



<b>Board Policy:</b> Board of Trustees Authority and Responsibilities	<b>Policy Number:</b> BP01: 02.010
<b>Article:</b> 1.) Institutional Integrity/ Board of Trustees <b>Section:</b> 2.) Board Authority and Responsibilities	<b>Adopted by the BOT:</b> 10/11/1999 <b>Reviewed:</b>
<b>Applicable WAC/RCW:</b> <u>RCW 28B.50.140</u>	Page 1 of 4

#### **BP01: 02.010 Board of Trustees Authority and Responsibilities**

The Board is an agency of the State of Washington and derives its authority as described in Chapter 28B, RCW. Every act of the Board shall conform to the constitution, statutes, and court decisions of the state and federal governments and the regulations issued pursuant thereto.

#### **RCW 28B.50.140 Board of trustees – Power and Duties**

Each board of trustees:

- (1) Shall operate all existing community and technical colleges in its district;
- (2) Shall create comprehensive programs of community and technical 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 and technical college and, may appoint a president for the district, and fix their duties and compensation, which may include elements other than salary. Compensation under this subsection shall not affect but may supplement retirement, health care, and other benefits that are otherwise applicable to the presidents as state employees. The board shall also employ for a period to be fixed by the board members of the faculty and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties. Except as provided for academic employees in RCW [28B.52.035](#) and technical college classified employees under chapter [41.56](#) RCW, compensation and salary increases under this subsection shall not exceed the amount or percentage established for those purposes in the state appropriations act by the legislature as allocated to the board of trustees by the state board for community and technical colleges. The state board for community and technical colleges shall adopt rules defining the permissible elements of compensation under this subsection;
- (4) May establish, in accordance with RCW [28B.77.080](#), new facilities as community needs and interests demand. However, the authority of boards of trustees to purchase or lease major off-campus facilities shall be subject to the approval of the student achievement council pursuant to RCW [28B.77.080](#);
- (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 and technical 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 and technical 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 of the college board; each board of trustees operating a community and technical college may enter into agreements, subject to rules 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 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 and technical college programs as specified by law and the rules 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 rules 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 and technical college purposes;

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

(11) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the community and technical college or colleges under its control, and 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, degree, or certificate under the rules of the state board for community and technical colleges that are appropriate to their mission. The purposes of these diplomas, certificates, and degrees are to lead individuals directly to employment in a specific occupation or prepare individuals for a bachelor's degree or beyond. Technical colleges may only offer transfer degrees that prepare students for bachelor's degrees in professional fields, subject to rules adopted by the college board. In adopting rules, the college board, where possible, shall create consistency between community and technical colleges and may address issues related to tuition and fee rates; tuition waivers; enrollment counting, including the use of credits instead of clock hours; degree granting authority; or any other rules necessary to offer the associate degrees that prepare students for transfer to bachelor's degrees in professional areas. Only colleges under RCW [28B.50.810](#) or [28B.50.825](#) may award baccalaureate degrees. The board, upon recommendation of the faculty, may also confer honorary associate of arts degrees, or if it is authorized to award baccalaureate degrees may confer honorary bachelor of applied science degrees, upon persons other than graduates of the community college, in recognition of their learning or devotion to education, literature, art, or science. No degree may be conferred in consideration of the payment of money or the donation of any kind of property;

(13) Shall enforce the rules prescribed by the state board for community and technical colleges for the government of community and technical colleges, students and teachers, and adopt such rules and

perform all other acts not inconsistent with law or rules of the state board for community and technical colleges as the board of trustees may in its discretion deem necessary or appropriate to the administration of college districts: PROVIDED, That such rules shall include, but not be limited to, rules relating to housing, scholarships, conduct at the various community and technical college facilities, and discipline: PROVIDED, FURTHER, That the board of trustees may suspend or expel from community and technical colleges students who refuse to obey any of the duly adopted rules;

(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 adopted by the state board for community and technical colleges: 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 including any salary increases authorized by the legislature for community and technical college employees during the term of the agreement: PROVIDED FURTHER, That enrollments generated hereunder shall not be counted toward the official enrollment level of the college district for state funding purposes;

(17) Notwithstanding any other provision of law, may offer educational services on a contractual basis, charging tuition and fees as set forth in chapter [28B.15](#) RCW, counting such enrollments for state funding purposes, and may additionally charge a special supplemental fee when necessary to cover the full instructional costs of such services: PROVIDED, That such contracts shall be subject to review by the state board for community and technical colleges and to such rules as the state board may adopt for that purpose in order to assure that the sum of the supplemental fee and the normal state funding shall not exceed the projected total cost of offering the educational service: PROVIDED FURTHER, That enrollments generated by courses offered on the basis of contracts requiring payment of a share of the normal costs of the course will be discounted to the percentage provided by the college;

(18) 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;

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

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

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

[ [2018 c 267 § 3](#); [2016 sp.s. c 33 § 3](#); [2015 3rd sp.s. c 4 § 946](#); [2014 c 158 § 1](#); [2012 c 229 § 537](#); [2010 c 51 § 4](#); [2009 c 64 § 5](#); [2005 c 258 § 9](#); [2004 c 275 § 58](#); [1997 c 281 § 1](#). Prior: [1991 c 238 § 39](#); [1991 c 58 § 1](#); [1990 c 135 § 1](#); prior: [1987 c 407 § 1](#); [1987 c 314 § 14](#); [1985 c 370 § 96](#); [1981 c 246 § 3](#); [1979 ex.s. c 226 § 11](#); [1979 c 14 § 6](#); prior: [1977 ex.s. c 282 § 5](#); [1977 c 75 § 28](#); [1973 c 62 § 19](#); [1970 ex.s. c 15 § 17](#); prior: [1969 ex.s. c 283 § 30](#); [1969 ex.s. c 261 § 23](#); [1969 ex.s. c 223 § 28B.50.140](#); prior: [1967 ex.s. c 8 § 14](#).]

**NOTES:**

**Effective dates—2015 3rd sp.s. c 4:** See note following RCW [28B.15.069](#).

**Effective date—2012 c 229 §§ 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904:** See note following RCW [28B.77.005](#).

**Intent—2009 c 64:** See note following RCW [28B.50.020](#).

**Findings—Intent—2005 c 258:** See note following RCW [28B.45.014](#).

**Part headings not law—2004 c 275:** See note following RCW [28B.76.090](#).

**Severability—1981 c 246:** See note following RCW [28B.50.090](#).

**Effective date—1979 ex.s. c 226:** "This 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 [June 15, 1979]." [ [1979 ex.s. c 226 § 13](#).]

**Severability—1977 ex.s. c 282:** See note following RCW [28B.50.870](#).

**Savings—Severability—1973 c 62:** See notes following RCW [28B.10.510](#).

**Severability—1970 ex.s. c 15:** See note following RCW [28A.230.160](#).

**Severability—1969 ex.s. c 283:** See note following RCW [28A.150.050](#).

**Severability—1969 ex.s. c 261:** See note following RCW [28B.50.020](#).