

Chapter 72.42 RCW
BOARD OF TRUSTEES—CENTER FOR DEAF AND HARD OF HEARING YOUTH
(Formerly: Board of trustees—School for the deaf)

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RCW 72.42.010 Intention—Purpose. It is the intention of the legislature, in creating a board of trustees for the Washington center for deaf and hard of hearing youth to perform the duties set forth in this chapter, that the board of trustees perform needed oversight services to the governor and the legislature of the center in the development of programs for the hard of hearing, and in the operation of the center, including the *school for the deaf. [2019 c 266 s 28; 2009 c 381 s 13; 2002 c 209 s 5; 1985 c 378 s 31; 1972 ex.s. c 96 s 1.]

***Reviser's note:** The "state school for the deaf" was abolished pursuant to 2009 c 381 s 11 and powers, duties, and functions were transferred to the Washington state center for childhood deafness and hearing loss. The "Washington state center for childhood deafness and hearing loss" was renamed the "Washington center for deaf and hard of hearing youth" by 2019 c 266 s 1.

Findings—Intent—2009 c 381: See note following RCW 72.40.015.

Effective date—2002 c 209: See note following RCW 72.42.021.

Severability—Effective date—1985 c 378: See notes following RCW 72.01.050.

RCW 72.42.015 "Director" defined. Unless the context clearly requires otherwise as used in this chapter "director" means the director of the Washington center for deaf and hard of hearing youth. [2019 c 266 s 29; 2009 c 381 s 14; 1985 c 378 s 32.]

Findings—Intent—2009 c 381: See note following RCW 72.40.015.

Severability—Effective date—1985 c 378: See notes following RCW 72.01.050.

RCW 72.42.016 Additional definitions. Unless the context clearly requires otherwise, as used in this chapter:

- (1) "Center" means the Washington center for deaf and hard of hearing youth serving local school districts across the state; and
- (2) "School" means the Washington state residential *school for the deaf located in Vancouver, Washington. [2019 c 266 s 30; 2009 c 381 s 15; 2002 c 209 s 6.]

***Reviser's note:** The "state school for the deaf" was abolished pursuant to 2009 c 381 s 11 and powers, duties, and functions were transferred to the Washington state center for childhood deafness and hearing loss. The "Washington state center for childhood deafness and hearing loss" was renamed the "Washington center for deaf and hard of hearing youth" by 2019 c 266 s 1.

Findings—Intent—2009 c 381: See note following RCW 72.40.015.

Effective date—2002 c 209: See note following RCW 72.42.021.

RCW 72.42.021 Board of trustees—Membership—Terms—Effect of new or revised boundaries for congressional districts—Vacancies. (1) The governance of the center and the school shall be vested in a board of trustees. The board shall consist of nine members appointed by the governor, with the consent of the senate. The board shall be composed of a resident from each of the state's congressional districts and may include:

- (a) One member who is deaf or hard of hearing;
- (b) Two members who are experienced educational professionals;
- (c) One member who is experienced in providing residential services to youth; and
- (d) One member who is the parent of a child who is deaf or hard of hearing and who is receiving or has received educational services related to deafness or hearing impairment from a public educational institution.

(2) No voting trustee may be an employee of the school or the center, 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. No more than two voting trustees may be school district or educational service district administrators appointed after July 1, 1986.

(3) Trustees shall be appointed by the governor to serve a term of five years, except that any person appointed to fill a vacancy occurring prior to the expiration of a term shall be appointed within sixty days of the vacancy and appointed only for the remainder of the term. Of the initial members, three must be appointed for two-year terms, three must be appointed for three-year terms, and the remainder must be appointed for five-year terms.

(4) The board shall not be deemed unlawfully constituted and a trustee shall not be deemed ineligible to serve the remainder of the trustee's unexpired term on the board solely by reason of the establishment of new or revised boundaries for congressional districts. In such an event, each trustee may continue to serve in office for the balance of the term for which he or she was appointed so long as the trustee continues to reside within the boundaries of the congressional district as they existed at the time of his or her appointment. Vacancies which occur in a trustee position during the balance of any term shall be filled pursuant to subsection (3) of this

section by a successor who resides within the boundaries of the congressional district from which the member whose office was vacated was appointed as they existed at the time of his or her appointment. At the completion of such term, and thereafter, a successor shall be appointed from the congressional district which corresponds in number with the congressional district from which the incumbent was appointed. [2009 c 381 s 16; 2002 c 209 s 7.]

Findings—Intent—2009 c 381: See note following RCW 72.40.015.

Effective date—2002 c 209: "This act takes effect July 1, 2002, except that the governor may appoint the members of the board of trustees under section 7 of this act prior to the beginning of their terms of office on July 1, 2002." [2002 c 209 s 12.]

RCW 72.42.031 Bylaws—Rules—Officers—Quorum. (1) The board of trustees shall organize, adopt bylaws for its own governance, and adopt rules not inconsistent with this chapter as they deem necessary. At such organizational meeting it shall elect from among its members a chair and a vice chair, each to serve for one year, and annually thereafter shall elect such officers to serve until their successors are appointed or qualified.

(2) A majority of the voting members of the board in office constitutes 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 by its bylaws, rules, or regulations. [2012 c 117 s 475; 2002 c 209 s 9.]

Effective date—2002 c 209: See note following RCW 72.42.021.

RCW 72.42.041 Powers and duties. The board of trustees of the center:

(1) Shall adopt rules and regulations for its own governance;

(2) Shall direct the development of, approve, and monitor the enforcement of policies, rules, and regulations pertaining to the school and the center, including but not limited to:

(a) The use of classrooms and other facilities for summer or night schools or for public meetings and any other uses consistent with the mission of the center;

(b) Pedestrian and vehicular traffic on property owned, operated, or maintained by the center;

(c) Governance, management, and operation of the residential facilities;

(d) Transferability of employees between the center and the school for the blind consistent with collective bargaining agreements in effect; and

(e) Compliance with state and federal education civil rights laws at the school;

(3) Shall develop a process for recommending candidates for the position of director and upon a vacancy shall submit a list of three qualified candidates for director to the governor;

(4) Shall submit an evaluation of the director to the governor by July 1st of each odd-numbered year that includes a recommendation regarding the retention of the director;

(5) May recommend to the governor at any time that the director be removed for conduct deemed by the board to be detrimental to the interests of the center;

(6) Shall prepare and submit by July 1st of each even-numbered year a report to the governor and the appropriate committees of the legislature which contains a detailed summary of the center's progress on performance objectives and the center's work, facility conditions, and revenues and costs of the center for the previous year and which contains those recommendations it deems necessary and advisable for the governor and the legislature to act on;

(7) Shall approve the center's budget and all funding requests, both operating and capital, submitted to the governor;

(8) Shall direct and approve the development and implementation of comprehensive programs of education, training, and as needed residential living, such that students served by the school receive a challenging and quality education in a safe school environment;

(9) Shall direct, monitor, and approve the implementation of a comprehensive continuous quality improvement system for the center;

(10) Shall monitor and inspect all existing facilities of the center and report its findings in its biennial report to the governor and appropriate committees of the legislature; and

(11) May grant to every student of the school, upon graduation or completion of a program or course of study, a suitable diploma, nonbaccalaureate degree, or certificate. [2009 c 381 s 17; 2002 c 209 s 8.]

Findings—Intent—2009 c 381: See note following RCW 72.40.015.

Effective date—2002 c 209: See note following RCW 72.42.021.

RCW 72.42.060 Travel expenses. Each member of the board of trustees shall receive travel expenses as provided in RCW 43.03.050 and 43.03.060 as now existing or hereafter amended, and such payments shall be a proper charge to any funds appropriated or allocated for the support of the Washington center for deaf and hard of hearing youth. [2019 c 266 s 31; 2009 c 381 s 22; 1975-'76 2nd ex.s. c 34 s 168; 1972 ex.s. c 96 s 6.]

Findings—Intent—2009 c 381: See note following RCW 72.40.015.

Effective date—Severability—1975-'76 2nd ex.s. c 34: See notes following RCW 2.08.115.

RCW 72.42.070 Meetings. The board of trustees shall meet at least quarterly but may meet more frequently at such times as the board by resolution determines or the bylaws of the board prescribe. [2002 c 209 s 10; 1993 c 147 s 10; 1972 ex.s. c 96 s 7.]

Effective date—2002 c 209: See note following RCW 72.42.021.