

all times.

(2) That portion of the sixty percent of all general tuition fees not required for or in excess of the amounts certified to the state treasurer as being required to pay and secure the payment of any of the bonds as provided in subsection (1) above shall be deposited in the community college capital projects account which account is hereby created in the general fund of the state treasury. The sums deposited in the capital projects account shall be appropriated and expended exclusively for the construction, reconstruction, erection, equipping, maintenance, demolition and major alteration of buildings and other capital assets owned by the state board for community college education in the name of the state of Washington, and the acquisition of sites, rights-of-way, easements, improvements or appurtenances in relation thereto, and for the payment of principal of and interest on any bonds issued for such purposes.

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CHAPTER 277  
[Engrossed Senate Bill No. 243]  
COUNCIL ON HIGHER EDUCATION

AN ACT Relating to the council on higher education in the state of Washington.

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

NEW SECTION. Section 1. There is hereby created the council on higher education in the state of Washington.

NEW SECTION. Sec. 2. The purpose of the council is as follows: The higher educational institutions, under the autonomous governance of their governing boards, and operating within guidelines set by statute for particular institutions of higher education, have responded to the many kinds of educational needs of the people of a dynamic and growing state. They have evolved a wide array of educational services of benefit to students enrolled in degree and certificate courses, to adults returning to educational institutions for

various kinds of continuing education needed to update skills and understandings in a changing world, and to government agencies, business, labor professions, and associations. The state has been well served by the delegation to the institutions of a large measure of autonomy which has enabled them to cooperate in achieving educational and operating effectiveness. Opportunity for such institutional initiative and institutional voluntary cooperation should be preserved and encouraged to the largest possible extent.

With the increase in the number of institutions and in the scope, variety, and extent of higher education demanded of the institutions by the people of a dynamic state and the evident need to maintain articulation and coordination among the parts of a more complex system of higher education, it is desirable to establish a council to facilitate planning for higher education.

To assure maximum effectiveness of the agency, its deliberations should be participated in by representatives of the governor, the legislature, and the institutions of higher education.

NEW SECTION. Sec. 3. The council, upon the prior approval of the joint committee on higher education, may perform any of the following functions:

(1) Engage in overall planning for higher education in the state, which shall include the collection and analysis of necessary data from public, and where appropriate private institutions of higher education. The purpose shall be to:

(a) assess and define the educational needs of the state to be served by higher education;

(b) recommend and coordinate studies to ascertain how defined educational needs are being met;

(c) study and make recommendations concerning adult education, continuing education and public service programs;

(d) identify priorities among the defined needs and specify the resources necessary to meet them;

(e) differentiate roles of the community college system and

the individual public institutions and identify the most effective division of responsibility among them in meeting defined needs. To facilitate this, review and recommend the creation of all new degrees and recommend which institutions shall award them; and evaluate proposals for the elimination of existing degrees. Identify changing conditions which may require the revision of these roles and division of responsibility of the institutions.

(2) In the execution of the above planning responsibilities, develop criteria for the need for new baccalaureate institutions; and recommend the establishment, location and role of any new public baccalaureate granting institutions, and review the plans for the community college system in terms of their articulation with planning for higher education in the state.

(3) Study levels of fees and charges to students and, when necessary, make recommendations to the institutions, legislature, and governor.

(4) Study and make recommendations concerning admission and transfer policies.

(5) Review individual institutional operating budget requests to determine the conformity or lack thereof to the state's higher education plan: PROVIDED, That its review of community colleges be limited to the plan prepared by the state board for community college education.

(6) Review the individual institutional capital budget requests to determine their conformity or lack thereof to the state's higher education plan: PROVIDED, That its review of community colleges be limited to the plan prepared by the state board for community college education.

(7) Study and make recommendations for the development of improved practices of administrative management in order to facilitate the most efficient operation of the public institutions and the avoidance of unnecessary duplication among the institutions.

(8) At the request of the governor, legislature, state board

for community college education, or baccalaureate granting institutions of higher education, and in conjunction with such legislative interim committee on higher education as may be in existence, study and make recommendations regarding legislation affecting higher education.

NEW SECTION. Sec. 4. The council shall consist of members selected as follows:

Nine citizen members to be appointed by the governor and confirmed by the senate as representatives of the public at large; two members of the house of representatives, one from each party, appointed by the speaker of the house; two members of the senate, one from each party, appointed by the president of the senate; two members of the governor's staff appointed by the governor; the presidents of each of the public universities and four-year colleges of the state; the executive director of the state board for community college education; two presidents of the state's private universities or four-year colleges and one community college president appointed by the governor.

It shall be the duty of the director of the state board for community college education to represent not only the state board for community college education, but also all the community colleges in the state and their respective governing boards and he is further directed and charged to act as a liaison between the council and the state board for community college education and boards of trustees of the community college districts in the state.

NEW SECTION. Sec. 5. The nine citizen members of the council alone shall have the right to vote and decide by a simple majority all matters coming before the council. The other members of the council shall have voice but no voting power.

NEW SECTION. Sec. 6. Citizen members of the council shall serve for terms of six years, said terms expiring on June 30th of the sixth year of their term: PROVIDED, That of the citizen members first appointed by the governor, three shall be appointed for a term

of two years, three shall be appointed for a term of four years and three shall be appointed for a term of six years.

The four legislators appointed by the president of the senate and the speaker of the house shall serve for a two year term: PROVIDED, That no legislative member of the council shall continue to serve when he is no longer a member of the legislative branch from which he shall have been appointed.

The members of the council appointed by the governor from his staff shall serve at the governor's pleasure.

The term of the executive director of the state board for community college education as well as the presidents of the public universities and colleges of the state shall be coextensive with their tenure in those respective offices.

The president-representatives appointed by the governor shall serve for a two year term, or until such earlier date as each shall cease to be the president of the institution from which he was appointed.

NEW SECTION. Sec. 7. Any vacancies among the citizen members appointed by the governor shall be filled by the governor subject to confirmation by the senate then in session, or if not in session, at the next session. Citizen members appointed under this section shall have full authority to act as such prior to the time the senate acts on their confirmation. Any vacancies among the other members shall be filled by the appointing authority which initially filled the position.

NEW SECTION. Sec. 8. Initial appointment and selection of the council shall be made prior to June 30, 1969 and the names and addresses of those members appointed other than by the governor shall be immediately transmitted to his office. On July 15, 1969 the council shall meet to organize at a place and time set by the governor who shall give reasonable notice thereof to council members.

NEW SECTION. Sec. 9. By a majority vote of the citizen members, the council shall select a chairman who shall be a citizen

member; and, the council shall adopt such bylaws as it sees fit.

The council shall appoint an executive coordinator of services who shall serve at the pleasure of the council. The executive coordinator of services shall be the executive officer of the council and, under the council's supervision, shall administer the provisions of this act. In addition, he shall be in charge of the office of the council.

The council may employ and appoint such other assistants and employees as may be required. In addition, the council may appoint deputy coordinators who shall be assistant directors for the purpose of chapter 41.06 RCW, the state civil service act, and any individual filling such a position shall serve at the pleasure of the council.

In fulfilling the duties under this chapter, the council shall make extensive use of those state agencies with responsibility for implementing and supporting higher education plans and policies, e.g., appropriate legislative groups, the higher education institutions, the central budget agency, and the state board for community college education. Outside consulting and service agencies may also be employed. The council may compensate these groups and consultants in appropriate ways.

All council funds shall be expended subject to the approval of the chairman. All matter related to payment of compensation and other expenses of the council shall be subject to the state budget and accounting act.

NEW SECTION. Sec. 10. The council shall meet at least four times each year and at such other times as determined by the chairman who shall give reasonable notice to members of every meeting prior thereto. A majority of the citizen members shall constitute a quorum to conduct the affairs of the council.

NEW SECTION. Sec. 11. The council shall from time to time make reports both to the governor and the joint committee on higher education.

NEW SECTION. Sec. 12. Members of the council will receive

per diem in lieu of compensation, and travel expenditures in accordance with standard rates for part time boards, councils and commissions as certified by the state budget director.

NEW SECTION. Sec. 13. The council, in addition to any funds appropriated or allocated from time to time to carry out the purposes of this act, may add thereto federal funds made available to the state for higher education research or otherwise under the terms of any act or acts of congress, or any private gifts or grants, such federal funds or private funds to be expended in accordance with the conditions contingent in such grant thereof.

NEW SECTION. Sec. 14. Nothing in this act shall be deemed to derogate or detract from the powers and duties conferred by law upon the separate governing boards of the state's institutions of higher learning, the state board for community college education, or the powers and duties of any other administrative agency.

NEW SECTION. Sec. 15. 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.

Passed the Senate March 29, 1969

Passed the House May 4, 1969

Approved by the Governor May 23, 1969, with the exception of one item in Section 3 which is vetoed

Filed in office of Secretary of State May 23, 1969

NOTE: Governor's explanation of partial veto is as follows:  
"...This bill creates the Council on Higher Education. Its membership will make it broadly representative of the general public, public and private higher education and the legislature. It is charged with the responsibility of engaging in overall planning for higher education in the state. With the rapid increase in enrollments and the resources required to meet the needs of higher education the functions of this council will be extremely important. It is imperative that the council proceed promptly with its responsibilities upon being organized.

Section 3 of the bill describes the functions which the council may perform. An amendment was added to this section which would prohibit the council from undertaking any of its planning functions except upon the prior approval of the Joint Committee on Higher Education. The joint committee, created by

Senate Bill No. 244 as a permanent statutory interim committee of the legislature, will also have major responsibilities relating to the development of legislative programs for higher education. I have concluded that it is inadvisable to limit the functions of the Higher Education Council only to those which may from time to time be approved by the Joint Committee on Higher Education.

My reasons for objecting to this limitation are:

1. The council will have within its membership four members of the legislature so that there should be adequate opportunity for a close working relationship with the legislature. In addition, I am confident that the council will want to work closely with the Joint Committee on Higher Education.
2. There are no standards included in the bill by which the Joint Committee on Higher Education may be measured in determining what subjects it will allow the council to undertake.
3. While the Joint Committee on Higher Education has a clear responsibility with respect to planning for higher education, so also do the general public and the representatives of higher education. The capacity of the council to consider the pressing planning problems of higher education should not be hamstrung by the need for prior approval of an interim committee of the legislature.
4. The council should commence its operations as soon as possible. With the failure of the supplemental appropriation bill, and the consequent lack of funding for the Joint Committee on Higher Education, its functions may be seriously hampered. This could in turn prevent the Council on Higher Education from functioning effectively because of the difficulty of obtaining the necessary prior approval of the joint committee.

With the exception of the single item in Section 3 of the bill, the remainder of the bill is approved."