

The parks and recreation commission is authorized to accept grants or moneys from any federal or private source for support of hostels. The commission at its discretion is directed to apportion and transfer any such moneys to contracting agencies or political subdivisions which operate hostels: PROVIDED, That the commission shall establish rules and regulations for the operation of hostels which are substantially similar to the operating standards and customs established by the American Youth Hostels Incorporated.

Passed the Senate June 9, 1977.

Passed the House June 7, 1977.

Approved by the Governor June 17, 1977.

Filed in Office of Secretary of State June 17, 1977.

CHAPTER 282

[Senate Bill No. 2493]

COMMUNITY COLLEGES

AN ACT Relating to community colleges; amending section 28B.50.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 17, chapter 62, Laws of 1973 and RCW 28B.50.100; amending section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 16, chapter 62, Laws of 1973 and RCW 28B.50.090; amending section 17, chapter 15, Laws of 1970 ex. sess. as amended by section 19, chapter 62, Laws of 1973 and RCW 28B.50.140; amending section 28B.50.300, chapter 223, Laws of 1969 ex. sess. as amended by section 73, chapter 81, Laws of 1971 and RCW 28B.50.300; amending section 38, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.860; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW; repealing section 28B.50.570, chapter 223, Laws of 1969 ex. sess., section 23, chapter 62, Laws of 1973 and RCW 28B.50.570; repealing section 28B.50.590, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.590; repealing section 28B.50.750, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.750; repealing section 6, chapter 133, Laws of 1972 ex. sess. and RCW 28B.56.060; and making effective dates.

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

NEW SECTION. Section 1. There is added to chapter 223, Laws of 1969 ex. sess. and to chapter 28B.50 RCW a new section to read as follows:

The district board of trustees of any community 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 community 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 community 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 community 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 community college district.

Sec. 2. Section 28B.50.100, chapter 223, Laws of 1969 ex. sess. as last amended by section 17, chapter 62, Laws of 1973 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 for terms commencing October 1st of the year in which appointed. 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 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.

NEW SECTION. Sec. 3. Notwithstanding any other provisions of law, the terms for present members of the community college boards of trustees shall be extended for a period of six months, or not later than October 1st of the year of expiration, to carry out the purposes of section 2 of this 1977 amendatory act.

Sec. 4. Section 28B.50.090, chapter 223, Laws of 1969 ex. sess. as last amended by section 16, chapter 62, Laws of 1973 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 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, except such property as is received by a community 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 college system;

(13) Notwithstanding the provisions of subsection (12) 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 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.

The college board shall have the power of eminent domain.

Sec. 5. Section 17, chapter 15, Laws of 1970 ex. sess. as amended by section 19, chapter 62, Laws of 1973 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) 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 and regulations adopted by the state board for community college education: 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: PROVIDED FURTHER, That enrollments generated hereunder shall not be counted toward the official enrollment level of the college district for state funding purposes.

(17) 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; and

~~((+7))~~ (18) Shall perform any other duties and responsibilities imposed by law or rule and regulation of the state board.

Sec. 6. Section 28B.50.300, chapter 223, Laws of 1969 ex. sess. as amended by section 73, chapter 81, Laws of 1971 and RCW 28B.50.300 are each amended to read as follows:

Title to or all interest in real estate, choses in action and all other assets, including but not limited to assignable contracts, cash, deposits in county funds (including any interest or premiums thereon), equipment, buildings, facilities, and appurtenances thereto held as of the date of passage of this act by or for a school district and obtained identifiably with federal, state or local funds appropriated for community college purposes or post-high school vocational educational purposes, or used or obtained with funds budgeted for community college purposes or post-high school vocational educational purposes, or used or obtained primarily for community college or vocational educational purposes, shall, on the date on which the first board of trustees of each district takes office, vest in or be assigned to the state board for community college education: PROVIDED, That cash, funds, accounts or other deposits obtained or raised by a school district to pay for indebtedness,

bonded or otherwise, contracted on or before April 3, 1967 for community college purposes shall remain with and continue to be, after April 3, 1967, an asset of the school district: AND PROVIDED FURTHER, That any option acquired by the school district to purchase real property which in the judgment of the school district will be used in the common school program may remain with the school district notwithstanding that such option was obtained in consideration of the purchase by such school district of other property for community college purposes: AND PROVIDED FURTHER, That unexpended funds of a common school district derived from the sale, prior to July 1, 1967, of bonds authorized for any purpose which includes community college purposes and not committed for any existing construction contract, shall remain with and continue to be an asset of such common school district, unless within thirty days after said date such common school district determines to transfer such funds to the board of trustees.

~~((For the purposes of this section and to facilitate the process of allocating the assets, the board of directors of each school district in which a community college is located, and the president of each community college, shall each submit to the state board of education, and the state board for community college education within sixty days of April 3, 1967, an inventory listing all real estate, personal property, choses in action, and other assets, held by a school district, which under the criteria of this section, will become the assets of the state board for community college education: PROVIDED, That assets used "primarily" for community college purposes shall include, but not be limited to, all assets currently held by school districts which have been used on an average of at least seventy-five percent of the time during the school year 1965-1966, or if acquired subsequent to July 1, 1966, since its time of acquisition, for community college purposes: PROVIDED, FURTHER, That the ultimate decision and approval with respect to the allocation and disposition of the assets under this section shall be made by the governor, or an advisory committee appointed by him for that purpose. The decision of the governor or his advisory committee may be appealed within sixty days after such decision is issued by appealing to the district court of Thurston county. The decision of the superior court may be appealed to the supreme court or the court of appeals of the state in accordance with the provision of the Administrative Procedure Act, chapter 34.04 RCW:))~~

Sec. 7. Section 38, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.860 are each amended to read as follows:

A tenured faculty member, upon appointment to an administrative appointment(~~(, except that of president;)~~) shall be allowed to retain his tenure.

NEW SECTION. Sec. 8. The following acts or parts thereof are hereby repealed:

- (1) Section 28B.50.570, chapter 223, Laws of 1969 ex. sess., section 23, chapter 62, Laws of 1973 and RCW 28B.50.570;
- (2) Section 28B.50.590, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.590;
- (3) Section 28B.50.750, chapter 223, Laws of 1969 ex. sess. and RCW 28B.50.750; and
- (4) Section 6, chapter 133, Laws of 1972 ex. sess. and RCW 28B.56.060.

NEW SECTION. Sec. 9. Sections 2 and 3 of this 1977 amendatory act shall not take effect until January 1, 1978.

NEW SECTION. Sec. 10. 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.

Passed the Senate June 8, 1977.

Passed the House June 8, 1977.

Approved by the Governor June 17, 1977.

Filed in Office of Secretary of State June 17, 1977.

CHAPTER 283

[Engrossed Substitute Senate Bill No. 2810]
EDUCATIONAL SERVICE DISTRICTS

AN ACT Relating to existing educational service districts; amending section 1, chapter 176, Laws of 1969 ex. sess. as last amended by section 1, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.010; amending section 2, chapter 176, Laws of 1969 ex. sess. as amended by section 2, chapter 282, Laws of 1971 ex. sess. and RCW 28A.21.020; amending section 3, chapter 176, Laws of 1969 ex. sess. as last amended by section 3, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.030; amending section 5, chapter 75, Laws of 1974 ex. sess. as amended by section 6, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.0304; amending section 6, chapter 75, Laws of 1974 ex. sess. as amended by section 7, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.0305; amending section 4, chapter 282, Laws of 1971 ex. sess. as last amended by section 9, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.035; amending section 5, chapter 176, Laws of 1969 ex. sess. as last amended by section 12, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.050; amending section 6, chapter 176, Laws of 1969 ex. sess. as last amended by section 68, chapter 34, Laws of 1975-'76 2nd ex. sess. and RCW 28A.21.060; amending section 19, chapter 34, Laws of 1969 ex. sess. as last amended by section 22, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.105; amending section 20, chapter 34, Laws of 1969 ex. sess. as last amended by section 23, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.106; amending section 20, chapter 282, Laws of 1971 ex. sess. as amended by section 30, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.135; amending section 3, chapter 239, Laws of 1967 as last amended by section 1, chapter 115, Laws of 1975 1st ex. sess. and RCW 39.34.020; creating new sections; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.03 RCW; adding a new section to chapter 223, Laws of 1969 ex. sess. and to chapter 28A.04 RCW; adding new sections to chapter 28A.21 RCW; repealing section 7, chapter 176, Laws of 1969 ex. sess., section 2, chapter 84, Laws of 1970 ex. sess., section 9, chapter 282, Laws of 1971 ex. sess., section 14, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.070; repealing section 2, chapter 75, Laws of 1974 ex. sess. and RCW 28A.21.0301; repealing section 3, chapter 75, Laws of 1974 ex. sess., section 4, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.0302; and repealing section 8, chapter 176, Laws of 1969 ex. sess., section 10, chapter 282, Laws of 1971 ex. sess., section 15, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.080.

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

Section 1. Section 1, chapter 176, Laws of 1969 ex. sess. as last amended by section 1, chapter 275, Laws of 1975 1st ex. sess. and RCW 28A.21.010 are each amended to read as follows:

It shall be the intent and purpose of this chapter to ~~((reorganize existing intermediate school district offices in order))~~ establish educational service districts as regional agencies which are intended to:

(1) ~~((Establish intermediate school district offices as educational service agencies which will))~~ Provide cooperative and informational services to local school districts;