

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1328

Chapter 64, Laws of 2009

61st Legislature
2009 Regular Session

TECHNICAL COLLEGES--ASSOCIATE DEGREES

EFFECTIVE DATE: 07/26/09

Passed by the House March 5, 2009
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 2, 2009
Yeas 44 Nays 0

BRAD OWEN

President of the Senate

Approved April 13, 2009, 3:14 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1328** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 14, 2009

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1328

Passed Legislature - 2009 Regular Session

State of Washington

61st Legislature

2009 Regular Session

By House Higher Education (originally sponsored by Representatives Carlyle, Morrell, Maxwell, Eddy, Anderson, Green, Van De Wege, Sells, White, Hasegawa, Wallace, Dunshee, Priest, McCoy, Dickerson, Williams, Ormsby, Finn, Lias, Kelley, Probst, Kenney, Hunt, Kessler, Pettigrew, Haigh, Goodman, Ericks, Blake, Jacks, Angel, Driscoll, Schmick, Hudgins, Hunter, Moeller, Chase, Springer, Conway, Sullivan, Rolfes, Simpson, Campbell, Santos, and Roberts)

READ FIRST TIME 02/18/09.

1 AN ACT Relating to allowing public technical colleges to offer
2 associate degrees; amending RCW 28B.50.020, 28B.50.030, 28B.50.090, and
3 28B.50.140; and creating a new 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 degrees that
8 prepare students for transfer to bachelor's degrees in professional
9 fields, subject to rules adopted by the state board for community and
10 technical colleges.

11 **Sec. 2.** RCW 28B.50.020 and 2005 c 258 s 7 are each amended to read
12 as follows:

13 The purpose of this chapter is to provide for the dramatically
14 increasing number of students requiring high standards of education
15 either as a part of the continuing higher education program or for
16 occupational education and training, or for adult basic skills and
17 literacy education, by creating a new, independent system of community
18 and technical colleges which will:

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

4 (2) Ensure that each college district shall offer thoroughly
5 comprehensive educational, training, and service programs to meet the
6 needs of both the communities and students served by combining high
7 standards of excellence in academic transfer courses; realistic and
8 practical courses in occupational education, both graded and ungraded;
9 community services of an educational, cultural, and recreational
10 nature; and adult education, including basic skills and general,
11 family, and workforce literacy programs and services(~~(. —However,~~
12 ~~college districts containing only technical colleges shall maintain~~
13 ~~programs solely for occupational education, basic skills, and literacy~~
14 ~~purposes, and, for as long as a need exists, may continue those~~
15 ~~programs, activities, and services offered by the technical colleges~~
16 ~~during the twelve month period preceding September 1, 1991)~~);

17 (3) Provide for basic skills and literacy education, and
18 occupational education and technical training at technical colleges in
19 order to prepare students for careers in a competitive workforce;

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

22 (5) Provide administration by state and local boards which will
23 avoid unnecessary duplication of facilities or programs; and which will
24 encourage efficiency in operation and creativity and imagination in
25 education, training, and service to meet the needs of the community and
26 students;

27 (6) Allow for the growth, improvement, flexibility and modification
28 of the community colleges and their education, training, and service
29 programs as future needs occur; and

30 (7) Establish firmly that, except on a pilot basis as provided
31 under RCW 28B.50.810, community colleges are, for purposes of academic
32 training, two year institutions, and are an independent, unique, and
33 vital section of our state's higher education system, separate from
34 both the common school system and other institutions of higher
35 learning, and never to be considered for conversion into four-year
36 liberal arts colleges.

1 **Sec. 3.** RCW 28B.50.030 and 2007 c 277 s 301 are each amended to
2 read as follows:

3 ~~((As used in))~~ The definitions in this section apply throughout
4 this chapter~~((,))~~ unless the context clearly requires otherwise~~((, the~~
5 ~~term:))~~).

6 (1) "System" ~~((shall))~~ means the state system of community and
7 technical colleges, which shall be a system of higher education.

8 (2) "Board" ~~((shall))~~ means the workforce training and education
9 coordinating board.

10 (3) "College board" ~~((shall))~~ means the state board for community
11 and technical colleges created by this chapter.

12 (4) "Director" ~~((shall))~~ means the administrative director for the
13 state system of community and technical colleges.

14 (5) "District" ~~((shall))~~ means any one of the community and
15 technical college districts created by this chapter.

16 (6) "Board of trustees" ~~((shall))~~ means the local community and
17 technical college board of trustees established for each college
18 district within the state.

19 (7) "Occupational education" ~~((shall))~~ means ~~((that))~~ education or
20 training that will prepare a student for employment that does not
21 require a baccalaureate degree, and education and training ~~((leading to~~
22 ~~an applied baccalaureate degree))~~ that will prepare a student for
23 transfer to bachelor's degrees in professional fields, subject to rules
24 adopted by the college board.

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

27 (9) "Common school board" ~~((shall))~~ means a public school district
28 board of directors.

29 (10) "Community college" ~~((shall))~~ includes those higher education
30 institutions that conduct education programs under RCW 28B.50.020.

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

1 ~~labor-))~~ For purposes of this chapter, technical colleges shall
2 include Lake Washington Vocational-Technical Institute, Renton
3 Vocational-Technical Institute, Bates Vocational-Technical Institute,
4 Clover Park Vocational Institute, and Bellingham Vocational-Technical
5 Institute.

6 (12) "Adult education" (~~shall~~) means all education or
7 instruction, including academic, vocational education or training,
8 basic skills and literacy training, and "occupational education"
9 provided by public educational institutions, including common school
10 districts for persons who are eighteen years of age and over or who
11 hold a high school diploma or certificate. However, "adult education"
12 shall not include academic education or instruction for persons under
13 twenty-one years of age who do not hold a high school degree or diploma
14 and who are attending a public high school for the sole purpose of
15 obtaining a high school diploma or certificate, nor shall "adult
16 education" include education or instruction provided by any four-year
17 public institution of higher education.

18 (13) "Dislocated forest product worker" (~~shall~~) means a forest
19 products worker who: (a) (i) Has been terminated or received notice of
20 termination from employment and is unlikely to return to employment in
21 the individual's principal occupation or previous industry because of
22 a diminishing demand for his or her skills in that occupation or
23 industry; or (ii) is self-employed and has been displaced from his or
24 her business because of the diminishing demand for the business'
25 services or goods; and (b) at the time of last separation from
26 employment, resided in or was employed in a rural natural resources
27 impact area.

28 (14) "Forest products worker" (~~shall~~) means a worker in the
29 forest products industries affected by the reduction of forest fiber
30 enhancement, transportation, or production. The workers included
31 within this definition shall be determined by the employment security
32 department, but shall include workers employed in the industries
33 assigned the major group standard industrial classification codes "24"
34 and "26" and the industries involved in the harvesting and management
35 of logs, transportation of logs and wood products, processing of wood
36 products, and the manufacturing and distribution of wood processing and
37 logging equipment. The commissioner may adopt rules further

1 interpreting these definitions. For the purposes of this subsection,
2 "standard industrial classification code" means the code identified in
3 RCW 50.29.025(3).

4 (15) "Dislocated salmon fishing worker" means a finfish products
5 worker who: (a)(i) Has been terminated or received notice of
6 termination from employment and is unlikely to return to employment in
7 the individual's principal occupation or previous industry because of
8 a diminishing demand for his or her skills in that occupation or
9 industry; or (ii) is self-employed and has been displaced from his or
10 her business because of the diminishing demand for the business's
11 services or goods; and (b) at the time of last separation from
12 employment, resided in or was employed in a rural natural resources
13 impact area.

14 (16) "Salmon fishing worker" means a worker in the finfish industry
15 affected by 1994 or future salmon disasters. The workers included
16 within this definition shall be determined by the employment security
17 department, but shall include workers employed in the industries
18 involved in the commercial and recreational harvesting of finfish
19 including buying and processing finfish. The commissioner may adopt
20 rules further interpreting these definitions.

21 (17) "Rural natural resources impact area" means:

22 (a) A nonmetropolitan county, as defined by the 1990 decennial
23 census, that meets three of the five criteria set forth in subsection
24 (18) of this section;

25 (b) A nonmetropolitan county with a population of less than forty
26 thousand in the 1990 decennial census, that meets two of the five
27 criteria as set forth in subsection (18) of this section; or

28 (c) A nonurbanized area, as defined by the 1990 decennial census,
29 that is located in a metropolitan county that meets three of the five
30 criteria set forth in subsection (18) of this section.

31 (18) For the purposes of designating rural natural resources impact
32 areas, the following criteria shall be considered:

33 (a) A lumber and wood products employment location quotient at or
34 above the state average;

35 (b) A commercial salmon fishing employment location quotient at or
36 above the state average;

37 (c) Projected or actual direct lumber and wood products job losses
38 of one hundred positions or more;

1 (d) Projected or actual direct commercial salmon fishing job losses
2 of one hundred positions or more; and

3 (e) An unemployment rate twenty percent or more above the state
4 average. The counties that meet these criteria shall be determined by
5 the employment security department for the most recent year for which
6 data is available. For the purposes of administration of programs
7 under this chapter, the United States post office five-digit zip code
8 delivery areas will be used to determine residence status for
9 eligibility purposes. For the purpose of this definition, a zip code
10 delivery area of which any part is ten miles or more from an urbanized
11 area is considered nonurbanized. A zip code totally surrounded by zip
12 codes qualifying as nonurbanized under this definition is also
13 considered nonurbanized. The office of financial management shall make
14 available a zip code listing of the areas to all agencies and
15 organizations providing services under this chapter.

16 (19) "Applied baccalaureate degree" means a baccalaureate degree
17 awarded by a college under RCW 28B.50.810 for successful completion of
18 a program of study that is:

19 (a) Specifically designed for individuals who hold an associate of
20 applied science degree, or its equivalent, in order to maximize
21 application of their technical course credits toward the baccalaureate
22 degree; and

23 (b) Based on a curriculum that incorporates both theoretical and
24 applied knowledge and skills in a specific technical field.

25 (20) "Qualified institutions of higher education" means:

26 (a) Washington public community and technical colleges;

27 (b) Private career schools that are members of an accrediting
28 association recognized by rule of the higher education coordinating
29 board for the purposes of chapter 28B.92 RCW; and

30 (c) Washington state apprenticeship and training council-approved
31 apprenticeship programs.

32 **Sec. 4.** RCW 28B.50.090 and 2004 c 275 s 57 are each amended to
33 read as follows:

34 The college board shall have general supervision and control over
35 the state system of community and technical colleges. In addition to
36 the other powers and duties imposed upon the college board by this

chapter, the college board shall be charged with the following powers, duties and responsibilities:

(1) Review the budgets prepared by the boards of trustees, prepare a single budget for the support of the state system of community and technical colleges and adult education, and submit this budget to the governor as provided in RCW 43.88.090;

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

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

(a) That each college district shall offer thoroughly comprehensive educational, training, and service programs to meet the needs of both the communities and students served by combining high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; and community services of an educational, cultural, and recreational nature; and adult education, including basic skills and general, family, and workforce literacy programs and services ~~((. However, technical colleges, and college districts containing only technical colleges, shall maintain programs solely for occupational education, basic skills, and literacy purposes. For as long as a need exists, technical colleges may continue those programs, activities, and services they offered during the twelve-month period preceding May 17, 1991))~~);

(b) That each college district shall maintain an open-door policy, to the end that no student will be denied admission because of the location of the student's residence or because of the student's educational background or ability; that, insofar as is practical in the judgment of the college board, curriculum offerings will be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body: PROVIDED, That the administrative officers of a community or technical college may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, the student would not be competent to profit

1 from the curriculum offerings of the college, or would, by his or her
2 presence or conduct, create a disruptive atmosphere within the college
3 not consistent with the purposes of the institution. This subsection
4 (3)(b) shall not apply to competency, conduct, or presence associated
5 with a disability in a person twenty-one years of age or younger
6 attending a technical college;

7 (4) Prepare a comprehensive master plan for the development of
8 community and technical college education and training in the state;
9 and assist the office of financial management in the preparation of
10 enrollment projections to support plans for providing adequate college
11 facilities in all areas of the state. The master plan shall include
12 implementation of the vision, goals, priorities, and strategies in the
13 statewide strategic master plan for higher education under RCW
14 28B.76.200 based on the community and technical college system's role
15 and mission. The master plan shall also contain measurable performance
16 indicators and benchmarks for gauging progress toward achieving the
17 goals and priorities;

18 (5) Define and administer criteria and guidelines for the
19 establishment of new community and technical colleges or campuses
20 within the existing districts;

21 (6) Establish criteria and procedures for modifying district
22 boundary lines consistent with the purposes set forth in RCW 28B.50.020
23 as now or hereafter amended and in accordance therewith make such
24 changes as it deems advisable;

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

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

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

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

36 (d) Standard admission policies,

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

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

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

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

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

13 (12) Notwithstanding any other law or statute regarding the sale of
14 state property, sell or exchange and convey any or all interest in any
15 community and technical college real and personal property, except such
16 property as is received by a college district in accordance with RCW
17 28B.50.140(8), when it determines that such property is surplus or that
18 such a sale or exchange is in the best interests of the community and
19 technical college system;

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

35 (14) Notwithstanding the provisions of subsection (12) of this
36 section, may receive such gifts, grants, conveyances, devises, and
37 bequests of real or personal property from private sources as may be
38 made from time to time, in trust or otherwise, whenever the terms and

1 conditions thereof will aid in carrying out the community and technical
2 college programs and may sell, lease or exchange, invest or expend the
3 same or the proceeds, rents, profits and income thereof according to
4 the terms and conditions thereof; and adopt regulations to govern the
5 receipt and expenditure of the proceeds, rents, profits and income
6 thereof; and

7 (15) The college board shall have the power of eminent domain(~~(16) — Provide — general — supervision — over — the — state's — technical~~
8 ~~colleges. — The — president — of — each — technical — college — shall — report~~
9 ~~directly to the director of the state board for community and technical~~
10 ~~colleges, or the director's designee, until local control is assumed by~~
11 ~~a new or existing board of trustees as appropriate, except that a~~
12 ~~college president shall have authority over program decisions of his or~~
13 ~~her college until the establishment of a board of trustees for that~~
14 ~~college. — The directors of the vocational technical institutes on March~~
15 ~~1, 1991, shall be designated as the presidents of the new technical~~
16 ~~colleges)) .~~

18 **Sec. 5.** RCW 28B.50.140 and 2005 c 258 s 9 are each amended to read
19 as follows:

20 Each board of trustees:

21 (1) Shall operate all existing community and technical colleges in
22 its district;

23 (2) Shall create comprehensive programs of community and technical
24 college education and training and maintain an open-door policy in
25 accordance with the provisions of RCW 28B.50.090(3) (~~(. — However,~~
26 ~~technical colleges, and college districts containing only technical~~
27 ~~colleges, shall maintain programs solely for occupational education,~~
28 ~~basic skills, and literacy purposes. — For as long as a need exists,~~
29 ~~technical colleges may continue those programs, activities, and~~
30 ~~services they offered during the twelve-month period preceding~~
31 ~~September 1, 1991)) ;~~

32 (3) Shall employ for a period to be fixed by the board a college
33 president for each community and technical college and, may appoint a
34 president for the district, and fix their duties and compensation,
35 which may include elements other than salary. Compensation under this
36 subsection shall not affect but may supplement retirement, health care,
37 and other benefits that are otherwise applicable to the presidents as

1 state employees. The board shall also employ for a period to be fixed
2 by the board members of the faculty and such other administrative
3 officers and other employees as may be necessary or appropriate and fix
4 their salaries and duties. Compensation and salary increases under
5 this subsection shall not exceed the amount or percentage established
6 for those purposes in the state appropriations act by the legislature
7 as allocated to the board of trustees by the state board for community
8 and technical colleges. The state board for community and technical
9 colleges shall adopt rules defining the permissible elements of
10 compensation under this subsection;

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

16 (5) May establish or lease, operate, equip and maintain
17 dormitories, food service facilities, bookstores and other self-
18 supporting facilities connected with the operation of the community and
19 technical college;

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

29 (7) May establish fees and charges for the facilities authorized
30 hereunder, including reasonable rules and regulations for the
31 government thereof, not inconsistent with the rules of the college
32 board; each board of trustees operating a community and technical
33 college may enter into agreements, subject to rules of the college
34 board, with owners of facilities to be used for housing regarding the
35 management, operation, and government of such facilities, and any board
36 entering into such an agreement may:

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

1 (b) Employ necessary employees to govern, manage and operate the
2 same;

3 (8) May receive such gifts, grants, conveyances, devises and
4 bequests of real or personal property from private sources, 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 community and technical
7 college programs as specified by law and the rules of the state college
8 board; sell, lease or exchange, invest or expend the same or the
9 proceeds, rents, profits and income thereof according to the terms and
10 conditions thereof; and adopt rules to govern the receipt and
11 expenditure of the proceeds, rents, profits and income thereof;

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

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

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

24 (12) May grant to every student, upon graduation or completion of
25 a course of study, a suitable diploma, degree, or certificate(~~(-~~
26 ~~Technical colleges shall offer only technical degrees~~)) under the rules
27 of the state board for community and technical colleges that are
28 appropriate to their (~~(workforce education and training)~~) mission. The
29 (~~(primary)~~) purposes of these diplomas, certificates, and degrees
30 (~~(is)~~) are to lead (~~(the)~~) individuals directly to employment in a
31 specific occupation or prepare individuals for a bachelor's degree or
32 beyond. Technical colleges may (~~(not)~~) only offer transfer degrees
33 that prepare students for bachelor's degrees in professional fields,
34 subject to rules adopted by the college board. In adopting rules, the
35 college board, where possible, shall create consistency between
36 community and technical colleges and may address issues related to
37 tuition and fee rates; tuition waivers; enrollment counting, including
38 the use of credits instead of clock hours; degree granting authority;

1 or any other rules necessary to offer the associate degrees that
2 prepare students for transfer to bachelor's degrees in professional
3 areas. Only pilot colleges under RCW 28B.50.810 may award
4 baccalaureate degrees. The board, upon recommendation of the faculty,
5 may also confer honorary associate of arts degrees upon persons other
6 than graduates of the community college, in recognition of their
7 learning or devotion to education, literature, art, or science. No
8 degree may be conferred in consideration of the payment of money or the
9 donation of any kind of property;

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

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

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

28 (16) Notwithstanding any other provision of law, may offer
29 educational services on a contractual basis other than the tuition and
30 fee basis set forth in chapter 28B.15 RCW for a special fee to private
31 or governmental entities, consistent with rules adopted by the state
32 board for community and technical colleges: PROVIDED, That the whole
33 of such special fee shall go to the college district and be not less
34 than the full instructional costs of such services including any salary
35 increases authorized by the legislature for community and technical
36 college employees during the term of the agreement: PROVIDED FURTHER,
37 That enrollments generated hereunder shall not be counted toward the

1 official enrollment level of the college district for state funding
2 purposes;

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

17 (18) Shall be authorized to pay dues to any association of trustees
18 that may be formed by the various boards of trustees; such association
19 may expend any or all of such funds to submit biennially, or more often
20 if necessary, to the governor and to the legislature, the
21 recommendations of the association regarding changes which would affect
22 the efficiency of such association;

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

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

Passed by the House March 5, 2009.

Passed by the Senate April 2, 2009.

Approved by the Governor April 13, 2009.

Filed in Office of Secretary of State April 14, 2009.