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**HOUSE BILL 2382**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Representatives Leavitt and Chopp

Prefiled 01/10/20.

1 AN ACT Relating to housing for community and technical college  
2 faculty and employees; amending RCW 28B.50.140; adding a new section  
3 to chapter 28B.50 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds and declares that  
6 the state institutions of higher education are providing a high  
7 quality education to the citizens of the state and that attracting  
8 and retaining quality employees and faculty are integral to student  
9 success and maintaining high quality education programs for student  
10 benefit.

11 The legislature finds that employee and faculty turnover has  
12 negative impacts on students, and that perpetual recruiting, hiring,  
13 and training of new staff creates inefficiencies and increased costs  
14 for the community and technical college system.

15 The legislature further finds that many schools are struggling to  
16 retain faculty because salary levels do not keep up with the rapidly  
17 increasing costs of living, specifically the high cost of housing. In  
18 high cost areas in our state, nearly eighty-four percent of faculty  
19 have reported having to work more than one job or rely on another  
20 person's income to make ends meet. Additionally, three-fourths of

1 these faculty members have said they have considered leaving the  
2 profession to pursue other opportunities.

3 Therefore, the legislature finds that the stability of housing  
4 for employees and faculty is critical for the success of students,  
5 each individual school, and the community and technical college  
6 system. Finally, the legislature finds that this act will encourage  
7 development of affordable housing opportunities for employees and  
8 faculty at community and technical colleges across Washington state.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.50  
10 RCW to read as follows:

11 This section specifically creates a state policy supporting  
12 affordable housing for community and technical college faculty and  
13 employees, as described in section 42(g)(9) of the internal revenue  
14 code.

15 **Sec. 3.** RCW 28B.50.140 and 2018 c 267 s 3 are each amended to  
16 read as follows:

17 Each board of trustees:

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

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

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

1 and technical colleges shall adopt rules defining the permissible  
2 elements of compensation under this subsection;

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

8 (5) May establish or lease, operate, equip and maintain  
9 dormitories, food service facilities, bookstores, faculty and  
10 employee housing and boarding, and other self-supporting facilities  
11 connected with the operation of the community and technical college;

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

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

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

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

34 (8) May receive such gifts, grants, conveyances, devises and  
35 bequests of real or personal property from private sources, as may be  
36 made from time to time, in trust or otherwise, whenever the terms and  
37 conditions thereof will aid in carrying out the community and  
38 technical college programs as specified by law and the rules of the  
39 state college board; sell, lease or exchange, invest or expend the  
40 same or the proceeds, rents, profits and income thereof according to

1 the terms and conditions thereof; and adopt rules to govern the  
2 receipt and expenditure of the proceeds, rents, profits and income  
3 thereof;

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

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

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

16 (12) May grant to every student, upon graduation or completion of  
17 a course of study, a suitable diploma, degree, or certificate under  
18 the rules of the state board for community and technical colleges  
19 that are appropriate to their mission. The purposes of these  
20 diplomas, certificates, and degrees are to lead individuals directly  
21 to employment in a specific occupation or prepare individuals for a  
22 bachelor's degree or beyond. Technical colleges may only offer  
23 transfer degrees that prepare students for bachelor's degrees in  
24 professional fields, subject to rules adopted by the college board.  
25 In adopting rules, the college board, where possible, shall create  
26 consistency between community and technical colleges and may address  
27 issues related to tuition and fee rates; tuition waivers; enrollment  
28 counting, including the use of credits instead of clock hours; degree  
29 granting authority; or any other rules necessary to offer the  
30 associate degrees that prepare students for transfer to bachelor's  
31 degrees in professional areas. Only colleges under RCW 28B.50.810 or  
32 28B.50.825 may award baccalaureate degrees. The board, upon  
33 recommendation of the faculty, may also confer honorary associate of  
34 arts degrees, or if it is authorized to award baccalaureate degrees  
35 may confer honorary bachelor of applied science degrees, upon persons  
36 other than graduates of the community college, in recognition of  
37 their learning or devotion to education, literature, art, or science.  
38 No degree may be conferred in consideration of the payment of money  
39 or the donation of any kind of property;

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

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

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

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

31 (17) Notwithstanding any other provision of law, may offer  
32 educational services on a contractual basis, charging tuition and  
33 fees as set forth in chapter 28B.15 RCW, counting such enrollments  
34 for state funding purposes, and may additionally charge a special  
35 supplemental fee when necessary to cover the full instructional costs  
36 of such services: PROVIDED, That such contracts shall be subject to  
37 review by the state board for community and technical colleges and to  
38 such rules as the state board may adopt for that purpose in order to  
39 assure that the sum of the supplemental fee and the normal state  
40 funding shall not exceed the projected total cost of offering the

1 educational service: PROVIDED FURTHER, That enrollments generated by  
2 courses offered on the basis of contracts requiring payment of a  
3 share of the normal costs of the course will be discounted to the  
4 percentage provided by the college;

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

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

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

16 (21) May confer honorary associate of arts degrees upon persons  
17 who request an honorary degree if they were students at the college  
18 in 1942 and did not graduate because they were ordered into an  
19 internment camp. The honorary degree may also be requested by a  
20 representative of deceased persons who meet these requirements. For  
21 the purposes of this subsection, "internment camp" means a relocation  
22 center to which persons were ordered evacuated by Presidential  
23 Executive Order 9066, signed on February 19, 1942.

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