
SUBSTITUTE HOUSE BILL 2637

State of Washington

54th Legislature

1996 Regular Session

By House Committee on Higher Education (originally sponsored by Representatives D. Sommers, Sheahan, Jacobsen, Dellwo, Schoesler, Carlson and Grant; by request of Joint Center for Higher Education)

Read first time 01/30/96.

1 AN ACT Relating to the joint center for higher education; amending
2 RCW 28B.25.020, 28B.25.030, 41.06.382, 28B.10.029, and 28B.25.033;
3 adding new sections to chapter 28B.25 RCW; and repealing RCW
4 28B.25.080.

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

6 **Sec. 1.** RCW 28B.25.020 and 1991 c 205 s 3 are each amended to read
7 as follows:

8 (1) The joint center shall have authority over all fiscal
9 activities related to the land and facilities known as the ((Spokane))
10 Riverpoint higher education park subject to the approval of the higher
11 education coordinating board pursuant to RCW 28B.80.330 through
12 28B.80.350.

13 (2) The joint center for higher education shall coordinate all
14 baccalaureate and graduate degree programs, and all other courses and
15 programs offered in the Spokane area by Washington State University and
16 by Eastern Washington University outside of its Cheney campus. The
17 joint center for higher education shall not coordinate the
18 intercollegiate center for nursing. The joint center for higher

1 education may mediate disagreements among institutions about degree
2 programs or courses.

3 (3) The joint center for higher education shall coordinate the
4 following higher education activities in the Spokane area outside of
5 the Eastern Washington University Cheney campus:

6 (a) Articulation between lower division and upper division
7 programs;

8 (b) The participation of Washington State University and Eastern
9 Washington University in joint academic degree programs with Gonzaga
10 University and Whitworth College and in joint academic degree programs
11 with each other;

12 (c) All contractual negotiations between public and independent
13 colleges and universities; and

14 (d) Programs offered through the intercollegiate research and
15 technology institute created by RCW 28B.10.060.

16 (4) The participating institutions in the joint center for higher
17 education shall maintain jurisdiction over the content of the course
18 offerings and the entitlement to degrees. However, before any degree
19 program is authorized under this section, it shall be subject to review
20 and approval of the higher education coordinating board.

21 (5) The joint center shall develop a master plan for the
22 ((Spokane)) Riverpoint higher education park. The plan shall be
23 developed in cooperation with the participating institutions and
24 submitted to the higher education coordinating board, legislature, and
25 office of financial management.

26 (6) The joint center shall adopt rules as necessary to implement
27 this chapter.

28 (7) Title to or all interest in real estate and other assets,
29 including but not limited to assignable contracts, cash, equipment,
30 buildings, facilities, and appurtenances thereto held as of July 1,
31 1991, shall vest in the joint center for higher education.

32 **Sec. 2.** RCW 28B.25.030 and 1991 c 205 s 4 are each amended to read
33 as follows:

34 (1) The joint center for higher education shall be governed by a
35 board consisting of the following ((~~twelve~~)) fourteen voting members:

36 (a) One member of the Eastern Washington University board of
37 trustees;

38 (b) One member of the Washington State University board of regents;

1 (c) One member of the board of trustees of the Spokane community
2 college district;

3 (d) Six citizens residing in Spokane county. Of the six citizen
4 members, no more than two may be regents or trustees of Eastern
5 Washington University, Washington State University, or the Spokane
6 community college district; ~~((and))~~

7 (e) One member from an independent nonprofit university located in
8 the Spokane area and one member from a separate independent, nonprofit,
9 baccalaureate degree-granting institution of higher education located
10 in the Spokane area; and

11 (f) The presidents of Washington State University and Eastern
12 Washington University, and the chief executive officer of the Spokane
13 community college district shall serve as ex officio members of the
14 board. Either the provost or the vice-president for research and dean
15 of the graduate school may act as designee for the president of
16 Washington State University.

17 (2) The executive director of the higher education coordinating
18 board(~~(, the president of Gonzaga University, and the president of~~
19 ~~Whitworth College)) shall serve as a nonvoting ex officio member(~~(s)~~)
20 of the board. Pending appointment of the two members under subsection
21 (1)(e) of this section, the president or chancellor of Gonzaga
22 University and the president of Whitworth College shall continue to
23 serve as nonvoting ex officio members of the board.~~

24 (3) Each of the (~~twelve~~) fourteen voting members shall have one
25 vote. The voting members shall select a chairperson from among the
26 (~~nine~~) eleven appointed members. A majority of the (~~twelve~~)
27 fourteen voting members shall constitute a quorum for conducting
28 business.

29 **Sec. 3.** RCW 41.06.382 and 1979 ex.s. c 46 s 1 are each amended to
30 read as follows:

31 Nothing contained in this chapter shall prohibit any institution of
32 higher education, as defined in RCW 28B.10.016, or related board or the
33 joint center for higher education created in chapter 28B.25 RCW from
34 purchasing services by contract with individuals or business entities
35 (~~(if such services were regularly purchased by valid contract at such~~
36 ~~institution prior to April 23, 1979))): PROVIDED, That no such contract
37 may be executed or renewed if it would have the effect of terminating
38 state-funded permanent classified employees (~~(or classified employee~~~~

1 ~~positions existing at the time of the execution or renewal of the~~
2 ~~contract)) employed at the institution of higher education or related~~
3 ~~board, or the joint center for higher education as of the effective~~
4 ~~date of this section.~~

5 NEW SECTION. **Sec. 4.** The board of the joint center for higher
6 education may hire a director of the institute who may hire other staff
7 under chapter 41.06 RCW as necessary to carry out the institute's
8 duties. The director shall exercise such additional powers, other than
9 rule making, as may be delegated by the board by resolution.

10 NEW SECTION. **Sec. 5.** The joint center for higher education
11 established under this chapter shall provide central administration
12 services for the institute, including, but not limited to, accounting,
13 budgeting, financial reporting, facilities management, personnel, and
14 purchasing services.

15 **Sec. 6.** RCW 28B.10.029 and 1993 c 379 s 101 are each amended to
16 read as follows:

17 (1) An institution of higher education may exercise independently
18 those powers otherwise granted to the director of general
19 administration in chapter 43.19 RCW in connection with the purchase and
20 disposition of all material, supplies, services, and equipment needed
21 for the support, maintenance, and use of the respective institution of
22 higher education. Property disposition policies followed by
23 institutions of higher education shall be consistent with policies
24 followed by the department of general administration. Purchasing
25 policies and procedures followed by institutions of higher education
26 shall be in compliance with chapters 39.19, 39.29, and 43.03 RCW, and
27 RCW 43.19.1901, 43.19.1906, 43.19.1911, 43.19.1917, 43.19.1937,
28 43.19.534, 43.19.685, 43.19.700 through 43.19.704, and 43.19.550
29 through 43.19.637. The community and technical colleges shall comply
30 with RCW 43.19.450. Except for the University of Washington,
31 institutions of higher education shall comply with RCW 43.19.1935,
32 43.19.19363, and 43.19.19368. If an institution of higher education
33 can satisfactorily demonstrate to the director of the office of
34 financial management that the cost of compliance is greater than the
35 value of benefits from any of the following statutes, then it shall be
36 exempt from them: RCW 43.19.685; 43.19.534; and 43.19.637. Any

1 institution of higher education that chooses to exercise independent
2 purchasing authority for a commodity or group of commodities shall
3 notify the director of general administration. Thereafter the director
4 of general administration shall not be required to provide those
5 services for that institution for the duration of the general
6 administration contract term for that commodity or group of
7 commodities.

8 (2) An institution of higher education may exercise independently
9 those powers otherwise granted to the public printer in chapter 43.78
10 RCW in connection with the production or purchase of any printing and
11 binding needed by the respective institution of higher education.
12 Purchasing policies and procedures followed by institutions of higher
13 education shall be in compliance with chapter 39.19 RCW. Any
14 institution of higher education that chooses to exercise independent
15 printing production or purchasing authority shall notify the public
16 printer. Thereafter the public printer shall not be required to
17 provide those services for that institution.

18 (3) For the purposes of this section, an "institution of higher
19 education" shall include the joint center for higher education created
20 in chapter 28B.25 RCW when the joint center for higher education is
21 contracting with another institution of higher education that is acting
22 as the sole agent for purchasing and disposing of material, supplies,
23 services, and equipment, and for procuring printing or binding
24 services.

25 **Sec. 7.** RCW 28B.25.033 and 1991 c 205 s 5 are each amended to read
26 as follows:

27 ((Nine)) Eleven members of the board shall be appointed by the
28 governor and approved by the senate. The appointed members of the
29 board shall serve for terms of four years, the terms expiring on
30 September 30th of the fourth year except that, in the case of initial
31 members, three shall be appointed to two-year terms, three shall be
32 appointed to three-year terms, and three shall be appointed to four-
33 year terms. The term of any board member who is a trustee or regent
34 shall automatically expire when the member's term as trustee or regent
35 expires.

36 NEW SECTION. **Sec. 8.** RCW 28B.25.080 and 1991 c 205 s 10 are each
37 repealed.

1 NEW SECTION. **Sec. 9.** Sections 4 and 5 of this act are each added
2 to chapter 28B.25 RCW.

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