working toward the goals of the program."

"NEW SECTION. Sec. 78. A new section is added to chapter 28A.150 RCW to read as follows:

(1) Each local education agency or college district offering vocational educational programs shall establish local advisory committees to provide that agency or district with advice on current job needs and on the courses necessary to meet these needs.

(2) The local program committees shall:

(a) Participate in the determination of program goals;

(b) Review and evaluate program curricula, equipment, and effectiveness;

(c) Include representatives of business and labor who reflect the local industry, and the community; and

(d) Actively consult with other representatives of business, industry, labor, and agriculture."

"NEW SECTION. Sec. 79. (1) Each local education agency or college district offering vocational educational programs shall establish local advisory committees to provide that agency or district with advice on current job needs and on the courses necessary to meet these needs.

(2) The local program committees shall:

(a) Participate in the determination of program goals;

(b) Review and evaluate program curricula, equipment, and effectiveness;

1 (c) Include representatives of business and labor who reflect the  
2 local industry, and the community; and

3 (d) Actively consult with other representatives of business,  
4 industry, labor, and agriculture."

5 "NEW SECTION. Sec. 80. A new section is added to chapter 28A.300  
6 RCW to read as follows:

7 The superintendent shall cooperate with the work force training and  
8 education coordinating board in the conduct of the board's  
9 responsibilities under section 8 of this act and shall provide  
10 information and data in a format that is accessible to the board."

11 "NEW SECTION. Sec. 81. The college board shall cooperate with  
12 the work force training and education coordinating board in the conduct  
13 of the board's responsibilities under section 8 of this act and shall  
14 provide information and data in a format that is accessible to the  
15 board."

16 "NEW SECTION. Sec. 82. A new section is added to chapter 50.12  
17 RCW to read as follows:

18 The commissioner shall cooperate with the work force training and  
19 education coordinating board in the conduct of the board's  
20 responsibilities under section 8 of this act and shall provide  
21 information and data in a format that is accessible to the board."

22 "**Sec. 83.** RCW 28C.10.020 and 1990 c 188 s 5 are each amended to  
23 read as follows:

24 Unless the context clearly requires otherwise, the definitions in  
25 this section apply throughout this chapter.

(1) "Agency" means the (~~state board for vocational education~~)  
work force training and education coordinating board or its successor.

(2) "Agent" means a person owning an interest in, employed by, or representing for remuneration a private vocational school within or without this state, who enrolls or personally attempts to secure the enrollment in a private vocational school of a resident of this state, offers to award educational credentials for remuneration on behalf of a private vocational school, or holds himself or herself out to residents of this state as representing a private vocational school for any of these purposes.

(3) "Degree" means any designation, appellation, letters, or words including but not limited to "associate," "bachelor," "master," "doctor," or "fellow" which signify or purport to signify satisfactory completion of an academic program of study beyond the secondary school level.

(4) "Education" includes but is not limited to, any class, course, or program of training, instruction, or study.

(5) "Educational credentials" means degrees, diplomas, certificates, transcripts, reports, documents, or letters of designation, marks, appellations, series of letters, numbers, or words which signify or appear to signify enrollment, attendance, progress, or satisfactory completion of the requirements or prerequisites for any educational program.

(6) "Entity" includes, but is not limited to, a person, company, firm, society, association, partnership, corporation, or trust.

(7) "Private vocational school" means any location where [there is] an entity offering postsecondary education in any form or manner for the purpose of instructing, training, or preparing persons for any vocation or profession.

1       (8) "To grant" includes to award, issue, sell, confer, bestow, or  
2 give.

3       (9) "To offer" includes, in addition to its usual meanings, to  
4 advertise or publicize. "To offer" also means to solicit or encourage  
5 any person, directly or indirectly, to perform the act described.

6       (10) "To operate" means to establish, keep, or maintain any  
7 facility or location where, from, or through which education is offered  
8 or educational credentials are offered or granted to residents of this  
9 state, and includes contracting for the performance of any such act."

10       "NEW SECTION. Sec. 84. Community and technical colleges may  
11 contract with local common school districts to provide occupational and  
12 academic programs for high school students. Common school districts  
13 whose students currently attend vocational-technical institutes shall  
14 not suffer loss of opportunity to continue to enroll their students at  
15 technical colleges.

16       For the purposes of this section, "opportunity to enroll" includes,  
17 but is not limited to, the opportunity of common school districts to  
18 enroll the same number of high school students enrolled at each  
19 vocational-technical institute during the period July 1, 1989, through  
20 June 30, 1990, and the opportunity for common school districts to  
21 increase enrollments of high school students at each technical college  
22 in proportion to annual increases in enrollment within the school  
23 districts participating on the effective date of this section.  
24 Technical colleges shall offer programs which are accessible to high  
25 school students to at least the extent that existed during the period  
26 July 1, 1989, through June 30, 1990, and to the extent necessary to  
27 accommodate proportional annual growth in enrollments of high school  
28 students within school districts participating on the effective date of  
29 this section. Accommodating such annual increases in enrollment or

1 program offerings shall be the first priority within technical colleges  
2 subject to any enrollment or budgetary restrictions. Technical  
3 colleges shall not charge tuition or student services and activities  
4 fees to high school students enrolled in the college.

5 Technical colleges may enter into interlocal agreements with local  
6 school districts to provide instruction in courses required for high  
7 school graduation, basic skills, and literacy training for students  
8 enrolled in technical college programs."

9 "NEW SECTION. Sec. 85. When the state system of community and  
10 technical colleges assumes administrative control of the vocational-  
11 technical institutes, personnel employed by the vocational-technical  
12 institutes shall:

13 (1) Suffer no reduction in compensation, benefits, seniority, or  
14 employment status. After the effective date of this section,  
15 classified employees shall continue to be covered by chapter 41.56 RCW  
16 and faculty members and administrators shall be covered by chapter  
17 28B.50 RCW;

18 (2) To the extent applicable to faculty members, any faculty  
19 currently employed on a "continuing contract" basis under RCW  
20 28A.405.210 be awarded tenure pursuant to RCW 28B.50.851 through  
21 28B.50.873, except for any faculty members who are provisional  
22 employees under RCW 28A.405.220;

23 (3) Be eligible to participate in the health care and other  
24 insurance plans provided by the health care authority and the state  
25 employee benefits board pursuant to chapter 41.05 RCW;

26 (4) Be eligible to participate in old age annuities or retirement  
27 income plans under the rules of the state board for community and  
28 technical colleges pursuant to RCW 28B.10.400 or the teachers'  
29 retirement system plan I for personnel employed before July 1, 1977, or



1 plan II for personnel employed after July 1, 1977, under chapter 41.32  
2 RCW; however, no affected vocational-technical institute employee shall  
3 be required to choose from among any available retirement plan options  
4 prior to six months after the effective date of this section;

5 (5) Have transferred to their new administrative college district  
6 all accrued sick and vacation leave and thereafter shall earn and use  
7 all such leave under the rule established pursuant to RCW 28B.50.551;

8 (6) Be eligible to participate in the deferred compensation plan  
9 pursuant to RCW 41.04.250 and the dependent care program pursuant to  
10 RCW 41.04.600 under the rules established by the state deferred  
11 compensation committee.

12 An exclusive bargaining representative certified to represent a  
13 bargaining unit covering employees of a vocational technical institute  
14 on the effective date of this section shall remain the exclusive  
15 representative of such employees thereafter until and unless such  
16 representative is replaced or decertified in accordance with state law.

17 Any collective bargaining agreement in effect on June 30, 1991,  
18 shall remain in effect as it applies to employees of vocational  
19 technical institutes until its expiration or renewal date or until  
20 renegotiated or renewed in accordance with chapter 28B.52 or 41.56 RCW.  
21 After the expiration date of a collective bargaining agreement, all of  
22 the terms and conditions specified in the collective bargaining  
23 agreement, as it applies to employees of vocational-technical  
24 institutes, shall remain in effect until the effective date of a  
25 subsequent agreement, not to exceed one year from the termination date  
26 stated in the agreement. The board of trustees and the employees may  
27 mutually agree to continue the terms and conditions of the agreement  
28 beyond the one year extension. However, nothing in this section shall  
29 be construed to deny any employee right granted under chapter 28B.52 or  
30 41.56 RCW. Labor relations processes and agreements covering faculty

1 members of vocational technical institutes after the effective date of  
2 this section shall be governed by chapter 28B.52 RCW. Labor relations  
3 processes and agreements covering classified employees of vocational  
4 technical institutes after the effective date of this section shall  
5 continue to be governed by chapter 41.56 RCW."

6       "NEW SECTION.   **Sec. 86.**       Notwithstanding the provisions of  
7 chapter 28B.15 RCW, technical colleges and the Seattle Vocational  
8 Institute may continue to collect student tuition and fees per their  
9 standard operating procedures in effect on the effective date of this  
10 section. The applicability of existing community college rules and  
11 statutes pursuant to chapter 28B.15 RCW regarding tuition and fees  
12 shall be determined by the state board for community and technical  
13 colleges within two years of the effective date of this section."

14       "NEW SECTION.   **Sec. 87.**       All powers, duties, and functions of the  
15 superintendent of public instruction and the state board of education  
16 pertaining to projects of adult education, including the state-funded  
17 Even Start and including the adult education programs operated pursuant  
18 to 20 U.S.C. Sec. 1201 as amended by P.L. 100-297, are transferred to  
19 the state board for community and technical colleges. All references  
20 to the director or superintendent of public instruction or the state  
21 board of education in the Revised Code of Washington shall be construed  
22 to mean the director or the state board for community and technical  
23 colleges when referring to the functions transferred in this section."

24       "NEW SECTION.   **Sec. 88.**       All reports, documents, surveys, books,  
25 records, files, papers, or written material in the possession of the  
26 superintendent of public instruction pertaining to the powers,  
27 functions, and duties transferred shall be delivered to the custody of

1 the state board for community and technical colleges. All cabinets,  
2 furniture, office equipment, motor vehicles, and other tangible  
3 property employed by the superintendent of public instruction in  
4 carrying out the powers, functions, and duties transferred shall be  
5 made available to the state board for community and technical colleges.  
6 All funds, credits, or other assets held in connection with the powers,  
7 functions, and duties transferred shall be assigned to the state board  
8 for community and technical colleges.

9 Any appropriations made to the superintendent of public instruction  
10 for carrying out the powers, functions, and duties transferred shall,  
11 on the effective date of this section, be transferred and credited to  
12 the state board for community and technical colleges.

13 Whenever any question arises as to the transfer of any personnel,  
14 funds, books, documents, records, papers, files, equipment, or other  
15 tangible property used or held in the exercise of the powers and the  
16 performance of the duties and functions transferred, the director of  
17 financial management shall make a determination as to the proper  
18 allocation and certify the same to the state agencies concerned.

19 The superintendent or designee, and the director of the state board  
20 shall work out a mutually agreeable schedule to accomplish this  
21 transfer by no later than July 1, 1991."

22 "NEW SECTION. **Sec. 89.** All employees of the superintendent of  
23 public instruction engaged in performing the powers, functions, and  
24 duties transferred are transferred to the jurisdiction of the state  
25 board for community and technical colleges. All employees classified  
26 under chapter 41.06 RCW, the state civil service law, are assigned to  
27 the state board for community and technical colleges to perform their  
28 usual duties upon the same terms as formerly, without any loss of

1 rights, subject to any action that may be appropriate thereafter in  
2 accordance with the laws and rules governing chapter 28B.16 RCW."

3       "NEW SECTION.   **Sec. 90.**     All rules and all pending business  
4 before the superintendent of public instruction pertaining to the  
5 powers, functions, and duties transferred shall be continued and acted  
6 upon by the state board for community and technical colleges. All  
7 existing contracts and obligations shall remain in full force and shall  
8 be performed by the state board for community and technical colleges."

9       "NEW SECTION.   **Sec. 91.**     The transfer of the powers, duties,  
10 functions, and personnel of the superintendent of public instruction  
11 shall not affect the validity of any act performed prior to the  
12 effective date of this section."

13       "NEW SECTION.   **Sec. 92.**     If apportionments of budgeted funds are  
14 required because of the transfers directed by sections 88 through 91 of  
15 this act, the director of financial management shall certify the  
16 apportionments to the agencies affected, the state auditor, and the  
17 state treasurer. Each of these shall make the appropriate transfer and  
18 adjustments in funds and appropriation accounts and equipment records  
19 in accordance with the certification."

20       "NEW SECTION.   **Sec. 93.**     Nothing contained in sections 88 through  
21 92 of this act may be construed to alter any existing collective  
22 bargaining unit or the provisions of any existing collective bargaining  
23 agreement until the agreement has expired or until the bargaining unit  
24 has been modified by action of the personnel board as provided by law."

1        "NEW SECTION. Sec. 94.        The college board personnel  
2 administering state and federally funded programs for adult basic  
3 skills and literacy education shall be known as the state office for  
4 adult literacy."

5        "NEW SECTION. Sec. 95.        The legislature finds that a vocational  
6 institute in the central area of the city of Seattle provides civic,  
7 social, and economic benefits to the people of the state of Washington.  
8 Economic development is enhanced by increasing the number of skilled  
9 individuals who enter the labor market and social welfare costs are  
10 reduced by the training of individuals lacking marketable skills. The  
11 students at the institute are historically economically disadvantaged,  
12 and include racial and ethnic minorities, recent immigrants,  
13 single-parent heads of households, and persons who are dislocated  
14 workers or without specific occupational skills. The institute  
15 presents a unique opportunity for business, labor, and community-based  
16 organizations, and educators to work together to provide effective  
17 vocational-technical training to the economically disadvantaged of  
18 urban Seattle, and to serve as a national model of such cooperation.  
19 Moreover, a trained work force is a major factor in attracting new  
20 employers, and with greater minority participation in the work force,  
21 the institute is uniquely located to deliver training and education to  
22 the individuals employers must increasingly turn to for their future  
23 workers."

24        "NEW SECTION. Sec. 96.        The public nonprofit corporation for the  
25 Washington institute for applied technology is hereby abolished and its  
26 powers, duties, and functions are hereby transferred to the sixth  
27 college district. The Washington institute for applied technology  
28 shall be renamed the Seattle Vocational Institute. The Seattle

1 Vocational Institute shall become a fourth unit of the sixth college  
2 district. All references to the director or public nonprofit  
3 corporation for the Washington institute for applied technology in the  
4 Revised Code of Washington shall be construed to mean the director of  
5 the Seattle Vocational Institute."

6 "NEW SECTION. Sec. 97. All reports, documents, surveys, books,  
7 records, files, papers, or written material in the possession of the  
8 public nonprofit corporation for the Washington institute for applied  
9 technology shall be delivered to the custody of the sixth college  
10 district. All cabinets, furniture, office equipment, motor vehicles,  
11 and other tangible property employed by the public nonprofit  
12 corporation for the Washington institute for applied technology shall  
13 be made available to the sixth college district for the use of the  
14 Seattle Vocational Institute. All funds, credits, or other assets held  
15 by the public nonprofit corporation for the Washington institute for  
16 applied technology shall be assigned to the sixth college district for  
17 the use of the institute.

18 Any appropriations made to the public nonprofit corporation for the  
19 Washington institute for applied technology shall, on the effective  
20 date of this section, be transferred and credited to the sixth college  
21 district.

22 Whenever any question arises as to the transfer of any personnel,  
23 funds, books, documents, records, papers, files, equipment, or other  
24 tangible property used or held in the exercise of the powers and the  
25 performance of the duties and functions transferred, the director of  
26 financial management shall make a determination as to the proper  
27 allocation and certify the same to the state agencies concerned."

1        "NEW SECTION. Sec. 98.        All contractual obligations, rules, and  
2 all pending business before the public nonprofit corporation for the  
3 Washington institute for applied technology shall be continued and  
4 acted upon by the sixth college district. All existing contracts and  
5 obligations shall remain in full force and shall be performed by the  
6 sixth college district."

7        "NEW SECTION. Sec. 99.        All employees of the Washington  
8 institute for applied technology engaged in performing the powers,  
9 functions, and duties transferred are transferred to the jurisdiction  
10 of the Seattle Vocational Institute. All employees classified under  
11 chapter 41.06 RCW, the state civil service law, are assigned to the  
12 Seattle Vocational Institute to perform their usual duties upon the  
13 same terms as formerly, without any loss of rights, subject to any  
14 action that may be appropriate thereafter in accordance with the laws  
15 and rules governing state civil service."

16        "NEW SECTION. Sec. 100.        The transfer of the powers, duties,  
17 functions, and personnel of the public nonprofit corporation for the  
18 Washington institute for applied technology shall not affect the  
19 validity of any act performed prior to the effective date of this  
20 section."

21        "NEW SECTION. Sec. 101.        If apportionments of budgeted funds are  
22 required because of the transfers directed by sections 97 through 100  
23 of this act, the director of financial management shall certify the  
24 apportionments to the agencies affected, the state auditor, and the  
25 state treasurer. Each of these shall make the appropriate transfer and  
26 adjustments in funds and appropriation accounts and equipment records  
27 in accordance with the certification."

1        "NEW SECTION. Sec. 102.    The mission of the institute shall be to  
2 provide occupational, basic skills, and literacy education  
3 opportunities to economically disadvantaged populations in urban areas  
4 of the college district it serves. The mission shall be achieved  
5 primarily through open-entry, open-exit, short-term, competency-based  
6 basic skill, and job training programs targeted primarily to adults.  
7 The board of trustees of the sixth college district shall appoint a  
8 nine-member advisory committee consisting of equal representation from  
9 business, labor, and community representatives to provide advice and  
10 counsel to the administration of the institute and the district  
11 administration."

12        "NEW SECTION. Sec. 103.    Funding for the institute shall be  
13 included in a separate allocation to the sixth college district, and  
14 funds allocated for the institute shall be used only for purposes of  
15 the institute."

16        "NEW SECTION. Sec. 104.    The sixth college district shall conduct  
17 a survey of the capital facilities and equipment necessary to operate  
18 the program at the institute. The district shall present the survey to  
19 the state board for community and technical colleges by December 1,  
20 1991. The board shall include the survey in its budget request to the  
21 legislature which shall consider a supplementary appropriation for the  
22 1992-93 fiscal year to the sixth college district based on the results  
23 of this survey."

24        "NEW SECTION. Sec. 105.    The district may provide for waivers of  
25 tuition and fees and provide scholarships for students at the  
26 institute. The district may negotiate with applicable public or  
27 private service providers to conduct the instructional activities of



1 the institute. The district may employ instructional staff or faculty.  
2 The district may also contract with private individuals for  
3 instructional services. Until at least July 1, 1993, all faculty and  
4 staff serve at the pleasure of the district. In order to allow the  
5 district flexibility in its personnel policies with the institute, the  
6 district and the institute, with reference to employees of the  
7 institute employed during an initial two-year period until July 1,  
8 1993, are exempt from chapters 28B.16, 28B.52 (relating to collective  
9 bargaining), 41.04, 41.05, 41.06, and 41.40 RCW; from RCW 43.01.040  
10 through 43.01.044; and from RCW 28B.50.551 and 28B.50.850 through  
11 28B.50.875 (relating to faculty tenure)."

12 "NEW SECTION. Sec. 106. A new section is added to chapter 41.06  
13 RCW to read as follows:

14 Employees of the Seattle Vocational Institute are exempt from the  
15 provisions of this chapter until July 1, 1993."

16 "NEW SECTION. Sec. 107. A new section is added to chapter 41.05  
17 RCW to read as follows:

18 Employees of the Seattle Vocational Institute are exempt from the  
19 provisions of this chapter until July 1, 1993."

20 "NEW SECTION. Sec. 108. A new section is added to chapter 41.04  
21 RCW to read as follows:

22 Employees of the Seattle Vocational Institute are exempt from the  
23 provisions of this chapter until July 1, 1993."

24 "NEW SECTION. Sec. 109. A new section is added to chapter 28B.16  
25 RCW to read as follows:

1 Employees of the Seattle Vocational Institute are exempt from the  
2 provisions of this chapter until July 1, 1993."

3 "NEW SECTION. **Sec. 110.** A new section is added to chapter 41.40  
4 RCW to read as follows:

5 Employees of the Seattle Vocational Institute are exempt from the  
6 provisions of this chapter until July 1, 1993."

7 "NEW SECTION. **Sec. 111.** A new section is added to chapter 28B.52  
8 RCW to read as follows:

9 Employees of the Seattle Vocational Institute are exempt from the  
10 provisions of this chapter until July 1, 1993."

11 "NEW SECTION. **Sec. 112.** A new section is added to chapter 43.01  
12 RCW to read as follows:

13 Employees of the Seattle Vocational Institute are exempt from RCW  
14 43.01.040 through 43.01.044 until July 1, 1993."

15 "NEW SECTION. **Sec. 113.** Related and supplemental instruction for  
16 apprentices, coordination of instruction with job experiences, and the  
17 selection and training of teachers and coordinators for such  
18 instruction shall be the responsibility of the state board for  
19 community and technical colleges and its local community and technical  
20 colleges."

21 "NEW SECTION. **Sec. 114.** A new section is added to chapter 41.56  
22 RCW to read as follows:

23 In addition to the entities listed in RCW 41.56.020, this chapter  
24 shall apply to classified employees of technical colleges as provided  
25 for in section 85 of this act."

1       **"Sec. 115.**   RCW 28B.10.016 and 1977 ex.s. c 169 s 1 are each  
2 amended to read as follows:

3       For the purposes of this title:

4       (1) "State universities" means the University of Washington and  
5 Washington State University.

6       (2) "Regional universities" means Western Washington University at  
7 Bellingham, Central Washington University at Ellensburg, and Eastern  
8 Washington University at Cheney.

9       (3) "State college" means The Evergreen State College in Thurston  
10 county.

11       (4) "Institutions of higher education" or "postsecondary  
12 institutions" means the state universities, the regional universities,  
13 The Evergreen State College, ((and)) the community colleges, and the  
14 technical colleges."

15       "NEW SECTION.   **Sec. 116.**   There is hereby established the task  
16 force on technical colleges appointed by the governor. The task force  
17 shall be chaired by the director of the state board for community and  
18 technical colleges. The task force shall consist of representatives of  
19 the state board for community and technical colleges, community  
20 colleges, and the directors of the vocational-technical institutes.  
21 The purpose of the task force shall be to reach agreement on  
22 transitional issues posed by the bringing together of technical  
23 colleges and community colleges. The areas of agreement shall include  
24 the district boundaries and service areas not specified on the  
25 effective date of this section, for technical colleges that are not  
26 specified on the effective date of this section and such other matters  
27 as are assigned to the task force by chapter ---, Laws of 1991 (this  
28 act). The director of the state board shall convene the task force  
29 within thirty days after the appointment of the members. The task

1 force shall report on its final recommendations to the college board  
2 and the governor by December 1, 1991. Those issues remaining in  
3 dispute shall be settled by the governor or the governor's designee."

4       "NEW SECTION. Sec. 117. Title to or all interest in real estate,  
5 choses in action and all other assets, and liabilities including court  
6 claims, including but not limited to assignable contracts, cash,  
7 deposits in county funds (including any interest or premiums thereon),  
8 equipment, buildings, facilities, and appurtenances thereto held as of  
9 the effective date of this section by or for a school district and  
10 obtained identifiably with federal, state, or local funds appropriated  
11 for vocational-technical institutes purposes or postsecondary  
12 vocational educational purposes, or used or obtained with funds  
13 budgeted for postsecondary vocational educational purposes, or used or  
14 obtained primarily for vocational-technical institute educational  
15 purposes, shall, on the date on which the first board of trustees of  
16 each district takes office, vest in or be assigned to the district  
17 board. Cash, funds, accounts, or other deposits obtained or raised by  
18 a school district to pay for indebtedness, bonded or otherwise,  
19 contracted on or before the effective date of this section, for  
20 vocational-technical institute purposes shall remain with and continue  
21 to be, after February 2, 1992, an asset of the school district. Any  
22 option acquired by the school district to purchase real property which  
23 in the judgment of the school district will be used in the common  
24 school program may remain with the school district notwithstanding that  
25 such option was obtained in consideration of the purchase by such  
26 school district of other property for vocational-technical institute  
27 purposes. Unexpended funds of a common school district derived from  
28 the sale, before the effective date of this section, of bonds  
29 authorized for any purpose which includes vocational-technical

1 institute purposes and not committed for any existing construction  
2 contract, shall remain with and continue to be an asset of such common  
3 school district, unless within thirty days after said date such common  
4 school district determines to transfer such funds to the board of  
5 trustees."

6       "NEW SECTION.   **Sec. 118.**   All powers, duties, and functions of the  
7 school district pertaining to a vocational-technical institute are  
8 transferred to the state board for community and technical colleges  
9 until the establishment of local boards of trustees with authority for  
10 the technical college. All references to the director or school  
11 district in the Revised Code of Washington shall be construed to mean  
12 the director or state board for community and technical colleges when  
13 referring to the functions transferred in this section."

14       "NEW SECTION.   **Sec. 119.**   All reports, documents, surveys, books,  
15 records, files, papers, licenses, or written material in the possession  
16 of the school district pertaining to the powers, functions, and duties  
17 transferred shall be delivered to the custody of the state board for  
18 community and technical colleges. All cabinets, furniture, office  
19 equipment, motor vehicles, and other tangible property employed by the  
20 school district in carrying out the powers, functions, and duties  
21 transferred shall be made available to the state board for community  
22 and technical colleges. All funds, credits, or other assets held in  
23 connection with the powers, functions, and duties transferred shall be  
24 assigned to the state board for community and technical colleges.

25       Any appropriations made to the school district for carrying out the  
26 powers, functions, and duties transferred shall, on the effective date  
27 of this section, be transferred and credited to the state board for  
28 community and technical colleges.

1 Whenever any question arises as to the transfer of any personnel,  
2 funds, books, documents, records, papers, files, equipment, or other  
3 tangible property used or held in the exercise of the powers and the  
4 performance of the duties and functions transferred, the director of  
5 financial management shall make a determination as to the proper  
6 allocation and certify the same to the state agencies concerned."

7 "NEW SECTION. Sec. 120. All employees of the school district  
8 engaged in performing the powers, functions, and duties transferred are  
9 temporarily transferred to the jurisdiction of the state board for  
10 community and technical colleges. The transfer of employees to the  
11 state board for community and technical colleges shall not constitute  
12 termination of employment or reductions in force by the school  
13 districts and shall be excluded from the requirements of RCW  
14 28A.405.210 through 28A.405.240 and 28A.405.300 through 28A.405.380.  
15 Until the local board of trustees assumes control of the college, all  
16 classified employees are assigned to the jurisdiction of the state  
17 board for community and technical colleges to perform their usual  
18 duties upon the same terms as formerly, without any loss of rights,  
19 subject to any action that may be appropriate thereafter in accordance  
20 with chapter 41.56 RCW."

21 "NEW SECTION. Sec. 121. All rules and all pending business  
22 before the school district pertaining to the powers, functions, and  
23 duties transferred shall be continued and acted upon by the state board  
24 for community and technical colleges. All existing contracts and  
25 obligations shall remain in full force and shall be performed by the  
26 state board for community and technical colleges."

1        "NEW SECTION. Sec. 122.    The transfer of the powers, duties,  
2 functions, and personnel of the school district shall not affect the  
3 validity of any act performed prior to the effective date of this  
4 section."

5        "NEW SECTION. Sec. 123.    If apportionments of budgeted funds are  
6 required because of the transfers directed by sections 119 through 122  
7 of this act, the director of financial management shall certify the  
8 apportionments to the agencies affected, the state auditor, and the  
9 state treasurer. Each of these shall make the appropriate transfer and  
10 adjustments in funds and appropriation accounts and equipment records  
11 in accordance with the certification."

12       "NEW SECTION. Sec. 124.    All powers, duties, and functions of the  
13 superintendent of public instruction pertaining to vocational-technical  
14 institutes are transferred to the state board for community and  
15 technical colleges. All references to the director or superintendent  
16 of public instruction in the Revised Code of Washington shall be  
17 construed to mean the director or state board for community and  
18 technical colleges when referring to the functions transferred in this  
19 section."

20       "NEW SECTION. Sec. 125.    All reports, documents, surveys, books,  
21 records, files, papers, licenses, or written material in the possession  
22 of the superintendent of public instruction pertaining to the powers,  
23 functions, and duties transferred shall be delivered to the custody of  
24 the state board for community and technical colleges. All cabinets,  
25 furniture, office equipment, motor vehicles, and other tangible  
26 property employed by the superintendent of public instruction in  
27 carrying out the powers, functions, and duties transferred shall be

1 made available to the state board for community and technical colleges.  
2 All funds, credits, or other assets held in connection with the powers,  
3 functions, and duties transferred shall be assigned to the state board  
4 for community and technical colleges.

5 Any appropriations made to the superintendent of public instruction  
6 for carrying out the powers, functions, and duties transferred shall,  
7 on the effective date of this section, be transferred and credited to  
8 the state board for community and technical colleges.

9 Whenever any question arises as to the transfer of any personnel,  
10 funds, books, documents, records, papers, files, equipment, or other  
11 tangible property used or held in the exercise of the powers and the  
12 performance of the duties and functions transferred, the director of  
13 financial management shall make a determination as to the proper  
14 allocation and certify the same to the state agencies concerned."

15 "NEW SECTION. Sec. 126. All employees of the superintendent of  
16 public instruction engaged in performing the powers, functions, and  
17 duties transferred are transferred to the jurisdiction of the state  
18 board for community and technical colleges. All employees classified  
19 under chapter 41.06 RCW, the state civil service law, are assigned to  
20 the state board for community and technical colleges to perform their  
21 usual duties upon the same terms as formerly, without any loss of  
22 rights, subject to any action that may be appropriate thereafter in  
23 accordance with the laws and rules governing chapter 28B.16 RCW."

24 "NEW SECTION. Sec. 127. All rules and all pending business  
25 before the superintendent of public instruction pertaining to the  
26 powers, functions, and duties transferred shall be continued and acted  
27 upon by the state board for community and technical colleges. All



1 existing contracts and obligations shall remain in full force and shall  
2 be performed by the state board for community and technical colleges."

3 "NEW SECTION. Sec. 128. The transfer of the powers, duties,  
4 functions, and personnel of the superintendent of public instruction  
5 shall not affect the validity of any act performed prior to the  
6 effective date of this section."

7 "NEW SECTION. Sec. 129. If apportionments of budgeted funds are  
8 required because of the transfers directed by sections 125 through 128  
9 of this act, the director of financial management shall certify the  
10 apportionments to the agencies affected, the state auditor, and the  
11 state treasurer. Each of these shall make the appropriate transfer and  
12 adjustments in funds and appropriation accounts and equipment records  
13 in accordance with the certification."

14 "NEW SECTION. Sec. 130. All funds appropriated by the  
15 legislature in the capital budget for the 1991-93 biennium pertaining  
16 to vocational-technical institutes and to community colleges are hereby  
17 combined under the capital budget for the state board for community and  
18 technical colleges, provided that funds appropriated in the 1991-93  
19 biennium pertaining to vocational-technical institutes or technical  
20 colleges shall be made available solely for the use of those entities."

21 "NEW SECTION. Sec. 131. Capital and (RMI) projections for  
22 vocational-technical institutes are hereby incorporated into the six-  
23 year capital plan for community colleges that begins in the 1993-95  
24 biennium and placed under the capital plans and projections for the  
25 state board for community and technical colleges."

1        "NEW SECTION. Sec. 132. All funds appropriated by the  
2 legislature in the operating budget for the 1991-93 biennium pertaining  
3 to vocational-technical institutes and to community colleges are  
4 combined under the operating budget for the state board for community  
5 and technical colleges, provided that funds appropriated in the 1991-93  
6 biennium pertaining to vocational-technical institutes or technical  
7 colleges shall be made available solely for the use of those entities."

8        "NEW SECTION. Sec. 133. Title to or all interest in real estate,  
9 choses in action, and all other assets and liabilities, including court  
10 claims, including but not limited to assignable contracts, cash,  
11 deposits in county funds (including any interest or premiums thereon),  
12 equipment, buildings, facilities, and appurtenances thereto held as of  
13 the effective date of this section by or for a school district and  
14 obtained identifiably with federal, state, or local funds appropriated  
15 for vocational-technical institute purposes or postsecondary vocational  
16 educational purposes, or used or obtained with funds budgeted for  
17 vocational-technical institute purposes or postsecondary vocational  
18 education purposes, or used or obtained primarily for vocational  
19 education purposes, and all liabilities including, but not limited to  
20 court claims incurred on behalf of a vocational-technical institute by  
21 a school district, shall, on the date on which the first board of  
22 trustees of each college district takes office, vest in or be assigned  
23 to the state board for community and technical colleges. Grounds that  
24 have been used primarily as a playground for children shall continue to  
25 be made available for such use.

26        Cash, funds, accounts, or other deposits obtained or raised by a  
27 school district to pay for indebtedness, bonded or otherwise,  
28 contracted on or before the effective date of this section for  
29 vocational-technical institute purposes shall remain with and continue

1 to be, after the effective date of this section, an asset of the school  
2 district.

3 Any option acquired by the school district to purchase real  
4 property which in the judgment of the school district will be used in  
5 the common school program may remain with the school district not  
6 withstanding that such option was obtained in consideration of the  
7 purchase by such school district of other property for vocational-  
8 technical institute purposes.

9 Unexpended funds of a common school district derived from the sale  
10 of bonds issued for vocational-technical institute capital purposes and  
11 not committed for any existing construction contract, shall be  
12 transferred to the college district of which the institute is a part  
13 for application to such projects.

14 For the purposes of this section and to facilitate the process of  
15 allocating the assets, the board of directors of each school district  
16 in which a vocational-technical institute is located, and the director  
17 of each vocational-technical institute, shall each submit to the state  
18 board of education, and the state board for community and technical  
19 colleges within ninety days of the effective date of this section, an  
20 inventory listing all real estate, personal property, choses in action,  
21 and other assets, held by a school district which, under the criteria  
22 of this section, will become the assets of the state board for  
23 community and technical colleges.

24 However, assets used primarily for vocational-technical institute  
25 purposes shall include, but not be limited to, all assets currently  
26 held by school districts which have been used on an average of at least  
27 seventy-five percent of the time during the 1989-90 school year, or if  
28 acquired subsequent to July 1, 1990, since its time of acquisition, for  
29 vocational-technical institute purposes, except that facilities used  
30 during school construction and remodeling periods to house vocational-

1 technical institute programs temporarily and facilities that were  
2 vacated by the vocational-technical institute and returned to the  
3 school district during 1990-91 are not subject to this requirement.

4 The ultimate decision and approval with respect to the allocation  
5 and dispositions of the assets and liabilities including court claims  
6 under this section shall be made by a task force appointed by the  
7 governor in consultation with the superintendent of public instruction  
8 and the state board for community and technical colleges. Any issues  
9 remaining in dispute shall be settled by the governor or the governor's  
10 designee. The decision of the governor, the governor's designee, or  
11 the task force may be appealed within sixty days after such decision is  
12 issued by appealing to the district court of Thurston county. The  
13 decision of the superior court may be appealed to the supreme court of  
14 the state in accordance with the provision of the Administrative  
15 Procedure Act, chapter 34.05 RCW."

16 "NEW SECTION. Sec. 134. If, before the effective date of this  
17 section, the use of a single building facility is being shared between  
18 an existing vocational-technical institute program and a K-12 program,  
19 the respective boards shall continue to share the use of the facility  
20 until such time as it is convenient to remove one of the two programs  
21 to another facility. The determination of convenience shall be based  
22 solely upon the best interests of the students involved.

23 If a vocational-technical institute district board and a common  
24 school district board are sharing the use of a single facility, the  
25 program occupying the majority of the space of such facility, exclusive  
26 of space utilized equally by both, shall determine which board will be  
27 charged with the administration and control of such facility. The  
28 determination of occupancy shall be based upon the space occupied as of  
29 January 1, 1990.

1       The board charged with the administration and control of such  
2 facility may share expenses with the other board for the use of the  
3 facility.

4       In the event that the two boards are unable to agree upon which  
5 board is to administer and control the facility or upon a fair share of  
6 expenses for the use of the facility, the governor shall appoint an  
7 arbitrator to settle the matter. The decisions of the arbitrator shall  
8 be final and binding upon both boards. The expenses of the arbitration  
9 shall be divided equally by each board."

10       "NEW SECTION.   **Sec. 135.**   All funds remaining from any public or  
11 private grant, contract, or in various auxiliary enterprise accounts  
12 for vocational-technical institute purposes shall be transferred to the  
13 appropriate college district under the state board for community and  
14 technical colleges once a district board of trustees has been  
15 appointed."

16       "NEW SECTION.   **Sec. 136.**   In the event a new college district is  
17 created, the governor shall appoint new trustees to the district's  
18 board of trustees in accordance with RCW 28B.50.100."

19       "**Sec. 137.**   RCW 43.19.190 and 1987 c 414 s 10 are each amended to  
20 read as follows:

21       The director of general administration, through the state  
22 purchasing and material control director, shall:

23       (1) Establish and staff such administrative organizational units  
24 within the division of purchasing as may be necessary for effective  
25 administration of the provisions of RCW 43.19.190 through 43.19.1939;

26       (2) Purchase all material, supplies, services, and equipment needed  
27 for the support, maintenance, and use of all state institutions,

1 colleges, community colleges, technical colleges, college districts,  
2 and universities, the offices of the elective state officers, the  
3 supreme court, the court of appeals, the administrative and other  
4 departments of state government, and the offices of all appointive  
5 officers of the state: PROVIDED, That the provisions of RCW 43.19.190  
6 through 43.19.1937 do not apply in any manner to the operation of the  
7 state legislature except as requested by said legislature: PROVIDED,  
8 That primary authority for the purchase of specialized equipment,  
9 instructional, and research material for their own use shall rest with  
10 the colleges, community colleges, and universities: PROVIDED FURTHER,  
11 That universities operating hospitals and the state purchasing and  
12 material control director, as the agent for state hospitals as defined  
13 in RCW 72.23.010, and for health care programs provided in state  
14 correctional institutions as defined in RCW 72.65.010(3) and veterans'  
15 institutions as defined in RCW 72.36.010 and 72.36.070, may make  
16 purchases for hospital operation by participating in contracts for  
17 materials, supplies, and equipment entered into by cooperative hospital  
18 service organizations as defined in section 501(e) of the Internal  
19 Revenue Code, or its successor: PROVIDED FURTHER, That primary  
20 authority for the purchase of materials, supplies, and equipment for  
21 resale to other than public agencies shall rest with the state agency  
22 concerned: PROVIDED FURTHER, That authority to purchase services as  
23 included herein does not apply to personal services as defined in  
24 chapter 39.29 RCW, unless such organization specifically requests  
25 assistance from the division of purchasing in obtaining personal  
26 services and resources are available within the division to provide  
27 such assistance: PROVIDED FURTHER, That the authority for the purchase  
28 of insurance and bonds shall rest with the risk manager under RCW  
29 43.19.1935 as now or hereafter amended;

1 (3) Provide the required staff assistance for the state supply  
2 management advisory board through the division of purchasing;

3 (4) Have authority to delegate to state agencies authorization to  
4 purchase or sell, which authorization shall specify restrictions as to  
5 dollar amount or to specific types of material, equipment, services,  
6 and supplies: PROVIDED, That acceptance of the purchasing  
7 authorization by a state agency does not relieve such agency from  
8 conformance with other sections of RCW 43.19.190 through 43.19.1939, as  
9 now or hereafter amended, or from policies established by the director  
10 after consultation with the state supply management advisory board:  
11 PROVIDED FURTHER, That delegation of such authorization to a state  
12 agency, including an educational institution, to purchase or sell  
13 material, equipment, services, and supplies shall not be granted, or  
14 otherwise continued under a previous authorization, if such agency is  
15 not in substantial compliance with overall state purchasing and  
16 material control policies as established herein;

17 (5) Contract for the testing of material, supplies, and equipment  
18 with public and private agencies as necessary and advisable to protect  
19 the interests of the state;

20 (6) Prescribe the manner of inspecting all deliveries of supplies,  
21 materials, and equipment purchased through the division;

22 (7) Prescribe the manner in which supplies, materials, and  
23 equipment purchased through the division shall be delivered, stored,  
24 and distributed;

25 (8) Provide for the maintenance of a catalogue library,  
26 manufacturers' and wholesalers' lists, and current market information;

27 (9) Provide for a commodity classification system and may, in  
28 addition, provide for the adoption of standard specifications after  
29 receiving the recommendation of the supply management advisory board;

1 (10) Provide for the maintenance of inventory records of supplies,  
2 materials, and other property;

3 (11) Prepare rules and regulations governing the relationship and  
4 procedures between the division of purchasing and state agencies and  
5 vendors;

6 (12) Publish procedures and guidelines for compliance by all state  
7 agencies, including educational institutions, which implement overall  
8 state purchasing and material control policies;

9 (13) Conduct periodic visits to state agencies, including  
10 educational institutions, to determine if statutory provisions and  
11 supporting purchasing and material control policies are being fully  
12 implemented, and based upon such visits, take corrective action to  
13 achieve compliance with established purchasing and material control  
14 policies under existing statutes when required."

15 "NEW SECTION. Sec. 138. Sick leave accumulated by employees of  
16 vocational-technical institutes shall be transferred to the college  
17 districts without loss of time subject to the provisions of RCW  
18 28B.50.551 and the further provisions of any negotiated agreements then  
19 in force."

20 "NEW SECTION. Sec. 139. The state employees' benefit board shall  
21 adopt rules to preclude any preexisting conditions or limitations in  
22 existing health care service contracts for school district employees at  
23 vocational-technical institutes transferred to the state board for  
24 community and technical colleges. The board shall also provide for the  
25 disposition of any dividends or refundable reserves in the school  
26 district's health care service contracts applicable to  
27 vocational-technical institute employees."



1        "NEW SECTION. Sec. 140.    If a school board has contracted to  
2 redeem general obligation bonds used for the construction or  
3 acquisition of facilities which are now to be under the administration,  
4 control, and occupancy of the college district board, the school board  
5 shall continue to redeem the bonds in accordance with the provisions of  
6 the bonds."

7        "NEW SECTION. Sec. 141.    If a technical college is created after  
8 the effective date of this section, that college may contract with an  
9 adjacent college district for administrative services until such time  
10 that an existing or new college district may assume jurisdiction over  
11 the college."

12       "NEW SECTION. Sec. 142.    The legislature finds that the needs of  
13 the work force and the economy necessitate enhanced vocational  
14 education opportunities in secondary education including curriculum  
15 which integrates vocational and academic education. In order for the  
16 state's work force to be competitive in the world market, employees  
17 need competencies in both vocational/technical skills and in core  
18 essential competencies such as English, math, science/technology,  
19 geography, history, and critical thinking. Curriculum which integrates  
20 vocational and academic education reflects that many students learn  
21 best through applied learning, and that students should be offered  
22 flexible education opportunities which prepare them for both the world  
23 of work and for higher education."

24       "NEW SECTION. Sec. 143.    The superintendent of public instruction  
25 shall with the advice of the work force training and education  
26 coordinating board develop model curriculum integrating vocational and  
27 academic education at the secondary level. The curriculum shall

1 integrate vocational education for gainful employment with education in  
2 the academic subjects of English, math, science/technology, geography,  
3 and history, and with education in critical thinking. Upon completion,  
4 the model curriculum shall be provided for consideration and use by  
5 school districts."

6 "NEW SECTION. Sec. 144. A new section is added to chapter 28A.320  
7 RCW to read as follows:

8 As of the effective date of this section, school districts shall  
9 not remove facilities, equipment, or property from the jurisdiction or  
10 use of the technical colleges. This shall include direct and indirect  
11 funds other than those indirect charges provided for in the 1990-91  
12 appropriations act. School districts shall not increase direct or  
13 indirect charges for central district administrative support for  
14 technical college programs above the percentage rate charged in the  
15 1990-91 school year. This provision on administrative charges for  
16 technical college programs shall apply to any state and federal grants,  
17 tuition, and other revenues generated by technical college programs.  
18 School districts and the superintendent of public instruction shall  
19 cooperate fully with the technical colleges and the state board for  
20 community and technical colleges with regard to the implementation of  
21 chapter ..., Laws of 1991 (this act). No employee of a technical  
22 college may be discriminated against based on actions or opinions  
23 expressed on issues surrounding chapter ..., Laws of 1991 (this act).  
24 Any dispute related to issues contained in this section shall be  
25 resolved under section 133 of this act."

26 "NEW SECTION. Sec. 145. During the period from the effective  
27 date of this section until September 1, 1991:

1       (1) The executive director of the state board for community and  
2 technical colleges, or the executive director's designee, may enter  
3 into contracts, or agreements for goods, services, and personnel, on  
4 behalf of the technical college, which are effective after September 1,  
5 1991. The executive director, or the executive director's designee,  
6 may conduct business, including budget approval, relevant to the  
7 operation of the technical college in the period subsequent to  
8 September 1, 1991.

9       (2) Vocational-technical institute directors may conduct business  
10 relevant to the operation of the vocational-technical institutes.  
11 School boards and superintendents may not restrict or remove powers  
12 previously delegated to the vocational-technical institute directors  
13 during the 1990-91 school year.

14       (3) Technical colleges' boards of trustees appointed before  
15 September 1, 1991, shall serve in an advisory capacity to the  
16 vocational-technical institute director.

17       As of September 1, 1991, technical colleges may, by interlocal  
18 agreement, continue to purchase from the school districts, support  
19 services within mutually agreed upon categories at a cost not to exceed  
20 the indirect rate charged during the 1990-91 school year. No employee  
21 of a technical college may be discriminated against based on actions or  
22 opinions expressed on issues surrounding chapter ..., Laws of 1991  
23 (this act). Any dispute related to issues contained in this section  
24 shall be resolved under section 133 of this act."

25       "NEW SECTION.   **Sec. 146.**   The colleges in each overlapping service  
26 area shall jointly submit for approval to the state board for community  
27 and technical colleges not later than December 1, 1991, a regional  
28 planning agreement. The agreement shall provide for the ongoing  
29 interinstitutional coordination of community and technical college

1 programs and services operated in the overlapping service area. The  
2 agreement shall include the means for the adjudication of issues  
3 arising from overlapping service areas. The agreement shall include a  
4 definitive statement of mission, scope, and purpose for each college  
5 including the nature of courses, programs, and services to be offered  
6 by each college. The statement shall include a provision that the  
7 technical colleges shall not offer courses designed for transfer to  
8 baccalaureate granting institutions. This shall not preclude such  
9 offerings provided through contracts or agreements with a community  
10 college in the service area.

11 Any part of the agreement that is not approved by all the colleges  
12 in the service area, shall be determined by the state board for  
13 community and technical colleges. Approved regional planning  
14 agreements shall be enforced by the full authority of the state board  
15 for community and technical colleges. Changes to the agreement are  
16 subject to state board approval.

17 For the purpose of creating and adopting a regional planning  
18 agreement, the trustees of the colleges in Pierce county shall form a  
19 county coordinating committee. The county coordinating committee shall  
20 consist of eight members. Each college board of trustees in Pierce  
21 county shall select two of its members to serve on the county  
22 coordinating committee. The county coordinating committee shall not  
23 employ its own staff, but shall instead utilize staff of the colleges  
24 in the county. The regional planning agreement adopted by the county  
25 coordinating committee shall include, but shall not be limited to: The  
26 items listed in this section, the transfer of credits between technical  
27 and community colleges, program articulation, and the avoidance of  
28 unnecessary duplication in programs, activities, and services."

1       **"Sec. 147.** RCW 28B.52.010 and 1987 c 314 s 1 are each amended to  
2 read as follows:

3       It is the purpose of this chapter to strengthen methods of  
4 administering employer-employee relations through the establishment of  
5 orderly methods of communication between academic employees and the  
6 ((community)) college districts by which they are employed.

7       It is the purpose of this chapter to promote cooperative efforts by  
8 prescribing certain rights and obligations of the employees and  
9 employers and by establishing orderly procedures governing the  
10 relationship between the employees and their employers which procedures  
11 are designed to meet the special requirements and needs of public  
12 employment in higher education. It is the intent of this chapter to  
13 promote activity that includes the elements of open communication and  
14 access to information in a timely manner, with reasonable discussion  
15 and interpretation of that information. It is the further intent that  
16 such activity shall be characterized by mutual respect, integrity,  
17 reasonableness, and a desire on the part of the parties to address and  
18 resolve the points of concern."

19       **"Sec. 148.** RCW 28B.52.020 and 1987 c 314 s 2 are each amended to  
20 read as follows:

21       As used in this chapter:

22       (1) "Employee organization" means any organization which includes  
23 as members the academic employees of a ((community)) college district  
24 and which has as one of its purposes the representation of the  
25 employees in their employment relations with the ((community)) college  
26 district.

27       (2) "Academic employee" means any teacher, counselor, librarian, or  
28 department head, who is employed by any ((community)) college district,  
29 whether full or part time, with the exception of the chief

1 administrative officer of, and any administrator in, each ((community))  
2 college district.

3 (3) "Administrator" means any person employed either full or part  
4 time by the ((community)) college district and who performs  
5 administrative functions as at least fifty percent or more of his or  
6 her assignments, and has responsibilities to hire, dismiss, or  
7 discipline other employees. Administrators shall not be members of the  
8 bargaining unit unless a majority of such administrators and a majority  
9 of the bargaining unit elect by secret ballot for such inclusion  
10 pursuant to rules ((and regulations)) as adopted in accordance with RCW  
11 28B.52.080.

12 (4) "Commission" means the public employment relations commission.

13 (5) "Unfair labor practice" means any unfair labor practice listed  
14 in RCW 28B.52.073.

15 (6) "Union security provision" means a provision in a collective  
16 bargaining agreement under which some or all employees in the  
17 bargaining unit may be required, as a condition of continued employment  
18 on or after the thirtieth day following the beginning of such  
19 employment or the effective date of the provision, whichever is later,  
20 to become a member of the exclusive bargaining representative or pay an  
21 agency fee equal to the periodic dues and initiation fees uniformly  
22 required as a condition of acquiring or retaining membership in the  
23 exclusive bargaining representative.

24 (7) "Exclusive bargaining representative" means any employee  
25 organization which has:

26 (a) Been certified or recognized under this chapter as the  
27 representative of the employees in an appropriate collective bargaining  
28 unit; or

1 (b) Before July 26, 1987, been certified or recognized under a  
2 predecessor statute as the representative of the employees in a  
3 bargaining unit which continues to be appropriate under this chapter.

4 (8) "Collective bargaining" and "bargaining" mean the performance  
5 of the mutual obligation of the representatives of the employer and the  
6 exclusive bargaining representative to meet at reasonable times to  
7 bargain in good faith in an effort to reach agreement with respect to  
8 wages, hours, and other terms and conditions of employment, such as  
9 procedures related to nonretention, dismissal, denial of tenure, and  
10 reduction in force. Prior law, practice, or interpretation shall be  
11 neither restrictive, expansive, nor determinative with respect to the  
12 scope of bargaining. A written contract incorporating any agreements  
13 reached shall be executed if requested by either party. The obligation  
14 to bargain does not compel either party to agree to a proposal or to  
15 make a concession.

16 In the event of a dispute between an employer and an exclusive  
17 bargaining representative over the matters that are terms and  
18 conditions of employment, the commission shall decide which items are  
19 mandatory subjects for bargaining."

20 "Sec. 149. RCW 28B.52.030 and 1987 c 314 s 3 are each amended to  
21 read as follows:

22 Representatives of an employee organization, which organization  
23 shall by secret ballot have won a majority in an election to represent  
24 the academic employees within its ((community)) college district, shall  
25 have the right to bargain as defined in RCW 28B.52.020(8)."

26 "Sec. 150. RCW 28B.52.035 and 1987 c 314 s 4 are each amended to  
27 read as follows:

1 At the conclusion of any negotiation processes as provided for in  
2 RCW 28B.52.030, any matter upon which the parties have reached  
3 agreement shall be reduced to writing and acted upon in a regular or  
4 special meeting of the boards of trustees, and become part of the  
5 official proceedings of said board meeting. Provisions of written  
6 contracts relating to salary increases shall not exceed the amount or  
7 percentage established by the legislature in the appropriations act and  
8 allocated to the board of trustees by the state board for community and  
9 technical colleges ((education)). The length of term of any such  
10 agreement shall be for not more than three fiscal years. Any  
11 provisions of these agreements pertaining to salary increases will not  
12 be binding upon future actions of the legislature. If any provision of  
13 a salary increase is changed by subsequent modification of the  
14 appropriations act by the legislature, both parties shall immediately  
15 enter into collective bargaining for the sole purpose of arriving at a  
16 mutually agreed upon replacement for the modified provision."

17 "Sec. 151. RCW 28B.52.050 and 1971 ex.s. c 196 s 4 are each  
18 amended to read as follows:

19 Nothing in this chapter shall prohibit any academic employee from  
20 appearing in his or her own behalf on matters relating to his or her  
21 employment relations with the ((community)) college district."

22 "Sec. 152. RCW 28B.52.060 and 1987 c 314 s 9 are each amended to  
23 read as follows:

24 The commission shall conduct mediation activities upon the request  
25 of either party as a means of assisting in the settlement of unresolved  
26 matters considered under this chapter.

27 In the event that any matter being jointly considered by the  
28 employee organization and the board of trustees of the ((community))



1 college district is not settled by the means provided in this chapter,  
2 either party, twenty-four hours after serving written notice of its  
3 intended action to the other party, may, request the assistance and  
4 advice of the commission. Nothing in this section prohibits an  
5 employer and an employee organization from agreeing to substitute, at  
6 their own expense, some other impasse procedure or other means of  
7 resolving matters considered under this chapter."

8 "Sec. 153. RCW 28B.52.070 and 1971 ex.s. c 196 s 6 are each  
9 amended to read as follows:

10 Boards of trustees of ((community)) college districts or any  
11 administrative officer thereof shall not discriminate against academic  
12 employees or applicants for such positions because of their membership  
13 or nonmembership in employee organizations or their exercise of other  
14 rights under this chapter."

15 "Sec. 154. RCW 28B.52.078 and 1987 c 314 s 13 are each amended to  
16 read as follows:

17 The right of ((community)) college faculty to engage in any strike  
18 is prohibited. The right of a board of trustees to engage in any  
19 lockout is prohibited. Should either a strike or lockout occur, the  
20 representative of the faculty or board of trustees may invoke the  
21 jurisdiction of the superior court in the county in which the labor  
22 dispute exists and such court shall have jurisdiction to issue an  
23 appropriate order against either or both parties. In fashioning an  
24 order, the court shall take into consideration not only the elements  
25 necessary for injunctive relief but also the purpose and goals of this  
26 chapter and any mitigating factors such as the commission of an unfair  
27 labor practice by either party."

1       **"Sec. 155.**   RCW 28B.52.090 and 1971 ex.s. c 196 s 8 are each  
2 amended to read as follows:

3       Nothing in this chapter shall be construed to annul or modify, or  
4 to preclude the renewal or continuation of, any lawful agreement  
5 heretofore entered into between any ((community)) college district and  
6 any representative of its employees."

7       **"Sec. 156.**   RCW 28B.52.200 and 1987 c 314 s 12 are each amended to  
8 read as follows:

9       Nothing in chapter 28B.52 RCW as now or hereafter amended shall  
10 compel either party to agree to a proposal or to make a concession, nor  
11 shall any provision in chapter 28B.52 RCW as now or hereafter amended  
12 be construed as limiting or precluding the exercise by each  
13 ((community)) college board of trustees of any powers or duties  
14 authorized or provided to it by law unless such exercise is contrary to  
15 the terms and conditions of any lawful negotiated agreement, except  
16 that other than to extend the terms of a previous contract, a board of  
17 trustees shall not take unilateral action on any unresolved issue under  
18 negotiation, unless the parties have first participated in good faith  
19 mediation or some other procedure as authorized by RCW 28B.52.060 to  
20 seek resolution of the issue."

21       **"Sec. 157.**   RCW 28B.52.210 and 1990 c 29 s 6 are each amended to  
22 read as follows:

23       With respect to the community and technical colleges faculty awards  
24 trust program, the permissible scope of collective bargaining under  
25 this chapter shall be governed by RCW 28B.50.843."

26       "NEW SECTION.   **Sec. 158.**   The following acts or parts of acts are  
27 each repealed:

(1) RCW 28B.50.055 and 1982 1st ex.s. c 30 s 10;

(2) RCW 28C.15.010 and 1987 c 492 s 1;

(3) RCW 28C.15.020 and 1987 c 492 s 2;

(4) RCW 28C.15.030 and 1987 c 492 s 3; and

(5) RCW 28C.15.900 and 1987 c 492 s 4."

**"NEW SECTION. Sec. 159.** The following acts or parts of acts as now existing or hereafter amended are each repealed effective October 1, 1991:

(1) RCW 28C.04.015 and 1990 c 188 s 1;

(2) RCW 28C.04.024 and 1990 c 188 s 2;

(3) RCW 28C.04.035 and 1990 c 188 s 3; and

(4) RCW 28C.04.045 and 1990 c 188 s 4."

**"NEW SECTION. Sec. 160.** Each technical college shall have written procedures which include provisions for the vocational education of individuals with disabilities. These written procedures shall include a plan to provide services to individuals with disabilities, a written plan of how the technical college will comply with relevant state and federal requirements for providing vocational education to individuals with disabilities, a written plan of how the technical college will provide on-site appropriate instructional support staff in compliance with P.L. 94-142, and as since amended, and section 504 of the rehabilitation act of 1973, and as thereafter amended."

**"NEW SECTION. Sec. 161.** Sections 142 and 143 of this act shall constitute a new chapter in Title 28A RCW."

1        "NEW SECTION.    **Sec. 162.**    Sections 16 and 17 of this act shall  
2    constitute a new chapter in Title 50 RCW."

3        "NEW SECTION.    **Sec. 163.**    Sections 2 through 9 of this act shall  
4    constitute a new chapter in Title 28C RCW."

5        "NEW SECTION.    **Sec. 164.**    Sections 18 through 20 of this act shall  
6    constitute a new chapter in Title 28C RCW."

7        "NEW SECTION.    **Sec. 165.**    Sections 21, 26 through 31, 79, 81, 84  
8    through 86, 94 through 96, 102 through 105, 113, 136, 141, 145, 146,  
9    and 160 of this act are each added to chapter 28B.50 RCW."

10       "NEW SECTION.    **Sec. 166.**    RCW 28B.50.300 is decodified."

11       "NEW SECTION.    **Sec. 167.**    If specific funding for the purposes of  
12    this act, referencing this act by bill number, is not provided for  
13    sections 95 through 103 and 158 of this act by June 30, 1993, in the  
14    omnibus appropriations act, sections 95 through 103 and 158 of this act  
15    shall be null and void."

16       "NEW SECTION.    **Sec. 168.**    Sections 1 through 8, 16 through 21, 26  
17    through 30, 35, 78 through 83, 87 through 113, 116, 142 through 146,  
18    and 166 of this act are necessary for the immediate preservation of the  
19    public peace, health, or safety, or support of the state government and  
20    its existing public institutions.

21       Sections 35, 116, and 144 through 146 of this act shall take effect  
22    immediately.

Sections 1 through 8, 16 through 21, 26 through 30, 78 through 83, 87 through 113, 142, 143, and 166 of this act shall take effect July 1, 1991.

Sections 22 through 25, 31 through 34, 36 through 77, 84 through 86, 114, 115, 117 through 141, and 147 through 160 of this act shall take effect September 1, 1991.

Sections 9 through 15 of this act shall take effect October 1, 1991."

"NEW SECTION. Sec. 169. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

**ESSB 5184** - H COMM AMD  
By Committee on Higher Education

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28B.50.010, 28B.50.020, 28B.50.030, 28B.50.040, 28B.50.050, 28B.50.060, 28B.50.085, 28B.50.090, 28B.50.092, 28B.50.093, 28B.50.095, 28B.50.100, 28B.50.130, 28B.50.140, 28B.50.142, 28B.50.143, 28B.50.145, 28B.50.150, 28B.50.205, 28B.50.242, 28B.50.250, 28B.50.320, 28B.50.330, 28B.50.340, 28B.50.350, 28B.50.360, 28B.50.370, 28B.50.402, 28B.50.404, 28B.50.405, 28B.50.409, 28B.50.520, 28B.50.535, 28B.50.551, 28B.50.600, 28B.50.740, 28B.50.835, 28B.50.837, 28B.50.839, 28B.50.841, 28B.50.843, 28B.50.850, 28B.50.851, 28B.50.867, 28B.50.869, 28B.50.870, 28B.50.873, 28B.50.875, 15.76.120, 28A.305.270, 28C.10.020, 28B.10.016, 43.19.190, 28B.52.010, 28B.52.020, 28B.52.030, 28B.52.035, 28B.52.050, 28B.52.060, 28B.52.070, 28B.52.078, 28B.52.090, 28B.52.200, and 28B.52.210; adding new sections to chapter 28B.50 RCW;

1 adding a new section to chapter 28A.150 RCW; adding a new section to  
2 chapter 28A.300 RCW; adding a new section to chapter 50.12 RCW; adding  
3 a new section to chapter 41.06 RCW; adding a new section to chapter  
4 41.05 RCW; adding a new section to chapter 41.04 RCW; adding a new  
5 section to chapter 28B.16 RCW; adding a new section to chapter 41.40  
6 RCW; adding a new section to chapter 28B.52 RCW; adding a new section  
7 to chapter 43.01 RCW; adding a new section to chapter 41.56 RCW; adding  
8 a new section to chapter 28A.320 RCW; adding a new chapter to Title 28A  
9 RCW; adding new chapters to Title 28C RCW; adding a new chapter to  
10 Title 50 RCW; creating new sections; repealing RCW 28B.50.055,  
11 28C.15.010, 28C.15.020, 28C.15.030, 28C.15.900, 28C.04.015, 28C.04.024,  
12 28C.04.035, and 28C.04.045; decodifying RCW 28B.50.300; providing  
13 effective dates; and declaring an emergency."