Chapter 28B.50 RCW
COMMUNITY AND TECHNICAL COLLEGES

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Actions against educational boards—Defense—Costs—Payment of obligations from liability account: RCW 28B.10.840, 28B.10.842.

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Community education programs: RCW 28A.620.020.

Department of social and health services (including division of vocational rehabilitation): Chapter 43.20A RCW.

Development of methods and protocols for measuring educational costs: RCW 43.41.415.

Dual credit programs—Annual report: RCW 28A.600.280.

Educational boards, insurance to protect and hold personally harmless: RCW 28B.10.840, 28B.10.844.

Eye protection, public educational institutions: See RCW 70.100.010 through 70.100.040.

Governing body of recognized student association at college or university, open public meetings act applicable to: RCW 42.30.200.

Idaho—Tuition and fees—Reciprocity with Washington: RCW 28B.15.750.

Oregon—Tuition and fees—Reciprocity with Washington: RCW 28B.15.730 through 28B.15.734.

RCW 28B.50.010 Short title. This chapter shall be known as and may be cited as the community and technical college act of 1991. [1991 c 238 s 20; 1969 ex.s. c 223 s 28B.50.010. Prior: 1967 ex.s. c 8 s 1. Formerly RCW 28.85.010.]

RCW 28B.50.020 Purpose. The purpose of this chapter is to provide for the dramatically increasing number of students requiring high standards of education either as a part of the continuing higher education program or for occupational education and training, or for adult basic skills and literacy education, by creating a new, independent system of community and technical colleges which will:

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

(2) Ensure that each college district, in coordination with adjacent college districts, 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; community services of an educational, cultural, and recreational nature; and adult education, including basic skills and general, family, and workforce literacy programs and services;

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

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

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

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

(7) Establish firmly that as provided under RCW 28B.50.810, community colleges are, for purposes of academic training, two year institutions, and are an independent, unique, and vital section of our state's higher education system, separate from both the common school system and other institutions of higher learning. [2010 c 246 s 2; 2010 c 245 s 2; 2009 c 64 s 2; 2005 c 258 s 7; 1991 c 238 s 21; 1969 ex.s. c 261 s 17; 1969 ex.s. c 223 s 28B.50.020. Prior: 1967 ex.s. c 8 s 2.]

Reviser's note: This section was amended by 2010 c 245 s 2 and by 2010 c 246 s 2, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Findings—Intent—2010 c 246: "The legislature finds that Washington's community and technical college system consists of thirty-four two-year institutions geographically dispersed across the state to encourage and enable student access and participation. The legislature also finds that, compared with other states, Washington's two-year public participation rate is ranked as high as fifth in the nation. The legislature further finds that Washington's community and technical colleges have been making and are continuing to make great progress towards system efficiencies and coordination of their efforts through such things as common course numbering, the student achievement initiative, associate transfer degrees, eLearning and integrated basic education, skills training, and some common

administrative systems. While maintaining Washington's recognized leadership in community and technical college education, the legislature intends to provide mechanisms to encourage further efficiencies that will provide cost savings to be used to enhance student access and success, strengthen academic programs, and develop and retain high quality faculty through cost-effective partnerships and coordination between institutions, including shared services and increased complementary programming, as well as structural administrative efficiencies." [2010 c 246 s 1.]

Findings—Expand on demand—System design plan endorsed—2010 c 245: "The legislature finds that the state institutions of higher education are providing a high quality education to the citizens of the state. The legislature further finds that to meet goals of the strategic master plan for higher education the state needs a higher education system that is capable of delivering many more degrees. The legislature also finds that expansion of the system should be based on the proven demands of the citizens and the marketplace, a concept called "expand on demand." The legislature further finds that the *higher education coordinating board, in collaboration with the state board for community and technical colleges, the two-year and four-year institutions of higher education, and other stakeholders developed a system design plan that contains seven guiding principles for system expansion, focuses near-term enrollment growth at university branch campuses, comprehensive universities, and university centers where existing capacity is available without new state capital investment, establishes a process for evaluating major new capital expansion, and creates a fund for innovation to foster change and innovation in higher education delivery. The legislature finds that the strategies in the plan support the concept of expand on demand and would increase degree production by first reinvesting in higher education to use existing capacity while also providing long-term strategies to guide decisions on when and where to build new campuses, significantly expand existing sites, and change missions of existing institutions.

The legislature endorses the system design plan, approved by the *higher education coordinating board in November 2009, and adopts the recommendations and strategies in the plan." [2010 c 245 s 1.]

***Reviser's note:** The higher education coordinating board was abolished by 2011 1st sp.s. c 11 s 301, effective July 1, 2012.

Intent—2009 c 64: "It is the intent of the legislature to allow public technical colleges under the authority of the state board for community and technical colleges to offer associate degrees that prepare students for transfer to bachelor's degrees in professional fields, subject to rules adopted by the state board for community and technical colleges." [2009 c 64 s 1.]

Findings—Intent—2005 c 258: See note following RCW 28B.45.014.

Severability—1969 ex.s. c 261: "If any provision of this 1969 amendatory 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." [1969 ex.s. c 261 s 37. Formerly RCW 28.85.911.]

RCW 28B.50.030 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adult education" means 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. 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, nor shall "adult education" include education or instruction provided by any four-year public institution of higher education.

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

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

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

(3) "Board" means the workforce training and education coordinating board.

(4) "Board of trustees" means the local community and technical college board of trustees established for each college district within the state.

(5) "Center of excellence" means a community or technical college designated by the college board as a statewide leader in industry-specific, community and technical college workforce education and training.

(6) "College board" means the state board for community and technical colleges created by this chapter.

(7) "Common school board" means a public school district board of directors.

(8) "Community college" includes those higher education institutions that conduct education programs under RCW 28B.50.020.

(9) "Director" means the administrative director for the state system of community and technical colleges.

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

(11) "Dislocated salmon fishing worker" means a finfish products worker who: (a)(i) Has been terminated or received notice of termination from employment and is unlikely to return to employment in the individual's principal occupation or previous industry because of a diminishing demand for his or her skills in that occupation or industry; or (ii) is self-employed and has been displaced from his or

her business because of the diminishing demand for the business's services or goods; and (b) at the time of last separation from employment, resided in or was employed in a rural natural resources impact area.

(12) "District" means any one of the community and technical college districts created by this chapter.

(13) "Forest products worker" means a worker in the forest products industries affected by the reduction of forest fiber enhancement, transportation, or production. The workers included within this definition shall be determined by the employment security department, but shall include workers employed in the industries assigned the major group standard industrial classification codes "24" and "26" and the industries involved in the harvesting and management of logs, transportation of logs and wood products, processing of wood products, and the manufacturing and distribution of wood processing and logging equipment. The commissioner may adopt rules further interpreting these definitions.

(14) "High employer demand program of study" means an apprenticeship, or an undergraduate or graduate certificate or degree program in which the number of students prepared for employment per year from in-state institutions is substantially less than the number of projected job openings per year in that field, statewide or in a substate region.

(15) "K-12 system" means the public school program including kindergarten through the twelfth grade.

(16) "Occupational education" means education or training that will prepare a student for employment that does not require a baccalaureate degree, and education and training that will prepare a student for transfer to bachelor's degrees in professional fields, subject to rules adopted by the college board.

(17) "Qualified institutions of higher education" means:

(a) Washington public community and technical colleges;

(b) Private career schools that are members of an accrediting association recognized by rule of the student achievement council for the purposes of chapter 28B.92 RCW; and

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

(18) "Rural natural resources impact area" means:

(a) A nonmetropolitan county, as defined by the 1990 decennial census, that meets three of the five criteria set forth in subsection (19) of this section;

(b) A nonmetropolitan county with a population of less than forty thousand in the 1990 decennial census, that meets two of the five criteria as set forth in subsection (19) of this section; or

(c) A nonurbanized area, as defined by the 1990 decennial census, that is located in a metropolitan county that meets three of the five criteria set forth in subsection (19) of this section.

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

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

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

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

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

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

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

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

(22) "Technical college" includes those higher education institutions with the mission of conducting occupational education, basic skills, literacy programs, and offering on short notice, when appropriate, programs that meet specific industry needs. For purposes of this chapter, technical colleges shall include the following college districts as created in RCW 28B.50.040: The twenty-fifth college district, the twenty-sixth college district, the twenty-seventh college district, the twenty-eighth college district, and the twenty-ninth college district. [2021 c 2 s 2; 2015 c 55 s 226; 2012 c 229 s 536. Prior: 2009 c 353 s 1; 2009 c 151 s 3; 2009 c 64 s 3; 2007 c 277 s 301; 2005 c 258 s 8; 2003 2nd sp.s. c 4 s 33; 1997 c 367 s 13; 1995 c 226 s 17; 1992 c 21 s 5; prior: 1991 c 315 s 15; 1991 c 238 s 22; 1985 c 461 s 14; 1982 1st ex.s. c 53 s 24; 1973 c 62 s 12; 1969 ex.s. c 261 s 18; 1969 ex.s. c 223 s 28B.50.030; prior: 1967 ex.s. c 8 s 3.]

Intent—Conflict with federal requirements—Effective date—2021 c 2: See notes following RCW 50.04.323.

Effective date—2012 c 229 ss 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904: See note following RCW 28B.77.005.

Intent—2009 c 64: See note following RCW 28B.50.020.

Findings—Part headings not law—2007 c 277: See notes following RCW 28B.50.271.

Findings—Intent—2005 c 258: See note following RCW 28B.45.014.

Conflict with federal requirements—Severability—Effective date—2003 2nd sp.s. c 4: See notes following RCW 50.01.010.

Severability—Conflict with federal requirements—Effective date—1997 c 367: See notes following RCW 43.160.020.

Severability—Conflict with federal requirements—Effective date—1995 c 226: See notes following RCW 43.160.020.

Intent—1991 c 315: "The legislature finds that:

(1) The economic health and well-being of timber-dependent communities is of substantial public concern. The significant reduction in annual timber harvest levels likely will result in reduced economic activity and persistent unemployment and underemployment over time, which would be a serious threat to the safety, health, and welfare of residents of the timber impact areas, decreasing the value of private investments and jeopardizing the sources of public revenue.

(2) Timber impact areas are most often located in areas that are experiencing little or no economic growth, creating an even greater risk to the health, safety, and welfare of these communities. The ability to remedy problems caused by the substantial reduction in harvest activity is beyond the power and control of the regulatory process and influence of the state, and the ordinary operations of private enterprise without additional governmental assistance are insufficient to adequately remedy the resulting problems of poverty and unemployment.

(3) To address these concerns, it is the intent of the legislature to increase training and retraining services accessible to timber impact areas, and provide for coordination of noneconomic development services in timber impact areas as economic development efforts will not succeed unless social, housing, health, and other needs are addressed." [1991 c 315 s 1.]

Conflict with federal requirements—1991 c 315: See RCW 50.70.901.

Severability—1985 c 461: See note following RCW 41.06.020.

Severability—1982 1st ex.s. c 53: See note following RCW 41.06.020.

Savings—Severability—1973 c 62: See notes following RCW 28B.10.510.

Severability—1969 ex.s. c 261: See note following RCW 28B.50.020.

RCW 28B.50.040 College districts enumerated. The state of Washington is hereby divided into thirty 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;

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

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

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

(7) The seventh district shall encompass the present boundary of the common school district of Shoreline in King county;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(29) The twenty-ninth district shall encompass all of Pierce county; and

(30) The thirtieth district shall encompass the present boundaries of the common school districts of Lake Washington and Riverview in King county and Northshore in King and Snohomish counties. [1994 c 217 s 2; 1991 c 238 s 23; 1988 c 77 s 1; 1981 c 72 s 1; 1973 1st ex.s. c 46 s 7; 1969 ex.s. c 223 s 28B.50.040. Prior: 1967 ex.s. c 8 s 4. Formerly RCW 28.85.040.]

Effective date—1994 c 217: See note following RCW 28B.45.0201.

Findings—1994 c 217: See RCW 28B.45.0201.

Effective date—1988 c 77: "Section 2 of this act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately. The remainder of this act shall take effect July 1, 1988." [1988 c 77 s 12.]

Severability—1988 c 77: "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." [1988 c 77 s 11.]

District No. 23 Interlocal cooperation agreements by school districts in Snohomish county authorized—1981 c 72: "Any school district within Snohomish county may enter into interlocal cooperation agreements with any community college located within Snohomish county pursuant to the provisions of chapter 39.34 RCW." [1981 c 72 s 8.]

Savings—Provisions of existing collective bargaining agreement—1981 c 72: "Nothing contained in this amendatory act shall be construed to alter any provision of any existing collective bargaining agreement until any such agreement has expired or been modified pursuant to chapter 28B.52 RCW." [1981 c 72 s 9.]

Savings—Generally—1981 c 72: "Nothing in this amendatory act shall be construed to affect any existing rights, nor as affecting any actions, activities, or proceedings validated prior to the effective date of this amendatory act, nor as affecting any civil or criminal proceedings, nor any rule, regulation, or order promulgated, nor any administrative action taken prior to the effective date of this amendatory act, and the validity of any act performed with respect to Edmonds Community College, or any officer or employee thereof prior to the effective date of this amendatory act, is hereby validated." [1981 c 72 s 10.]

Effective date of this amendatory act defined—1981 c 72: "The phrase "the effective date of this amendatory act" as used in sections 3, 4, 6 and 10 of this amendatory act shall mean July 1, 1981: PROVIDED, That nothing in this amendatory act shall prohibit any transfers mandated in section 4 hereof nor the action contemplated in section 11 hereof prior to such July 1, 1981." [1981 c 72 s 12.]

Severability—1981 c 72: "If any provision of this amendatory 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." [1981 c 72 s 13.]

Severability—1973 1st ex.s. c 46: See note following RCW 28B.10.704.

RCW 28B.50.050 State board for community and technical colleges. (1) There is hereby created the "state board for community and technical colleges," to consist of 10 members who represent the geographic diversity of the state, and who shall be appointed by the governor, with the consent of the senate. At least two members shall reside east of the Cascade mountains. In making these appointments, the governor shall attempt to provide geographic balance and give consideration to representing labor, business, women, and racial and ethnic minorities, among the membership of the board. At least one member of the board shall be from business and at least one member of the board shall be from labor. One member of the board shall be a student enrolled at a community or technical college.

(2) The members, except for the student member, shall be appointed for terms of four years except that a person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of such term. The student member shall serve for a term of one year. The student member must be at least 18 years of age at the time of appointment. Each member shall serve until the appointment and qualification of his or her successor. All members shall be citizens and bona fide residents of the state.

(3) Members of the college board shall be compensated in accordance with RCW 43.03.240 and shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060 for

each day actually spent in attending to the duties as a member of the college board.

(4) The members of the college board may be removed by the governor for inefficiency, neglect of duty, or malfeasance in office, in the manner provided by RCW 28B.10.500.

(5) A student appointed under this section shall excuse themself from participating or voting on matters relating to hiring, discipline, personnel, or issues pertaining to pending litigation.

(6) The college board may adopt rules to implement this section. [2025 c 91 s 2; 1991 c 238 s 30; 1988 c 76 s 1; 1984 c 287 s 64; 1982 1st ex.s. c 30 s 9; 1975-'76 2nd ex.s. c 34 s 74; 1973 c 62 s 13; 1969 ex.s. c 261 s 19; 1969 ex.s. c 223 s 28B.50.050. Prior: 1967 ex.s. c 8 s 5.]

Findings—Intent—2025 c 91: "The legislature recognizes that the decisions made by the state board for community and technical colleges greatly impact the lives and education experiences of students and that student participation in the decision-making process can provide meaningful insight into the impact of these decisions from the student perspective, which is unique compared to the perspective of traditional board members.

The legislature finds that students have served on higher education-related governing boards in Washington state and other states for decades. Specifically, students serve on the governing boards of systems of community and technical colleges in over 10 other states. Students also serve as voting members on both the Washington student achievement council and the workforce education investment accountability and oversight board. These opportunities have provided students the opportunity to contribute greatly to deliberations where they have been able to share ideas and concerns on decisions that directly impact students.

The legislature further finds that student perspectives offer the opportunity to bring the state board for community and technical colleges closer to the student community that it serves. Being on campus and in class every day, students are exposed directly to many topics of interest to the board, which is important for comprehensive and in-depth discussion. Moreover, student populations at community and technical colleges are the most diverse of any institution of higher education in the state, and thus the student member would be exposed to a more diverse group than any other member of the board representing any one group of the community.

Additionally, the legislature acknowledges that student positions on governing boards are also a valuable tool for developing leadership through experiential learning. Student members learn processes of institutional governance, analyze policy proposals, and participate in board discussions and decision making.

Therefore, it is the intent of the legislature to enhance community college governance by the state board of [for] community and technical colleges through fostering a stronger relationship with students in policy development and decision making at the state level." [2025 c 91 s 1.]

Legislative findings—Severability—Effective date—1984 c 287: See notes following RCW 43.03.220.

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

Savings—Severability—1973 c 62: See notes following RCW 28B.10.510.

Severability—1969 ex.s. c 261: See note following RCW 28B.50.020.

Appointment of director of state system of community and technical colleges, by: RCW 28B.50.060.

Employees of, appointment and employment of: RCW 28B.50.060.

Occupational forecast—Agency consultation: RCW 50.38.030.

Powers and duties: RCW 28B.50.090.

RCW 28B.50.060 Director of the state system of community and technical colleges—Appointment—Term—Qualifications—Salary and travel expenses—Duties. A director of the state system of community and technical colleges shall be appointed by the college board and shall serve at the pleasure of the college board. The director shall be appointed with due regard to the applicant's fitness and background in education, and knowledge of and recent practical experience in the field of educational administration particularly in institutions beyond the high school level. The college board may also take into consideration an applicant's proven management background even though not particularly in the field of education.

The director shall devote his or her time to the duties of his or her office and shall not have any direct pecuniary interest in or any stock or bonds of any business connected with or selling supplies to the field of education within this state, in keeping with chapter 42.52 RCW.

The director shall receive a salary to be fixed by the college board and shall be reimbursed for travel expenses incurred in the discharge of his or her official duties in accordance with RCW 43.03.050 and 43.03.060.

The director shall be the executive officer of the college board and serve as its secretary and under its supervision shall administer the provisions of this chapter and the rules and orders established thereunder and all other laws of the state. The director shall attend, but not vote at, all meetings of the college board. The director shall be in charge of offices of the college board and responsible to the college board for the preparation of reports and the collection and dissemination of data and other public information relating to the state system of community and technical colleges. At the direction of the college board, the director shall, together with the chair of the college board, execute all contracts entered into by the college board.

The director shall, with the approval of the college board: (1) Employ necessary assistant directors of major staff divisions who shall serve at the director's pleasure on such terms and conditions as the director determines, and (2) subject to the provisions of chapter 41.06 RCW the director shall, with the approval of the college board,

appoint and employ such field and office assistants, clerks and other employees as may be required and authorized for the proper discharge of the functions of the college board and for whose services funds have been appropriated.

The board may, by written order filed in its office, delegate to the director any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised by the director in the name of the college board. [2011 c 336 s 738; 1994 c 154 s 306; 1991 c 238 s 31; 1975-'76 2nd ex.s. c 34 s 75; 1973 1st ex.s. c 46 s 8; 1973 c 62 s 14; 1969 ex.s. c 261 s 20; 1969 ex.s. c 223 s 28B.50.060. Prior: 1967 ex.s. c 8 s 6.]

Effective date—1994 c 154: See RCW 42.52.904.

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

Severability—1973 1st ex.s. c 46: See note following RCW 28B.10.704.

Savings—Severability—1973 c 62: See notes following RCW 28B.10.510.

Severability—1969 ex.s. c 261: See note following RCW 28B.50.020.

RCW 28B.50.070 College board—Organization—Meetings—Quorum—Biennial report—Fiscal year. The governor shall make the appointments to the college board.

The college board shall organize, adopt a seal, and adopt bylaws for its administration, not inconsistent herewith, as it may deem expedient and may from time to time amend such bylaws. Annually the board shall elect a chairperson and vice chairperson; all to serve until their successors are appointed and qualified. The college board shall at its initial meeting fix a date and place for its regular meeting. Six members shall constitute a quorum, and no meeting shall be held with less than a quorum present, and no action shall be taken by less than a majority of the college board.

Special meetings may be called as provided by its rules and regulations. Regular meetings shall be held at the college board's established offices in Olympia, but whenever the convenience of the public or of the parties may be promoted, or delay or expenses may be prevented, it may hold its meetings, hearings or proceedings at any other place designated by it. Subject to RCW 40.07.040, the college board shall transmit a report in writing to the governor biennially which report shall contain such information as may be requested by the governor. The fiscal year of the college board shall conform to the fiscal year of the state. [2025 c 91 s 3; 1987 c 505 s 15; 1986 c 130 s 1; 1977 c 75 s 26; 1973 c 62 s 15; 1969 ex.s. c 223 s 28B.50.070. Prior: 1967 ex.s. c 8 s 7. Formerly RCW 28.85.070.]

Findings—Intent—2025 c 91: See note following RCW 28B.50.050.

Savings—Severability—1973 c 62: See notes following RCW 28B.10.510.

Fiscal year defined: RCW 43.88.020.

RCW 28B.50.080 College board—Offices and office equipment, including necessary expenses. Suitable offices and office equipment shall be provided by the state for the college board in the city of Olympia, and the college board may incur the necessary expense for office furniture, stationery, printing, incidental expenses, and other expenses necessary for the administration of this chapter. [1969 ex.s. c 223 s 28B.50.080. Prior: 1967 ex.s. c 8 s 8. Formerly RCW 28.85.080.]

RCW 28B.50.085 College board—Treasurer—Appointment, duties, bond—Depository. The state board for community and technical colleges shall appoint a treasurer who shall be the financial officer of the board, who shall make such vendor payments and salary payments for the entire community and technical college system as authorized by the state board, and who shall hold office during the pleasure of the board. All moneys received by the state board and not required to be deposited elsewhere, shall be deposited in a depository selected by the board, which moneys shall be subject to the budgetary and audit provisions of law applicable to state agencies. The depository selected by the state board shall conform to the collateral requirements required for the deposit of other state funds. Disbursement shall be made by check signed by the treasurer. The treasurer shall render a true and faithful account of all moneys received and paid out by him or her and shall give bond for the faithful performance of the duties of his or her office in such amount as the board requires: PROVIDED, That the board shall pay the fee for any such bonds. [1991 c 238 s 32; 1981 c 246 s 4.]

Severability—1981 c 246: See note following RCW 28B.50.090.

RCW 28B.50.090 College board—Powers and duties. The college board shall have general supervision and control over the state system of community and technical colleges. In addition to 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, in coordination with colleges, within a regional area, 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;

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

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

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

(6) Establish criteria and procedures for modifying district boundary lines and consolidating district structures to form multiple campus districts 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; and

(f) Common student identifiers such that once a student has enrolled at any community or technical college he or she retains the same student identification upon transfer to any college district;

(8) Encourage colleges to use multiple measures to determine whether a student must enroll in a precollege course including, but not limited to, placement tests, the SAT, high school transcripts, college transcripts, or initial class performance, and require colleges to post all the available options for course placement on their website and in their admissions materials;

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

(10) 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;

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

(12) 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;

(13) 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 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;

(14) In order that the treasurer for the state board for community and technical colleges 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 1st 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 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;

(15) Notwithstanding the provisions of subsection (13) 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; and

(16) The college board shall have the power of eminent domain. [2013 c 57 s 1; 2011 c 109 s 1; 2010 c 246 s 3; 2009 c 64 s 4; 2004 c 275 s 57; 2003 c 130 s 6; 1991 c 238 s 33; 1982 c 50 s 1; 1981 c 246 s 2; 1979 c 151 s 20; 1977 ex.s. c 282 s 4; 1973 c 62 s 16; 1969 ex.s. c 261 s 21; 1969 ex.s. c 223 s 28B.50.090. Prior: 1967 ex.s. c 8 s 9.]

***Reviser's note:** RCW 28B.76.200 was repealed by 2011 1st sp.s. c 11 s 244, effective July 1, 2012.

Findings—Intent—2010 c 246: See note following RCW 28B.50.020.

Intent—2009 c 64: See note following RCW 28B.50.020.

Part headings not law—2004 c 275: See note following RCW 28B.76.090.

Findings—Intent—2003 c 130: See note following RCW 28B.77.070.

Severability—1981 c 246: "If any provision of this amendatory 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." [1981 c 246 s 6.]

Severability—1977 ex.s. c 282: See note following RCW 28B.50.870.

Savings—Severability—1973 c 62: See notes following RCW 28B.10.510.

Severability—1969 ex.s. c 261: See note following RCW 28B.50.020.

Construction, reconstruction, equipping facilities—Financing: RCW 28B.50.340.

Development of budget: RCW 43.88.090.

Eminent domain: Title 8 RCW.

State budgeting, accounting, and reporting system: Chapter 43.88 RCW.

RCW 28B.50.091 Board to waive fees for students finishing their high school education. See RCW 28B.15.520.

RCW 28B.50.092 Program for military personnel—Restrictions as to high school completion program. The state board for community and technical colleges may authorize any board of trustees to do all things necessary to conduct an education, training, and service program authorized by chapter 28B.50 RCW, as now or hereafter amended, for United States military personnel and their dependents, and department of defense civilians and their dependents, at any geographical location: PROVIDED, That such programs shall be limited to those colleges which conducted programs for United States military personnel prior to January 1, 1977: PROVIDED FURTHER, That any high school completion program conducted pursuant to this section shall comply with standards set forth in rules and regulations promulgated by the superintendent of public instruction and the state board of education: AND PROVIDED FURTHER, That the superintendent of public instruction shall issue the certificate or diploma in recognition of

high school completion education provided pursuant to this section. [1991 c 238 s 34; 1977 ex.s. c 131 s 1; 1973 c 105 s 1.]

RCW 28B.50.093 Program for military personnel—Limitation. Prior to the state board granting authorization for any programs authorized under RCW 28B.50.092, the state board shall determine that such authorization will not deter from the primary functions of the community and technical college system within the state of Washington as prescribed by chapter 28B.50 RCW. [1991 c 238 s 35; 1973 c 105 s 2.]

RCW 28B.50.094 Program for military personnel—Costs of funding. The costs of funding programs authorized by RCW 28B.50.092 through 28B.50.094 shall ultimately be borne by grants or fees derived from nonstate treasury sources. [1973 c 105 s 3.]

RCW 28B.50.095 Registration at more than one community and technical college. In addition to other powers and duties, the college board may issue rules and regulations permitting a student to register at more than one community and technical college, provided that such student shall pay tuition and fees as if the student were registered at a single college, but not to exceed tuition and fees charged a full-time student as established under chapter 28B.15 RCW. [1995 1st sp.s. c 9 s 11; 1991 c 238 s 36; 1983 c 3 s 40; 1973 c 129 s 1.]

Intent—Purpose—Effective date—1995 1st sp.s. c 9: See notes following RCW 28B.15.031.

RCW 28B.50.096 Cooperation with workforce training and education coordinating board. The college board shall cooperate with the workforce training and education coordinating board in the conduct of the board's responsibilities under RCW 28C.18.060 and shall provide information and data in a format that is accessible to the board. [1991 c 238 s 79.]

RCW 28B.50.097 Electronic job bank. (1) The college board shall create an electronic job bank on its website to act as a clearinghouse for people seeking academic teaching positions at the state's community and technical colleges. The job bank must be accessible on the internet. Use of the electronic job bank is not mandatory.

(2) The college board shall include a separate section on its electronic job bank reserved for the exclusive listing of part-time academic employment opportunities at state community and technical colleges.

(3) The separate section of the electronic job bank under subsection (2) of this section must, at a minimum, include an internet link to each of the following components, if available from the community or technical college offering the employment opportunity:

(a) A description of the open position;

(b) A listing of required skills and experience necessary for the position; and

(c) The district where the employment opening exists.

(4) The college board shall develop a strategy to promote its electronic job bank to prospective candidates. [2001 c 110 s 1.]

RCW 28B.50.098 Appointment of trustees for new college district. In the event a new college district is created, the governor shall appoint new trustees to the district's board of trustees in accordance with RCW 28B.50.100. [1991 c 238 s 134.]

RCW 28B.50.100 Boards of trustees—Generally. There is hereby created a board of trustees for each college district as set forth in this chapter. Each board of trustees shall be composed of five trustees, except as provided in RCW 28B.50.102, who shall be appointed by the governor for terms commencing October 1st of the year in which appointed. In making such appointments, the governor shall give consideration to geographical diversity, and representing labor, business, women, and racial and ethnic minorities, in the membership of the boards of trustees. The boards of trustees for districts containing technical colleges shall include at least one member from business and one member from labor.

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

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

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

Each board of trustees shall follow procedures for open public meetings in chapter 42.30 RCW. Each board shall provide time for public comment at each meeting.

Members of the boards of trustees may be removed for misconduct or malfeasance in office in the manner provided by RCW 28B.10.500. [2013 c 23 s 58. Prior: 2012 c 228 s 5; 2012 c 148 s 2; 2011 c 336 s 739; 1991 c 238 s 37; 1987 c 330 s 1001; 1983 c 224 s 1; 1979 ex.s. c 103 s 1; 1977 ex.s. c 282 s 2; 1973 c 62 s 17; 1969 ex.s. c 261 s 22; 1969 ex.s. c 223 s 28B.50.100; prior: 1967 ex.s. c 8 s 10.]

Finding—Intent—2012 c 148: "The legislature finds that decisions made by governing boards of each respective institution greatly impact the lives of students and that student participation in the decision-making process can provide insight into the impacts of actions by trustees that are not always measurable through reports and statistics. Students are on campus every day using services and experiencing aspects of the institution that board members may only see on paper, providing a unique and valuable perspective that should not be overlooked.

Students serving on governing boards of higher education have proven effective in Washington and in over thirty other states. For over ten years students at Washington's four-year institutions of higher education have served as voting members on the board of trustees, regents, and the *higher education coordinating board, providing greater depth in board deliberations and a well-educated conduit for students to voice ideas and concerns.

The student perspective at community colleges also brings the board closer to their community. Student populations at community colleges are the most diverse of any institution of higher education in the state. Being on campus and in class every day, students are exposed to a more diverse group than any member of the board representing any one group of the community.

Student positions on governing boards are also a valuable tool for developing leadership through experiential learning. Student members learn processes of institutional governance, become involved in campus projects, analyze policy proposals, and participate in board discussions and decision making.

It is the intent of the legislature to enhance community college governance by fostering a more dynamic relationship between students and institutions through the encouragement of student participation in policy development and decision making at the district and state level." [2012 c 148 s 1.]

***Reviser's note:** The higher education coordinating board was abolished by 2011 1st sp.s. c 11 s 301, effective July 1, 2012.

Construction—Application of rules—Severability—1987 c 330: See notes following RCW 28B.12.050.

Severability—1979 ex.s. c 103: See note following RCW 28B.20.100.

Severability—1977 ex.s. c 282: See note following RCW 28B.50.870.

Effective date—1977 ex.s. c 282 ss 2, 3: "Sections 2 and 3 of this 1977 amendatory act shall not take effect until January 1, 1978." [1977 ex.s. c 282 s 9.]

Savings—Severability—1973 c 62: See notes following RCW 28B.10.510.

Severability—1969 ex.s. c 261: See note following RCW 28B.50.020.

Chief executive officer as secretary of board: RCW 28B.50.130.

RCW 28B.50.102 Boards of trustees—Student trustee. (1) Boards of trustees for each college district, by majority vote, may establish a sixth trustee that shall be filled by a student. The governor shall select each student member from a list of candidates, of at least three and not more than five, submitted by the associated student governments or their equivalent of the college district. The student member shall hold his or her office for a term of one year, beginning July 1st and ending June 30th, or until the student member's successor is appointed and qualified, whichever is later. The student member shall be a full-time student in good standing at a college within the college district at the time of appointment and throughout the student's term. If the student member fails to be enrolled at the college full-time or forfeits his or her academic standing, the student member is disqualified and a new student member must be appointed.

(2) A student appointed under this section shall excuse himself or herself from participation or voting on matters relating to the hiring, discipline, or tenure of faculty members and personnel or any other matters pertaining to collective bargaining agreements. [2012 c 148 s 3.]

Finding—Intent—2012 c 148: See note following RCW 28B.50.100.

RCW 28B.50.130 Boards of trustees—Bylaws, rules, and regulations—Chair and vice chair—Terms—Quorum. Within thirty days of their appointment the various district boards of trustees shall organize, adopt bylaws for its own government, and make such rules and regulations not inconsistent with this chapter as they deem necessary. At such organizational meeting it shall elect from among its members a chair and vice chair, each to serve for one year, and annually thereafter shall elect such officers to serve until their successors are appointed or qualified. The chief executive officer of the college district, or designee, shall serve as secretary of the board. Three trustees shall constitute a quorum, and no action shall be taken by less than a majority of the trustees of the board. The district boards shall transmit such reports to the college board as may be requested by the college board. The fiscal year of the district boards shall conform to the fiscal year of the state. [1991 c 238 s 38; 1977 c 75 s 27; 1973 c 62 s 18; 1969 ex.s. c 223 s 28B.50.130. Prior: 1967 ex.s. c 8 s 13. Formerly RCW 28.85.130.]

Savings—Severability—1973 c 62: See notes following RCW 28B.10.510.

District president or president of college as secretary of board: RCW 28B.50.100.

Fiscal year defined: RCW 43.88.020.

RCW 28B.50.140 Boards of trustees—Powers and duties. Each board of trustees:

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

(2) Shall create comprehensive programs of community and technical college education and training and maintain an open-door policy in accordance with the provisions of RCW 28B.50.090(3);

(3) Shall employ for a period to be fixed by the board a college president for each community and technical college and, may appoint a president for the district, and fix their duties and compensation, which may include elements other than salary. Compensation under this subsection shall not affect but may supplement retirement, health care, and other benefits that are otherwise applicable to the presidents as state employees. The board shall also employ for a period to be fixed by the board members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties. Except as provided for academic employees in RCW 28B.52.035 and technical college classified employees under chapter 41.56 RCW, compensation and salary increases under this subsection shall not exceed the amount or percentage established for those purposes in the state appropriations act by the legislature as allocated to the board of trustees by the state board for community and technical colleges. The state board for community and technical colleges shall adopt rules defining the permissible elements of compensation under this subsection;

(4) May establish, in accordance with RCW 28B.77.080, new facilities as community needs and interests demand. However, the authority of boards of trustees to purchase or lease major off-campus facilities shall be subject to the approval of the student achievement council pursuant to RCW 28B.77.080;

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

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

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

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

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

(8) 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 as specified by law and the rules of the

state college board; 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 rules to govern the receipt and expenditure of the proceeds, rents, profits and income thereof;

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

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

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

(12) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, degree, or certificate under the rules of the state board for community and technical colleges that are appropriate to their mission. The purposes of these diplomas, certificates, and degrees are to lead individuals directly to employment in a specific occupation or prepare individuals for a bachelor's degree or beyond. Technical colleges may only offer transfer degrees that prepare students for bachelor's degrees in professional fields, subject to rules adopted by the college board. In adopting rules, the college board, where possible, shall create consistency between community and technical colleges and may address issues related to tuition and fee rates; tuition waivers; enrollment counting, including the use of credits instead of clock hours; degree-granting authority; or any other rules necessary to offer the associate degrees that prepare students for transfer to bachelor's degrees in professional areas. Only colleges under RCW 28B.50.810 or 28B.50.825 may award baccalaureate degrees. The board, upon recommendation of the faculty, may also confer honorary associate of arts degrees, or if it is authorized to award baccalaureate degrees may confer honorary bachelor of applied science degrees, upon persons other than graduates of the community college, in recognition of their learning or devotion to education, literature, art, or science. No degree may be conferred in consideration of the payment of money or the donation of any kind of property;

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

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

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

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

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

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

(19) May participate in higher education centers and consortia that involve any four-year public or independent college or university in accordance with RCW 28B.77.080;

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

(21) May confer honorary associate of arts degrees upon persons who request an honorary degree if they were students at the college in 1942 and did not graduate because they were ordered into an internment camp. The honorary degree may also be requested by a representative of deceased persons who meet these requirements. For the purposes of this subsection, "internment camp" means a relocation center to which persons were ordered evacuated by Presidential Executive Order 9066, signed on February 19, 1942. [2018 c 267 s 3; 2016 sp.s. c 33 s 3; 2015 3rd sp.s. c 4 s 946; 2014 c 158 s 1; 2012 c 229 s 537; 2010 c 51 s 4; 2009 c 64 s 5; 2005 c 258 s 9; 2004 c 275 s 58; 1997 c 281 s 1. Prior: 1991 c 238 s 39; 1991 c 58 s 1; 1990 c 135 s 1; prior: 1987 c 407 s 1; 1987 c 314 s 14; 1985 c 370 s 96; 1981 c 246 s 3; 1979 ex.s. c 226 s 11; 1979 c 14 s 6; prior: 1977 ex.s. c 282 s 5; 1977 c 75 s 28; 1973 c 62 s 19; 1970 ex.s. c 15 s 17; prior: 1969 ex.s. c 283 s 30; 1969 ex.s. c 261 s 23; 1969 ex.s. c 223 s 28B.50.140; prior: 1967 ex.s. c 8 s 14.]

Effective dates—2015 3rd sp.s. c 4: See note following RCW 28B.15.069.

Effective date—2012 c 229 ss 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904: See note following RCW 28B.77.005.

Intent—2009 c 64: See note following RCW 28B.50.020.

Findings—Intent—2005 c 258: See note following RCW 28B.45.014.

Part headings not law—2004 c 275: See note following RCW 28B.76.090.

Severability—1981 c 246: See note following RCW 28B.50.090.

Effective date—1979 ex.s. c 226: "This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect immediately [June 15, 1979]." [1979 ex.s. c 226 s 13.]

Severability—1977 ex.s. c 282: See note following RCW 28B.50.870.

Savings—Severability—1973 c 62: See notes following RCW 28B.10.510.

Severability—1970 ex.s. c 15: See note following RCW 28A.230.160.

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

Severability—1969 ex.s. c 261: See note following RCW 28B.50.020.

RCW 28B.50.141 Credits—Statewide transfer policy and agreement—Establishment. See RCW 28B.77.210 and 28B.77.215.

RCW 28B.50.142 Treasurer of board—Duties—Bond. Each board of trustees shall appoint a treasurer who shall be the financial officer of the board and who shall hold office during the pleasure of the board. Each treasurer shall render a true and faithful account of all moneys received and paid out by him or her, comply with the provisions of RCW 28B.50.143, and shall give bond for the faithful performance of the duties of his or her office in such amount as the trustees require: PROVIDED, That the respective community and technical colleges shall pay the fees for any such bonds. [1991 c 238 s 40; 1977 ex.s. c 331 s 1.]

Effective date—Severability—1977 ex.s. c 331: See notes following RCW 28B.15.031.

RCW 28B.50.143 Vendor payments, advances or reimbursements for. In order that each college treasurer appointed in accordance with RCW 28B.50.142 may make vendor payments, the state treasurer will honor warrants drawn by each community and technical college providing for one initial advance on July 1 of each succeeding biennium from the state general fund in an amount equal to seventeen percent of each institution's average monthly allotment for such budgeted biennium expenditures as certified by the office of financial management, and at the conclusion of each such initial month, and for each succeeding month of any biennium, the state treasurer will reimburse each institution for each expenditure incurred and reported monthly by each college treasurer in accordance with *chapter 43.83 RCW: PROVIDED, That the reimbursement to each institution for actual expenditures incurred in the final month of each biennium shall be less the initial advance. [1991 c 238 s 41; 1985 c 180 s 1; 1979 c 151 s 21; 1977 ex.s. c 331 s 2.]

***Reviser's note:** The majority of chapter 43.83 RCW was decodified pursuant to 2015 1st sp.s. c 4 s 12.

Effective date—Severability—1977 ex.s. c 331: See notes following RCW 28B.15.031.

RCW 28B.50.145 Community or technical college faculty senate. The boards of trustees of the various college districts may create at each community or technical college under their control a faculty senate or similar organization to be selected by periodic vote of the respective faculties thereof. [1991 c 238 s 42; 1969 ex.s. c 283 s 51. Formerly RCW 28.85.145.]

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.150 Out-of-district residence not to affect enrollment for state resident. Any resident of the state may enroll in any program or course maintained or conducted by a college district upon the same terms and conditions regardless of the district of his or her residence. [1991 c 238 s 43; 1969 ex.s. c 223 s 28B.50.150. Prior: 1967 ex.s. c 8 s 15. Formerly RCW 28.85.150.]

RCW 28B.50.195 Intercollegiate coaches—Minimum standards encouraged. The state board for community and technical colleges in consultation with the Northwest athletic association of community colleges and other interested parties shall encourage community colleges to ensure that intercollegiate coaches meet the following minimum standards:

(1) Verification of up-to-date certification in first aid and cardiopulmonary resuscitation;

(2) Maintaining knowledge of Northwest athletic association of community colleges codes, rules, and institutional policy; and

(3) Encouragement of coaches to participate in appropriate in-service training and activities. [1993 c 94 s 2.]

Policy—1993 c 94: "The legislature supports the establishment of minimum standards for intercollegiate coaches and a process to ensure the safety and appropriate skill development of student athletes." [1993 c 94 s 1.]

RCW 28B.50.196 Intercollegiate coaches—Training to promote coaching competence and techniques. The community and technical colleges are encouraged to provide training to promote development of coaching competence and to enhance the coaching techniques of intercollegiate coaches. The community and technical colleges may offer this educational service to coaches in the community and technical colleges, common schools, amateur teams, youth groups, and community sports groups. The community and technical colleges may provide this educational service through curriculum courses, workshops, or in-service training. [1993 c 94 s 3.]

Policy—1993 c 94: See note following RCW 28B.50.195.

RCW 28B.50.205 AIDS information—Community and technical colleges. The state board for community and technical colleges shall make information available to all newly matriculated students on methods of transmission of the human immunodeficiency virus and prevention of acquired immunodeficiency syndrome. The curricula and materials shall be reviewed for medical accuracy by the office on AIDS in coordination with the appropriate regional AIDS service network. [1991 c 238 s 44; 1988 c 206 s 502.]

RCW 28B.50.215 Overlapping service areas—Regional planning agreements. The colleges in each overlapping service area shall jointly submit for approval to the state board for community and technical colleges a regional planning agreement. The agreement shall provide for the ongoing interinstitutional coordination of community and technical college programs and services operated in the overlapping service area. The agreement shall include the means for the adjudication of issues arising from overlapping service areas. The agreement shall include a definitive statement of mission, scope, and purpose for each college including the nature of courses, programs, and services to be offered by each college.

Technical colleges may, under the rules of the state board for community and technical colleges, offer all specific academic support courses that may be at a transfer level that are required of all students to earn a particular certificate or degree. This shall not be interpreted to mean that their mission may be expanded to include transfer preparation, nor does it preclude technical colleges from voluntarily and cooperatively using available community college courses as components of technical college programs.

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

For the purpose of creating and adopting a regional planning agreement, the trustees of the colleges in Pierce county shall form a county coordinating committee. The county coordinating committee shall consist of eight members. Each college board of trustees in Pierce county shall select two of its members to serve on the county coordinating committee. The county coordinating committee shall not employ its own staff, but shall instead utilize staff of the colleges in the county. The regional planning agreement adopted by the county coordinating committee shall include, but shall not be limited to: The items listed in this section, the transfer of credits between technical and community colleges, program articulation, and the avoidance of unnecessary duplication in programs, activities, and services. [1997 c 281 s 2; 1991 c 238 s 144.]

RCW 28B.50.216 Identification and implementation of potential administrative efficiencies, complementary administrative functions, and complementary academic programs within regional area—Plan—Retention of cost savings—Reports. (1) The state board for community and technical colleges, in collaboration with the boards of trustees for the community and technical colleges, shall identify potential administrative efficiencies, complementary administrative functions, and complementary academic programs based upon consultation with colleges within a regional area. To study and identify potential administrative efficiencies and complementary administrative functions and programs, colleges within the regional area shall work with stakeholders including faculty and staff representatives appointed by their respective unions. Factors to be considered include, but are not limited to:

(a) The economic feasibility and cost savings anticipated from the proposed changes;

(b) The extent to which the changes will contribute to student access to academic programs and services, including greater flexibility for students to transfer credits and obtain degrees and certificates from other colleges within the regional area; and

(c) The extent to which the changes contribute to the vision, goals, priorities, and statewide strategies in the comprehensive master plan and the statewide strategic master plan for higher education.

(2) The state board for community and technical colleges shall develop and adopt a detailed plan for the implementation of any identified changes that would result in cost savings while maintaining or enhancing student access and achievement. If educational programs are identified that would provide cost savings if consolidated, the faculty and staff of those programs shall be convened to assist in the development of the part of the plan that will impact their programs and collective bargaining agreements. The plan must establish a time frame within which any proposed changes must be accomplished and must include any agreements, approved by the state board for community and technical colleges, between colleges within a regional area to provide complementary academic programs or coordinate administrative functions. The implementation plan shall take effect upon approval by the state board for community and technical colleges. The state board shall submit a preliminary report on the plan to the appropriate legislative committees and the governor December 1, 2010, and shall submit a final report December 1, 2011.

(3) Any cost savings realized as a result of the implementation of administrative efficiencies, complementary administrative functions, and complementary academic programming under the plan shall be retained by the respective districts to be used for enhancing student access and success, and the retention and recruitment of high quality faculty, including but not limited to, full-time faculty, faculty development, and academic programs.

(4) The college board, using the criteria and processes established in this section and in consultation with the boards of trustees for the community and technical colleges, shall identify adjacent college districts that can feasibly be consolidated or whose boundaries can feasibly be modified to form a multiple campus district. The primary considerations shall be the extent to which the changes will: (a) Affect student access to academic programs and services, (b) affect the retention and recruitment of high quality faculty, and (c) result in financial efficiencies.

(5) By December 1, 2012, the college board, in consultation with local boards of trustees, shall evaluate any proposed district consolidations or boundary changes identified in subsection (4) of this section as it deems advisable and shall submit any required supporting legislative changes to the governor and appropriate committees of the legislature. [2010 c 246 s 4.]

Findings—Intent—2010 c 246: See note following RCW 28B.50.020.

RCW 28B.50.242 Video telecommunications programming. The state board for community and technical colleges shall provide statewide coordination of video telecommunications programming for the community and technical college system. [1991 c 238 s 45; 1990 c 208 s 10.]

RCW 28B.50.248 Effect of child care subsidy eligibility expansion—Use of existing resources. Nothing in RCW 43.216.135 or *43.216.136 requires a community or technical college to expand any of its existing child care facilities. Any additional child care services provided by a community or technical college as a result of RCW 43.216.135 or *43.216.136 must be provided within existing resources and existing facilities. [2021 c 199 s 502. Prior: 2020 c 355 s 4; 2020 c 279 s 3; 2019 c 406 s 71; 2019 c 97 s 3.]

***Reviser's note:** RCW 43.216.136 was recodified as RCW 43.216.800 pursuant to 2024 c 67 s 10.

Short title—Findings—Intent—Conflict with federal requirements —2021 c 199: See notes following RCW 43.216.770.

Findings—Intent—Effective date—2020 c 355: See notes following RCW 43.216.135.

Effective date—2020 c 279: See note following RCW 43.216.800.

Findings—Intent—2019 c 406: See note following RCW 43.79.195.

Findings—Short title—2019 c 406: See notes following RCW 28B.92.200.

Findings—2019 c 406: See note following RCW 28B.94.020.

Findings—Intent—2019 c 406: See note following RCW 28C.30.050.

Findings—Intent—2019 c 406: See note following RCW 43.216.135.

Findings—Intent—2019 c 97: See note following RCW 43.216.135.

RCW 28B.50.250 Adult education programs in common school districts, limitations—Certain federal programs, administration. The state board for community and technical colleges and the state board of education are hereby authorized to permit, on an ad hoc basis, the common school districts to conduct pursuant to RCW 28B.50.530 a program in adult education in behalf of a college district when such program will not conflict with existing programs of the same nature and in the same geographical area conducted by the college districts: PROVIDED, That federal programs for adult education shall be administered by the state board for community and technical colleges, which agency is hereby declared to be the state educational agency primarily responsible for supervision of adult education in the public schools as defined by *RCW 28B.50.020. [1991 c 238 s 46; 1969 ex.s. c 261 s 25; 1969 ex.s. c 223 s 28B.50.250. Prior: 1967 ex.s. c 8 s 25.]

***Reviser's note:** The reference to RCW 28B.50.020 appears to be erroneous. "Adult education" is defined in RCW 28B.50.030.

Severability—1969 ex.s. c 261: See note following RCW 28B.50.020.

Community education programs: RCW 28A.620.020.

RCW 28B.50.252 Districts offering vocational educational programs—Local advisory committees—Advice on current job needs. (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. [1991 c 238 s 77.]

RCW 28B.50.254 Advisory council on adult education—Workforce training and education coordinating board to monitor. (1) There is hereby created the Washington advisory council on adult education. The advisory council shall advise the state board for community and technical colleges and the workforce training and education coordinating board concerning adult basic education and literacy programs. The advisory council shall perform all duties of state

advisory councils on adult education as specified in P.L. 100-297, as amended. The advisory council's actions shall be consistent with the state comprehensive plan for workforce training and education prepared by the workforce training and education coordinating board as provided for in RCW 28C.18.060.

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

(3) The workforce training and education coordinating board shall monitor the need for the council as described in subsection (1) of this section, and, if that need no longer exists, propose legislation to terminate the council. [1991 c 238 s 19.]

RCW 28B.50.259 Program for dislocated forest products workers—Waiver from tuition and fees. (1) The state board for community and technical colleges shall administer a program designed to provide higher education opportunities to dislocated forest products workers and their unemployed spouses who are enrolled in a community or technical college for ten or more credit hours per quarter. In administering the program, the college board shall have the following powers and duties:

(a) With the assistance of an advisory committee, design a procedure for selecting dislocated forest products workers to participate in the program;

(b) Allocate funding to community and technical colleges attended by participants; and

(c) Monitor the program and report on participants' progress and outcomes.

(2) Unemployed spouses of eligible dislocated forest products workers may participate in the program, but tuition and fees may be waived under the program only for the worker or the spouse and not both.

(3) Subject to the limitations of RCW 28B.15.910, the governing boards of the community and technical colleges may waive all or a portion of tuition and fees for program participants, for a maximum of six quarters within a two-year period.

(4) During any biennium, the number of full-time equivalent students to be served in this program shall be determined by the applicable omnibus appropriations act, and shall be in addition to the community college enrollment level funded by the applicable omnibus appropriations act. [1998 c 245 s 21; 1993 sp.s. c 18 s 32; 1992 c 231 s 29; 1991 c 315 s 17.]

Effective date—1993 sp.s. c 18: See note following RCW 28B.12.060.

Effective date—1992 c 231: See note following RCW 28B.10.016.

Intent—1991 c 315: See note following RCW 28B.50.030.

Conflict with federal requirements—1991 c 315: See RCW 50.70.901.

RCW 28B.50.271 Opportunity grant program. (1) The college board shall develop and implement a workforce education program known as the opportunity grant program to provide financial and other assistance for students enrolled at qualified institutions of higher education in opportunity grant-eligible programs of study as described in RCW 28B.50.273. Students enrolled in the opportunity grant program are eligible for:

(a) Funding for tuition and mandatory fees at the public community and technical college rate, prorated if the credit load is less than full time, paid directly to the educational institution; and

(b) An additional one thousand dollars per academic year for books, tools, and supplies, prorated if the credit load is less than full time.

(2) Funding under subsection (1)(a) and (b) of this section is limited to a maximum forty-five credits or the equivalent in an opportunity grant-eligible program of study, including required related courses. No student may receive opportunity grant funding for more than forty-five credits or for more than three years from initial receipt of grant funds in one or a combination of programs.

(3) Grants awarded under this section are subject to the availability of amounts appropriated for this specific purpose. [2007 c 277 s 101.]

Findings—2007 c 277: "The legislature finds that:

(1) The economic trends of globalization and technological change are increasing the demand for higher and differently skilled workers than in the past;

(2) Increasing Washington's economic competitiveness requires increasing the supply of skilled workers in the state;

(3) Improving the labor market competitiveness of all Washington residents requires that all residents have access to postsecondary education; and

(4) Community and technical college workforce training programs and Washington state apprenticeship and training council-approved apprenticeship programs provide effective and efficient pathways for people to enter high wage, high skill careers while also meeting the needs of the economy." [2007 c 277 s 1.]

Part headings not law—2007 c 277: "Part headings used in this act are not any part of the law." [2007 c 277 s 302.]

RCW 28B.50.272 Opportunity grant program—Student eligibility—Funding—Performance measures—Documentation—Annual summary. (1) To be eligible for participation in the opportunity grant program established in RCW 28B.50.271, a student must:

(a) Be a Washington resident student as defined in RCW 28B.15.012 enrolled in an opportunity grant-eligible program of study;

(b) Have a family income that is at or below two hundred percent of the federal poverty level using the most current guidelines available from the United States department of health and human

services, and be determined to have financial need based on the free application for federal student aid; and

(c) Meet such additional selection criteria as the college board shall establish in order to operate the program within appropriated funding levels.

(2) Upon enrolling, the student must provide evidence of commitment to complete the program. The student must make satisfactory progress and maintain a cumulative 2.0 grade point average for continued eligibility. If a student's cumulative grade point average falls below 2.0, the student may petition the institution of higher education of attendance. The qualified institution of higher education has the authority to establish a probationary period until such time as the student's grade point average reaches required standards.

(3) Subject to funds appropriated for this specific purpose, public qualified institutions of higher education shall receive an enhancement of one thousand five hundred dollars for each full-time equivalent student enrolled in the opportunity grant program whose income is below two hundred percent of the federal poverty level. The funds shall be used for individualized support services which may include, but are not limited to, college and career advising, tutoring, emergency child care, and emergency transportation. The qualified institution of higher education is expected to help students access all financial resources and support services available to them through alternative sources.

(4) The college board shall be accountable for student retention and completion of opportunity grant-eligible programs of study. It shall set annual performance measures and targets and monitor the performance at all qualified institutions of higher education. The college board must reduce funding at institutions of higher education that do not meet targets for two consecutive years, based on criteria developed by the college board.

(5) The college board and office of student financial assistance shall work together to ensure that students participating in the opportunity grant program are informed of all other state and federal financial aid to which they may be entitled while receiving an opportunity grant.

(6) The college board and office of student financial assistance shall document the amount of opportunity grant assistance and the types and amounts of other sources of financial aid received by participating students. Annually, they shall produce a summary of the data.

(7) The college board shall:

(a) Begin developing the program no later than August 1, 2007, with student enrollment to begin no later than January 14, 2008; and

(b) Submit a progress report to the legislature by December 1, 2008.

(8) The college board may, in implementing the opportunity grant program, accept, use, and expend or dispose of contributions of money, services, and property. All such moneys received by the college board for the program must be deposited in an account at a depository approved by the state treasurer. Only the college board or a duly authorized representative thereof may authorize expenditures from this account. In order to maintain an effective expenditure and revenue control, the account is subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditure of moneys in the account. [2011 1st sp.s. c 11 s 157; 2007 c 277 s 102.]

Effective date—2011 1st sp.s. c 11 ss 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

Findings—Part headings not law—2007 c 277: See notes following RCW 28B.50.271.

RCW 28B.50.273 Identification of grant-eligible programs of study and other job training programs—Marketing. For the purposes of identifying opportunity grant-eligible programs of study and other job training programs, the college board, in partnership with business, labor, and the workforce training and education coordinating board, shall:

(1) Identify high employer demand programs of study offered by qualified postsecondary institutions that lead to a credential, certificate, or degree;

(2) Identify job-specific training programs offered by qualified postsecondary institutions that lead to a credential, certificate, or degree in green industry occupations as established in chapter 14, Laws of 2008;

(3) Gain recognition of the credentials, certificates, and degrees by Washington's employers and labor organizations. The college board shall designate these recognized credentials, certificates, and degrees as "opportunity grant-eligible programs of study"; and

(4) Market the credentials, certificates, and degrees to potential students, businesses, and apprenticeship programs as a way for individuals to advance in their careers and to better meet the needs of industry. [2009 c 353 s 2; 2008 c 14 s 10; 2007 c 277 s 201.]

Findings—Intent—Scope of chapter 14, Laws of 2008—2008 c 14: See RCW 70A.45.005 and 70A.45.900.

Findings—Part headings not law—2007 c 277: See notes following RCW 28B.50.271.

RCW 28B.50.274 Opportunity partnership program. (1) Community and technical colleges shall partner with local workforce development councils to develop the opportunity partnership program. The opportunity partnership program may be newly developed or part of an existing program, and shall provide mentoring to students participating in the opportunity grant program. The program must develop criteria and identify opportunity grant students who would benefit by having a mentor. Each participating student shall be matched with a business or labor mentor employed in the field in which the student is interested. The mentor shall help the student explore careers and employment options through any combination of tours, informational interviews, job shadowing, and internships.

(2) Subject to funds appropriated for this specific purpose, the workforce training and education coordinating board shall create the opportunity partnership program. The board, in partnership with business, labor, and the college board, shall determine the criteria for the distribution of funds.

(3) The board may, in implementing this section, accept, use, and dispose of contributions of money, services, and property. All moneys received by the board for the purposes of this section must be deposited in a depository approved by the state treasurer. Only the board or a duly authorized representative thereof may authorize expenditures from this account. In order to maintain an effective expenditure and revenue control, the account is subject in all respects to chapter 43.88 RCW, but no appropriation is required to permit expenditure of moneys in the account. [2007 c 277 s 202.]

Findings—Part headings not law—2007 c 277: See notes following RCW 28B.50.271.

RCW 28B.50.278 Opportunity employment and education center—Opportunity policy work group—Report by college board. (1) An opportunity employment and education center is established within the Seattle community college district.

(2) The center shall:

(a) House various educational and social service providers and integrate access to employment, counseling, and public benefit programs and services as well as education, training, financial aid, and counseling services offered through community colleges;

(b) Identify and form partnerships with community-based organizations that enhance the services and supports provided to individuals using the center;

(c) Provide services including, but not limited to, employment security and workforce development council worksource services; job listing, referral, and placement; job coaching; employment counseling, testing, and career planning; unemployment insurance claim filing assistance; cash grant programs run by the department of social and health services; the basic food program; housing assistance; child support assistance; child care subsidies; WorkFirst and temporary assistance for needy families; general assistance and supplemental security income facilitation; vocational rehabilitation services and referrals; medicaid and medical services; alcoholism and drug addiction treatment and support act referrals; case management and mental health referrals; community college financial aid; support services; college counseling services related to career pathways and basic skills resources for English language learners; high school completion; and adult basic education; and

(d) In partnership with the state board for community and technical colleges, jointly develop evaluation criteria and performance indicators that demonstrate the degree to which the center is successfully integrating services and improving service delivery.

(3) The chancellor of the Seattle community college district and technical colleges, or the chancellor's designee, shall convene an opportunity policy work group charged with governing the opportunity employment and education center. The work group membership shall include, but not be limited to, representatives of the King county workforce development council, north Seattle community college, the employment security department, and the department of social and health services. A chair shall be chosen from among the work group's membership on an annual basis, with the position of chair rotating among participating agencies. The work group shall:

(a) Determine protocols for service delivery, develop operating policies and procedures, develop cross-agency training for agency employees located at the center, and develop a plan for a common information technology framework that could allow for interagency access to files and information, including any common application and screening systems that facilitate access to state, federal, and local social service and educational programs, within current resources and to the extent federal privacy laws allow;

(b) Develop a release of information form that may be voluntarily completed by opportunity center clients to facilitate the information sharing outlined in (a) of this subsection. The form is created to aid agencies housed at the opportunity center in determining client eligibility for various social and educational services. The form shall address the types of information to be shared, the agencies with which personal information can be shared, the length of time agencies may keep shared information on file, and any other issue areas identified by the opportunity policy work group to comply with all applicable federal and state laws;

(c) Review national best practices for program operation and provide training to program providers both before opening the center and on an ongoing basis; and

(d) Jointly develop integrated solutions to provide more cost-efficient and customer friendly service delivery.

(4) Participating agencies shall identify and apply for any federal waivers necessary to facilitate the intended goals and operation of the center.

(5) The state board for community and technical colleges shall report to legislative committees with subject areas of commerce and labor, human services, and higher education on the following:

(a) By December 1, 2010, the board, in partnership with participating agencies, shall provide recommendations on a proposed site for an additional opportunity employment and education center; and

(b) By December 1, 2011, and annually thereafter, the board shall provide an evaluation of existing centers based on performance criteria identified by the board and the opportunity policy work group. The report shall also include data on any federal and state legislative barriers to integration.

(6) All future opportunity centers shall be governed by the provisions in this section and are subject to the same reporting requirements. [2013 c 23 s 57; 2010 c 40 s 1.]

RCW 28B.50.281 Curriculum development and funding—Use of federal stimulus funding—Reports—Recognized programs of study under RCW 28B.50.273—Prioritization of workforce training programs. (1) The state board shall work with the *leadership team, the Washington state apprenticeship and training council, and the office of the superintendent of public instruction to jointly develop, by June 30, 2010, curricula and training programs, to include on-the-job training, classroom training, and safety and health training, for the development of the skills and qualifications identified by the department of commerce under **section 7 of this act.

(2) The board shall target a portion of any federal stimulus funding received to ensure commensurate capacity for high employer-demand programs of study developed under this section. To that end,

the state board must coordinate with the department, the *leadership team, the workforce board, or another appropriate state agency in the application for and receipt of any funding that may be made available through the federal youthbuild program, workforce innovation and opportunity act, job corps, or other relevant federal programs.

(3) The board shall provide an interim report to the appropriate committees of the legislature by December 1, 2011, and a final report by December 1, 2013, detailing the effectiveness of, and any recommendations for improving, the worker training curricula and programs established in this section.

(4) Existing curricula and training programs or programs provided by community and technical colleges in the state developed under this section must be recognized as programs of study under RCW 28B.50.273.

(5) Subject to available funding, the board may grant enrollment priority to persons who qualify for a waiver under RCW 28B.15.522 and who enroll in curricula and training programs provided by community or technical colleges in the state that have been developed in accordance with this section.

(6) The college board may prioritize workforce training programs that lead to a credential, certificate, or degree in green economy jobs. For purposes of this section, green economy jobs include those in the primary industries of a green economy including clean energy, high-efficiency building, green transportation, and environmental protection. Prioritization efforts may include but are not limited to: (a) Prioritization of the use of high employer-demand funding for workforce training programs in green economy jobs, if the programs meet minimum criteria for identification as a high-demand program of study as defined by the state board for community and technical colleges, however any additional community and technical college high-demand funding authorized for the 2009-2011 fiscal biennium and thereafter may be subject to prioritization; (b) increased outreach efforts to public utilities, education, labor, government, and private industry to develop tailored, green job training programs; and (c) increased outreach efforts to target populations. Outreach efforts shall be conducted in partnership with local workforce development councils.

(7) The definitions in RCW 43.330.010 apply to this section and RCW 28B.50.282. [2023 c 470 s 2009; 2017 c 39 s 1; 2009 c 536 s 9.]

Reviser's note: *(1) The leadership team was created in 2009 c 536 s 3, which was vetoed.

**(2) Section 7 of this act was vetoed.

Explanatory statement—2023 c 470: See note following RCW 10.99.030.

Short title—2009 c 536: See note following RCW 43.330.370.

RCW 28B.50.282 Evergreen jobs training account—Grants. The evergreen jobs training account is created in the state treasury. Funds deposited to the account may include gifts, grants, or endowments from public or private sources, in trust or otherwise. Moneys from the account must be used to supplement the state opportunity grant program established under RCW 28B.50.271. All receipts from appropriations directed to the account must be deposited into the account. Expenditures from the account may be used only for

the activities identified in this section. The state board, in consultation with the department and the *leadership team, may authorize expenditures from the account but must distribute grants from the account on a competitive basis. Grant funds from the evergreen jobs training account should be used when other public or private funds are insufficient or unavailable.

(1) These grant funds may be used for, but are not limited to uses for:

(a) Curriculum development;

(b) Transitional jobs strategies for dislocated workers in declining industries who may be retrained for high-wage occupations in green industries;

(c) Workforce education to target populations;

(d) Adult basic and remedial education as necessary linked to occupation skills training; and

(e) Coordinated outreach efforts by institutions of higher education and workforce development councils.

(2) These grant funds may not be used for student assistance and support services available through the state opportunity grant program under RCW 28B.50.271.

(3) Applicants eligible to receive these grants may be any organization or a partnership of organizations that has demonstrated expertise in:

(a) Implementing effective education and training programs that meet industry demand; and

(b) Recruiting and supporting, to successful completion of those training programs carried out under these grants, the target populations of workers.

(4) In awarding grants from the evergreen jobs training account, the state board shall give priority to applicants that demonstrate the ability to:

(a) Use labor market and industry analysis developed by the employment security department and green industry skill panels in the design and delivery of the relevant education and training program, and otherwise use strategies developed by green industry skill panels;

(b) Leverage and align existing public programs and resources and private resources toward the goal of recruiting, supporting, educating, and training target populations of workers;

(c) Work collaboratively with other relevant stakeholders in the regional economy;

(d) Link adult basic and remedial education, where necessary, with occupation skills training;

(e) Involve employers and, where applicable, labor unions in the determination of relevant skills and competencies and, where relevant, the validation of career pathways; and

(f) Ensure that supportive services, where necessary, are integrated with education and training and are delivered by organizations with direct access to and experience with the targeted population of workers. [2009 c 536 s 10.]

***Reviser's note:** The leadership team was created in 2009 c 536 s 3, which was vetoed.

Short title—2009 c 536: See note following RCW 43.330.370.

RCW 28B.50.295 Emergency assistance grant program. (1)(a) Subject to availability of amounts appropriated for this specific purpose, the emergency assistance grant program is established to provide students of community and technical colleges monetary aid to assist students experiencing unforeseen emergencies or situations that affect the student's ability to attend classes.

(b) The college board shall administer the competitive grant program in accordance with this section.

(2) The college board shall establish eligibility criteria for community and technical colleges to apply for grants under the grant program. At a minimum, to be eligible for a grant, a community or technical college must:

(a) Demonstrate the need for grant funds. Demonstrating need may include producing demographic data on student income levels, the number of students experiencing food insecurity or homelessness, the number of students who meet the definition of "needy student" under *RCW 28B.92.030, the number of students accessing the college's food pantry, if one is available, and other information specific to the student population;

(b) Ensure that students' access to emergency aid funds will be as low barrier as possible and will not require the student to have to fill out the free application for federal student aid to receive emergency funds. However, the college must require the student to request assistance in writing;

(c) Allow flexibility in which students may apply for emergency aid funds. Students who may not meet the definition of "needy student" but who may be experiencing emergency situations must be able to apply for emergency aid funds; and

(d) Indicate how the college will prioritize the disbursement of emergency aid funds.

(3) In selecting grant recipients, the college board must consider a community or technical college's demonstration of need and the resources and programs already in existence at the college.

(4) A community or technical college shall use grant funds to provide students emergency aid in the form of monetary grants to assist the student in, for example, purchasing food, paying utilities or rent, paying for transportation, child care, or other goods or services that the student needs in order to continue to attend classes. Emergency aid under the grant program is considered a grant and a student is not required to reimburse the community or technical college.

(5) The college board must begin accepting applications for the grant program by December 1, 2019.

(6) The college board shall submit a report to the appropriate committees of the legislature beginning December 1, 2020, and each December 1st thereafter. At a minimum, the report must:

(a) Identify the community and technical colleges receiving grants and the amounts of the grants; and

(b) Summarize how the community and technical colleges distributed funds to students, and provide the number of students, the amounts, and the emergency conditions for which funds were granted. [2019 c 407 s 1.]

***Reviser's note:** RCW 28B.92.030 was amended by 2019 c 406 s 21, deleting the definition of "needy student."

Findings—Intent—2019 c 407: "(1) The legislature finds that students who receive supplemental nutrition assistance program benefits in the form of an electronic benefit transfer card cannot use these benefits to purchase food items from on-campus food retail establishments at institutions of higher education. On-campus food retail establishments or point-of-sale locations such as cafeterias, bookstores, and cafes do not qualify as retail food stores under the federal food and nutrition act of 2008 because these on-campus food retail establishments either do not sell enough categories of staple foods or do not gross over fifty percent of their total sales from staple foods.

(2) The legislature recognizes that students perform better in classes when they are well-nourished, yet finds that students who receive supplemental nutrition assistance program benefits have to travel off campus to use their benefits at a participating vendor, incurring extra travel costs, reducing study time, and causing unnecessary stress.

(3) The legislature finds that this limitation on the use of supplemental nutrition assistance program benefits is a barrier that prevents public and private institutions of higher education from providing equal access to food retail establishments on campuses to all students, faculty, and staff regardless of economic status. The legislature recognizes that eliminating this barrier is vital to assuring equal access to every aspect of Washington's public and private institutions of higher education.

(4) The legislature intends to have the department of social and health services request a waiver from the United States department of agriculture to allow students to use their electronic benefit transfer card at on-campus food retail establishments at Washington's public and private institutions of higher education." [2019 c 407 s 2.]

Conflict with federal requirements—2019 c 407: "If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state." [2019 c 407 s 6.]

RCW 28B.50.305 Seattle Vocational Institute—Findings. The legislature finds that a vocational institute in the central area of the city of Seattle provides civic, social, and economic benefits to the people of the state of Washington. Economic development is enhanced by increasing the number of skilled individuals who enter the labor market and social welfare costs are reduced by the training of individuals lacking marketable skills. The students at the institute are historically economically disadvantaged, and include racial and ethnic minorities, recent immigrants, single-parent heads of households, and persons who are dislocated workers or without specific occupational skills. The institute presents a unique opportunity for business, labor, and community-based organizations, and educators to work together to provide effective vocational-technical training to

the economically disadvantaged of urban Seattle, and to serve as a national model of such cooperation. Moreover, a trained workforce is a major factor in attracting new employers, and with greater minority participation in the workforce, the institute is uniquely located to deliver training and education to the individuals employers must increasingly turn to for their future workers. [1991 c 238 s 93.]

RCW 28B.50.306 Seattle Vocational Institute—Mission—Advisory committee to advise. The mission of the institute shall be to provide occupational, basic skills, and literacy education opportunities to economically disadvantaged populations in urban areas of the college district it serves. The mission shall be achieved primarily through open-entry, open-exit, short-term, competency-based basic skill, and job training programs targeted primarily to adults. The board of trustees of the sixth college district shall appoint a nine-member advisory committee consisting of equal representation from business, labor, and community representatives to provide advice and counsel to the administration of the institute and the district administration. [1991 c 238 s 100.]

RCW 28B.50.307 Seattle Vocational Institute—Funding. Funding for the institute shall be included in a separate allocation to the sixth college district, and funds allocated for the institute shall be used only for purposes of the institute. [1991 c 238 s 101.]

RCW 28B.50.320 Fees and other income—Deposit—Disbursement. All operating fees, services and activities fees, and all other income which the trustees are authorized to impose shall be deposited as the trustees may direct unless otherwise provided by law. Such sums of money shall be subject to the budgetary and audit provisions of law applicable to state agencies. The depository selected by the trustees shall conform to the collateral requirements required for deposit of other state funds.

Disbursement shall be made by check signed by the president of the college or the president's designee appointed in writing, and such other person as may be designated by the board of trustees of the college district. Each person authorized to sign as provided above, shall execute a surety bond as provided in RCW 43.17.100. Said bond or bonds shall be filed in the office of the secretary of state. [1991 c 238 s 47; 1971 ex.s. c 279 s 17; 1970 ex.s. c 59 s 4; 1969 ex.s. c 238 s 5; 1969 ex.s. c 223 s 28B.50.320. Prior: 1967 ex.s. c 8 s 32.]

Severability—1971 ex.s. c 279: See note following RCW 28B.15.005.

Severability—1970 ex.s. c 59: See note following RCW 28B.15.520.

RCW 28B.50.328 Waivers of tuition and fees—Scholarships—Employment of instructional staff and faculty—Seattle Vocational Institute. The district may provide for waivers of tuition and fees and provide scholarships for students at the institute. The district may negotiate with applicable public or private service providers to

conduct the instructional activities of the institute. The district may employ instructional staff or faculty. The district may also contract with private individuals for instructional services. Until at least July 1, 1993, all faculty and staff serve at the pleasure of the district. In order to allow the district flexibility in its personnel policies with the institute, the district and the institute, with reference to employees of the institute employed during an initial two-year period until July 1, 1993, are exempt from chapters *28B.16, 28B.52 (relating to collective bargaining), 41.04, 41.05, 41.06, and 41.40 RCW; from RCW 43.01.040 through 43.01.044; and from RCW 28B.50.551 and 28B.50.850 through 28B.50.875 (relating to faculty tenure). [1991 c 238 s 103.]

***Reviser's note:** Chapter 28B.16 RCW was repealed by 1993 c 281, with the exception of RCW 28B.16.015 and 28B.16.240, which was recodified as RCW 41.06.382. The powers, duties, and functions of the state higher education personnel board were transferred to the Washington personnel resources board. RCW 28B.16.015 and 41.06.382 were subsequently repealed by 2002 c 354 s 403, effective July 1, 2005.

RCW 28B.50.330 Construction, reconstruction, equipping, and demolition of community and technical college facilities and acquisition of property—Revenue bond financing—Public bid. (1) The boards of trustees of college districts are empowered in accordance with the provisions of this chapter to provide for the construction, reconstruction, erection, equipping, demolition, and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements, or appurtenances for the use of the aforementioned colleges as authorized by the college board in accordance with RCW 28B.50.140; to be financed by bonds payable out of special funds from revenues hereafter derived from income received from such facilities, gifts, bequests, or grants, and such additional funds as the legislature may provide, and payable out of a bond retirement fund to be established by the respective district boards in accordance with rules of the state board. With respect to building, improvements, or repairs, or other work, where the estimated cost exceeds $110,000, or $90,000 if the work involves one trade or craft area, complete plans and specifications for the work shall be prepared, the work shall be put out for a public bid, and the contract shall be awarded to the responsible bidder who submits the lowest responsive bid. Any project regardless of dollar amount may be put to public bid.

(2) This section does not apply when a contract is awarded by the small works roster procedure authorized in RCW 39.04.151 through 39.04.154.

(3) Where the estimated cost to any college of any building, improvements, or repairs, or other work, is less than $110,000, or $90,000 if the work involves one trade or craft area, the publication requirements of RCW 39.04.020 do not apply. [2023 c 395 s 19; 2023 c 97 s 2; 2009 c 229 s 1; 2007 c 495 s 2; 1993 c 379 s 108; 1991 c 238 s 48; 1979 ex.s. c 12 s 2; 1969 ex.s. c 223 s 28B.50.330. Prior: 1967 ex.s. c 8 s 33. Formerly RCW 28.85.330.]

Reviser's note: This section was amended by 2023 c 97 s 2 and by 2023 c 395 s 19, each without reference to the other. Both amendments

are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

Effective date—2023 c 395 ss 1-30, 32-34, 36, and 37: See note following RCW 39.04.010.

Findings—Intent—2023 c 395: See note following RCW 39.04.010.

Intent—Severability—Effective date—1993 c 379: See notes following RCW 28B.10.029.

Severability—1979 ex.s. c 12: See note following RCW 28B.10.350.

RCW 28B.50.340 Construction, reconstruction, equipping, and demolition of community and technical college facilities and acquisition of property—Financing by bonds secured by pledge of building fees, grants. In addition to the powers conferred under RCW 28B.50.090, the college board is authorized and shall have the power:

(1) To permit the district boards of trustees to contract for the construction, reconstruction, erection, equipping, maintenance, demolition and major alterations of buildings and other capital assets, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances of the college as approved by the state board.

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

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

(4) To retain bond counsel and professional bond consultants to aid it in issuing bonds pursuant to RCW 28B.50.340 through 28B.50.400. [1991 c 238 s 49; 1985 c 390 s 54; 1971 ex.s. c 279 s 18; 1970 ex.s. c 15 s 18. Prior: 1969 ex.s. c 261 s 26; 1969 ex.s. c 238 s 6; 1969 ex.s. c 223 s 28B.50.340; prior: 1967 ex.s. c 8 s 34.]

Severability—1971 ex.s. c 279: See note following RCW 28B.15.005.

Severability—1970 ex.s. c 15: See note following RCW 28A.230.160.

RCW 28B.50.350 Construction, reconstruction, equipping, and demolition of community and technical college facilities and acquisition of property—Bonds—Requirements. For the purpose of financing the cost of any projects, the college board is hereby authorized to adopt the resolution or resolutions and prepare all other documents necessary for the issuance, sale, and delivery of the bonds or any part thereof at such time or times as it shall deem necessary and advisable. Said bonds:

(1) Shall not constitute:

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

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

(2) Shall be:

(a) Either registered or in coupon form; and

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

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

(d) Signed on behalf of the college board with the manual or facsimile signature of the chair of the board, attested by the secretary of the board, have the seal of the college board impressed thereon or a facsimile of such seal printed or lithographed in the bottom border thereof, and the coupons attached thereto shall be signed with the facsimile signatures of such chair and the secretary;

(3) Shall state:

(a) The date of issue; and

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

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

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

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

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

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

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

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

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

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

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

(9) Shall constitute a prior lien and charge against the building fees of the community and technical colleges. [2011 c 336 s 740; 1991 c 238 s 50; 1985 c 390 s 55; 1971 ex.s. c 279 s 19; 1971 c 8 s 2; 1970 ex.s. c 59 s 2; 1970 ex.s. c 56 s 32; 1970 ex.s. c 15 s 19; 1969 ex.s.

c 261 s 27; 1969 ex.s. c 232 s 106; 1969 ex.s. c 223 s 28B.50.350. Prior: 1967 ex.s. c 8 s 35.]

Severability—1971 ex.s. c 279: See note following RCW 28B.15.005.

Severability—1970 ex.s. c 59: See note following RCW 28B.15.520.

Purpose—1970 ex.s. c 56: See note following RCW 39.52.020.

Severability—1970 ex.s. c 15: See note following RCW 28A.230.160.

Validation—Saving—Severability—1969 ex.s. c 232: See notes following RCW 39.52.020.

RCW 28B.50.360 Construction, reconstruction, equipping, and demolition of community and technical college facilities and acquisition of property—Community and technical college capital projects account—Disposition of building fees. Within 35 days from the date of start of each quarter all collected building fees of each such community and technical college shall be paid into the state treasury, and shall be credited as follows:

(1) On or before June 30th of each year the college board, if issuing bonds payable out of building fees, shall certify to the state treasurer the amounts required in the ensuing 12-month period to pay and secure the payment of the principal of and interest on such bonds. The state treasurer shall thereupon deposit the amounts so certified in the community and technical college capital projects account. Such amounts of the funds deposited in the community and technical college capital projects account as are necessary to pay and secure the payment of the principal of and interest on the building bonds issued by the college board as authorized by this chapter shall be devoted to that purpose. If in any 12-month period it shall appear that the amount certified by the college board is insufficient to pay and secure the payment of the principal of and interest on the outstanding building bonds, the state treasurer shall notify the college board and such board shall adjust its certificate so that all requirements of moneys to pay and secure the payment of the principal and interest on all such bonds then outstanding shall be fully met at all times.

(2) The community and technical college capital projects account is hereby created in the state treasury. The sums deposited in the capital projects account shall be appropriated and expended to pay and secure the payment of the principal of and interest on bonds payable out of the building fees and for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community and technical colleges in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, engineering and architectural services provided by the department of enterprise services, and for the payment of principal of and interest on any bonds issued for such purposes. During the 2023-2025 and 2025-2027 fiscal biennia, sums in the capital projects account may also be used for routine facility maintenance and utility costs. During the

2025-2027 fiscal biennium, the legislature may direct the state treasurer to make transfers of money in the community and technical colleges capital projects account to the institutions of higher education operating fees account.

(3) Funds available in the community and technical college capital projects account may also be used for certificates of participation under chapter 39.94 RCW. [2026 c 268 s 911; 2025 c 414 s 8030; 2023 c 474 s 8028; 2021 c 332 s 7030; 2019 c 413 s 7028; 2017 3rd sp.s. c 1 s 955; 2015 3rd sp.s. c 3 s 7030; 2013 2nd sp.s. c 19 s 7031; 2011 1st sp.s. c 48 s 7025; 2009 c 499 s 6; 2005 c 488 s 922; 2004 c 277 s 910; 2002 c 238 s 303; 2000 c 65 s 1; 1997 c 42 s 1; 1991 sp.s. c 13 ss 47, 48; 1991 c 238 s 51. Prior: 1985 c 390 s 56; 1985 c 57 s 16; 1974 ex.s. c 112 s 4; 1971 ex.s. c 279 s 20; 1970 ex.s. c 15 s 20; prior: 1969 ex.s. c 261 s 28; 1969 ex.s. c 238 s 7; 1969 ex.s. c 223 s 28B.50.360; prior: 1967 ex.s. c 8 s 36.]

Effective date—2026 c 268: See note following RCW 28B.15.210.

Effective date—2025 c 414: See note following RCW 79A.25.210.

Conflict with federal requirements—Effective date—2023 c 474: See notes following RCW 28A.320.330.

Effective date—2021 c 332: See note following RCW 43.19.501.

Effective date—2019 c 413: See note following RCW 28B.15.210.

Effective date—2017 3rd sp.s. c 1: See note following RCW 43.41.455.

Effective date—2015 3rd sp.s. c 3: See note following RCW 43.160.080.

Effective date—2013 2nd sp.s. c 19: See note following RCW 43.34.080.

Effective date—2011 1st sp.s. c 48: See note following RCW 39.35B.050.

Part headings not law—2005 c 488: "Part headings in this act are not any part of the law." [2005 c 488 s 956.]

Severability—2005 c 488: "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." [2005 c 488 s 958.]

Effective dates—2005 c 488: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 16, 2005], except for sections 920 and 921 of this act, which take effect June 30, 2005." [2005 c 488 s 959.]

Severability—Effective dates—2004 c 277: See notes following RCW 89.08.550.

Severability—Effective date—2002 c 238: See notes following RCW 28B.30.730.

Effective date—2000 c 65: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [March 22, 2000]." [2000 c 65 s 3.]

Effective dates—1991 sp.s. c 13: See note following RCW 18.04.105.

Effective date—1985 c 57: See note following RCW 18.04.105.

Severability—1971 ex.s. c 279: See note following RCW 28B.15.005.

Severability—1970 ex.s. c 15: See note following RCW 28A.230.160.

RCW 28B.50.370 Construction, reconstruction, equipping, and demolition of community and technical college facilities and acquisition of property—Bonds—Sources for payment of principal and interest on—Funds credited to bond retirement fund—Pledge to collect building fees. For the purpose of paying and securing the payment of the principal of and interest on the bonds as the same shall become due, there shall be paid into the state treasury and credited to the bond retirement fund of the college board, the following:

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

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

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

Said bond retirement fund shall be kept segregated from all moneys in the state treasury and shall, while any of such bonds or any interest thereon remains unpaid, be available solely for the payment thereof. As a part of the contract of sale of such bonds, the college board shall charge and collect building fees as established by this chapter and deposit such fees in the bond retirement fund in amounts which will be sufficient to pay and secure the payment of the principal of, and interest on all such bonds outstanding. [1991 c 238 s 52; 1985 c 390 s 57; 1971 ex.s. c 279 s 21; 1969 ex.s. c 238 s 8; 1969 ex.s. c 223 s 28B.50.370. Prior: 1967 ex.s. c 8 s 37.]

Severability—1971 ex.s. c 279: See note following RCW 28B.15.005.

RCW 28B.50.380 Construction, reconstruction, equipping, and demolition of community college facilities and acquisition of property—Bonds—Additional powers incident to bond authorization. In accordance with the provisions of RCW 28B.50.340 the college board is hereby empowered:

(1) To reserve the right to issue bonds later on a parity with any bonds being issued;

(2) To authorize the investing of moneys in the bond retirement fund and any reserve account therein;

(3) To authorize the transfer of money from the college board's capital projects account to the bond retirement fund when necessary to prevent a default in the payments required to be made; and

(4) To create a reserve account or accounts in the bond retirement fund to secure the payment of the principal of and interest on any bonds. [1969 ex.s. c 223 s 28B.50.380. Prior: 1967 ex.s. c 8 s 38. Formerly RCW 28.85.380.]

RCW 28B.50.390 Construction, reconstruction, equipping, and demolition of community college facilities and acquisition of property—Refunding bonds—Authorized—Form, term, issuance, etc.—Exchange or sale. The college board is hereby empowered to issue refunding bonds to provide funds to refund any or all outstanding bonds payable from the bond retirement fund and to pay any redemption premium payable on such outstanding bonds being refunded. Such refunding bonds may be issued in the manner and on terms and conditions and with the covenants permitted by RCW 28B.50.330 through 28B.50.400 for the issuance of bonds. The refunding bonds shall be payable out of the bond retirement fund and shall not constitute an obligation either general or special, of the state or a general obligation of the college board. The board may exchange the refunding bonds at par for the bonds which are being refunded or may sell them in such manner, at such price and at such rate or rates of interest as it deems for the best interest of the college. [1970 ex.s. c 56 s 33; 1969 ex.s. c 232 s 107; 1969 ex.s. c 223 s 28B.50.390. Prior: 1967 ex.s. c 8 s 39.]

Purpose—1970 ex.s. c 56: See note following RCW 39.52.020.

Validation—Saving—Severability—1969 ex.s. c 232: See notes following RCW 39.52.020.

RCW 28B.50.400 Construction, reconstruction, equipping, and demolition of community college facilities and acquisition of property—Bonds as limited obligation bonds—Additional means to pay principal and interest on. The bonds authorized to be issued pursuant to the provisions of RCW 28B.50.330 through 28B.50.400 shall not be general obligations of the state of Washington, but shall be limited obligation bonds payable only from the special funds created for their payment. The legislature may specify additional means for providing funds for the payment of principal and interest of said bonds. RCW 28B.50.330 through 28B.50.400 shall not be deemed to provide an exclusive method for such payment. The power given to the legislature by this section to provide for additional means for raising money is permissive, and shall not in any way be construed as a pledge of the general credit of the state of Washington. [1969 ex.s. c 223 s 28B.50.400. Prior: 1967 ex.s. c 8 s 40. Formerly RCW 28.85.400.]

RCW 28B.50.409 Bonds—Committee advice and consent prerequisite to issuance. All bonds issued after February 16, 1974 by the college board or any board of trustees for any college district under provisions of chapter 28B.50 RCW, as now or hereafter amended, shall

be issued by such boards only upon the prior advice and consent of the state finance committee. [1991 c 238 s 56; 1974 ex.s. c 112 s 7.]

RCW 28B.50.440 Construction of chapter when part thereof in conflict with federal requirements which are condition precedent to allocation of federal funds. If any part of this chapter shall be found to be in conflict with federal requirements which are a condition precedent to the allocation of federal funds to the state, such conflicting part of this chapter is hereby declared to be inoperative solely to the extent of such conflict, and such findings or determination shall not affect the operation of the remainder of this chapter. [1969 ex.s. c 223 s 28B.50.440. Prior: 1967 ex.s. c 8 s 44. Formerly RCW 28.85.440.]

Federal funds, receipt of authorized: RCW 28B.50.520.

RCW 28B.50.455 Compliance with section 504 of the federal rehabilitation act of 1973, Title VI of the civil rights act of 1964, and Title IX of the educational amendments of 1972. Each community and technical college shall comply with relevant federal requirements for implementing section 504 of the rehabilitation act of 1973, and as thereafter amended, Title VI of the civil rights act of 1964, and as thereafter amended, and Title IX of education amendments of 1972, and as thereafter amended. [2015 c 55 s 227; 1991 c 238 s 158.]

RCW 28B.50.463 Use of false academic credentials—Penalties. A person who issues or uses a false academic credential is subject to RCW 28B.85.220 and 9A.60.070. [2006 c 234 s 6.]

RCW 28B.50.465 Cost-of-living increases—Academic employees. (1) Academic employees of community and technical college districts shall be provided an annual salary cost-of-living increase in accordance with this section.

(a) Every fiscal year each college district shall receive a cost-of-living allocation sufficient to increase academic employee salaries, including mandatory salary-related benefits, by the rate of the yearly increase in the cost-of-living index.

(b) A college district shall distribute its cost-of-living allocation for salaries and salary-related benefits in accordance with the district's salary schedules, collective bargaining agreements, and other compensation policies. No later than the end of the fiscal year, each college district shall certify to the college board that it has spent funds provided for cost-of-living increases on salaries and salary-related benefits.

(c) The college board shall include any funded cost-of-living increase in the salary base used to determine cost-of-living increases for academic employees in subsequent years.

(d) The state shall fully fund the cost-of-living increase set forth in this section.

(2) For the purposes of this section:

(a) "Academic employee" has the same meaning as defined in RCW 28B.52.020.

(b) "Cost-of-living index" means, beginning with the 2025-2027 fiscal biennium, the implicit price deflator for the previous calendar year as of the beginning of the school year, using the official current base, compiled by the bureau of economic analysis, United States department of commerce. [2025 c 344 s 1; 2013 2nd sp.s. c 5 s 2; 2011 1st sp.s. c 18 s 2; 2009 c 573 s 2; 2003 1st sp.s. c 20 s 3; 2001 c 4 s 3 (Initiative Measure No. 732, approved November 7, 2000).]

Effective date—2025 c 344: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2025." [2025 c 344 s 3.]

Effective date—2013 2nd sp.s. c 5: See note following RCW 28A.400.205.

Effective date—2011 1st sp.s. c 18: See note following RCW 28A.400.205.

Effective date—2009 c 573: See note following RCW 28A.400.205.

Severability—2001 c 4 (Initiative Measure No. 732): See note following RCW 28A.400.205.

RCW 28B.50.468 Cost-of-living increases—Classified employees. (1) Classified employees of technical colleges shall be provided an annual salary cost-of-living increase in accordance with this section. This section applies to only those classified employees under the jurisdiction of chapter 41.56 RCW.

(a) Every fiscal year each technical college board of trustees shall receive a cost-of-living allocation sufficient to increase classified employee salaries, including mandatory salary-related benefits, by the rate of the yearly increase in the cost-of-living index.

(b) A technical college board of trustees shall distribute its cost-of-living allocation for salaries and salary-related benefits in accordance with the technical college's salary schedules, collective bargaining agreements, and other compensation policies. No later than the end of the fiscal year, each technical college shall certify to the college board that it has spent funds provided for cost-of-living increases on salaries and salary-related benefits.

(c) The college board shall include any funded cost-of-living increase in the salary base used to determine cost-of-living increases for technical college classified employees in subsequent years.

(d) The state shall fully fund the cost-of-living increase set forth in this section.

(2) For the purposes of this section:

(a) "Cost-of-living index" means, beginning with the 2025-2027 fiscal biennium, the implicit price deflator for the previous calendar year as of the beginning of the school year, using the official current base, compiled by the bureau of economic analysis, United States department of commerce.

(b) "Technical college" has the same meaning as defined in RCW 28B.50.030. [2025 c 344 s 2; 2013 2nd sp.s. c 5 s 3; 2011 1st sp.s. c

18 s 3; 2009 c 573 s 3; 2003 1st sp.s. c 20 s 4; 2001 c 4 s 4 (Initiative Measure No. 732, approved November 7, 2000).]

Effective date—2025 c 344: See note following RCW 28B.50.465.

Effective date—2013 2nd sp.s. c 5: See note following RCW 28A.400.205.

Effective date—2011 1st sp.s. c 18: See note following RCW 28A.400.205.

Effective date—2009 c 573: See note following RCW 28A.400.205.

Severability—2001 c 4 (Initiative Measure No. 732): See note following RCW 28A.400.205.

RCW 28B.50.484 Health care service contracts—Transferred employees of vocational-technical institutes. The state employees' benefit board shall adopt rules to preclude any preexisting conditions or limitations in existing health care service contracts for school district employees at vocational-technical institutes transferred to the state board for community and technical colleges. The board shall also provide for the disposition of any dividends or refundable reserves in the school district's health care service contracts applicable to vocational-technical institute employees. [1991 c 238 s 137.]

RCW 28B.50.489 Part-time academic employees—State-mandated benefits—Definitions. For the purposes of determining eligibility of state-mandated insurance, retirement benefits under RCW 28B.10.400, and sick leave for part-time academic employees in community and technical colleges, the following definitions shall be used:

(1) "Full-time academic workload" means the number of in-class teaching hours that a full-time instructor must teach to fulfill his or her employment obligations in a given discipline in a given college. If full-time academic workload is defined in a contract adopted through the collective bargaining process, that definition shall prevail. If the full-time workload bargained in a contract includes more than in-class teaching hours, only that portion that is in-class teaching hours may be considered academic workload.

(2) "In-class teaching hours" means contact classroom and lab hours in which full or part-time academic employees are performing contractually assigned teaching duties. The in-class teaching hours shall not include any duties performed in support of, or in addition to, those contractually assigned in-class teaching hours.

(3) "Academic employee" in a community or technical college means any teacher, counselor, librarian, or department head who is employed by a college district, whether full or part-time, with the exception of the chief administrative officer of, and any administrator in, each college district.

(4) "Part-time academic workload" means any percentage of a full-time academic workload for which the part-time academic employee is not paid on the full-time academic salary schedule. [2000 c 128 s 2; 1996 c 120 s 1.]

Construction—2000 c 128: See note following RCW 28B.52.220.

RCW 28B.50.4891 Part-time academic employees—State-mandated benefits—Reporting eligible employees. For the purposes of determining eligibility for receipt of state-mandated benefits for part-time academic employees at community and technical colleges, each institution shall report to the appropriate agencies the names of eligible part-time academic employees who qualify for benefits based on calculating the hours worked by part-time academic employees as a percentage of the part-time academic workload to the full-time academic workload in a given discipline in a given institution. [1996 c 120 s 2.]

RCW 28B.50.4892 Part-time academic employees—Best practices compensation and employment—Task force—Report. (1) The legislature finds that community colleges and technical colleges have an obligation to carry out their roles and missions in an equitable fashion. The legislature also finds that governing boards for community colleges and technical colleges have a responsibility to provide leadership and guidance to their colleges in the equitable treatment of part-time faculty teaching in the community and technical colleges.

(2) The state board for community and technical colleges shall convene a task force to conduct a review and update of the best practices audit of compensation packages and conditions of employment for part-time faculty in the community and technical college system conducted in 1996 and reported on in 1998. The task force shall include but need not be limited to part-time faculty, full-time faculty, members of the state board, community college administrators, and members of community college and technical college governing boards. In performing the review and update of the audit, the task force shall focus on the employment of part-time faculty, and shall include the following issues in its deliberations: Salary issues, provision of health and retirement benefits, the implications of increased reliance on part-time rather than full-time faculty, the implications of workload definitions, and tangible and intangible ways to recognize the professional stature of part-time faculty.

(3) The task force shall report its findings to the state board, local governing boards, and other interested parties by December 1, 2005. The report shall include recommendations on a review of the status of the set of best practices principles for the colleges to follow in their employment of part-time faculty developed in 1996. The state board for community and technical colleges shall adopt and periodically update a set of best practices principles for colleges in the community and technical college system to follow in their employment of part-time faculty. The board shall use the best practices principles in the development of each biennial operating budget request. The board shall encourage and, to the extent possible, require each local governing board to adopt, revise, and implement the principles. [2005 c 119 s 2; 1996 c 120 s 3.]

Findings—2005 c 119: "The legislature finds that:

(1) The part-time faculty in the community and technical colleges provide a valuable contribution to quality instruction;

(2) The part-time faculty are essential to the success of the open access opportunities provided by the two-year colleges to the citizens of Washington;

(3) The two-year colleges employ a core of skilled, well-trained faculty whose contributions are critical to the quality and breadth of program offerings;

(4) The community and technical colleges have an essential role in educating and retraining high-skilled workers who are vital to the economic health of the communities of Washington;

(5) It is vital to attract and retain highly skilled faculty capable of preparing students to transfer to four-year colleges and universities and for the workforce;

(6) Low and stagnating salaries as well as the lack of career advancement options for part-time faculty are detrimental to the morale of all faculty;

(7) Part-time faculty contribute to the learning environment offered to the students through advising and attention that all good educators bring to their profession; and

(8) Although progress has been made since the initial work of the best practices task force in 1996, additional progress needs to be made to improve and implement best practices for part-time community and technical college faculty." [2005 c 119 s 1.]

RCW 28B.50.4893 Part-time academic employees—Sick leave. (1) Part-time academic employees of community and technical colleges shall receive sick leave to be used for the same illnesses, injuries, bereavement, and emergencies as full-time academic employees at the college in proportion to the individual's teaching commitment at the college.

(2) The provisions of RCW 41.04.665 shall apply to leave sharing for part-time academic employees who accrue sick leave under subsection (1) of this section.

(3) The provisions of RCW 28B.50.553 shall apply to remuneration for unused sick leave for part-time academic employees who accrue sick leave under subsection (1) of this section. [2000 c 128 s 1.]

Construction—2000 c 128: See note following RCW 28B.52.220.

RCW 28B.50.4894 Part-time academic employees—Continuous health care eligibility—Employer contributions. Health care benefits for part-time academic employees are governed by *RCW 41.05.053. [2006 c 308 s 3.]

***Reviser's note:** RCW 41.05.053 was repealed by 2009 c 537 s 8, effective January 1, 2010.

RCW 28B.50.510 State purchasing and material control, community college purchases. See RCW 39.26.080 and 39.26.090.

RCW 28B.50.515 Community and technical college innovation account—Expenditures—Strategic technology plan—Enterprise resource planning. (1) The community and technical college innovation account is created in the custody of the state treasurer. All receipts from

operating fees in RCW 28B.15.031(2) must be deposited into the account. Expenditures from the account may be used only as provided in subsection (2) of this section. Only the director of the college board or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) Funds in the community and technical college innovation account may be used solely to:

(a) Pay and secure the payment of the principal of and interest on financing contracts, such as certificates of participation issued for the innovation account under chapter 39.94 RCW and authorized by the legislature; and

(b) Implement the college board's strategic technology plan to improve student achievement, student services, and increase systemwide administrative efficiencies. The college board must approve projects under the strategic technology plan to improve student achievement, student services, and increase systemwide administrative efficiencies before the director authorizes expenditures to be made. For large enterprise resource planning projects, the college board shall develop a technical and operational business plan and submit it to the legislature for approval before the project can be implemented.

(3) Consistent with the implementation of the strategic technology plan, the college board and the community and technical colleges shall engage in substantial business process reengineering and adopt systemwide approaches to admissions, financial aid, student identification numbers, student transcripts, and other systemwide processes.

(4) If the community and technical college system pursues an enterprise resource planning solution, they shall consider adoption of existing solutions already deployed at institutions of higher education in the state; short and long-term total costs of ownership; opportunities for partnerships, collaboration, coordination and consolidation with other entities in higher education; technical flexibility; and other requirements that support costs efficiencies. If the college board adopts a plan for an enterprise solution that is not coordinated with other institutions of higher education, authorization of expenditure of funds by the legislature must be approved by the office of financial management. [2011 c 274 s 3.]

Finding—Intent—2011 c 274: "(1) The legislature finds that the community and technical college system mission to ensure affordable access to higher education geographically distributed throughout the state is aligned with innovative approaches to learning and substantial efficiencies that have been implemented since the legislature established the system in 1967. Systemic approaches include a common accounting system, a common administrative computing system, a single system budget request for operating and capital expenses, and common course numbering. Innovative approaches include the system's e-learning platform, the adoption of open educational resources, and the adoption of lecture-capture tools that allow students to replay lectures, review classroom materials, and distribute outstanding instruction via the web anytime, anywhere.

(2) It is the intent of the legislature to further enhance the community and technical college system by making the maximum use of technologies to:

(a) Help dismantle the barriers of geographic isolation, cost, competing demands of work and family life, and past educational failure;

(b) Create a system for learning that is welcoming to all, easy to enter and use, and tailored to the needs of each learner; and

(c) Foster personal relationships and support all students and their families to learn and thrive." [2011 c 274 s 1.]

RCW 28B.50.520 Federal funds, receipt of authorized. The college board or any board of trustees is authorized to receive federal funds made available for the assistance of community and technical colleges, and providing physical facilities, maintenance or operation of schools, or for any educational purposes, according to the provisions of the acts of congress making such funds available. [1991 c 238 s 57; 1969 ex.s. c 223 s 28B.50.520. Prior: 1967 ex.s. c 8 s 52. Formerly RCW 28.85.520.]

Construction of chapter when part thereof in conflict with federal requirements which are condition precedent to allocation of federal funds: RCW 28B.50.440.

RCW 28B.50.522 Office for adult literacy. The college board personnel administering state and federally funded programs for adult basic skills and literacy education shall be known as the state office for adult literacy. [1991 c 238 s 92.]

RCW 28B.50.528 Contracts with adjacent college district for administrative services. If a technical college is created after September 1, 1991, that college may contract with an adjacent college district for administrative services until such time that an existing or new college district may assume jurisdiction over the college. [1991 c 238 s 139.]

RCW 28B.50.530 Agreements for use of services or facilities between district boards of trustees and school boards. The district boards of trustees and the common school boards are hereby authorized to enter into agreements for the use by either of the other's services, facilities or equipment and for the presentation of courses of either for students of the other where such agreements are deemed to be in the best interests of the education of the students involved. [1969 ex.s. c 223 s 28B.50.530. Prior: 1967 ex.s. c 8 s 53. Formerly RCW 28.85.530.]

Community education programs: RCW 28A.620.020.

RCW 28B.50.531 Dual high school and college credit for secondary career and technical courses—Agreements. (1) It is the legislature's intent to recognize and support the work of community and technical colleges, high schools, and skill centers in creating articulation and dual credit agreements for career and technical education students, in part by codifying current practice.

(2) Community and technical colleges shall create agreements with high schools and skill centers to offer dual high school and college credit for secondary career and technical courses. Agreements shall be subject to approval by the chief instructional officer of the college and the principal and the career and technical education director of the high school or the executive director of the skill center.

(3) Community and technical colleges may create dual credit agreements with high schools and skill centers that are located outside the college district boundary or service area.

(4) If a community or technical college has created an agreement with a high school or skill center to offer college credit for a secondary career and technical course, all community and technical colleges shall accept the course for an equal amount of college credit. [2008 c 170 s 108.]

Findings—Intent—2008 c 170: See RCW 28A.700.005.

RCW 28B.50.532 Completion of industry certificate or credential—Agreements with skill centers. (1) A community or technical college may enter into an agreement with a skill center within the college district to allow students who have completed a high school diploma to remain enrolled in the skill center in courses necessary to complete an industry certificate or credential in the student's career and technical program as provided by RCW 28A.245.080.

(2) Before entering an agreement, a community or technical college may require the skill center to provide evidence that:

(a) The skill center has adequate facilities and capacity to offer the necessary courses and the community or technical college does not have adequate facilities or capacity; or

(b) The community or technical college does not offer the particular industry certificate program or courses proposed by the skill center.

(3) Under the terms of the agreement, the community or technical college shall report the enrolled student as a state-supported student and may charge the student tuition and fees. The college shall transmit to the skill center an agreed-upon amount per enrolled full-time equivalent student to pay for the student's courses at the skill center. [2008 c 170 s 305.]

Findings—Intent—2008 c 170: See RCW 28A.700.005.

RCW 28B.50.533 Contracts with common school districts for occupational and academic programs for high school students—Enrollment opportunities—Interlocal agreements. Community and technical colleges may contract with local common school districts to provide occupational and academic programs for high school students. Common school districts whose students currently attend vocational-technical institutes shall not suffer loss of opportunity to continue to enroll their students at technical colleges.

For the purposes of this section, "opportunity to enroll" includes, but is not limited to, the opportunity of common school districts to enroll the same number of high school students enrolled at each vocational-technical institute during the period July 1, 1989, through June 30, 1990, and the opportunity for common school districts

to increase enrollments of high school students at each technical college in proportion to annual increases in enrollment within the school districts participating on September 1, 1991. Technical colleges shall offer programs which are accessible to high school students to at least the extent that existed during the period July 1, 1989, through June 30, 1990, and to the extent necessary to accommodate proportional annual growth in enrollments of high school students within school districts participating on September 1, 1991. Accommodating such annual increases in enrollment or program offerings shall be the first priority within technical colleges subject to any enrollment or budgetary restrictions. Technical colleges shall not charge tuition or student services and activities fees to high school students enrolled in the college.

Technical colleges may enter into interlocal agreements with local school districts to provide instruction in courses required for high school graduation, basic skills, and literacy training for students enrolled in technical college programs. [1991 c 238 s 82.]

RCW 28B.50.535 Community or technical college—Issuance of high school diploma or certificate. A community or technical college may issue a high school diploma or certificate as provided under this section.

(1) An individual who satisfactorily meets the requirements for high school completion shall be awarded a diploma from the college, subject to rules adopted by the superintendent of public instruction and the state board of education.

(2) An individual sixteen years or older or enrolled through the option established under RCW 28A.600.310 through 28A.600.400, who satisfactorily completes an associate degree through a community or technical college, including an associate of arts degree, associate of science degree, associate of technology degree, or associate in applied science degree, shall be awarded a diploma from the college upon written request from the student. Individuals under twenty-one years of age under this subsection are eligible for funding provided under chapter 28A.150 RCW. [2019 c 269 s 1; 2017 c 93 s 1; 2009 c 524 s 2; 2007 c 355 s 2; 1991 c 238 s 58; 1969 ex.s. c 261 s 30.]

Intent—2009 c 524: "The legislature has previously affirmed the value of career and technical education, particularly in programs that lead to nationally recognized certification. These programs provide students with the knowledge and skills to become responsible citizens and contribute to their own economic well-being and that of their families and communities, which is the goal of education in the public schools. The legislature has also previously affirmed the value of dual enrollment in college and high school programs that can lead to both an associate degree and a high school diploma. Therefore, the legislature intends to maximize students' options and choices for completing high school by awarding diplomas to students who complete these valuable postsecondary programs." [2009 c 524 s 1.]

Finding—Intent—2007 c 355: "The legislature finds that the goal of Washington's education reform is for all students to meet rigorous academic standards so that they are prepared for success in college, work, and life. Educators know that not all students learn at the same rate or in the same way. Some students will take longer to meet the

state's standards for high school graduation. Older students who cannot graduate with their peers need an appropriate learning environment and flexible programming that enables them simultaneously to earn a diploma, work, and pursue other training options. Providing learning options in locations in addition to high schools will encourage older students to complete their diplomas. Therefore the legislature intends to create a pilot high school completion program at two community and technical colleges for older students who have not yet received a diploma but are eligible for state basic education support." [2007 c 355 s 1.]

Severability—1969 ex.s. c 261: See note following RCW 28B.50.020.

RCW 28B.50.536 Test to earn a high school equivalency certificate—Rules—Issuance of high school equivalency certificate. (1) Subject to rules adopted by the state board of education under RCW 28A.305.190, the state board for community and technical colleges shall adopt rules governing the eligibility of persons sixteen years of age and older to take a test to earn a high school equivalency certificate, rules governing the administration of the test, and rules governing the issuance of a high school equivalency certificate to persons who successfully complete the test.

(2) A high school equivalency certificate is a certificate issued jointly by the college board and the office of the superintendent of public instruction that indicates that the holder has attained standard scores at or above the minimum proficiency level prescribed by the college board on a high school equivalency test. The college board must identify and accept a high school equivalency test that is at least as rigorous as the general educational development test. The high school equivalency test identified by the college board must cover reading, writing, mathematics, science, and social studies subject areas.

(3) High school equivalency certificates issued under this section shall be issued in such form and substance as agreed upon by the state board for community and technical colleges and superintendent of public instruction. [2013 c 39 s 9; 1993 c 218 s 3.]

RCW 28B.50.551 Leave provisions. The board of trustees of each college district shall adopt for each community and technical college under its jurisdiction written policies on granting leaves to employees of the district and those colleges, including but not limited to leaves for attendance at official or private institutions and conferences; professional leaves for personnel consistent with the provisions of RCW 28B.10.650; leaves for illness, injury, bereavement, and emergencies, consistent with RCW 28B.50.4893, and except as otherwise in this section provided, all with such compensation as the board of trustees may prescribe, except that the board shall grant to all such persons leave with full compensation for illness, injury, bereavement and emergencies as follows:

(1) For persons under contract to be employed, or otherwise employed, for at least three quarters, not more than twelve days per year, commencing with the first day on which work is to be performed;

provisions of any contract in force on June 12, 1980, which conflict with requirements of this subsection shall continue in effect until contract expiration; after expiration, any new contract executed between the parties shall be consistent with this subsection;

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

(b) For part-time academic employees, such leave entitlement shall be accumulated after the first quarter of employment by a college district or the first quarter after June 8, 2000, whichever is later, and may be taken at any time;

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

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

(5) Accumulated leave for illness, injury, bereavement and emergencies shall be transferred from one college district to another or between a college district and the following: Any state agency, any educational service district, any school district, or any other institution of higher education as defined in RCW 28B.10.016;

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

(7) Employees of the Seattle Vocational Institute are exempt from this section until July 1, 1993. [2006 c 243 s 1; 2000 c 128 s 3; 1995 c 119 s 1; 1991 c 238 s 59; 1980 c 182 s 3; 1977 ex.s. c 173 s 2; 1975 1st ex.s. c 275 s 148; 1973 c 62 s 22; 1969 ex.s. c 283 s 7. Formerly RCW 28.85.551.]

Application—2006 c 243: "This act applies only to leave accumulated on or after June 7, 2006." [2006 c 243 s 2.]

Construction—2000 c 128: See note following RCW 28B.52.220.

Severability—1980 c 182: See note following RCW 41.04.340.

Effective date—Severability—1977 ex.s. c 173: See notes following RCW 28B.10.650.

Savings—Severability—1973 c 62: See notes following RCW 28B.10.510.

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.553 Attendance incentive program. (1) Unless the context clearly requires otherwise, the definitions in this subsection apply throughout this section.

(a) "Employer" means the board of trustees for each college district or the state board for community and technical colleges.

(b) "Eligible employee" means an employee of a college district or the state board for community and technical colleges who belongs to one of the following classifications:

(i) Academic employees as defined in RCW 28B.52.020;

(ii) Classified employees of technical colleges whose employment is governed under chapter 41.56 RCW;

(iii) Professional, paraprofessional, and administrative employees exempt from chapter 41.06 RCW; and

(iv) Employees of the state board for community and technical colleges who are exempt from chapter 41.06 RCW.

(2) An attendance incentive program is established for all eligible employees of a college district or the state board for community and technical colleges entitled to accumulate sick leave and for whom accurate sick leave records have been maintained. An eligible employee may not receive compensation under this section for a portion of sick leave accumulated at a rate in excess of one day per month.

(3) In January of the year following a year in which a minimum of sixty days of sick leave is accrued, and each following January, an eligible employee may exercise an option to receive remuneration for unused sick leave accumulated in the previous year at a rate equal to one day's monetary compensation of the employee for each four full days of accrued sick leave in excess of sixty days. Sick leave for which compensation has been received shall be deducted from accrued sick leave at the rate of four days for every one day's monetary compensation.

(4) At the time of separation from employment with a college district or the state board for community and technical colleges due to retirement or death, an eligible employee or the employee's estate may receive remuneration at a rate equal to one day's current monetary compensation of the employee for each four full days' accrued sick leave.

(5) In lieu of remuneration for unused sick leave at retirement as provided in subsection (4) of this section, an employer may, with equivalent funds, provide eligible employees with a benefit plan that provides reimbursement for medical expenses. For employees whose conditions of employment are governed by chapter 28B.52 or 41.56 RCW, such benefit plans shall be instituted only by agreement applicable to the members of a bargaining unit. A benefit plan adopted must require, as a condition of participation under the plan, that the employee sign an agreement with the employer. The agreement must include a provision to hold the employer harmless should the United States government find that the employer or the employee is in debt to the United States as a result of the employee not paying income taxes due on the equivalent funds placed into the plan, or as a result of the employer not withholding or deducting a tax, assessment, or other payment on the funds as required under federal law. The agreement must also include a provision that requires an eligible employee to forfeit remuneration under subsection (4) of this section if the employee belongs to a unit that has been designated to participate in the benefit plan permitted under this subsection and the employee refuses to execute the required agreement.

(6) Remuneration or benefits received under this section are not included for the purposes of computing a retirement allowance under a public retirement system in this state.

(7) The state board for community and technical colleges shall adopt uniform rules to carry out the purposes of this section. The rules shall define categories of eligible employees. The categories of eligible employees are subject to approval by the office of financial management. The rules shall also require that each employer maintain complete and accurate sick leave records for all eligible employees.

(8) Should the legislature revoke a remuneration or benefit granted under this section, an affected employee is not then entitled to receive the benefits as a matter of contractual right. [1997 c 232 s 1.]

Conflict with federal requirements—1997 c 232: "If any part of section 1(5) of this act is found to be in conflict with federal tax laws or rulings or regulations of the federal internal revenue service, the conflicting part of section 1(5) of this act is inoperative solely to the extent of the conflict and such finding shall not affect the remainder of this act." [1997 c 232 s 3.]

RCW 28B.50.600 School district bonds—Redemption of by school district to continue though facility under control of college district board. Whenever a common school board has contracted to redeem general obligation bonds used for the construction or acquisition of facilities which are now to be under the administration, control and occupancy of the college district board, the common school board shall continue to redeem the bonds in accordance with the provisions of the bonds. [1991 c 238 s 60; 1969 ex.s. c 223 s 28B.50.600. Prior: 1967 ex.s. c 8 s 60. Formerly RCW 28.85.600.]

RCW 28B.50.601 School district bonds—Redemption—Facilities under administration of college district board. If a school board has contracted to redeem general obligation bonds used for the construction or acquisition of facilities which are now to be under the administration, control, and occupancy of the college district board, the school board shall continue to redeem the bonds in accordance with the provisions of the bonds. [1991 c 238 s 138.]

RCW 28B.50.740 School district bonds—Those issued for community and technical college facilities not considered indebtedness under statutory limitations on. Notwithstanding any other statutory provision relating to indebtedness of school districts, bonds heretofore issued by any common school district for the purpose of providing funds for community and technical college facilities shall not be considered as indebtedness in determining the maximum allowable indebtedness under any statutory limitation of indebtedness when the sum of all indebtedness therein does not exceed the maximum constitutional allowable indebtedness applied to the value of the taxable property contained in such school district: PROVIDED, That nothing contained herein shall be construed to affect the distribution of state funds under any applicable distribution formula. [1991 c 238 s 61; 1969 ex.s. c 223 s 28B.50.740. Prior: 1967 ex.s. c 8 s 74. Formerly RCW 28.85.740.]

Forty mill limit: State Constitution Art. 7 s 2.

Limitation of indebtedness prescribed: RCW 39.36.020.

Limitations upon municipal indebtedness: State Constitution Art. 8 s 6.

RCW 28B.50.785 Publication of transferable college-level courses—Course lists for one-year academic completion certificates and transferable degrees. (1)(a) Community and technical colleges must identify and publish in their admissions materials the college-level courses that are recognized by all four-year institutions of higher education as transferable to the four-year institutions of higher education. Publication of the list of courses must be easily identified and accessible on the college's website.

(b) If a four-year institution of higher education does not require courses of majors for transfer, the community and technical colleges must identify and publish the transfer policy of the institution in their admissions materials and make the transfer policy of the institution easily identifiable on the college's website.

(2) Community and technical colleges must create a list of courses that satisfy the basic requirements, distribution requirements, and approved electives for:

(a) A one-year academic completion certificate as provided for under RCW 28B.10.696; and

(b) A transferable associate of arts or sciences degree as provided for under RCW 28B.10.696.

(3) To the extent possible, each community and technical college must develop links between the lists in subsections (1) and (2) of this section and its list of courses, and develop methods to encourage students to check the lists in subsections (1) and (2) of this section when the students are registering for courses. [2011 1st sp.s. c 10 s 12.]

Findings—Intent—Short title—2011 1st sp.s. c 10: See notes following RCW 28B.15.031.

RCW 28B.50.789 Online course descriptions—Required materials' cost information—Reports. (1) To the maximum extent practicable, but no later than the first full quarter after a community or technical college has implemented the ctcLink system, a community or technical college shall provide the following information to students during registration by displaying it in the online course description or by providing a link that connects to the bookstore's website or other website where students can search and view:

(a) The cost of any required textbook or other course materials;

(b) Whether a course uses open educational resources; and

(c) Whether a course uses low-cost required instructional materials. For the purposes of this subsection, "low-cost" means the required instructional materials equal fifty dollars or less.

(2) If a course's required textbooks and course materials are not determined prior to registration due to an unassigned faculty member, the textbooks' and course materials' cost must be provided as soon as feasible after a faculty member is assigned.

(3) Each community and technical college shall report to the college board which courses provided textbooks' and course materials'

costs to students during registration, and what percent of total classes this equaled. The college board shall report the information to the legislature in accordance with RCW 43.01.036 by January 1st of each biennium, beginning with January 1, 2019. [2020 c 104 s 1; 2017 c 98 s 2.]

Intent—2017 c 98: "The legislature recognizes the high cost of textbooks and the burden this can create for students. The legislature also recognizes the work of the state board for community and technical colleges in creating the open course library, in which free textbooks and other course materials are available for eighty-one of the highest enrolled courses in the community and technical college system. The student public interest research groups completed a cost analysis of the open course library and found that students who take open course library courses save ninety-six dollars on average per course over a traditional textbook. Therefore, it is the legislature's intent to incentivize faculty to use resources available on the open course library by informing students of a textbook's cost when they register for a class." [2017 c 98 s 1.]

RCW 28B.50.795 Bachelor of science in nursing program—University Center of North Puget Sound. (1) Although Everett Community College offers an associate degree nursing program that graduates approximately seventy to ninety students per year, the University Center does not offer a bachelor of science in nursing. Some graduates of the Everett Community College program are able to articulate to the bachelor of science in nursing program offered by the University of Washington-Bothell at its Bothell campus or in Mt. Vernon but current capacity is not sufficient for all of the graduates who are both interested and qualified.

(2) Despite recent growth in nursing education capacity, shortages still persist for registered nurses. According to a June 2007 study by the Washington, Wyoming, Alaska, Montana, and Idaho center for health workforce studies, the average age of Washington's registered nurses was forty-eight years. More than a third were fifty-five years of age or older. Consequently, the high rate of registered nurses retiring from nursing practice over the next two decades will significantly reduce the supply. This reduction comes at the same time as the state's population grows and ages. The registered nurse education capacity in Washington has a large impact on the supply of registered nurses in the state. If the rate of graduation in registered nursing does not increase, projections show that supply in Washington will begin to decline by 2015. In contrast, if graduation rates increased by four hundred per year, the supply of registered nurses would meet estimated demand by the year 2021.

(3) Subject to specific funding to support up to fifty full-time equivalent students in a bachelor of nursing program, the University Center of North Puget Sound, in partnership with the University of Washington-Bothell, shall offer a bachelor of science in nursing program with capacity for up to fifty full-time students. [2011 c 321 s 2; 2010 1st sp.s. c 25 s 1.]

Contingent effective date—2011 c 321: See note following RCW 28B.30.515.

Effective date—2010 1st sp.s. c 25: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2010." [2010 1st sp.s. c 25 s 2.]

RCW 28B.50.800 Practical nursing credential—Online curriculum and pathway. Subject to the availability of amounts appropriated for this specific purpose, the community and technical colleges shall design and implement an online curriculum and pathway to earn a licensed practical nursing credential. The college board shall select two colleges, one on either side of the crest of the Cascade mountains, to design and implement the online curriculum. The curriculum may include use of a mobile skills lab or other innovative approaches to ensure access to training opportunities for rural students. [2023 c 126 s 3.]

Findings—2023 c 126: "The legislature finds that nurses are essential to the operation of the state's health care system. Further, the legislature finds that the gap between demand for nurses and an available workforce continues to widen. Nursing professions continue to rank among the highest demand occupations in the state with the number of unfilled openings ranking near the top of all professional categories each month. The legislature finds that the need for nurses is particularly acute in rural hospital and clinical settings as well as long-term care facilities. Further, the legislature finds that there is a need to expand nursing credential opportunities through the expansion of existing postsecondary programs, the provision of adequate compensation for nurse educators, the creation of new and innovative approaches to health care credentials, the creation and expansion of proven pathways to health care careers within the K-12 system, and the streamlining of administrative requirements in the approval of new, high quality nursing education opportunities." [2023 c 126 s 1.]

RCW 28B.50.805 Programs that support science, technology, engineering, and mathematics programs or career and technical education programs—Selection of colleges—Development of courses leading to a high-demand applied baccalaureate degree. Subject to the availability of amounts appropriated for this specific purpose and in addition to other applied baccalaureate degree programs and pursuant to the criteria in RCW 28B.50.810, the college board shall select community or technical colleges to develop and offer two programs that support the continuation of high quality science, technology, engineering, and mathematics programs or career and technical education programs offered to students in kindergarten through twelfth grade who are prepared and aspire to continue in these high-demand areas in college and the workforce. Subject to available funding, a college selected under this section may develop the curriculum for and design and deliver courses leading to a high-demand applied baccalaureate degree. [2013 c 55 s 2.]

RCW 28B.50.810 Applied baccalaureate degree programs. (1) The college board may select community or technical colleges to develop

and offer programs of study leading to applied baccalaureate degrees. Colleges may submit applications to the college board. The college board shall review the applications and select the colleges using objective criteria, including, but not limited to:

(a) The college demonstrates the capacity to make a long-term commitment of resources to build and sustain a high quality program;

(b) The college has or can readily engage faculty appropriately qualified to develop and deliver a high quality curriculum at the baccalaureate level;

(c) The college can demonstrate demand for the proposed program from a sufficient number of students within its service area to make the program cost-effective and feasible to operate;

(d) The college can demonstrate that employers demand the level of technical training proposed within the program, making it cost-effective for students to seek the degree; and

(e) The proposed program fills a gap in options available for students because it is not offered by a public four-year institution of higher education in the college's geographic area.

(2) A college selected under this section may develop the curriculum for and design and deliver courses leading to an applied baccalaureate degree. However, degree programs developed under this section are subject to approval by the college board under RCW 28B.50.090. [2012 c 229 s 816; 2010 c 245 s 3; 2008 c 166 s 2; 2005 c 258 s 6.]

Effective date—2012 c 229 ss 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904: See note following RCW 28B.77.005.

Findings—Expand on demand—System design plan endorsed—2010 c 245: See note following RCW 28B.50.020.

Findings—Intent—2008 c 166: "The legislature finds that the six colleges that developed proposals for the applied baccalaureate degree pilot programs exhibited exemplary work preparing proposals. The proposals were consistent with the legislature's vision for expanding bachelor's degree access and with the principals and criteria developed by the college board. The legislature recognizes that the authorization for the pilots was limited in number and therefore not all the proposals were able to be approved. The legislature values the work that has been done and intends to provide authority for additional pilots so as not to lose the good work that has been done." [2008 c 166 s 1.]

Findings—Intent—2005 c 258: See note following RCW 28B.45.014.

RCW 28B.50.815 Associate degree education for incarcerated adults. The college board may authorize any board of trustees within the system to promote and conduct associate degree education and training of incarcerated adults through new or expanded partnerships between the community and technical colleges and the department of corrections. [2017 c 120 s 2.]

Findings—Intent—2021 c 200; 2019 c 397; 2017 c 120: "(1) The legislature finds that incarceration is both a rural and urban issue

in the state. According to one recent report, the highest rates of prison admissions are in rural counties. In addition, since 1980, the number of women in prison has increased more than eight hundred percent. Additionally, people of color are overrepresented in the prison system. The legislature finds that studies clearly and consistently demonstrate that postsecondary education in prisons improves safety in facilities, and incarcerated adults who obtain postsecondary education and training are more likely to be employed following release, which leads to a significant reduction in recidivism rates, improvements in public safety, and a major return on investment. The legislature finds that reducing recidivism decreases the financial burden to taxpayers and the emotional burden of victims.

(2) The legislature finds that research indicates that postsecondary education and training is an effective evidence-based practice for reducing recidivism. An analysis commissioned by the United States department of justice determined that adults who received an education while incarcerated were forty-three percent less likely to recidivate.

(3) Ninety-five percent of incarcerated adults ultimately return to their communities to obtain employment and contribute to society. The legislature finds that according to the bureau of labor statistics, unemployment rates for people with only a high school education are twice that of those with an associate degree. Research has shown that adults who participated in education programs while incarcerated were thirteen percent more likely to be employed.

(4) The legislature further finds that correctional education is cost-effective. A 2014 study by the Washington state institute for public policy estimated that, based on a review of national research literature and cost-benefit analysis, there is a return on investment of twenty dollars for every dollar invested in correctional education.

(5) It is the intent of the legislature to enhance public safety, including the safety of prison workers as findings show that violence rates are reduced in institutions where there are educational programs, to reduce crime, and to increase employment rates in a cost-effective manner by exploring benefits and costs associated with providing postsecondary education degree opportunities and training to incarcerated adults through expanded partnerships between postsecondary institutions, nonprofit entities and community-based postsecondary education programs, and the department of corrections.

(6) It is the intent of the legislature to support exploring the use of secure internet connections expressly for the purposes of furthering postsecondary education degree opportunities and training of incarcerated adults, including providing assistance to incarcerated adults with completing financial aid materials. The legislature intends for the department to be able to provide complete assurance that all internet connections used by incarcerated individuals are secure.

(7) It is the intent of the legislature to support expanded access and opportunities to postsecondary degree and certificate education programs for persons of color by setting goals and partnering with nonprofit entities and community-based postsecondary education programs with historical evidence of providing education programs for people of color.

(8) It is also the intent of the legislature, by requiring the study under RCW 72.09.469, to examine the effects of providing postsecondary education while incarcerated on enrollment in the

postsecondary education system postrelease." [2021 c 200 s 1; 2019 c 397 s 1; 2017 c 120 s 1.]

RCW 28B.50.820 Baccalaureate degree programs—Agreements with state universities, regional universities, or the state college. (1) One strategy to accomplish expansion of baccalaureate capacity in underserved regions of the state is to allocate state funds for student enrollment to a community and technical college and authorize the college to enter into agreements with a state university, regional university, or state college as defined in RCW 28B.10.016, to offer baccalaureate degree programs.

(2) Subject to legislative appropriation for the purpose described in this section, the college board shall select and allocate funds to three community or technical colleges for the purpose of entering into an agreement with one or more state universities, regional universities, or the state college to offer baccalaureate degree programs on the college campus.

(3) The college board shall select the community or technical college based on analysis of gaps in service delivery, capacity, and student and employer demand for programs. Before taking effect, the agreement under this section must be approved by the student achievement council.

(4) Students enrolled in programs under this section are considered students of the state university, regional university, or state college for all purposes including tuition and reporting of state-funded enrollments. [2017 c 52 s 11; 2012 c 229 s 538; 2005 c 258 s 12.]

Effective date—2012 c 229 ss 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904: See note following RCW 28B.77.005.

Findings—Intent—2005 c 258: See note following RCW 28B.45.014.

RCW 28B.50.825 Bachelor of science degree in computer science. (1) Subject to approval by the college board, community colleges and technical colleges are authorized to offer bachelor of science degrees in computer science.

(2) Community colleges and technical colleges may develop the curriculum for and design and deliver courses leading to a bachelor of science degree in computer science.

(3) Degree programs developed under this section are subject to approval by the college board under RCW 28B.50.090 before a college may enroll students in upper-division courses.

(4)(a) Colleges may submit an application to the college board. The college board shall review the applications and select the colleges using objective criteria including, but not limited to:

(i) The college demonstrates the capacity to make a long-term commitment of resources to build and sustain a high quality program;

(ii) The college has or can readily engage faculty appropriately qualified to develop and deliver a high quality curriculum at the baccalaureate level;

(iii) The college can demonstrate demand for the proposed program from a sufficient number of students within its service area to make the program cost-effective and feasible to operate;

(iv) The college can demonstrate that employers demand the level of technical training proposed within the program, making it cost-effective for students to seek the degree; and

(v) The proposed program fills a gap in options available for students because it is not offered by a public four-year institution of higher education in the college's geographic area or if there is a shortage of programs demanded by industry and workforce.

(b) Applications may not be submitted earlier than December 1, 2021.

(5) A community college offering a bachelor of science degree in computer science on July 25, 2021, is exempt from the requirements of subsection (4) of this section. [2021 c 147 s 2; 2016 sp.s. c 33 s 1.]

Findings—2021 c 147: "The legislature finds it essential that Washington students, especially low-income students and students of color, have the necessary credentials to secure the high-demand jobs of the future. Washington is fortunate to be home to a large, and growing, technology sector. The technology sector in Washington currently has more than 24,000 job openings, most of which require a four-year bachelor of science degree in computer science. The legislature also finds that the state imported four times as many computer science graduates than it produced in state. The legislature also finds that the state can do a better job of training Washington residents to secure these living wage jobs of the future. Additionally, of the 1,883 computer science degrees awarded in Washington during the 2018-19 school year, only 3.8 percent were awarded to African American students, 5.6 percent to Hispanic students, and less than 1 percent to Native Americans. The legislature further finds that Washington's competitiveness in the global economy requires the state to ensure companies are able to hire a qualified workforce of Washington residents. To achieve the goals set forth in the workforce education investment act, specifically 70 percent postsecondary credential attainment, the legislature finds that we need to expand access to the high-demand field of computer science, especially to students of color." [2021 c 147 s 1.]

RCW 28B.50.835 Exceptional faculty awards—Intent. The legislature recognizes that quality in the state's community and technical colleges would be strengthened by additional partnerships between citizens and the institutions. The legislature intends to foster these partnerships by creating a matching grant program to assist public community and technical colleges in creating endowments for funding exceptional faculty awards. [1991 c 238 s 62; 1990 c 29 s 1.]

Severability—1990 c 29: "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." [1990 c 29 s 8.]

RCW 28B.50.8351 Exceptional faculty awards—"Foundation" defined. For purposes of RCW 28B.50.835 through 28B.50.843 "foundation" means a private nonprofit corporation that: (1) Is registered under Title 24 RCW and qualified as a tax-exempt entity under section 501(c)(3) of the federal internal revenue code; (2) exists solely for the benefit of one or more community or technical colleges in this state; and (3) is registered with the attorney general's office under the charitable trust act, chapter 11.110 RCW. [1993 c 87 s 3.]

RCW 28B.50.837 Exceptional faculty awards—Established—Community and technical college faculty awards trust fund. (1) The Washington community and technical college exceptional faculty awards program is established. The program shall be administered by the college board. The college faculty awards trust fund hereby created shall be administered by the state treasurer.

(2) Funds appropriated by the legislature for the community and technical college exceptional faculty awards program shall be deposited in the college faculty awards trust fund. At the request of the college board, the treasurer shall release the state matching funds to the local endowment fund of the college or its foundation. No appropriation is necessary for the expenditure of moneys from the fund. Expenditures from the fund may be used solely for the exceptional faculty awards program. During the 2011-2013 fiscal biennium, the legislature may transfer from the college faculty awards trust fund to the state general fund such amounts as reflect the excess fund balance in the account. [2011 2nd sp.s. c 9 s 901; 2010 1st sp.s. c 37 s 914; 2009 c 564 s 1803; 2003 c 129 s 2; 2002 c 371 s 902; 1993 c 87 s 1; 1991 sp.s. c 13 ss 108, 109; 1991 c 238 s 63; 1990 c 29 s 2.]

Effective dates—2011 2nd sp.s. c 9: "Except for sections 903 and 905 of this act which take effect July 1, 2012, this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [December 20, 2011]." [2011 2nd sp.s. c 9 s 917.]

Effective date—2010 1st sp.s. c 37: See note following RCW 13.06.050.

Effective date—2009 c 564: See note following RCW 2.68.020.

Severability—Effective date—2002 c 371: See notes following RCW 9.46.100.

Effective dates—1991 sp.s. c 13: See note following RCW 18.04.105.

Severability—1990 c 29: See note following RCW 28B.50.835.

RCW 28B.50.839 Exceptional faculty awards—Guidelines—Matching funds—Donations—Disbursements. (1) In consultation with eligible

community and technical colleges, the college board shall set priorities and guidelines for the program.

(2) All community and technical colleges and their foundations shall be eligible for matching trust funds. When they can match the state funds with equal cash donations from private sources, institutions and foundations may apply to the college board for grants from the fund in ten thousand dollar increments up to a maximum set by the college board. These donations shall be made specifically to the exceptional faculty awards program and deposited by the institution or foundation in a local endowment fund or a foundation's fund. Otherwise unrestricted gifts may be deposited in the endowment fund by the institution or foundation.

(3) Once sufficient private donations are received by the institution or foundation, the institution shall inform the college board and request state matching funds. The college board shall evaluate the request for state matching funds based on program priorities and guidelines. The college board may ask the state treasurer to release the state matching funds to a local endowment fund established by the institution or a foundation's fund established by a foundation for each faculty award created.

(4) A college, by action of its board of trustees, may transfer those exceptional faculty award funds accumulated in its local endowment fund between July 1, 1991, and July 25, 1993, to its foundation's local endowment fund established as provided in subsection (2) of this section. [2003 c 129 s 1; 1994 c 234 s 3; 1993 c 87 s 2; 1991 c 238 s 64; 1990 c 29 s 3.]

Severability—1990 c 29: See note following RCW 28B.50.835.

RCW 28B.50.841 Exceptional faculty awards—Name of award—Duties of institution—Use of endowment proceeds. (1) The faculty awards are the property of the institution and may be named in honor of a donor, benefactor, or honoree of the institution, at the option of the institution. The institution shall designate the use of the award to individuals, groups, or for the improvement of faculty as a whole. The designation shall be made or renewed annually.

(2) The institution is responsible for soliciting private donations, investing and maintaining its endowment funds, administering the faculty awards, and reporting on the program to the governor, the college board, and the legislature, upon request. The institution may augment its endowment fund with additional unrestricted private donations. The principal of the invested endowment fund shall not be invaded.

(3) The proceeds from the endowment fund shall be used to pay expenses for faculty awards, which may include faculty development activities, in-service training, temporary substitute or replacement costs directly associated with faculty development programs, conferences, travel, publication and dissemination of exemplary projects; to supplement the salary of the holder or holders of a faculty award; or to pay expenses associated with the holder's program area. Funds from this program shall not be used to supplant existing faculty development funds. [2000 c 127 s 1; 1991 c 238 s 65; 1990 c 29 s 4.]

Severability—1990 c 29: See note following RCW 28B.50.835.

RCW 28B.50.843 Exceptional faculty awards—Determination of award—Collective bargaining. The process for determining local awards shall be subject to collective bargaining. Decisions regarding the amounts of individual awards and who receives them shall not be subject to collective bargaining and shall be subject to approval of the applicable board of trustees. [1991 c 238 s 66; 1990 c 29 s 5.]

Severability—1990 c 29: See note following RCW 28B.50.835.

RCW 28B.50.844 Exceptional faculty awards—Eligibility of foundation for matching funds—Endowment fund management. A foundation is not eligible to receive matching funds under RCW 28B.50.835 through 28B.50.843 unless the foundation and the board of trustees of the college for whose benefit the foundation exists have entered into a contract, approved by the attorney general, that: (1) Specifies the services to be provided by the foundation; (2) provides for protection of the community and technical college exceptional awards endowment funds under the foundation's control; and (3) provides for the college's assumption of ownership, management, and control of such funds if the foundation ceases to exist or function properly, or fails to provide the specified services in accordance with the contract.

The principal of the community and technical college exceptional awards endowment fund managed by the foundation shall not be invaded. Funds recovered by a college under this section shall be deposited into the college's local endowment fund. For purposes of this section, community and technical college exceptional awards endowment funds include the private donations, state matching funds, and any accrued interest on such donations and matching funds. [1993 c 87 s 4.]

RCW 28B.50.850 Faculty tenure—Purpose. It shall be the purpose of RCW 28B.50.850 through 28B.50.869 to establish a system of faculty tenure which protects the concepts of faculty employment rights and faculty involvement in the protection of those rights in the state system of community and technical colleges. RCW 28B.50.850 through 28B.50.869 shall define a reasonable and orderly process for appointment of faculty members to tenure status and the dismissal of the tenured faculty member. [2015 c 55 s 228; 1991 c 238 s 67; 1969 ex.s. c 283 s 32. Formerly RCW 28.85.850.]

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.851 Faculty tenure—Definitions. As used in RCW 28B.50.850 through 28B.50.869:

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

(2) "Appointing authority" shall mean the board of trustees of a college district;

(3)(a) "Faculty appointment," except as otherwise provided in (b) of this subsection, shall mean full time employment as a teacher, counselor, librarian or other position for which the training,

experience and responsibilities are comparable as determined by the appointing authority, except administrative appointments; "faculty appointment" shall also mean department heads, division heads and administrators to the extent that such department heads, division heads or administrators have had or do have status as a teacher, counselor, or librarian; faculty appointment shall also mean employment on a reduced work load basis when a faculty member has retained tenure under RCW 28B.50.859;

(b) "Faculty appointment" shall not mean special faculty appointment as a teacher, counselor, librarian, or other position as enumerated in (a) of this subsection, when such employment results from special funds provided to a community or technical college district from federal moneys or other special funds which other funds are designated as "special funds" by the college board: PROVIDED, That such "special funds" so designated by the college board for purposes of this section shall apply only to teachers, counselors and librarians hired from grants and service agreements and teachers, counselors and librarians hired in nonformula positions. A special faculty appointment resulting from such special financing may be terminated upon a reduction or elimination of funding or a reduction or elimination of program: PROVIDED FURTHER, That "faculty appointees" holding faculty appointments pursuant to subsections (7) or (3)(a) of this section who have been subsequently transferred to positions financed from "special funds" pursuant to (b) of this subsection and who thereafter lose their positions upon reduction or elimination of such "special funding" shall be entitled to be returned to previous status as faculty appointees pursuant to subsection (7) or (3)(a) of this section depending upon their status prior to the "special funding" transfer. Notwithstanding the fact that tenure shall not be granted to anyone holding a special faculty appointment, the termination of any such faculty appointment prior to the expiration of the term of such faculty member's individual contract for any cause which is not related to elimination or reduction of financing or the elimination or reduction of program shall be considered a termination for cause subject to the provisions of this chapter;

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

(5) "Probationer" shall mean an individual holding a probationary faculty appointment;

(6) "Review committee" shall mean a committee composed of the probationer's faculty peers, a student representative, and the administrative staff of the community or technical college: PROVIDED, That the majority of the committee shall consist of the probationer's faculty peers;

(7) "Tenure" shall mean a faculty appointment for an indefinite period of time which may be revoked only for adequate cause and by due process. [2015 c 55 s 229; 1993 c 188 s 1; 1991 c 294 s 2; 1991 c 238 s 68; 1988 c 32 s 2; 1975 1st ex.s. c 112 s 1; 1974 ex.s. c 33 s 1; 1970 ex.s. c 5 s 3; 1969 ex.s. c 283 s 33. Formerly RCW 28.85.851.]

Reviser's note: The definitions in this section have been alphabetized pursuant to RCW 1.08.015(2)(k).

Construction—1993 c 188: "Nothing contained in this act shall be construed to alter any existing collective bargaining unit or the

provisions of any existing collective bargaining agreement." [1993 c 188 s 5.]

Effective date—1993 c 188: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1993." [1993 c 188 s 6.]

Severability—1993 c 188: "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." [1993 c 188 s 7.]

Intent—1991 c 294: "Improving the quality of instruction at our state institutions of higher education is a priority of the legislature. Recently, many efforts have been made by the legislature, the colleges, and the *higher education coordinating board to assess and improve the quality of instruction received by students at our state institutions. It is the intent of the legislature that, in conjunction with these various efforts, the process for the award of faculty tenure at community colleges should allow for a thorough review of the performance of faculty appointees prior to the granting of tenure." [1991 c 294 s 1.]

***Reviser's note:** The higher education coordinating board was abolished by 2011 1st sp.s. c 11 s 301, effective July 1, 2012.

Construction—1991 c 294: "Nothing contained in this act shall be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement." [1991 c 294 s 6.]

Effective date—Application—1991 c 294: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1991, and shall apply to all faculty appointments made by community colleges after June 30, 1991, but shall not apply to employees of community colleges who hold faculty appointments prior to July 1, 1991." [1991 c 294 s 7.]

Severability—1991 c 294: "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." [1991 c 294 s 8.]

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.852 Faculty tenure—Rules and regulations—Award of faculty tenure—Maximum probationary period. The appointing authority shall promulgate rules and regulations implementing RCW 28B.50.850 through 28B.50.869 and shall provide for the award of faculty tenure following a probationary period not to exceed nine consecutive college quarters, excluding summer quarter and approved leaves of absence: PROVIDED, That tenure may be awarded at any time as may be determined

by the appointing authority after it has given reasonable consideration to the recommendations of the review committee. Upon formal recommendation of the review committee and with the written consent of the probationary faculty member, the appointing authority may extend its probationary period for one, two, or three quarters, excluding summer quarter, beyond the maximum probationary period established herein. No such extension shall be made, however, unless the review committee's recommendation is based on its belief that the probationary faculty member needs additional time to complete satisfactorily a professional improvement plan already in progress and in the committee's further belief that the probationary faculty member will complete the plan satisfactorily. At the conclusion of any such extension, the appointing authority may award tenure unless the probationary faculty member has, in the judgment of the committee, failed to complete the professional improvement plan satisfactorily. [1991 c 294 s 3; 1969 ex.s. c 283 s 34. Formerly RCW 28.85.852.]

Intent—Construction—Effective date, application—Severability—1991 c 294: See notes following RCW 28B.50.851.

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.855 Faculty tenure—Written agreement embodying terms of employment furnished faculty. The appointing authority shall provide each faculty member, immediately upon employment, with a written agreement which delineates the terms of employment including all conditions and responsibilities attached thereto. [1969 ex.s. c 283 s 35. Formerly RCW 28.85.855.]

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.856 Faculty tenure—Evaluation of probationer by review committee—Progress report, acknowledgment of receipt—Recommendation as to tenure. The probationary faculty appointment period shall be one of continuing evaluation of a probationer by a review committee. The evaluation process shall place primary importance upon the probationer's effectiveness in his or her appointment. The review committee shall periodically advise each probationer, in writing, of his or her progress during the probationary period and receive the probationer's written acknowledgment thereof. The review committee shall at appropriate times make recommendations to the appointing authority as to whether tenure should or should not be granted to individual probationers: PROVIDED, That the final decision to award or withhold tenure shall rest with the appointing authority, after it has given reasonable consideration to the recommendations of the review committee. [2011 c 336 s 741; 1969 ex.s. c 283 s 36. Formerly RCW 28.85.856.]

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.857 Faculty tenure—Decision not to renew probationary appointment, notice by appointing authority, when. Upon the decision not to renew a probationary faculty appointment, the appointing authority shall notify the probationer of such decision as soon as possible during the regular college year: PROVIDED, That such notice may not be given later than one complete quarter, except summer quarter, before the expiration of the probationary faculty appointment. [1991 c 294 s 4; 1969 ex.s. c 283 s 37. Formerly RCW 28.85.857.]

Intent—Construction—Effective date, application—Severability—1991 c 294: See notes following RCW 28B.50.851.

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.859 Faculty tenure—Tenure retained upon reduced work load assignment. An appointing authority may allow a tenured faculty member to retain tenure upon assignment to a reduced work load. The appointing authority and the faculty member shall execute a written agreement setting forth the terms and conditions of the assignment, including the conditions, if any, under which the faculty member may return to full time employment. [1988 c 32 s 1.]

RCW 28B.50.860 Faculty tenure—Tenure retained upon administrative appointment. A tenured faculty member, upon appointment to an administrative appointment shall be allowed to retain his or her tenure. [2011 c 336 s 742; 1977 ex.s. c 282 s 7; 1969 ex.s. c 283 s 38. Formerly RCW 28.85.860.]

Severability—1977 ex.s. c 282: See note following RCW 28B.50.870.

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.861 Faculty tenure—Dismissal only for sufficient cause. The tenured faculty member shall not be dismissed except for sufficient cause, nor shall a faculty member who holds a probationary faculty appointment be dismissed prior to the written terms of the appointment except for sufficient cause. [1969 ex.s. c 283 s 39. Formerly RCW 28.85.861.]

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.862 Faculty tenure—Certain grounds constituting sufficient cause. Sufficient cause shall also include aiding and abetting or participating in: (1) Any unlawful act of violence; (2) any unlawful act resulting in destruction of community or technical college property; or (3) any unlawful interference with the orderly

conduct of the educational process. [2015 c 55 s 230; 1969 ex.s. c 283 s 40. Formerly RCW 28.85.862.]

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.863 Faculty tenure—Review prior to dismissal—Scope—Recommendations of review committee. Prior to the dismissal of a tenured faculty member, or a faculty member holding an unexpired probationary faculty appointment, the case shall first be reviewed by a review committee. The review shall include testimony from all interested parties including, but not limited to, other faculty members and students. The faculty member whose case is being reviewed shall be afforded the right of cross-examination and the opportunity to defend himself or herself. The review committee shall prepare recommendations on the action they propose be taken and submit such recommendations to the appointing authority prior to their final action. [2011 c 336 s 743; 1969 ex.s. c 283 s 41. Formerly RCW 28.85.863.]

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.864 Faculty tenure—Appeal from decision for dismissal—Procedure. Any faculty member dismissed pursuant to RCW 28B.50.850 through 28B.50.869 shall have a right to appeal the final decision of the appointing authority in accordance with RCW 34.05.510 through 34.05.598. [1989 c 175 s 80; 1973 c 62 s 24; 1969 ex.s. c 283 s 42. Formerly RCW 28.85.864.]

Effective date—1989 c 175: See note following RCW 34.05.010.

Savings—Severability—1973 c 62: See notes following RCW 28B.10.510.

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.867 Faculty tenure—Tenure rights upon transfer of employment to another community or technical college. Upon transfer of employment from one community or technical college to another community or technical college within a district, a tenured faculty member shall have the right to retain tenure and the rights accruing thereto which he or she had in his or her previous employment: PROVIDED, That upon permanent transfer of employment to another college district a tenured faculty member shall not have the right to retain his tenure or any of the rights accruing thereto. [1991 c 238 s 69; 1969 ex.s. c 283 s 43. Formerly RCW 28.85.867.]

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.868 Faculty tenure—Faculty members currently employed granted tenure. All employees of a community college district, except presidents, who were employed in the community college district at the effective date of chapter 283, Laws of 1969 ex. sess. and who hold or have held a faculty appointment with the community college district or its predecessor school district shall be granted tenure by their appointing authority notwithstanding any other provision of RCW 28B.50.850 through 28B.50.869. [1970 ex.s. c 5 s 4; 1969 ex.s. c 283 s 44. Formerly RCW 28.85.868.]

Reviser's note: The various provisions of chapter 283, Laws of 1969 ex. sess. became effective on several different dates. The effective date of the provisions thereof relating to tenure appears to have been midnight August 10, 1969, see preface, Laws of 1969 ex. sess., and see also 1969 ex.s. c 283 ss 54 and 55 (uncodified).

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.869 Faculty tenure—Review committees, composition—Selection of faculty representatives, student representative. The review committees required by RCW 28B.50.850 through 28B.50.869 shall be composed of members of the administrative staff, a student representative, and the faculty. The representatives of the faculty shall represent a majority of the members on each review committee. The members representing the faculty on each review committee shall be selected by a majority of the faculty and faculty department heads acting in a body. The student representative, who shall be a full time student, shall be chosen by the student association of the particular community or technical college in such manner as the members thereof shall determine. [1993 c 188 s 2; 1991 c 238 s 70; 1974 ex.s. c 33 s 2; 1969 ex.s. c 283 s 45. Formerly RCW 28.85.869.]

Construction—Effective date—Severability—1993 c 188: See notes following RCW 28B.50.851.

Severability—1969 ex.s. c 283: See note following RCW 28A.150.050.

RCW 28B.50.870 Faculty tenure—For certain educational programs operated in state correctional institutions. The district board of trustees of any college district currently operating an educational program with funds provided by another state agency, including federal funds, which program has been in existence for five or more years under the administration of one or more college districts, shall provide for the award or denial of tenure to anyone who holds a special faculty appointment in such curricular program and for as long as the program continues to be funded in such manner, utilizing the prescribed probationary processes and procedures set forth in this chapter with the exception that no student representative shall be required to serve on the review committee defined in RCW 28B.50.851: PROVIDED, That such review processes and procedures shall not be applicable to faculty members whose contracts are renewed after *the effective date of this 1977 amendatory act and who have completed at least three consecutive years of satisfactory full time service in

such program, who shall be granted tenure by the college district: PROVIDED FURTHER, That faculty members who have completed one year or more of satisfactory full time service in such program shall be credited with such service for the purposes of this section: PROVIDED, FURTHER, That provisions relating to tenure for faculty under the provisions of this section shall be distinct from provisions relating to tenure for other faculty of the college district and faculty appointed to such special curricular program shall be treated as a separate unit as respects selection, retention, reduction in force or dismissal hereunder: AND PROVIDED FURTHER, That the provisions of this section shall only be applicable to faculty holding a special faculty appointment in an educational program operated in a state correctional institution pursuant to a written contract with a college district. [1991 c 238 s 71; 1977 ex.s. c 282 s 1.]

***Reviser's note:** Phrase "the effective date of this 1977 amendatory act": Except for RCW 28B.50.100 and 28B.50.101 which were effective January 1, 1978, (see note following RCW 28B.50.100) the effective date of 1977 ex.s. c 282 (the enactment of RCW 28B.50.870, 28B.50.090, 28B.50.140, 28B.50.300, and 28B.50.860 and the repeal of RCW 28B.50.570, 28B.50.590, 28B.50.750, and 28B.56.060) was September 21, 1977.

Severability—1977 ex.s. c 282: "If any provision of this 1977 amendatory 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." [1977 ex.s. c 282 s 10.]

RCW 28B.50.872 Periodic posttenure evaluation. By June 30, 1994, each community and technical college shall establish, through the local collective bargaining process, periodic posttenure evaluation of all full-time faculty consistent with the standards of the Northwest association of schools and colleges. [1993 c 188 s 3.]

Construction—Effective date—Severability—1993 c 188: See notes following RCW 28B.50.851.

RCW 28B.50.873 Reduction in force of tenured or probationary faculty members due to financial emergency—Conditions—Procedure—Rights. The college board may declare a financial emergency under the following conditions: (1) Reduction of allotments by the governor pursuant to *RCW 43.88.110(2), or (2) reduction by the legislature from one biennium to the next or within a biennium of appropriated funds based on constant dollars using the implicit price deflator. When a district board of trustees determines that a reduction in force of tenured or probationary faculty members may be necessary due to financial emergency as declared by the state board, written notice of the reduction in force and separation from employment shall be given the faculty members so affected by the president or district president as the case may be. Said notice shall clearly indicate that separation is not due to the job performance of the employee and hence is without prejudice to such employee and need only state in addition the basis for the reduction in force as one or more of the reasons enumerated in subsections (1) and (2) of this section.

Said tenured or probationary faculty members will have a right to request a formal hearing when being dismissed pursuant to subsections (1) and (2) of this section. The only issue to be determined shall be whether under the applicable policies, rules or collective bargaining agreement the particular faculty member or members advised of severance are the proper ones to be terminated. Said hearing shall be initiated by filing a written request therefor with the president or district president, as the case may be, within ten days after issuance of such notice. At such formal hearing the tenure review committee provided for in RCW 28B.50.863 may observe the formal hearing procedure and after the conclusion of such hearing offer its recommended decision for consideration by the hearing officer. Failure to timely request such a hearing shall cause separation from service of such faculty members so notified on the effective date as stated in the notice, regardless of the duration of any individual employment contract.

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

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

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

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

It is the intent of the legislature by enactment of this section and in accordance with RCW 28B.52.035, to modify any collective bargaining agreements in effect, or any conflicting board policies or rules, so that any reductions in force which take place after December 21, 1981, whether in progress or to be initiated, will comply solely

with the provisions of this section: PROVIDED, That any applicable policies, rules, or provisions contained in a collective bargaining agreement related to lay-off units, seniority and reemployment rights shall not be affected by the provisions of this paragraph.

Nothing in this section shall be construed to affect the right of the board of trustees or its designated appointing authority not to renew a probationary faculty appointment pursuant to RCW 28B.50.857. [1991 c 238 s 72; 1990 c 33 s 559; 1989 c 175 s 81; 1981 2nd ex.s. c 13 s 1.]

***Reviser's note:** RCW 43.88.110 was amended by 1991 c 358 s 2 changing subsection (2) to subsection (3).

Purpose—Statutory references—Severability—1990 c 33: See RCW 28A.900.100 through 28A.900.102.

Effective date—1989 c 175: See note following RCW 34.05.010.

Severability—1981 2nd ex.s. c 13: "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." [1981 2nd ex.s. c 13 s 3.]

RCW 28B.50.874 Transfer of administration of vocational-technical institutes to system of community and technical colleges—Personnel rights. When the state system of community and technical colleges assumes administrative control of the vocational-technical institutes, personnel employed by the vocational-technical institutes shall:

(1) Suffer no reduction in compensation, benefits, seniority, or employment status. After September 1, 1991, classified employees shall continue to be covered by chapter 41.56 RCW and faculty members and administrators shall be covered by chapter 28B.50 RCW;

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

(3) Be eligible to participate in the health care and other insurance plans provided by the health care authority and the public employees' benefits board pursuant to chapter 41.05 RCW;

(4) Be eligible to participate in old age annuities or retirement income plans under the rules of the state board for community and technical colleges pursuant to RCW 28B.10.400 or the teachers' retirement system plan 1 for personnel employed before July 1, 1977, or plan 2 for personnel employed after July 1, 1977, under chapter 41.32 RCW; however, no affected vocational-technical institute employee shall be required to choose from among any available retirement plan options prior to six months after September 1, 1991;

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

(6) Be eligible to participate in the deferred compensation plan and programs pursuant to RCW 41.05.123, 41.05.300 through 41.05.360, and 41.05.295 under the applicable rules.

An exclusive bargaining representative certified to represent a bargaining unit covering employees of a vocational technical institute on September 1, 1991, shall remain the exclusive representative of such employees thereafter until and unless such representative is replaced or decertified in accordance with state law.

Any collective bargaining agreement in effect on June 30, 1991, shall remain in effect as it applies to employees of vocational technical institutes until its expiration or renewal date or until renegotiated or renewed in accordance with chapter 28B.52 or 41.56 RCW. After the expiration date of a collective bargaining agreement, all of the terms and conditions specified in the collective bargaining agreement, as it applies to employees of vocational-technical institutes, shall remain in effect until the effective date of a subsequent agreement, not to exceed one year from the termination date stated in the agreement. The board of trustees and the employees may mutually agree to continue the terms and conditions of the agreement beyond the one year extension. However, nothing in this section shall be construed to deny any employee right granted under chapter 28B.52 or 41.56 RCW. Labor relations processes and agreements covering faculty members of vocational technical institutes after September 1, 1991, shall be governed by chapter 28B.52 RCW. Labor relations processes and agreements covering classified employees of vocational technical institutes after September 1, 1991, shall continue to be governed by chapter 41.56 RCW. [2008 c 229 s 11; 1998 c 116 s 14; 1991 c 238 s 83.]

Effective date—2008 c 229: See note following RCW 41.05.295.

RCW 28B.50.8742 Technical colleges—Employee option to reenroll in public employees' benefits trust. Employees of technical colleges who were members of the [a] public employees' benefits trust and as a result of chapter 238, Laws of 1991, were required to enroll in public employees' benefits board-sponsored plans, must decide whether to reenroll in the trust by January 1, 1996, or the expiration of the current collective bargaining agreements, whichever is later. Employees of a bargaining unit or administrative or managerial employees otherwise not included in a bargaining unit shall be required to transfer by group. Administrative or managerial employees shall transfer in accordance with rules established by the health care authority. If employee groups elect to transfer, they are eligible to reenroll in the public employees' benefits board-sponsored plans. This one-time reenrollment option in the public employees' benefits board-sponsored plans is available to be exercised in January 2001, or only every five years thereafter, until exercised. [1995 1st sp.s. c 6 s 10.]

Effective date—1995 1st sp.s. c 6: See note following RCW 28A.400.410.

RCW 28B.50.8744 Technical colleges—Payment to public employees' and retirees' insurance account. (1) In a manner prescribed by the state health care authority, technical colleges who have employees enrolled in a benefits trust shall remit to the health care authority for deposit in the public employees' and retirees' insurance account

established in RCW 41.05.120 the amount specified for remittance in the omnibus appropriations act.

(2) The remittance requirements of this section do not apply to employees of a technical college who receive insurance benefits through contracts with the health care authority. [1995 1st sp.s. c 6 s 19.]

Effective date—1995 1st sp.s. c 6: See note following RCW 28A.400.410.

RCW 28B.50.875 Laboratory services for the analyzing of samples, public agencies may contract with college for. Local law enforcement agencies or such other public agencies that shall be in need of such service may contract with any community or technical college for laboratory services for the analyzing of samples that chemists associated with such colleges may be able to perform under such terms and conditions as the individual college may determine.

Employees of the Seattle Vocational Institute are exempt from this section until July 1, 1993. [1991 c 238 s 73; 1969 ex.s. c 261 s 35. Formerly RCW 28.85.875.]

Severability—1969 ex.s. c 261: See note following RCW 28B.50.020.

RCW 28B.50.877 Technical colleges—Purchase of support services from school districts. During the period from May 17, 1991, until September 1, 1991:

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

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

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

As of September 1, 1991, technical colleges may, by interlocal agreement, continue to purchase from the school districts, support services within mutually agreed upon categories at a cost not to exceed the indirect rate charged during the 1990-91 school year. No employee of a technical college may be discriminated against based on actions or opinions expressed on issues surrounding chapter 238, Laws of 1991. Any dispute related to issues contained in this section shall be resolved under *RCW 28B.50.302. [1991 c 238 s 143.]

***Reviser's note:** RCW 28B.50.302 was decodified pursuant to 2015 c 55 s 119.

RCW 28B.50.880 Apprentices—Recommendations of the state board for community and technical colleges. The state board for community and technical colleges shall provide recommendations to the apprenticeship council and apprenticeship programs, established under chapter 49.04 RCW, on matters of related and supplemental instruction for apprentices, coordination of instruction with job experiences, and the qualification of teachers for such instruction. [2001 c 204 s 8; 1991 c 238 s 111.]

RCW 28B.50.890 Apprentices—Associate degree pathway. (1) At the request of an apprenticeship committee pursuant to RCW 49.04.150, the community or technical college or colleges providing apprentice-related and supplemental instruction for an apprenticeship program shall develop an associate degree pathway for the apprentices in that program, if the necessary resources are available.

(2) In developing a degree program, the community or technical college or colleges shall ensure, to the extent possible, that related and supplemental instruction is credited toward the associate degree and that related and supplemental instruction and other degree requirements are not redundant.

(3) If multiple community or technical colleges provide related and supplemental instruction for a single apprenticeship committee, the colleges shall work together to the maximum extent possible to create consistent requirements for the pathway. [2003 c 128 s 3.]

Findings—2003 c 128: See note following RCW 49.04.150.

RCW 28B.50.891 Apprenticeship programs or certificate programs—Transferable course credits. Beginning with the 2015-16 academic year, any community or technical college that offers an apprenticeship program or certificate program for paraeducators must provide candidates the opportunity to earn transferable course credits within the program. The programs must also incorporate the standards of practice developed by the Washington professional educator standards board under RCW 28A.410.260 and include multicultural education and principles of language acquisition. Subject to the availability of amounts appropriated for this specific purpose, by September 1, 2018, the paraeducator apprenticeship and certificate programs must also incorporate the state paraeducator standards of practice adopted by the paraeducator board under RCW 28A.413.050. [2021 c 197 s 13; 2017 c 237 s 20; 2014 c 136 s 4.]

Finding—Intent—2021 c 197: See note following RCW 28A.415.443.

RCW 28B.50.895 Apprentice education waivers. With regard to waivers for courses offered for the purpose of satisfying related or supplemental educational requirements for apprentices registered with the Washington state apprenticeship council or the federal bureau of apprenticeship and training, colleges may at the request of an apprenticeship organization, deduct the tuition owed from training contracts with that apprentice organization. [2005 c 159 s 1.]

RCW 28B.50.902 Centers of excellence. (1) The college board, in consultation with business, industry, labor, the workforce training and education coordinating board, the department of commerce, the employment security department, and community and technical colleges, shall designate centers of excellence and allocate funds to existing and new centers of excellence based on a competitive basis.

(2) Eligible applicants for the program established under this section include community and technical colleges. Priority shall be given to applicants that have an established education and training program serving the targeted industry and that have in their home district or region an industry cluster with the same targeted industry at its core.

(3) It is the role of centers of excellence to employ strategies to:

(a) Create educational efficiencies;

(b) Build a diverse, competitive workforce for strategic industries;

(c) Maintain an institutional reputation for innovation and responsiveness;

(d) Develop innovative curriculum and means of delivering education and training;

(e) Act as brokers of information and resources related to community and technical college education and training and assistance available for firms in a targeted industry; and

(f) Serve as partners with workforce development councils, associate development organizations, and other workforce and economic development organizations.

(4) Examples of strategies under subsection (3) of this section include but are not limited to: Sharing curriculum and other instructional resources, to ensure cost savings to the system; delivering collaborative certificate and degree programs; and holding statewide summits, seminars, conferences, and workshops on industry trends and best practices in community and technical college education and training. [2014 c 174 s 2; 2011 1st sp.s. c 14 s 6; 2009 c 151 s 4.]

Intent—2014 c 174: "The legislature intends to dissolve the operations of innovate Washington and transfer the innovate Washington facilities to Washington State University." [2014 c 174 s 1.]

RCW 28B.50.903 Coordination and alignment of aerospace training programs—Aerospace and advanced materials manufacturing pipeline advisory committee. (1) The state board for community and technical colleges, in collaboration with aerospace or advanced materials long-term training providers, short-term training providers whose mission is focused on customized and innovative short-term training, and apprenticeship program providers, shall facilitate coordination and alignment of aerospace training programs to the maximum extent possible. This coordination and alignment shall include but not be limited to the following activities:

(a) Providing up-to-date information about the aerospace and advanced materials manufacturing training programs in the state;

(b) Providing information about grants and partnership opportunities;

(c) Providing coordination for professional development for faculty and other education and training providers;

(d) Evaluating programs identified by the aerospace and advanced materials manufacturing pipeline advisory committee annually for completion and job placement results; and

(e) Making budget recommendations to the governor and the legislature specific to the aerospace and advanced materials manufacturing training programs.

(2) The state board for community and technical colleges shall establish an aerospace and advanced materials manufacturing pipeline advisory committee consisting of not less than eleven nor more than fifteen members. A majority of members shall represent industry with the chair selected by the committee from among the industry members. Members of the advisory committee shall also include at least two persons representing labor who represent aerospace or advanced materials production workers and also include education and training providers including, but not limited to, the director of a long-term training program, the director of a short-term training program whose mission is to focus on customized and innovative short-term training, and the director of an apprenticeship program. The advisory committee's duties include but are not limited to:

(a) Providing direction for a skills gap analysis that is: (i) Produced with the workforce training and education coordinating board using data developed through the education data center; and (ii) consistent with the joint assessment by the higher education coordinating board or its successor, the state board for community and technical colleges, and the workforce training and education coordinating board of the number and type of higher education and training credentials required to match employer demand for a skilled and educated workforce;

(b) Establishing goals for students served, program completion rates, and employment rates;

(c) Coordinating and disseminating industry advice for aerospace and advanced materials manufacturing training programs; and

(d) Recommending training programs for review by the workforce training and education coordinating board in coordination with the state board for community and technical colleges.

(3) All requirements in this section are subject to the availability of amounts appropriated for the specific purposes described. [2012 c 50 s 2.]

Finding—Intent—2012 c 50: "The legislature finds that a skilled workforce is essential for employers and job seekers to compete and grow Washington's aerospace industry as part of the global economy. The legislature intends to improve coordination of the state's training system for skilled aerospace workers in order to provide better alignment with industry needs in the present and over the long term for both two-year training programs, short-term training, and relevant apprenticeship programs to keep pace with a rapidly changing industry. The legislature further intends to increase aerospace skill development and education and training programs and help increase jobs for Washington's citizens." [2012 c 50 s 1.]

RCW 28B.50.912 Transfer of powers from superintendent of public instruction and state board of education to state board for community

and technical colleges. All powers, duties, and functions of the superintendent of public instruction and the state board of education pertaining to projects of adult education, including the state-funded *even start and including the adult education programs operated pursuant to 20 U.S.C. Sec. 1201 as amended by P.L. 100-297, are transferred to the state board for community and technical colleges. All references to the director or superintendent of public instruction or the state board of education in the Revised Code of Washington shall be construed to mean the director or the state board for community and technical colleges when referring to the functions transferred in this section. [1991 c 238 s 85.]

***Reviser's note:** Chapter 28B.06 RCW, project even start, expired August 1, 2015, pursuant to 2015 c 55 s 101.

RCW 28B.50.913 Transfer of powers from Washington institute for applied technology to Seattle Vocational Institute. The public nonprofit corporation for the Washington institute for applied technology is hereby abolished and its powers, duties, and functions are hereby transferred to the sixth college district. The Washington institute for applied technology shall be renamed the Seattle Vocational Institute. The Seattle Vocational Institute shall become a fourth unit of the sixth college district. All references to the director or public nonprofit corporation for the Washington institute for applied technology in the Revised Code of Washington shall be construed to mean the director of the Seattle Vocational Institute. [1991 c 238 s 94.]

RCW 28B.50.916 Students experiencing homelessness and foster youth program. (1) Subject to the availability of amounts appropriated for this specific purpose, each community and technical college may implement a program to provide assistance to students experiencing homelessness and to students who were in the foster care system when they graduated high school. The program must provide certain accommodations to these students that may include, but are not limited to, the following:

(a) Access to laundry facilities;

(b) Access to storage;

(c) Access to locker room and shower facilities;

(d) Reduced-price meals or meal plans, and access to food banks;

(e) Access to technology;

(f) Access to short-term housing or housing assistance, especially during seasonal breaks; and

(g) Case management services.

(2) The community and technical colleges may also establish plans to develop surplus property for affordable housing to accommodate the needs of students experiencing homelessness and students who were in the foster care system when they graduated high school.

(3) The community and technical colleges shall leverage existing community resources by making available to students in the program information that is available for individuals experiencing homelessness, including through not-for-profit organizations, the local housing authority, and the department of commerce's office of homeless youth.

(4) The community and technical colleges participating in the program shall annually provide a joint report to the appropriate committees of the legislature in accordance with RCW 43.01.036 beginning December 1, 2023, that includes at least the following information:

(a) The number of students experiencing homelessness or food insecurity, and the number of students who were in the foster care system when they graduated high school who attended a community or technical college during the program. The college board shall coordinate with all of the community and technical colleges to collect voluntary data on how many students experiencing homelessness or food insecurity are attending the community and technical colleges;

(b) The number of students assisted by the program;

(c) Strategies for accommodating students experiencing homelessness or food insecurity, and former foster care students; and

(d) Legislative recommendations for how students experiencing homelessness or food insecurity, and former foster care students could be better served.

(5) For purposes of this section, "program" means the students experiencing homelessness and foster youth program. [2023 c 339 s 1; 2021 c 62 s 1; 2019 c 330 s 1.]

RCW 28B.50.920 Diversity, equity, and inclusion—Strategic plans—Student-based organizations—Outreach programs—Model faculty diversity programs. (1) Beginning July 30, 2022, all community and technical colleges must submit, on a biennial basis, strategic plans to the state board for community and technical colleges for achieving diversity, equity, and inclusion of all races on their campuses.

(2) Colleges must create their strategic plans using an inclusive process of stakeholders including, but not limited to, classified staff, faculty, administrative exempt staff, students, and community organizations. Colleges are encouraged to use campus climate surveys to develop and update strategic plans for diversity, equity, and inclusion of all races.

(3) In addition to planning, each community and technical college shall include in its diversity program opportunities for students from historically marginalized communities to form student-based organizations, and to use community-based organizations, that permit students to work together to mentor and assist one another in navigating the educational system and to access trained mentors using evidence-based mentoring strategies.

(4) Each community and technical college shall establish a culturally appropriate outreach program. The outreach program may include communities of color, students with disabilities, neurodiverse communities, and low-income communities and be designed to assist potential students to understand the opportunities available in the community and technical college system. The outreach program may assist students with navigating the student aid system. Outreach programs may include partnerships with appropriate community-based organizations and use research and supports from the student achievement council.

(5) The state board for community and technical colleges shall develop a model faculty diversity program designed to provide for the retention and recruitment of faculty from all racial, ethnic, and

cultural backgrounds. The faculty diversity program must be based on proven practices in diversity hiring processes.

(6) Each community and technical college shall conspicuously post on its website and include in the strategic plans, programs, and reports definitions for key terms including: Diversity, equity, inclusion, culturally competent, culturally appropriate, historically marginalized communities, communities of color, low-income communities, and community organizations. [2021 c 272 s 3.]

Intent—2021 c 272: "The legislature recognizes that student completion rates for workforce training certification and degree programs at community and technical colleges are far lower than desirable to ensure that students may utilize the opportunities of postsecondary education to lift themselves and their families out of poverty and to meet our state's student achievement council road map goals, including for 70 percent of Washington residents to have a postsecondary certification or degree to meet workforce needs. The legislature recognizes that first-generation college-attending students, students with disabilities, and underrepresented minority students face far greater obstacles to apply, remain in school, and complete programs. This disparate impact greatly affects our state's commitment to equity.

The legislature recognizes that offering tuition financial support to first-generation and underrepresented minority students is necessary for students to enroll and attend college but must also be accompanied by proven supports for them to complete their degrees or workforce training programs.

The legislature recognizes that there are mentorship and advising programs based on strong evidence that have been proven to be successful in greatly increasing retention and degree or workforce training completion rates for first-generation students, underrepresented minority students, students with disabilities, and for all students at community and technical colleges. It is the legislature's intent that successful programs such as guided pathways be implemented at all community and technical colleges with the goal of doubling completion rates (as measured by completion in six years) for students in the next eight years. To accomplish this goal, the legislature intends to achieve full implementation of research-based programs to improve student outcomes, such as guided pathways. The legislature affirms that all students receiving Washington college grants, college bound scholarships, or federal Pell grants should receive the supports, including mentoring, that have been proven to increase completion rates.

The legislature further finds that research establishes that students from underrepresented minorities are far more likely to complete degrees or workforce training certification programs if the faculty and staff of the college reflect the diversity of the student body. Therefore, the legislature intends for the state's community and technical colleges to develop and implement plans to increase faculty and staff diversity." [2021 c 272 s 1.]

Findings—2021 c 272: "The legislature finds that there is a need to expand investments in community and technical colleges for the purpose of guaranteeing both equitable access and educational success for all residents of the state, particularly for students from communities of color and low-income communities. The legislature finds

further that equality of opportunity for all students requires investments to support services that are critical to: The success of students of color and low-income students; provide systemwide equity initiatives intended to make community and technical college campuses welcoming, benevolent places; overcome the digital divide for all students; and provide qualified and available counseling throughout the community and technical college system. The legislature also finds that a more full-time, stable, fairly compensated, and diverse community and technical college faculty is necessary to enhance student success and to improve the mentoring available for a diverse student body. The legislature also finds that resources for student aid and workforce investment need to be adequate to meet the needs of all students in the state, particularly those from families of color and low-income families." [2021 c 272 s 2.]

Short title—2021 c 272: "This act may be known and cited as the our colleges our future act of 2021." [2021 c 272 s 11.]

RCW 28B.50.925 Guided pathways—Implementation—Reports. (1) Subject to availability of amounts appropriated for this specific purpose, each community and technical college shall fully implement guided pathways. At a minimum, guided pathways implementation must include:

(a) Comprehensive mapping of student educational pathways with student end goals in mind. These must include transparent and clear career paths that are tightly aligned to the skills sought by employers. Pathways must align course sequences to show clear paths for students, alignment with K-12 and university curriculum, and skill sets needed to enter the workforce;

(b) Dedicated advising and career counseling that helps students make informed program choices and develop completion plans. Advising services may include processes that help students explore possible career and educational choices while also emphasizing early planning. Advising must be culturally competent and with an emphasis on helping historically underserved, low-income, and students of color navigate their education;

(c) Data analysis of student learning as well as program and service outcomes. Data must be used to inform program development, the creation and further refinement of student pathways, and to provide opportunities for early intervention to help students succeed; and

(d) A student success support infrastructure using programs that the state board for community and technical colleges finds have been effective in closing equity gaps among historically underserved student populations and improve student completion rates. The student success support program must be based on research or documented evidence of success. In tandem with guided pathways implementation, student success support programs may include evidence-based elements such as:

(i) Equity competent academic advising services;

(ii) Equity competent career development programming;

(iii) Clear information regarding financial aid and financial literacy; and

(iv) Inclusive curriculum and teaching practices.

(2) Each community and technical college shall post on its website and include in the guided pathways program documentation and

reports definitions for key terms including: Diversity, equity, inclusion, culturally competent, culturally appropriate, historically marginalized communities, communities of color, low-income communities, and community organizations.

(3)(a) The Washington state institute for public policy, in consultation with the workforce education investment accountability and oversight board under RCW 28B.77.310, shall complete an evaluation of the guided pathways model. To the extent possible, the institute shall complete a preliminary report that evaluates the effect of the guided pathways model on early student outcomes including, but not limited to, student retention and persistence, college level English and math within the first year, and graduation and transfer rates. The preliminary report must review the implementation of the guided pathways model in Washington and any available evidence of the effectiveness of the guided pathways model. The preliminary report must be submitted by December 15, 2023.

(b) The Washington state institute for public policy shall complete a final report that evaluates the effect of the guided pathways on longer-term student outcomes including, but not limited to, degree completion, time to degree, transfer to four-year institutions, employment, and earnings, to the extent possible. The final report must be submitted by December 15, 2029.

(c) Both the preliminary and final reports must consider differences in outcomes by racial and ethnic subgroups and socioeconomic status. [2023 c 282 s 2; 2021 c 272 s 4.]

Intent—Findings—Short title—2021 c 272: See notes following RCW 28B.50.920.

RCW 28B.50.935 Faculty counselors—Minimum standards. (1) It is the intent of the legislature to provide clear minimum standards to ensure qualified faculty counselors while also providing flexibility to allow for differences in criteria required by hiring institutions. Within existing resources, and beginning September 1, 2021, the college board shall adopt rules regarding the minimum hiring standards for a faculty counselor. At a minimum, these must include:

(a) A graduate or professional degree in a related field;

(b) Completion of appropriate graduate coursework; and

(c) Standards established by the state board for community and technical colleges.

(2) The requirements and standards imposed through this section do not apply to an individual employed by a college district as a counselor before September 1, 2021. Counselors who began employment at one college district prior to September 1, 2021, and moved employment to a different college district after that date may carry the exemptions from the requirements and standards imposed through this section to their new place of employment. [2021 c 272 s 7.]

Intent—Findings—Short title—2021 c 272: See notes following RCW 28B.50.920.

RCW 28B.50.940 Student aid outreach and completion initiative pilot program—Outreach specialists. Subject to availability of amounts appropriated for this specific purpose, the college board

shall administer a free application for federal student aid and Washington application for state financial aid outreach and completion initiative pilot program.

(1) The college board shall select community or technical colleges to participate in the pilot program. The colleges selected to participate must each be located within educational service districts that are in the bottom two for free application for federal student aid completion rates when combining their respective school districts' free application for federal student aid completion rates over the past three completed academic years prior to June 9, 2022. Colleges selected to participate shall employ outreach specialists to work directly with the high schools located in the corresponding educational service district. It is the legislature's intent that the outreach specialists be employed at a ratio of one to 600 high school seniors within the corresponding educational service district. The outreach specialists shall make significant contact with high school students and their families for the purpose of increasing free application for federal student aid and Washington application for state financial aid completion rates. The outreach specialists shall use the free application for federal student aid and Washington application for state financial aid data maintained by the student achievement council to conduct targeted outreach and free application for federal student aid and Washington application for state financial aid completion assistance to high school seniors. The outreach specialists shall also provide information on how to access private scholarships. The outreach specialists shall conduct other outreach as appropriate, including virtual or in-person presentations with students and families, announcements on school intercoms and social media channels, outreach to recent high school graduates as peer messengers, and events at school college or career fairs.

(2) The college board shall report annually to the appropriate committees of the legislature in accordance with RCW 43.01.036 beginning December 1, 2023, on the free application for federal student aid and Washington application for state financial aid outreach and completion initiative pilot program. The report must include details on how the colleges selected used the funding and how the initiatives worked to increase free application for federal student aid and Washington application for state financial aid completion rates. The report must also include before and after free application for federal student aid and Washington application for state financial aid completion data and specific details about the number of high school students assisted in completing the free application for federal student aid and Washington application for state financial aid. [2022 c 214 s 3.]

Intent—2022 c 214: See note following RCW 28B.77.300.

RCW 28B.50.945 Career and technical education dual credit pilot program. *(Expires July 1, 2030.)* (1) Subject to the availability of amounts appropriated for this specific purpose, the college board shall administer, and award grant funding to, a regional pilot program, for the purpose of increasing career and technical education dual credit participation and credential attainment in professional technical programs.

(2) The pilot program must be a continuation of the pilot program established in section 601(47)(a), chapter 376, Laws of 2024. This pilot program may receive grant funding for up to two years.

(3) Community and technical colleges, public high schools, and skill centers participating in a pilot program may use grant funding to cover expenses for the following activities:

(a) Developing, and updating annually, a comprehensive catalog of dual credit courses and programs offered to students enrolled in public high schools;

(b) Aligning career and technical education dual credit programs with postsecondary credential pathways and apprenticeships leading to in-demand career fields;

(c) Providing technical assistance to public high schools and institutions of higher education to improve the accuracy and speed of awarding dual credits and updating transcripts;

(d) Providing professional development for staff of public high schools and institutions of higher education to develop, align, and articulate dual credit courses; and

(e) Supporting public high school staff in the following activities:

(i) Outreach to prospective students and students who have completed career and technical education dual credit courses and are eligible for postsecondary credit about how to receive and where to apply the credit;

(ii) Providing technical assistance in course curriculum alignment for career and technical education dual credit courses;

(iii) Partnering with institutions of higher education to develop articulation agreements for career and technical education dual credit courses; and

(iv) Awarding equipment and supplies grants for career and technical education dual credit courses that meet emerging needs in high-demand, high-paying industries.

(4) For the purposes of this section, the following definitions apply:

(a) "Public high school" means a public school as defined in RCW 28A.150.010 with any of grades nine through 12; and

(b) "Skill centers" refers to the regional career and technical education partnerships established under chapter 28A.245 RCW.

(5) This section expires July 1, 2030. [2025 c 104 s 2.]

Findings—Intent—2025 c 104: "(1) The legislature finds that students who participate in dual credit programs have higher rates of college enrollment, persistence, and completion. Dual credit programs are an important economic development for Washington because they equip students with the skills needed for high-skill, high-wage employment and continued education in high-demand sectors.

(2) Career and technical education (CTE) dual credit is the most commonly accessed form of dual credit in Washington and has significant potential to improve equitable access to postsecondary pathways for students from all backgrounds. However, it lags behind other course-based dual credit programs in ensuring that students receive a transcripted credit while in high school, and that the credit they earn will transfer to the postsecondary institution of their choice.

(3) Therefore, the legislature intends to extend and expand a pilot program for the purpose of increasing CTE dual credit

participation and credential attainment in professional technical programs and receive recommendations on future amendments to state dual credit policies." [2025 c 104 s 1.]

RCW 28B.50.947 Career and technical education dual credit pilot program—Reports. ***(Expires July 1, 2030.)*** (1) In compliance with RCW 43.01.036, the college board, in consultation with the office of the superintendent of public instruction, shall jointly report to the appropriate committees of the legislature on the implementation of chapter 104, Laws of 2025 and with recommendations for additional improvements to state dual credit policies. The preliminary report is due by December 10, 2026, and the final report is due by August 10, 2027.

(2) One or both reports must include the following information:

(a) Findings regarding the pilot program created for the purpose of increasing career and technical education dual credit participation and credential attainment in professional technical programs under RCW 28B.50.945; and

(b) Recommendations to the legislature and relevant state agencies for:

(i) Improving career and technical education course articulation and for the development of statewide articulation agreements;

(ii) Improving data collection and reporting methods;

(iii) Credit transcription and transfer processes;

(iv) Ensuring college and career counseling for high school students includes robust and accurate information about dual credit pathways, including career and technical education dual credit, and their alignment to postsecondary credential and apprenticeship opportunities;

(v) Further alignment of career and technical education dual credit with career-connected learning, apprenticeship, and credential pathways; and

(vi) Identification of additional priority career and technical education dual credit courses for statewide articulation, considering, but not limited to, the targeted industry sectors under RCW 43.330.090.

(3) The final report must establish recommendations to improve state career and technical education dual credit policies, create statewide articulation agreements, and improve the uniform transcription of earned credits. These recommendations must include input from a statewide organization representing career and technical education and other relevant interested parties and report on potential statutory changes and administrative rule improvements that support equitable student access to, and the effectiveness of, career and technical education dual credit programs.

(4) This section expires July 1, 2030. [2025 c 104 s 3.]

Findings—Intent—2025 c 104: See note following RCW 28B.50.945.

RCW 28B.50.980 Construction—Chapter applicable to state registered domestic partnerships—2009 c 521. For the purposes of this chapter, the terms spouse, marriage, marital, husband, wife, widow, widower, next of kin, and family shall be interpreted as applying equally to state registered domestic partnerships or

individuals in state registered domestic partnerships as well as to marital relationships and married persons, and references to dissolution of marriage shall apply equally to state registered domestic partnerships that have been terminated, dissolved, or invalidated, to the extent that such interpretation does not conflict with federal law. Where necessary to implement chapter 521, Laws of 2009, gender-specific terms such as husband and wife used in any statute, rule, or other law shall be construed to be gender neutral, and applicable to individuals in state registered domestic partnerships. [2009 c 521 s 75.]