
SENATE BILL 5007

State of Washington

61st Legislature

2009 Regular Session

By Senators McAuliffe, King, Oemig, Holmquist, McDermott, Kauffman, Pridemore, Kilmer, Hobbs, Tom, Brandland, Swecker, Shin, Franklin, Parlette, and Roach

Read first time 01/12/09. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to allowing public technical colleges to offer
2 associate transfer degrees; amending RCW 28B.50.140; and creating a new
3 section.

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

5 NEW SECTION. **Sec. 1.** It is the intent of the legislature to allow
6 public technical colleges under the authority of the state board for
7 community and technical colleges to offer associate transfer degrees
8 that prepare students for professional bachelor's degrees.

9 **Sec. 2.** RCW 28B.50.140 and 2005 c 258 s 9 are each amended to read
10 as follows:

11 Each board of trustees:

12 (1) Shall operate all existing community and technical colleges in
13 its district;

14 (2) Shall create comprehensive programs of community and technical
15 college education and training and maintain an open-door policy in
16 accordance with the provisions of RCW 28B.50.090(3)(. ~~However,~~
17 ~~technical colleges, and college districts containing only technical~~
18 ~~colleges, shall maintain programs solely for occupational education,~~

1 ~~basic skills, and literacy purposes. For as long as a need exists,~~
2 ~~technical colleges may continue those programs, activities, and~~
3 ~~services they offered during the twelve-month period preceding~~
4 ~~September 1, 1991));~~

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

21 (4) May establish, under the approval and direction of the college
22 board, new facilities as community needs and interests demand.
23 However, the authority of boards of trustees to purchase or lease major
24 off-campus facilities shall be subject to the approval of the higher
25 education coordinating board pursuant to RCW 28B.76.230;

26 (5) May establish or lease, operate, equip and maintain
27 dormitories, food service facilities, bookstores and other self-
28 supporting facilities connected with the operation of the community and
29 technical college;

30 (6) May, with the approval of the college board, borrow money and
31 issue and sell revenue bonds or other evidences of indebtedness for the
32 construction, reconstruction, erection, equipping with permanent
33 fixtures, demolition and major alteration of buildings or other capital
34 assets, and the acquisition of sites, rights-of-way, easements,
35 improvements or appurtenances, for dormitories, food service
36 facilities, and other self-supporting facilities connected with the
37 operation of the community and technical college in accordance with the
38 provisions of RCW 28B.10.300 through 28B.10.330 where applicable;

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

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

11 (b) Employ necessary employees to govern, manage and operate the
12 same;

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

22 (9) May establish and maintain night schools whenever in the
23 discretion of the board of trustees it is deemed advisable, and
24 authorize classrooms and other facilities to be used for summer or
25 night schools, or for public meetings and for any other uses consistent
26 with the use of such classrooms or facilities for community and
27 technical college purposes;

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

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

34 (12) May grant to every student, upon graduation or completion of
35 a course of study, a suitable diploma, degree, or certificate.
36 Technical colleges (~~shall~~) may offer (~~only~~) technical degrees under
37 the rules of the state board for community and technical colleges that
38 are appropriate to their workforce education and training mission. The

1 primary purpose of these degrees is to lead the individual directly to
2 employment in a specific occupation. Technical colleges may (~~not~~)
3 offer transfer degrees that prepare students for professional
4 bachelor's degrees, subject to rules adopted by the college board. In
5 adopting rules, the college board, where possible, shall create
6 consistency between community and technical colleges and may address
7 issues related to tuition and fee rates; tuition waivers; enrollment
8 counting, including the use of credits instead of clock hours; degree
9 granting authority; or any other rules necessary to offer the associate
10 degrees that prepare students for transfer to professional bachelor's
11 degrees. Only pilot colleges under RCW 28B.50.810 may award
12 baccalaureate degrees. The board, upon recommendation of the faculty,
13 may also confer honorary associate of arts degrees upon persons other
14 than graduates of the community college, in recognition of their
15 learning or devotion to education, literature, art, or science. No
16 degree may be conferred in consideration of the payment of money or the
17 donation of any kind of property;

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

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

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

36 (16) Notwithstanding any other provision of law, may offer
37 educational services on a contractual basis other than the tuition and
38 fee basis set forth in chapter 28B.15 RCW for a special fee to private

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

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

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

30 (19) May participate in higher education centers and consortia that
31 involve any four-year public or independent college or university:
32 PROVIDED, That new degree programs or off-campus programs offered by a
33 four-year public or independent college or university in collaboration
34 with a community or technical college are subject to approval by the
35 higher education coordinating board under RCW 28B.76.230; and

36 (20) Shall perform any other duties and responsibilities imposed by

1 law or rule of the state board.

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