

place children. The secretary may, if permitted by federal law, deposit federal funds for adoption support, aid to adoptions, or subsidized adoption in the adoption support account of the general fund and may use such funds, subject to such limitations as may be imposed by federal law, to carry out the program of adoption support authorized by RCW 26.32.115 and 74.13.100 through 74.13.145.

The secretary may also deposit in such account and disburse therefrom all gifts and grants from any nonfederal source, including public and private foundations, which may be used for the program of adoption support authorized by RCW 26.32.115 and 74.13.100 through 74.13.145.

Sec. 2. Section 16, chapter 63, Laws of 1971 ex. sess. and RCW 74.13.142 are each amended to read as follows:

The authority granted to the secretary in RCW 26.32.115 and 74.13.106 through 74.13.139 to provide adoption support to prospective parents who adopt hard to place children shall terminate on June 30, ((1973)) 1975 unless such authority is hereafter extended by law: PROVIDED, That payments shall be continued by the secretary subject to annual review as provided in RCW 26.32.115 and 74.13.106 through 74.13.139 for all hard to place children for whom adoption support agreements have been entered into by the secretary on or before June 30, ((1973)) 1975.

Passed the House February 13, 1973.

Passed the Senate February 28, 1973.

Approved by the Governor March 8, 1973.

Filed in Office of Secretary of State March 8, 1973.

CHAPTER 62
[House Bill No. 233]
HIGHER EDUCATION CODE--POWERS AND
DUTIES OF BOARD

AN ACT Relating to higher education; amending sections 28B.10.200 and 28B.10.250, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.200 and 28B.10.250; amending section 28B.10.510, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.510; amending section 19, chapter 222, Laws of 1969 ex. sess. and RCW 28B.10.822; amending section 20, chapter 222, Laws of 1969 ex. sess. and RCW 28B.10.824; amending section 14, chapter 215, Laws of 1969 ex. sess. and RCW 28B.16.230; amending section 28B.20.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.100; amending section 28B.20.412, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.412; amending section 28B.20.456, chapter 223, Laws of 1969 ex. sess. and RCW

28B.20.456; amending section 28B.30.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.100; amending section 28B.40.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.100; amending section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as amended by section 18, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.030; amending section 28B.50.050, chapter 223, Laws of 1969 ex. sess. as amended by section 19, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.050; amending section 28B.50.060, chapter 223, Laws of 1969 ex. sess. as amended by section 20, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.060; amending section 28B.50.070, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.070; amending section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as amended by section 21, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.090; amending section 28B.50.100, chapter 223, Laws of 1969 ex. sess. as amended by section 22, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.100; amending section 28B.50.130, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.130; amending section 17, chapter 15, Laws of 1970 ex. sess. and RCW 28B.50.140; amending section 28B.50.170, chapter 223, Laws of 1969 ex. sess. as amended by section 28, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.170; amending section 28B.50.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.200; amending section 7, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.551; amending section 28B.50.570, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.570; amending section 42, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.864; repealing section 3, chapter 283, Laws of 1969 ex. sess. and RCW 28B.10.720; repealing sections 28B.50.690, 28B.50.700, 28B.50.710, 28B.50.780 and 28B.50.790, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.690, 28B.50.700, 28B.50.710, 28B.50.780 and 28B.50.790; and declaring an emergency.

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

Section 1. Section 28B.10.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.200 are each amended to read as follows:

The state universities shall each have the authority to award, during each academic year, not to exceed one hundred scholarships to students or graduates of universities or colleges of friendly foreign nations, and to exempt the recipients thereof from the payment of tuition, ~~((library and incidental))~~ operating and service and activity fees for the scholarship period.

Sec. 2. Section 28B.10.250, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.250 are each amended to read as follows:

~~((Matriculation fees and other incidental and special))~~

Operating and service and activity fees other than tuition, and board and room, rent and books and supplies to the extent of the appropriation therefor shall be paid for the use and benefit of persons attending a state institution of higher education who are not under sixteen and not over twenty-two years of age, and have for twelve months had their domicile in the state of Washington, and whose parents or one of them was killed or totally incapacitated from engaging in any normal employment by reason of service in the armed forces of the United States. No tuition fee shall be charged to any such person by any state institution of higher education.

Sec. 3. Section 28B.10.510, chapter 223, Laws of 1969 ex. sess. and RCW 28B.10.510 are each amended to read as follows:

The attorney general of the state shall be the legal advisor to the presidents and the boards of regents and trustees of the ((state's colleges and universities)) institutions of higher education and he shall institute and prosecute or defend all suits in behalf of the same.

Sec. 4. Section 19, chapter 222, Laws of 1969 ex. sess. and RCW 28B.10.822 are each amended to read as follows:

The commission shall adopt rules and regulations as may be necessary or appropriate for effecting the provisions of RCW 28B.10.800 through 28B.10.824, and not in conflict with RCW 28B.10.800 through 28B.10.824, in accordance with the provisions of chapter ((34+04 REW; the Administrative Procedure Act)) 28B.19 RCW, the state higher education administrative procedure act.

Sec. 5. Section 20, chapter 222, Laws of 1969 ex. sess. and RCW 28B.10.824 are each amended to read as follows:

Subject to the provisions of chapter ((41+06)) 28B.16 RCW, (([the] state civil service law, or the higher education personnel board statute, if enacted by the forty-first legislature as Senate Bill No. 246)) the state higher education personnel law, the commission shall appoint an executive director as chief administrator of the commission, and such employees as it deems advisable, and shall fix their compensation and prescribe their duties.

Sec. 6. Section 14, chapter 215, Laws of 1969 ex. sess. and RCW 28B.16.230 are each amended to read as follows:

Each and every provision of RCW 41.56.140 through 41.56.190 shall be applicable to the state higher education personnel law ((if the same becomes law)) and the higher education personnel board, or its designee, whose final decision shall be appealable to the higher education personnel board, which is granted all powers and authority granted to the department of labor and industries by RCW 41.56.140 through 41.56.190.

Sec. 7. Section 28B.20.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.100 are each amended to read as follows:

The government of the University of Washington shall be vested in a board of regents to consist of seven members who shall be appointed by the governor of the state, by and with the advice and consent of the senate, and who shall hold their offices respectively for a term of six years from the second Monday in March next succeeding their appointment and until their successors shall be appointed and shall qualify by filing their oath with the secretary of state (~~(: PROVIDED, That regents now serving upon such board shall continue as such during the terms for which they were respectively appointed)~~). Four members of said board shall constitute a quorum for the transaction of business. Whenever there shall be a vacancy in the said board of regents, from any cause whatever, it shall be the duty of the governor to fill such office by appointment for the unexpired term of the incumbent whose position has become vacant.

Sec. 8. Section 28B.20.412, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.412 are each amended to read as follows:

The center shall be administered by the board of regents of the University of Washington with the assistance of a nonsalaried advisory committee consisting of the dean of the school of medicine of the University of Washington; ~~((the directors of the state department of health, department of institutions, and department of public assistance;))~~ the assistant secretaries for the divisions of health services, social services, service delivery, and vocational rehabilitation services of the department of social and health services; the superintendent of public instruction; ~~((the director of the division of vocational rehabilitation of the coordinating council for occupational education;))~~ and three other members approved by the president of the University of Washington.

Sec. 9. Section 28B.20.456, chapter 223, Laws of 1969 ex. sess. and RCW 28B.20.456 are each amended to read as follows:

There is hereby created an advisory committee to the environmental research facility consisting of eight members. Membership on the committee shall consist of the director ~~((s))~~ of the department ~~((s))~~ of labor and industries ~~((and health))~~, the assistant secretary for the division of health services of the department of social and health services, the president of ~~((the))~~ the Washington state labor council, the president of the association of Washington ~~((industries))~~ business, the dean of the school of ~~((medicine))~~ public health and community medicine of the University of Washington, the dean of the school of engineering of the University of Washington, the president of the Washington state medical association, or their representatives, and the chairman of the department of ~~((preventive medicine))~~ environmental health of the University of Washington, who shall be ex officio chairman of the committee without vote. Such committee shall meet at least

semiannually at the call of the chairman. Members shall serve without compensation. It shall consult, review and evaluate policies, budgets, activities and programs of the facility relating to industrial and occupational health to the end that the facility will serve in the broadest sense the health of the workman as it may be related to his employment.

Sec. 10. Section 28B.30.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.30.100 are each amended to read as follows:

The seven members of the board of regents of Washington State University shall be appointed by the governor, by and with the consent of the senate: PROVIDED, That all appointments made to fill vacancies caused by death, resignation or otherwise, shall be for the unexpired term of the incumbent whose place shall have become vacant ((: AND PROVIDED FURTHER, That regents now serving upon such board shall continue as such during the term for which they were respectively appointed)). Except as otherwise in this section provided, all appointments shall be for the term of six years and until the appointment and qualification by filing his oath with the secretary of state of a successor to each appointee.

Each regent shall, before entering upon the discharge of his respective duties as such, execute a good and sufficient bond to the state of Washington, with two or more sufficient sureties, residents of the state, or with a surety company licensed to do business within the state, in the penal sum of not less than five thousand dollars, conditioned for the faithful performance of his duties as such regent: PROVIDED, That the university shall pay any fees incurred for any such bonds for their board members.

Sec. 11. Section 28B.40.100, chapter 223, Laws of 1969 ex. sess. and RCW 28B.40.100 are each amended to read as follows:

The government of each of the state colleges shall be vested in a board of trustees consisting of five members. They shall be appointed by the governor with the consent of the senate and shall hold their offices for a term of six years from the second Monday in March next succeeding their appointment and until their successors are appointed and qualified. In case of a vacancy the governor shall fill the vacancy for the unexpired term of the trustee whose office has become vacant.

((The trustees incumbent as of July 30, 1967 shall serve during the term of their original appointment:

The term of the first appointees under this 1967 amendatory act shall commence upon the expiration of the term of the particular incumbent for which the appointment is made and shall expire six years from the second Monday of March next succeeding the effective date of the appointment:

To assure that)) No more than the terms of two members will

expire simultaneously on the second Monday of March in any one year((7 the term of not more than one trustee incumbent on July 30, 1967 shall be extended by the governor for one year at which time an appointment shall be made for a term expiring six years from the second Monday in March next succeeding the effective date of that appointment)).

Sec. 12. Section 28B.50.030, chapter 223, Laws of 1969 ex. sess. as amended by section 18, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.030 are each amended to read as follows:

As used in this chapter, unless the context requires otherwise, the term:

(1) "System" shall mean the state system of community colleges, which shall be a system of higher education;

(2) "College board" shall mean the state board for community college education created by this chapter;

(3) "Director" shall mean the administrative director for the state system of community colleges;

(4) "District" shall mean any one of the community college districts created by this chapter;

(5) "Board of trustees" shall mean the local community college board of trustees established for each community college district within the state;

(6) "Council" shall mean the coordinating council for occupational education;

(7) "Occupational education" shall mean that education or training that will prepare a student for employment that does not require a baccalaureate degree;

(8) "K-12 system" shall mean the public school program including kindergarten through the twelfth grade;

(9) "Common school board" shall mean ((the)) a public school district board of directors;

(10) "Community college" shall include where applicable, vocational-technical and adult education programs conducted by community colleges and vocational-technical institutes whose major emphasis is in post-high school education;

(11) "Adult education" shall mean all education or instruction, including academic, vocational education or 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: PROVIDED, That "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: PROVIDED, FURTHER, That "adult

education" shall not include education or instruction provided by any four year public institution of higher education: AND PROVIDED FURTHER, That adult education shall not include education or instruction provided by a vocational-technical institute.

Sec. 13. Section 28B.50.050, chapter 223, Laws of 1969 ex. sess. as amended by section 19, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.050 are each amended to read as follows:

There is hereby created the "state board for community college education", to consist of seven members, one from each congressional district, who shall be appointed by the governor, with the consent of the senate. ((The terms of the initial members shall be as follows: Two members shall serve for a term of one year; two members shall serve for a term of two years; two members shall serve for a term of three years; and one member shall serve for a term of four years, respectively, following April 3, 1967r.)) The successors of the members initially appointed shall be appointed for terms of four years except that any persons appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of such term. Each member shall serve until the appointment and qualification of his successor. All members shall be citizens and bona fide residents of the state. No member of the college board shall be, during his term of office, also a member of the state board of education, a member of a K-12 board, a member of the governing board of any public or private educational institution, a member of a community college board of trustees, or an employee of any of the above boards, or have any direct pecuniary interest in education within this state.

No member of the college board shall receive any salary for his services, but shall receive the sum of twenty-five dollars per diem for each day actually spent in attending to his duties as a member of the college board, and mileage at the rate of ten cents per mile.

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.

Sec. 14. Section 28B.50.060, chapter 223, Laws of 1969 ex. sess. as amended by section 20, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.060 are each amended to read as follows:

A director of the state system of community colleges shall be appointed by the college board and shall serve at the pleasure of the college board. He shall be appointed with due regard to his fitness and background in education, by his 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 time to the duties of his 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 42.22 RCW, the code of ethics for public officers and employees.

He shall receive a salary to be fixed by the college board and shall be reimbursed for all traveling and other expenses incurred by him in the discharge of his official duties in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

He 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, regulations and orders established thereunder and all other laws of the state. He shall attend, but not vote at, all meetings of the college board. He 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 colleges. At the direction of the college board, he shall, together with the chairman 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 his pleasure on such terms and conditions as he determines, and
- (2) subject to the provisions of chapter ~~((41-06))~~ 28B.16 RCW, the ~~((state civil service))~~ higher education personnel law, 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. ~~((All employees of the state board of education who are governed by the provisions of chapter 41-06 RCW, and who are employed exclusively or principally in performing the powers and duties and functions transferred by this chapter to the state board for community college education, and who are transferred to the state board for community college education, shall continue to be governed by the provisions of chapter 41-06 RCW, the state civil service law, without any loss of rights granted by said law.))~~

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.

Sec. 15. Section 28B.50.070, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.070 are each amended to read as follows:

The governor shall, within thirty days after April 3, 1967,

make the appointments to the college board.

The college board shall, within thirty days after its appointment, 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. At such organizational meeting it shall elect from among its members a chairman and a vice chairman, each to serve for one year, and annually thereafter shall elect such officers; 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. Four 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.

~~((After organization, the first order of business for the college board shall be to assist the district college boards in the assumption of administration, control and occupancy of the various community college and such other vocational facilities as are covered by this chapter which are now under the administration, control and occupancy of the common school boards.))~~

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. The college board shall transmit a report in writing to the governor before December 1st of each year which report shall contain a summary of its proceedings during the preceding fiscal year, a detailed and itemized statement of all revenue and all expenditures made by or on behalf of the college board, such other information as it may deem necessary or useful and any other additional information which may be requested by the governor. The fiscal year of the college board shall conform to the fiscal year of the state.

Sec. 16. Section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as amended by section 21, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.090 are each amended to read as follows:

The college board shall have general supervision and control over the state system of community 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 community college boards of trustees, prepare a single budget for the support of the state system of community colleges and adult education, and submit this budget to the governor as provided in RCW 43.88.090; the

coordinating council shall assist with the preparation of the community college budget that has to do with vocational education programs;

(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 community 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 community college district shall offer thoroughly comprehensive educational, training and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, 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: PROVIDED, That notwithstanding any other provisions of this chapter, a community college shall not be required to offer a program of vocational-technical training, when such a program as approved by the coordinating council for occupational education is already operating in the district;

(b) that each community college district shall maintain an open-door policy, to the end that no student will be denied admission because of the location of his residence or because of his 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 college may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, he would not be competent to profit from the curriculum offerings of the community college, or would, by his presence or conduct, create a disruptive atmosphere within the community college not consistent with the purposes of the institution;

(4) Prepare a comprehensive master plan for the development of community college education and training in the state; and assist the ((state census board)) office of program planning and fiscal management in the preparation of enrollment projections to support plans for providing adequate community college facilities in all areas of the state;

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

existing districts;

(6) Establish criteria and procedures for modifying district boundary lines 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 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 requirements, degrees and diplomas awarded by the colleges,

(d) standard admission policies.

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

(9) 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;

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

(11) Authorize the various community 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;

(12) Notwithstanding any other law or statute regarding the sale of state property, sell or exchange and convey any or all interest in any community college real and personal property when it determines that such property is surplus or that such a sale or exchange is in the best interests of the community college system.

The college board shall have the power of eminent domain.

Sec. 17. Section 28B.50.100, chapter 223, Laws of 1969 ex. sess. as amended by section 22, chapter 261, Laws of 1969 ex. sess. and RCW 28B.50.100 are each amended to read as follows:

There is hereby created a community college board of trustees for each community college district as set forth in this chapter. Each community college board of trustees shall be composed of five trustees, who shall be appointed by the governor ((from a list of nominees submitted by the nominating committee in accordance with RCW 28B.50.440)). In making such appointments the governor shall give

consideration to geographical exigencies, and the interests of labor, industry, agriculture, the professions and ethnic groups.

~~((The initial appointees to the board of trustees shall draw lots at the first meeting thereof to determine their respective initial terms: One trustee shall serve for one year; one for two years; one for three years; one for four years; and one for five years.~~

~~Thereafter))~~ 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.

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

Each board of trustees shall organize itself by electing a chairman 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 community 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.

Sec. 18. Section 28B.50.130, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.130 are each amended to read as follows:

Within thirty days of their appointment or July 1, 1967, whichever is sooner, 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 chairman and a vice chairman, 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 community college district, or his 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 first order of business after organization shall be to prepare for the orderly assumption of the duties and responsibilities of the administration and management of the community college district and the facilities thereof.))~~ The

district boards shall transmit a report in writing to the college board before October 1st of each year which report shall contain a summary of its proceedings during the preceding fiscal year, a detailed and itemized statement of all revenue and all expenditures made by or on behalf of the district boards, such other information as it may deem necessary or useful, and any other additional information which may be requested by the college board. The fiscal year of the district boards shall conform to the fiscal year of the state.

Sec. 19. Section 17, chapter 15, Laws of 1970 ex. sess. and RCW 28B.50.140 are each amended to read as follows:

Each community college board of trustees:

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

(2) Shall create comprehensive programs of community 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 college, a director for each vocational-technical institute or school operated by a community college, a district president, if deemed necessary by the board, in the event there is more than one college and/or separated institute or school located in the district, members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties;

(4) May establish, under the approval and direction of the college board, new facilities as community needs and interests demand;

(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 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 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 and regulations of the college board; each board of trustees operating a

community college may enter into agreements, subject to rules and regulations 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 and regulations 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 college programs as specified by law and the regulations 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 regulations 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 college purposes;

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

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community college or colleges under its control, and notwithstanding any other provision of law, 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, nonbaccalaureate degree or certificate;

(13) Shall enforce the rules and regulations prescribed by the state board for community college education for the government of community colleges, students and teachers, and promulgate such rules and regulations and perform all other acts not inconsistent with law or rules and regulations of the state board for community college education as the board of trustees may in its discretion deem necessary or appropriate to the administration of community college districts: PROVIDED, That such rules and regulations shall include, but not be limited to, rules and regulations relating to housing,

scholarships, conduct at the various community college facilities, and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community colleges students who refuse to obey any of the duly promulgated rules and regulations;

(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) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; and

(17) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

Sec. 20. Section 28B.50.170, chapter 223, Laws of 1969 ex. sess. as amended by section 28, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.170 are each amended to read as follows:

The coordinating council for occupational education shall consist of nine voting members. Three of the members shall be selected by the state board of education from its membership; and they shall serve at the pleasure of the state board of education. Three members shall be selected by the community college state board from its membership; and they shall serve at the pleasure of the state board for community college education. Three members shall be appointed by the governor, one of whom shall represent the field of labor, and one of whom shall represent the field of management, both of whom shall have had recent actual experience in or association with the fields of management and labor within the state to assure their familiarity with the vocational education needs of management and labor within the state. The governor's appointees shall serve at his pleasure. No member appointed by the governor shall, during the time he serves on the council, be a member of any other education board, state or local. The superintendent of public instruction and the director of the state system of community colleges or their designees shall serve as nonvoting members of the council.

The coordinating council shall review each program and program expenditure of the director of ~~((the division of))~~ vocational education prior to commitment of same.

No voting member of the council shall receive any salary for his services, but shall receive the sum of twenty-five dollars per diem for each day actually spent in attending to his duties as a member of the council, and mileage at the rate of ten cents per mile.

Sec. 21. Section 28B.50.200, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.200 are each amended to read as follows:

A director ~~((of the division))~~ of vocational education shall

be appointed by the coordinating council and shall serve at the pleasure of the coordinating council. He shall be appointed with due regard to his fitness and background in education, by his knowledge of and recent practical experience in the field of vocational educational administration. The council 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 entire time to the duties of his office and shall not be actively engaged or employed in any other business, vocation or employment, nor shall he have any direct pecuniary interest in or any stock or bonds of any business connected with or selling supplies in the field of education in the state.

He shall receive a salary to be fixed by the council and shall be reimbursed for all traveling and other expenses incurred by him in the discharge of his official duties in accordance with RCW 43.03.050 and 43.03.060, as now or hereafter amended.

He shall be the executive officer of the ~~((division of vocational education))~~ coordinating council and under the council's supervision shall administer the provisions of this chapter and the rules, regulations and orders established thereunder and all other laws of the state pertaining to vocational education. He shall attend, but not vote at, all meetings of the council. He shall be in charge of offices of the ~~((division of vocational education))~~ coordinating council and responsible to the council for the preparation of reports and the collection and dissemination of data and other public information relating to vocational education in the state. At the direction of the council, he shall, together with the chairman of the council, execute all contracts entered into by the ~~((division of vocational education))~~ coordinating council.

The director shall, subject to the approval of the coordinating council, pursuant to chapter 41.06 RCW, the state civil service law, appoint such field and office assistants, clerks and other employees as may be required and authorized for the proper discharge of the functions of the ~~((division of vocational education: All employees of the former state board for vocational education who are employed exclusively or principally in performing the powers, duties and functions transferred by this chapter to the division of vocational education shall; upon April 3, 1967, be transferred to the division of vocational education: All such employees so transferred shall continue to be governed by the provisions of chapter 41.06 RCW; the state civil service law; without any loss of rights granted by said law. The coordinating council, in cooperation with the state board of education and the state board for community college education shall prepare a study for the forty-first legislature evaluating the effectiveness and efficiency of the division of~~

vocational education, including a study of the permanent placement of the employees of the former state board for vocational education)) coordinating council.

The coordinating council may, by written order filed in its office, delegate to the director any of the powers and duties relating to vocational education vested in or imposed upon it by this chapter and the federal vocational education acts. Such delegated powers and duties may be exercised by the director in the name of the council. The coordinating council shall have the power to cooperate with all agencies of government, local, state, and federal, in the promulgation and conducting of public service training with particular reference to fire training and law enforcement training.

Sec. 22. Section 7, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.551 are each amended to read as follows:

The board of trustees of each community college district shall adopt for each community 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, sabbatical leaves for academic personnel, leaves for illness, injury, bereavement and emergencies, with such compensation as the board of trustees may prescribe, except that the board shall grant to all such persons ((annual)) 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, at least fifteen days, commencing with the first day on which work is to be performed;

(2) Such leave entitlement may be accumulated after the first three-quarter period of employment at a minimum rate of five days per quarter for full time employees up to a maximum of one hundred eighty days, 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 community college districts and community 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 community college districts or community colleges shall not be compensable;

(5) Accumulated leave for illness, injury, bereavement and emergencies under this section shall be transferred from one community college district or community college to another, to the state board for community college education, to the state superintendent of public instruction, to any ((county or))

intermediate school district, to any school district, or to any other institutions of higher learning of the state; and

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

Sec. 23. Section 28B.50.570, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.570 are each amended to read as follows:

When the college district boards assume administration control and occupancy of the respective community colleges and vocational-technical institutes, the faculty and nonacademic personnel employed therein shall be deemed to remain an employee of the common school board for the purpose of any pension plan of such employees, and shall continue to be entitled to all rights and benefits thereunder as if they had remained employed by the common school board.

Until the legislature adopts a new pension plan for such employees, the district boards shall deduct from the remuneration of such employee the amount which such employee is or may be required to pay in accordance with the provisions of the pension plan of the Washington state teachers retirement system and the district boards shall pay to the retirement system any amounts required to be paid under the provisions of such plan by the employer and the employee.

(2) Faculty hired by the college district boards after April 3, 1967, who are members of a teachers' pension plan in operation in the state of Washington or who are members of a nation-wide teachers' pension plan, may continue to retain membership in such plan if they so elect and if the election is not inconsistent with the regulations of such retirement plan.

Until the legislature adopts a new pension plan for such employees, the district boards shall deduct from the remuneration of such employee the amount which such employee is or may be required to pay in accordance with the provisions of the pension plan he has elected to continue and the college district boards shall pay to the pension plan any amounts required to be paid under the provisions of such plan by the employer and the employee.

~~((3) The state board for community college education is hereby directed to consult with the public pension commission and prepare a study report on pension plans for faculty and to recommend legislation to adopt a plan for the best interests of the state. The study report shall be presented to the members of the forty-first legislature no later than November 30, 1968.))~~

Sec. 24. Section 42, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.864 are each amended to read as follows:

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 ((within ten days thereof)) in accordance with RCW ((34.04.090 through 34.04.140)) 28B.19.150 as now or hereafter amended. ((For the purposes of chapter 34.04 RCW any appeal pursuant to this provision shall be considered a contested case as defined in RCW 34.04.010(3)r))

NEW SECTION. Sec. 25. The following acts or parts of acts are hereby repealed:

(1) Section 3, chapter 283, Laws of 1969 ex. sess. and RCW 28B.10.720;

(2) Section 28B.50.690, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.690;

(3) Section 28B.50.700, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.700;

(4) Section 28B.50.710, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.710;

(5) Section 28B.50.780, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.780; and

(6) Section 28B.50.790, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.790.

NEW SECTION. Sec. 26. Nothing in this 1973 amendatory act shall be construed to affect any existing right acquired under the statutes amended or repealed herein or the term of office or election or appointment or employment of any person elected, appointed or employed under the statutes amended or repealed herein.

NEW SECTION. Sec. 27. This 1973 amendatory 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.

NEW SECTION. Sec. 28. If any provision of this 1973 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.

Passed the House February 2, 1973.

Passed the Senate February 28, 1973.

Approved by the Governor March 8, 1973.

Filed in Office of Secretary of State March 8, 1973.