

CHAPTER 2.

[S. B. 19.]

COMMUNITY COLLEGES.

AN ACT relating to education; amending section 2, chapter 198, Laws of 1961 and RCW 28.84.180; amending section 3, chapter 198, Laws of 1961 and RCW 28.84.190; amending section 4, chapter 198, Laws of 1961 and RCW 28.84.200; amending section 5, chapter 198, Laws of 1961 as amended by section 1, chapter 20, Laws of 1961 extraordinary session and RCW 28.84.210; amending section 2, chapter 20, Laws of 1961 extraordinary session and RCW 28.84.270; amending section 11, chapter 198, Laws of 1961 and RCW 28.84.260; amending section 2, chapter 115, Laws of 1945 and RCW 28.84.120; amending section 3, chapter 115, Laws of 1945 and RCW 28.84.130 and 28.84.140; and adding new sections to chapter 28.84 RCW.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. Section 2, chapter 198, Laws of 1961 and RCW 28.84.180 are each amended to read as follows:

RCW 28.84.180 amended.

The state board of education shall promulgate regulations governing, and make recommendations to the legislature concerning, the establishment of community colleges. To aid the board in the promulgation of regulations and recommendations as to the establishment of community colleges, the board shall seek the advice and counsel of representatives of public and private educational institutions, and representatives of public and private educational organizations, and representatives of the people of the state of Washington, as the board deems appropriate, and conduct such surveys of potential program areas as the board deems appropriate. In promulgating such regulations and in recommending the establishment of community colleges the board shall not set numerical or geographical restrictions, but shall determine the need for and recommend the approval of the establishment of community colleges in light of the following criteria:

Community colleges. Regulations of state board governing and approving establishment—Criteria.

Community colleges. Establishment—Criteria.

- (1) Concentration of population within a reasonable community service area;
- (2) Total school enrollment in grades one through twelve, and in grades nine through twelve;
- (3) The number of high school graduates within the area to be served;
- (4) The probability of sustained growth in school enrollments within the area to be served;
- (5) Identification of educational services needed within the area to be served;
- (6) Ability of the area to be served to contribute to the financial support of the program;
- (7) Consideration of the area in relation to existing institutions of higher learning, including vocational-technical institutions should be given to prevent overlapping or duplication of educational services;
- (8) The presence or absence of an extended secondary program operating in the high school should not be considered as a factor.

RCW 28.84.190 amended.

SEC. 2. Section 3, chapter 198, Laws of 1961 and RCW 28.84.190 are each amended to read as follows:
The state board of education shall:

Powers of state board—Regulations.

- (1) Promulgate regulations governing the operation of community colleges including, among others, the following:
 - (a) Regulations governing budgets;
 - (b) Regulations governing administration;
 - (c) Regulations governing the preparation of reports to the superintendent of public instruction.
- (2) Do anything reasonably implied from the powers granted or necessary to carry out the provisions of RCW 28.84.170 through 28.84.260.
- (3) Adopt and enforce reporting regulations that will ensure a clear and uniform picture of actual community college enrollment.
- (4) Adopt rules and regulations governing the charges which any district may assess against the

funds of its community college.

(5) Require that community colleges keep detailed records on community college transfers.

(6) Adopt and promulgate rules and regulations governing programs, standards and reasonable entrance requirements for community colleges.

SEC. 3. Section 4, chapter 198, Laws of 1961 and RCW 28.84.200 are each amended to read as follows: RCW 28.84.200 amended.

Any school district authorized by the state board of education to construct, operate and maintain a community college shall be allowed apportionment from state funds in accordance with section 4 of this amendatory act. Limitations on districts operating community colleges—Apportionment of funds to.

School districts operating community colleges shall be subject to the following limitations:

(1) All revenues accruing to the district by virtue of the community college operation shall be used exclusively for support of the community colleges.

(2) Funds apportioned on the basis of district operations relating to kindergartens through the twelfth grade inclusive, shall not be used for any community college purpose.

(3) For the purpose of receiving apportionment from state funds for equalization, districts operating community colleges, in preparing estimates of attendance and educational units for the state superintendent of public instruction may not count either the days of attendance or the educational units of the community college.

SEC. 4. There is added to chapter 28.84 RCW a new section. New section.

The state superintendent of public instruction shall, under rules and regulations adopted and promulgated by the state board of education, distribute to counties for school districts operating community colleges such funds as are appropriated by the legislature for the maintenance and operation of Apportionment of funds to districts—Criteria.

Community colleges. Apportionment of funds to districts operating—
Criteria.

community colleges. The state board of education in adopting rules and regulations under which state funds shall be apportioned to local school districts operating community colleges shall consider, among other pertinent factors, the following criteria:

(1) The total enrollment in the programs operated by the community colleges;

(2) The types of programs offered and the necessity for the state's support thereof as evidenced by the community college budget;

(3) The effort being made by the community college to maintain an adequate level of tuition and fees;

(4) The probability of sustained growth in school enrollments within the area to be served;

(5) Proper development of existing community colleges and authorized community colleges within the framework of existing revenue; and

(6) Any other factors found by the state board, in its judgment, to have a bearing on the proper distribution of state funds.

RCW 28.84.210 amended.

SEC. 5. Section 5, chapter 198, Laws of 1961 as amended by section 1, chapter 20, Laws of 1961 extraordinary session and RCW 28.84.210 are each amended to read as follows:

Powers and duties of directors—
Fees.

Every board of directors operating a community college, unless otherwise specially provided by law, shall:

(1) Perform all acts necessary or appropriate to the administration of the community college consistent with statutes governing school districts and the regulations of the state board of education;

(2) Employ for a period to be fixed by the board, a president, members of the faculty, and such other administrative officers and other employees as may be necessary or appropriate, and fix their salaries and duties;

(3) Discharge for sufficient cause any officer, faculty member or employee;

(4) Construct, equip and operate necessary community college facilities but this authority shall not include the power to construct, equip or operate directly or indirectly any dormitories, nor shall any school employee or officer charge or collect any fees for housing provided for by an individual, association or corporation;

(5) Promulgate regulations governing the students enrolled in the community college;

(6) Receive such gifts, grants, conveyances, devises and bequests of real and 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 college programs as specified by law and the regulations of the state board of education; 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;

(7) Prescribe fees to be paid by students enrolled in the community college, not inconsistent with the regulations of the state board of education: *Provided*, Proviso. That a tuition fee of not less than one hundred dollars per quarter shall be charged each full time student who has not been domiciled in this state for a period of one year prior to the commencement of the term for which he registers: *Provided further*, Proviso. That the aggregate of tuition and other fees for each full time student who has not been domiciled in this state for a period of one year prior to the commencement of the term for which he registers shall not exceed one hundred and fifty dollars per quarter exclusive of the summer session.

RCW 28.84.270 amended.

SEC. 6. Section 2, chapter 20, Laws of 1961 extraordinary session and RCW 28.84.270 are each amended to read as follows:

Community colleges, Resident tuition fees for full time students.

Each full time student registering in a community college who has been domiciled in this state for a period of one year prior to the date of the commencement of the term for which he registers shall be charged a tuition fee of not less than ten dollars per quarter: *Provided*, That the aggregate of tuition and other fees for each full time student who has been domiciled in the state for a period of one year prior to the commencement of the term for which he registers shall not exceed sixty dollars per quarter exclusive of the summer session.

Proviso.

New section.

SEC. 7. There is added to chapter 28.84 RCW a new section to read as follows:

Other fees defined.

The term "other fees," as used in RCW 28.84.210 and 28.84.270 shall be construed to include fees charged all students registering for quarters other than summer sessions but shall not include fees for short courses, and individual instruction and student deposits or rentals, disciplinary and library fines, laboratory, gymnasium, health and student activity fees, or fees, charges or such other special fees as may be established from time to time: *Provided*, This section shall not be construed as deviating from the authority provided for in section 5(4) of this amendatory act.

Proviso.

New section.

SEC. 8. There is added to chapter 28.84 RCW a new section to read as follows:

Disposition of fees—Special services revolving fund.

Except as otherwise provided in this act, all fees collected from students of a community college in connection with the instructional program of the college, including tuition, shall be deposited in the county treasury, in those special accounts within the school district's funds as the board of directors of the district operating the college may establish by

resolution. Such special accounts shall be used for community college purposes.

The board of directors, of each district operating a community college, shall create a special fund to be called the special services revolving fund, into which shall be placed all fees and revenues received by the community college in connection with the ordinary and usual incidental services and activities of the college. Such services may include, but are not limited to: a bookstore; cafeteria and snack bar concessions; community services such as concerts, lectures and conferences; student activities such as dances, forensic meets, athletic teams, clubs and other student organizations; student publications; loan funds and privately donated scholarship funds.

The special services revolving fund may be located outside the county treasury in any financial institution qualified to act as a depository for state, county or city funds, and under the same terms and conditions: *Provided*, That the fund shall be subject to audit and regulation by the state auditor as any other public account or fund. Proviso.

The special services revolving fund shall be used exclusively for the operation of the various special services provided by the college, and separate accounts shall be kept within the fund for each special service or activity: *Provided*, That any surplus in the fund, except in the scholarship and loan accounts, may be transferred to any other account within the special services revolving fund of the community college at the end of a fiscal year by resolution of the board of directors of the school district. Proviso.

Disbursement from the special services revolving fund shall be made by check signed by the president of the community college or his designee appointed in writing, and such other person as may be designated by the board of directors of the school district.

Each person authorized to sign as provided above, shall execute a surety bond in the sum of not less than the average amount on deposit in the fund during the preceding six months, or ten thousand dollars, whichever is greater. Said bonds shall be filed in the auditor's office of the county in which the district is located.

RCW 28.84.260 amended.

SEC. 9. Section 11, chapter 198, Laws of 1961 and RCW 28.84.260 are each amended to read as follows:

Community colleges. Enumerated—Additional colleges authorized.

The following named institutions are hereby recognized as community colleges within the meaning of chapter 28.84 RCW; (1) Centralia Junior College, (2) Clark College, (3) Columbia Basin College, (4) Everett Junior College, (5) Grays Harbor College, (6) Lower Columbia Junior College, (7) Olympic College, (8) Skagit Valley College, (9) Wenatchee Valley College, (10) Yakima Valley Junior College, (11) Peninsula College, (12) Highline College, and (13) Big Bend Community College. The state board of education may authorize the establishment and determine the location of four additional community colleges, two of which shall not begin active operation until the commencement of the 1965-1966 community college school year: *Provided*, That the state board shall determine the location of the four community colleges prior to July 1, 1964. Thereafter additional community colleges shall be established only by express action of the legislature after consideration of the recommendations of the state board of education.

Proviso.

New section.

SEC. 10. There is added to chapter 28.84 RCW a new section to read as follows:

Presidential responsibility.

The president of the community college shall be held responsible to the board of directors as determined by the directors of each school board.

New section.

SEC. 11. There is added to chapter 28.84 RCW a new section to read as follows:

The state board of education is authorized and directed to prepare comprehensive regional plans for determining community college needs for the next decade. Upon the basis of such plans the state board shall determine community college priorities and present the same to the 1965 state legislature. The state board shall update such plans and priorities prior to each session of the legislature for presentation.

Planning future needs—
Presentation to legislature.

SEC. 12. There is added to chapter 28.84 RCW a new section to read as follows:

New section.

In the preparation of budget requests and recommendations to the legislature, the central budget agency shall segregate and present separately the budget for community colleges. The state superintendent of public instruction is hereby directed to furnish the central budget agency, and to secure from local districts which have or are proposing a community college program, the necessary information to carry out the provisions of this section.

College budgets as separate item.

SEC. 13. Section 2, chapter 115, Laws of 1945 and RCW 28.84.120 are each amended to read as follows:

RCW 28.84.120 amended.

Any school district may add two years of vocational training and general education to the usual twelve years course of common school education under conditions and in accordance with regulations prescribed therefor by the state board of education: *Provided*, That extended secondary type I programs not be allowed within a radius of twenty-five miles of a community college with available facilities as determined by the state board of education.

Thirteenth and fourteenth grades. Authorized—Limitation.

Proviso.

SEC. 14. Section 3, chapter 115, Laws of 1945 (heretofore divided and codified as RCW 28.84.130 and 28.84.140) is divided and amended as set forth in sections 15 and 16 of this amendatory act.

RCW 28.84.130 amended. Thirteenth and fourteenth grades. Conditions for establishment—Standards.

SEC. 15. (RCW 28.84.130) The state board of education shall prescribe the conditions under which, and the regulations in accordance with which, two years may be added to the usual twelve years course of common school education as part of the common school system. The board shall also prescribe the courses of vocational training and general education which may be offered, and establish the standards governing the operation and maintenance of such additional two years of education. The state board of education shall review the operations of such programs offered in high school facilities prior to each school year to ensure that the curricula offerings and standards comply with the rules and regulations of the state board of education.

RCW 28.84.140 amended. Apportionment funds for.

SEC. 16. (RCW 28.84.140) Any school district which in addition to the usual twelve years of common school education establishes and maintains two more years of vocational training and general education in accordance with the conditions, regulations and standards prescribed by the state board of education shall be allowed apportionment from state and county funds.

New section.

SEC. 17. There is added to chapter 28.84 RCW a new section to read as follows:

Funds not to be used for community college purposes.

Notwithstanding any other provision of law, funds derived from the tax on real estate sales as provided for in chapter 28.45 RCW shall not be used for community college purposes.

Severability.

SEC. 18. If any section or provision or part thereof of this act or its application to any person or circumstances shall be held unconstitutional or for any other reason invalid, the invalidity of such section, provision or part thereof or its application to any person or circumstances shall not affect the validity of the remaining sections, provisions or parts thereof or its application or any person or circumstances

which are not judged to be invalid or unconstitutional.

Passed the Senate March 22, 1963.

Passed the House March 24, 1963.

Approved by the Governor April 1, 1963.

Chapter 3.

[H. B. 4.]

HIGHWAYS.

AN Act relating to highways and the operation of vehicles thereon; describing powers and duties of the Washington state highway commission, the Washington state toll bridge authority, the license department, and the joint committee on highways, herein created; establishing and designating certain highways; providing for surveys and studies of proposed highway additions and proposed toll facilities; prescribing fees, size, weight, load permits and equipment restrictions for certain motor vehicles; providing penalties; making appropriations; amending sections 47.16.100, 47.16-.120, 47.16.140, 47.16.200, 47.20.010, 47.20.080, 47.20.120, 47.20.130, 47.20.160, 47.20.210, 47.20.250, 47.20.440, 47.20.490, 47.20.500, 47.20.140, 47.20.100, 47.20.380, 47.56.140, 47.36.110, chapter 13, Laws of 1961, and RCW 47.16.100, 47.16.120, 47.16.140, 47.16.200, 47.20.010, 47.20.080, 47.20.120, 47.20.130, 47.20.160, 47.20.210, 47.20.250, 47.20.440, 47.20.490, 47.20-.500, 47.20.140, 47.20.100, 47.20.380, 47.56.140, and 47.36.110; amending section 47.20.220, chapter 13, Laws of 1961, as amended by section 13, chapter 21, Laws of 1961 extraordinary session and RCW 47.20.220; amending section 47.20.340, chapter 13, Laws of 1961, as amended by section 11, chapter 21, Laws of 1961 extraordinary session and RCW 47.20.340; amending section 47.16.010, chapter 13, Laws of 1961, as amended by section 1, chapter 21, Laws of 1961 extraordinary session and RCW 47.16.010; amending sections 46.60.150, 46.60.170, 46.60.330, 46.44.037 and 46.60-.020, chapter 12, Laws of 1961 and RCW 46.60.150, 46.60.170, 46.60.330, 46.44.037 and 46.60.020; amending section 46.16-.010, chapter 12, Laws of 1961, as amended by section 32, chapter 21, Laws of 1961 extraordinary session and RCW 46.16.010; amending section 5, chapter 9, Laws of 1961 extraordinary session and RCW 47.60.440; amending section 46.44.030, chapter 12, Laws of 1961 as amended by section 36, chapter 21, Laws of 1961 extraordinary session and RCW 46.44.030; amending section 46.44.092, chapter