
HOUSE BILL 2240

State of Washington 61st Legislature 2009 Regular Session

By Representatives Haler and Santos

Read first time 02/17/09. Referred to Committee on Higher Education.

1 AN ACT Relating to compensation of the presidents of the four-year
2 institutions of higher education; and amending RCW 28B.20.130,
3 28B.30.150, 28B.35.120, and 28B.40.120.

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

5 **Sec. 1.** RCW 28B.20.130 and 2004 c 275 s 52 are each amended to
6 read as follows:

7 General powers and duties of the board of regents are as follows:

8 (1) To have full control of the university and its property of
9 various kinds, except as otherwise provided by law.

10 (2)(a) To employ the president of the university, his or her
11 assistants, members of the faculty, and employees of the institution,
12 who except as otherwise provided by law, shall hold their positions
13 during the pleasure of said board of regents.

14 (b) In employing the president of the university, the board has
15 full authority for setting the compensation of the president. However,
16 any employment contract entered into between the board and the
17 president on or after the effective date of this section is subject to
18 the following limitations:

1 (i) Compensation other than the base salary may not be paid from
2 the general fund state account; and

3 (ii) A compensation contract between the board and the president of
4 the university that fails to comply with the terms in this subsection
5 is void and unenforceable.

6 (3) Establish entrance requirements for students seeking admission
7 to the university which meet or exceed the standards specified under
8 RCW 28B.76.290(2). Completion of examinations satisfactory to the
9 university may be a prerequisite for entrance by any applicant at the
10 university's discretion. Evidence of completion of public high schools
11 and other educational institutions whose courses of study meet the
12 approval of the university may be acceptable for entrance.

13 (4) Establish such colleges, schools, or departments necessary to
14 carry out the purpose of the university and not otherwise proscribed by
15 law.

16 (5) With the assistance of the faculty of the university, prescribe
17 the course of study in the various colleges, schools, and departments
18 of the institution and publish the necessary catalogues thereof.

19 (6) Grant to students such certificates or degrees as recommended
20 for such students by the faculty. The board, upon recommendation of
21 the faculty, may also confer honorary degrees upon persons other than
22 graduates of this university in recognition of their learning or
23 devotion to literature, art, or science: PROVIDED, That no degree
24 shall ever be conferred in consideration of the payment of money or the
25 giving of property of whatsoever kind.

26 (7) Accept such gifts, grants, conveyances, bequests, and devises,
27 whether real or personal property, or both, in trust or otherwise, for
28 the use or benefit of the university, its colleges, schools,
29 departments, or agencies; and sell, lease or exchange, invest or expend
30 the same or the proceeds, rents, profits, and income thereof except as
31 limited by the terms of said gifts, grants, conveyances, bequests, and
32 devises. The board shall adopt proper rules to govern and protect the
33 receipt and expenditure of the proceeds of all fees, and the proceeds,
34 rents, profits, and income of all gifts, grants, conveyances, bequests,
35 and devises above-mentioned.

36 (8) Except as otherwise provided by law, to enter into such
37 contracts as the regents deem essential to university purposes.

1 (9) To submit upon request such reports as will be helpful to the
2 governor and to the legislature in providing for the institution.

3 (10) Subject to the approval of the higher education coordinating
4 board pursuant to RCW 28B.76.230, offer new degree programs, offer off-
5 campus programs, participate in consortia or centers, contract for off-
6 campus educational programs, and purchase or lease major off-campus
7 facilities.

8 **Sec. 2.** RCW 28B.30.150 and 2004 c 275 s 53 are each amended to
9 read as follows:

10 The regents of Washington State University, in addition to other
11 duties prescribed by law, shall:

12 (1) Have full control of the university and its property of various
13 kinds, except as otherwise provided by law.

14 (2)(a) Employ the president of the university, his or her
15 assistants, members of the faculty, and employees of the university,
16 who, except as otherwise provided by law, shall hold their positions
17 during the pleasure of said board of regents.

18 (b) In employing the president of the university, the board has
19 full authority for setting the compensation of the president. However,
20 any employment contract entered into between the board and the
21 president on or after the effective date of this section is subject to
22 the following limitations:

23 (i) Compensation other than the base salary may not be paid from
24 the general fund state account; and

25 (ii) A compensation contract between the board and the president of
26 the university that fails to comply with the terms in this subsection
27 is void and unenforceable.

28 (3) Establish entrance requirements for students seeking admission
29 to the university which meet or exceed the standards specified under
30 RCW 28B.76.290(2). Completion of examinations satisfactory to the
31 university may be a prerequisite for entrance by any applicant, at the
32 university's discretion. Evidence of completion of public high schools
33 and other educational institutions whose courses of study meet the
34 approval of the university may be acceptable for entrance.

35 (4) Establish such colleges, schools, or departments necessary to
36 carry out the purpose of the university and not otherwise proscribed by
37 law.

1 (5) Subject to the approval of the higher education coordinating
2 board pursuant to RCW 28B.76.230, offer new degree programs, offer off-
3 campus programs, participate in consortia or centers, contract for off-
4 campus educational programs, and purchase or lease major off-campus
5 facilities.

6 (6) With the assistance of the faculty of the university, prescribe
7 the courses of instruction in the various colleges, schools, and
8 departments of the institution and publish the necessary catalogues
9 thereof.

10 (7) Collect such information as the board deems desirable as to the
11 schemes of technical instruction adopted in other parts of the United
12 States and foreign countries.

13 (8) Provide for holding agricultural institutes including farm
14 marketing forums.

15 (9) Provide that instruction given in the university, as far as
16 practicable, be conveyed by means of laboratory work and provide in
17 connection with the university one or more physical, chemical, and
18 biological laboratories, and suitably furnish and equip the same.

19 (10) Provide training in military tactics for those students
20 electing to participate therein.

21 (11) Establish a department of elementary science and in connection
22 therewith provide instruction in elementary mathematics, including
23 elementary trigonometry, elementary mechanics, elementary and
24 mechanical drawing, and land surveying.

25 (12) Establish a department of agriculture and in connection
26 therewith provide instruction in physics with special application of
27 its principles to agriculture, chemistry with special application of
28 its principles to agriculture, morphology and physiology of plants with
29 special reference to common grown crops and fungus enemies, morphology
30 and physiology of the lower forms of animal life, with special
31 reference to insect pests, morphology and physiology of the higher
32 forms of animal life and in particular of the horse, cow, sheep, and
33 swine, agriculture with special reference to the breeding and feeding
34 of livestock and the best mode of cultivation of farm produce, and
35 mining and metallurgy, appointing demonstrators in each of these
36 subjects to superintend the equipment of a laboratory and to give
37 practical instruction therein.

1 (13) Establish agricultural experiment stations in connection with
2 the department of agriculture, including at least one in the western
3 portion of the state, and appoint the officers and prescribe
4 regulations for their management.

5 (14) Grant to students such certificates or degrees, as recommended
6 for such students by the faculty.

7 (15) Confer honorary degrees upon persons other than graduates of
8 the university in recognition of their learning or devotion to
9 literature, art, or science when recommended thereto by the faculty:
10 PROVIDED, That no degree shall ever be conferred in consideration of
11 the payment of money or the giving of property of whatsoever kind.

12 (16) Adopt plans and specifications for university buildings and
13 facilities or improvements thereto and employ skilled architects and
14 engineers to prepare such plans and specifications and supervise the
15 construction of buildings or facilities which the board is authorized
16 to erect, and fix the compensation for such services. The board shall
17 enter into contracts with one or more contractors for such suitable
18 buildings, facilities, or improvements as the available funds will
19 warrant, upon the most advantageous terms offered at a public
20 competitive letting, pursuant to public notice under rules established
21 by the board. The board shall require of all persons with whom they
22 contract for construction and improvements a good and sufficient bond
23 for the faithful performance of the work and full protection against
24 all liens.

25 (17) Except as otherwise provided by law, direct the disposition of
26 all money appropriated to or belonging to the state university.

27 (18) Receive and expend the money appropriated under the act of
28 congress approved May 8, 1914, entitled "An Act to provide for
29 cooperative agricultural extension work between the agricultural
30 colleges in the several States receiving the benefits of the Act of
31 Congress approved July 2, 1862, and Acts supplemental thereto and the
32 United States Department of Agriculture" and organize and conduct
33 agricultural extension work in connection with the state university in
34 accordance with the terms and conditions expressed in the acts of
35 congress.

36 (19) Except as otherwise provided by law, to enter into such
37 contracts as the regents deem essential to university purposes.

1 (20) Acquire by lease, gift, or otherwise, lands necessary to
2 further the work of the university or for experimental or
3 demonstrational purposes.

4 (21) Establish and maintain at least one agricultural experiment
5 station in an irrigation district to conduct investigational work upon
6 the principles and practices of irrigational agriculture including the
7 utilization of water and its relation to soil types, crops, climatic
8 conditions, ditch and drain construction, fertility investigations,
9 plant disease, insect pests, marketing, farm management, utilization of
10 fruit byproducts, and general development of agriculture under
11 irrigation conditions.

12 (22) Supervise and control the agricultural experiment station at
13 Puyallup.

14 (23) Establish and maintain at Wenatchee an agricultural experiment
15 substation for the purpose of conducting investigational work upon the
16 principles and practices of orchard culture, spraying, fertilization,
17 pollenization, new fruit varieties, fruit diseases and pests,
18 byproducts, marketing, management, and general horticultural problems.

19 (24) Accept such gifts, grants, conveyances, devises, and bequests,
20 whether real or personal property, in trust or otherwise, for the use
21 or benefit of the university, its colleges, schools, or departments;
22 and sell, lease or exchange, invest or expend the same or the proceeds,
23 rents, profits, and income thereof except as limited by the terms of
24 said gifts, grants, conveyances, bequests, and devises; and adopt
25 proper rules to govern and protect the receipt and expenditure of the
26 proceeds of all fees, and the proceeds, rents, profits, and income of
27 all gifts, grants, conveyances, bequests, and devises.

28 (25) Construct when the board so determines a new foundry and a
29 mining, physical, technological building, and fabrication shop at the
30 university, or add to the present foundry and other buildings, in order
31 that both instruction and research be expanded to include permanent
32 molding and die casting with a section for new fabricating techniques,
33 especially for light metals, including magnesium and aluminum; purchase
34 equipment for the shops and laboratories in mechanical, electrical, and
35 civil engineering; establish a pilot plant for the extraction of
36 alumina from native clays and other possible light metal research;
37 purchase equipment for a research laboratory for technological research

1 generally; and purchase equipment for research in electronics,
2 instrumentation, energy sources, plastics, food technology, mechanics
3 of materials, hydraulics, and similar fields.

4 (26) Make and transmit to the governor and members of the
5 legislature upon request such reports as will be helpful in providing
6 for the institution.

7 **Sec. 3.** RCW 28B.35.120 and 2006 c 263 s 824 are each amended to
8 read as follows:

9 In addition to any other powers and duties prescribed by law, each
10 board of trustees of the respective regional universities:

11 (1) Shall have full control of the regional university and its
12 property of various kinds, except as otherwise provided by law.

13 (2)(a) Shall employ the president of the regional university, his
14 or her assistants, members of the faculty, and other employees of the
15 institution, who, except as otherwise provided by law, shall hold their
16 positions, until discharged therefrom by the board for good and lawful
17 reason.

18 (b) In employing the president of the university, the board has
19 full authority for setting the compensation of the president. However,
20 any employment contract entered into between the board and the
21 president on or after the effective date of this section is subject to
22 the following limitations:

23 (i) Compensation other than the base salary may not be paid from
24 the general fund state account; and

25 (ii) A compensation contract between the board and the president of
26 the university that fails to comply with the terms in this subsection
27 is void and unenforceable.

28 (3) With the assistance of the faculty of the regional university,
29 shall prescribe the course of study in the various schools and
30 departments thereof and publish such catalogues thereof as the board
31 deems necessary: PROVIDED, That the Washington professional educator
32 standards board shall determine the requisites for and give program
33 approval of all courses leading to teacher certification by such board.

34 (4) Establish such divisions, schools or departments necessary to
35 carry out the purposes of the regional university and not otherwise
36 proscribed by law.

1 (5) Except as otherwise provided by law, may establish and erect
2 such new facilities as determined by the board to be necessary for the
3 regional university.

4 (6) May acquire real and other property as provided in RCW
5 28B.10.020, as now or hereafter amended.

6 (7) Except as otherwise provided by law, may purchase all supplies
7 and purchase or lease equipment and other personal property needed for
8 the operation or maintenance of the regional university.

9 (8) May establish, lease, operate, equip and maintain self-
10 supporting facilities in the manner provided in RCW 28B.10.300 through
11 28B.10.330, as now or hereafter amended.

12 (9) Except as otherwise provided by law, to enter into such
13 contracts as the trustees deem essential to regional university
14 purposes.

15 (10) May receive such gifts, grants, conveyances, devises and
16 bequests of real or personal property from whatsoever source, as may be
17 made from time to time, in trust or otherwise, whenever the terms and
18 conditions thereof will aid in carrying out the regional university
19 programs; sell, lease or exchange, invest or expend the same or the
20 proceeds, rents, profits and income thereof except as limited by the
21 terms and conditions thereof; and adopt (~~regulations~~) rules to govern
22 the receipt and expenditure of the proceeds, rents, profits and income
23 thereof.

24 (11) Subject to the approval of the higher education coordinating
25 board pursuant to RCW 28B.76.230, offer new degree programs, offer off-
26 campus programs, participate in consortia or centers, contract for off-
27 campus educational programs, and purchase or lease major off-campus
28 facilities.

29 (12) May (~~promulgate~~) adopt such rules (~~and regulations~~), and
30 perform all other acts not forbidden by law, as the board of trustees
31 may in its discretion deem necessary or appropriate to the
32 administration of the regional university.

33 **Sec. 4.** RCW 28B.40.120 and 2006 c 263 s 825 are each amended to
34 read as follows:

35 In addition to any other powers and duties prescribed by law, the
36 board of trustees of The Evergreen State College:

1 (1) Shall have full control of the state college and its property
2 of various kinds, except as otherwise provided by law.

3 (2)(a) Shall employ the president of the state college, his or her
4 assistants, members of the faculty, and other employees of the
5 institution, who, except as otherwise provided by law, shall hold their
6 positions, until discharged therefrom by the board for good and lawful
7 reason.

8 (b) In employing the president of the state college, the board has
9 full authority for setting the compensation of the president. However,
10 any employment contract entered into between the board and the
11 president on or after the effective date of this section is subject to
12 the following limitations:

13 (i) Compensation other than the base salary may not be paid from
14 the general fund state account; and

15 (ii) A compensation contract between the board and the president of
16 the state college that fails to comply with the terms in this
17 subsection is void and unenforceable.

18 (3) With the assistance of the faculty of the state college, shall
19 prescribe the course of study in the various schools and departments
20 thereof and publish such catalogues thereof as the board deems
21 necessary: PROVIDED, That the Washington professional educator
22 standards board shall determine the requisites for and give program
23 approval of all courses leading to teacher certification by such board.

24 (4) Establish such divisions, schools or departments necessary to
25 carry out the purposes of the college and not otherwise proscribed by
26 law.

27 (5) Except as otherwise provided by law, may establish and erect
28 such new facilities as determined by the board to be necessary for the
29 college.

30 (6) May acquire real and other property as provided in RCW
31 28B.10.020, as now or hereafter amended.

32 (7) Except as otherwise provided by law, may purchase all supplies
33 and purchase or lease equipment and other personal property needed for
34 the operation or maintenance of the college.

35 (8) May establish, lease, operate, equip and maintain self-
36 supporting facilities in the manner provided in RCW 28B.10.300 through
37 28B.10.330, as now or hereafter amended.

1 (9) Except as otherwise provided by law, to enter into such
2 contracts as the trustees deem essential to college purposes.

3 (10) May receive such gifts, grants, conveyances, devises and
4 bequests of real or personal property from whatsoever source, as may be
5 made from time to time, in trust or otherwise, whenever the terms and
6 conditions thereof will aid in carrying out the college programs; sell,
7 lease or exchange, invest or expend the same or the proceeds, rents,
8 profits and income thereof except as limited by the terms and
9 conditions thereof; and adopt regulations to govern the receipt and
10 expenditure of the proceeds, rents, profits and income thereof.

11 (11) Subject to the approval of the higher education coordinating
12 board pursuant to RCW 28B.76.230, offer new degree programs, offer off-
13 campus programs, participate in consortia or centers, contract for off-
14 campus educational programs, and purchase or lease major off-campus
15 facilities.

16 (12) May (~~promulgate~~) adopt such rules (~~and regulations~~), and
17 perform all other acts not forbidden by law, as the board of trustees
18 may in its discretion deem necessary or appropriate to the
19 administration of the college.

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