
ENGROSSED SUBSTITUTE SENATE BILL 5982

State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senator Rinehart; by request of Office of Financial Management)

Read first time 04/13/93.

1 AN ACT Relating to higher education tuition; amending RCW
2 28B.10.265, 28B.15.014, 28B.15.031, 28B.15.100, 28B.15.202, 28B.15.225,
3 28B.15.380, 28B.15.402, 28B.15.515, 28B.15.502, 28B.15.520, 28B.15.522,
4 28B.15.527, 28B.15.543, 28B.15.545, 28B.15.556, 28B.15.600, 28B.15.615,
5 28B.15.620, 28B.15.628, 28B.15.725, 28B.15.730, 28B.15.740, 28B.15.750,
6 28B.15.756, 28B.15.820, 28B.50.259, 28B.70.050, 28B.80.580, 28B.15.910,
7 28B.10.800, 28B.12.060, 28B.101.040, and 28B.102.020; reenacting and
8 amending RCW 28B.15.012; creating a new section; repealing RCW
9 28B.15.824; providing an effective date; and declaring an emergency.

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

11 **Sec. 1.** RCW 28B.10.265 and 1992 c 231 s 2 are each amended to read
12 as follows:

13 Subject to the limitations of RCW 28B.15.910, the governing boards
14 of the state universities, the regional universities, The Evergreen
15 State College, and the community colleges may waive all or a portion of
16 the tuition, operating, and services and activities fees for children
17 of any person who was a Washington domiciliary and who within the past
18 eleven years has been determined by the federal government to be a
19 prisoner of war or missing in action in Southeast Asia, including

1 Korea, or who shall become so hereafter, if the children meet such
2 other educational qualifications as such institution of higher
3 education shall deem reasonable and necessary under the circumstances.
4 Applicants for free or reduced tuition shall provide institutional
5 administrative personnel with documentation of their rights under this
6 section.

7 ~~((Before June 30, 1995, no individual waiver program under this
8 section may be reduced by more than twice the percentage reduction
9 required in operating fee foregone revenue from tuition waivers in the
10 biennial state appropriations act.))~~

11 **Sec. 2.** RCW 28B.15.014 and 1992 c 231 s 3 are each amended to read
12 as follows:

13 Subject to the limitations of RCW 28B.15.910, the governing boards
14 of the state universities, the regional universities, The Evergreen
15 State College, and the community colleges may exempt the following
16 nonresidents from paying all or a portion of the nonresident tuition
17 fees differential:

18 (1) Any person who resides in the state of Washington and who holds
19 a graduate service appointment designated as such by a public
20 institution of higher education or is employed for an academic
21 department in support of the instructional or research programs
22 involving not less than twenty hours per week during the term such
23 person shall hold such appointment.

24 (2) Any faculty member, classified staff member or administratively
25 exempt employee holding not less than a half time appointment at an
26 institution who resides in the state of Washington, and the dependent
27 children and spouse of such persons.

28 (3) Active-duty military personnel stationed in the state of
29 Washington ~~((and the spouses and dependents of such military
30 personnel))~~.

31 (4) Any immigrant refugee and the spouse and dependent children of
32 such refugee, if the refugee (a) is on parole status, or (b) has
33 received an immigrant visa, or (c) has applied for United States
34 citizenship.

35 (5) Domestic exchange students participating in the program created
36 under RCW 28B.15.725.

37 (6) Any dependent of a member of the United States congress
38 representing the state of Washington.

1 (~~Before June 30, 1995, no individual waiver program under this~~
2 ~~section may be reduced by more than twice the percentage reduction~~
3 ~~required in operating fee foregone revenue from tuition waivers in the~~
4 ~~biennial state appropriations act.~~)

5 **Sec. 3.** RCW 28B.15.031 and 1987 c 15 s 2 are each amended to read
6 as follows:

7 The term "operating fees" as used in this chapter shall include the
8 fees, other than building fees, charged all students registering at the
9 state's colleges and universities but shall not include fees for short
10 courses, self-supporting degree credit programs and courses, marine
11 station work, experimental station work, correspondence or extension
12 courses, and individual instruction and student deposits or rentals,
13 disciplinary and library fines, which colleges and universities shall
14 have the right to impose, laboratory, gymnasium, health, and student
15 activity fees, or fees, charges, rentals, and other income derived from
16 any or all revenue producing lands, buildings and facilities of the
17 colleges or universities heretofore or hereafter acquired, constructed
18 or installed, including but not limited to income from rooms,
19 dormitories, dining rooms, hospitals, infirmaries, housing or student
20 activity buildings, vehicular parking facilities, land, or the
21 appurtenances thereon, or such other special fees as may be established
22 by any college or university board of trustees or regents from time to
23 time. All moneys received as operating fees at any institution of
24 higher education shall be (~~transmitted to the state treasurer within~~
25 ~~thirty five days of receipt to be deposited in the state general fund~~)
26 deposited in a local account containing only operating fees revenue and
27 related interest: PROVIDED, That two and one-half percent of (~~moneys~~
28 ~~received as~~) operating fees (~~be exempt from such deposit and~~) shall
29 be retained by the institutions, except the technical colleges, for the
30 purposes of RCW 28B.15.820(~~(: PROVIDED FURTHER, That money received by~~
31 ~~institutions of higher education from the periodic payment plan~~
32 ~~authorized by RCW 28B.15.411 shall be transmitted to the state~~
33 ~~treasurer within five days following the close of registration of the~~
34 ~~appropriate quarter or semester)~~).

35 **Sec. 4.** RCW 28B.15.100 and 1992 c 231 s 6 are each amended to read
36 as follows:

1 (1) The governing boards of the state universities, the regional
2 universities, The Evergreen State College, and the community colleges
3 shall charge to and collect from each of the students registering at
4 the particular institution for any quarter or semester such tuition
5 fees and services and activities fees, and other fees as such board
6 shall in its discretion determine. The total of all fees shall be
7 rounded to the nearest whole dollar amount: PROVIDED, That such
8 tuition fees for other than the summer term shall be in the amounts for
9 the respective institutions as otherwise set forth in this chapter.

10 (2) Part time students shall be charged tuition and services and
11 activities fees proportionate to full time student rates established
12 for residents and nonresidents: PROVIDED, That students registered for
13 fewer than two credit hours shall be charged tuition and services and
14 activities fees at the rate established for two credit hours: PROVIDED
15 FURTHER, That, subject to the limitations of RCW 28B.15.910, residents
16 of Idaho or Oregon who are enrolled in community college district
17 number twenty for six or fewer credits during any quarter or semester
18 may be exempted from payment of all or a portion of the nonresident
19 tuition fees differential upon a declaration by the higher education
20 coordinating board that it finds Washington residents from the
21 community college district are afforded substantially equivalent
22 treatment by such other states.

23 (3) Full-time students registered for more than eighteen credit
24 hours shall be charged an additional operating fee for each credit hour
25 in excess of eighteen hours at the applicable established per credit
26 hour tuition fee rate for part-time students: PROVIDED, That, subject
27 to the limitations of RCW 28B.15.910, the governing boards of the state
28 universities and the community colleges may exempt all or a portion of
29 the additional charge, for students who are registered exclusively in
30 first professional programs in medicine, dental medicine, veterinary
31 medicine, or law, or who are registered exclusively in required courses
32 in vocational preparatory programs.

33 ~~((4) Before June 30, 1995, no individual waiver program under this
34 section may be reduced by more than twice the percentage reduction
35 required in operating fee foregone revenue from tuition waivers in the
36 biennial state appropriations act.))~~

37 **Sec. 5.** RCW 28B.15.202 and 1992 c 231 s 7 are each amended to read
38 as follows:

1 Tuition fees and maximum services and activities fees at the
2 University of Washington and at Washington State University for other
3 than the summer term shall be as follows:

4 (1) For full time resident undergraduate students and all other
5 full time resident students not in graduate study programs or enrolled
6 in programs leading to the degrees of doctor of medicine, doctor of
7 dental surgery, and doctor of veterinary medicine, the total tuition
8 fees for the 1993-94 academic year shall be ((~~thirty-three~~)) ~~thirty-six~~
9 percent and thereafter total tuition fees shall be thirty-seven percent
10 of the per student undergraduate educational costs at the state
11 universities computed as provided in RCW 28B.15.067 and 28B.15.070:
12 PROVIDED, That the building fees for each academic year shall be one
13 hundred and twenty dollars. Beginning with the 1995-96 academic year
14 the building fee for each academic year shall be a percentage of total
15 tuition fees. This percentage shall be calculated by the higher
16 education coordinating board and be based on the actual percentage the
17 building fee is of total tuition in the 1994-95 academic year, rounded
18 up to the nearest half percent.

19 (2) For full time resident graduate and law students not enrolled
20 in programs leading to the degrees of doctor of medicine, doctor of
21 dental surgery, and doctor of veterinary medicine, the total tuition
22 fees for the 1993-94 academic year shall be ((~~twenty-three~~)) ~~twenty-~~
23 five percent and thereafter total tuition fees shall be twenty-six
24 percent of the per student graduate educational costs at the state
25 universities computed as provided in RCW 28B.15.067 and 28B.15.070:
26 PROVIDED, That the building fees for each academic year shall be one
27 hundred and twenty dollars. Beginning with the 1995-96 academic year
28 the building fee for each academic year shall be a percentage of total
29 tuition fees. This percentage shall be calculated by the higher
30 education coordinating board and be based on the actual percentage the
31 building fee is of total tuition in the 1994-95 academic year, rounded
32 up to the nearest half percent.

33 (3) For full time resident students enrolled in programs leading to
34 the degrees of doctor of medicine, doctor of dental surgery, and doctor
35 of veterinary medicine, the total tuition fees shall be one hundred
36 sixty-seven percent of such fees charged in subsection (2) of this
37 section: PROVIDED, That the building fees for each academic year shall
38 be three hundred and forty-two dollars. Beginning with the 1995-96
39 academic year the building fee for each academic year shall be a

1 percentage of total tuition fees. This percentage shall be calculated
2 by the higher education coordinating board and be based on the actual
3 percentage the building fee is of total tuition in the 1994-95 academic
4 year, rounded up to the nearest half percent.

5 (4) For full time nonresident undergraduate students and such other
6 full time nonresident students not in graduate study programs or
7 enrolled in programs leading to the degrees of doctor of medicine,
8 doctor of dental surgery, or doctor of veterinary medicine, the total
9 tuition fees for the 1993-94 academic year shall be one hundred eight
10 percent and thereafter total tuition fees shall be one hundred twelve
11 percent of the per student undergraduate educational costs at the state
12 universities computed as provided in RCW 28B.15.067 and 28B.15.070:
13 PROVIDED, That the building fees for each academic year shall be three
14 hundred and fifty-four dollars. Beginning with the 1995-96 academic
15 year the building fee for each academic year shall be a percentage of
16 total tuition fees. This percentage shall be calculated by the higher
17 education coordinating board and be based on the actual percentage the
18 building fee is of total tuition in the 1994-95 academic year, rounded
19 up to the nearest half percent.

20 (5) For full time nonresident graduate and law students not
21 enrolled in programs leading to the degrees of doctor of medicine,
22 doctor of dental surgery, and doctor of veterinary medicine, the total
23 tuition fees for the 1993-94 academic year shall be sixty-five percent
24 and thereafter total tuition fees shall be sixty-seven percent of the
25 per student graduate educational costs at the state universities
26 computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That
27 the building fees for each academic year shall be three hundred and
28 fifty-four dollars. Beginning with the 1995-96 academic year the
29 building fee for each academic year shall be a percentage of total
30 tuition fees. This percentage shall be calculated by the higher
31 education coordinating board and be based on the actual percentage the
32 building fee is of total tuition in the 1994-95 academic year, rounded
33 up to the nearest half percent.

34 (6) For full time nonresident students enrolled in programs leading
35 to the degrees of doctor of medicine, doctor of dental surgery, and
36 doctor of veterinary medicine, the total tuition fees shall be one
37 hundred sixty-seven percent of such fees charged in subsection (5) of
38 this section: PROVIDED, That the building fees for each academic year
39 shall be five hundred and fifty-five dollars. Beginning with the 1995-

1 96 academic year the building fee for each academic year shall be a
2 percentage of total tuition fees. This percentage shall be calculated
3 by the higher education coordinating board and be based on the actual
4 percentage the building fee is of total tuition in the 1994-95 academic
5 year, rounded up to the nearest half percent.

6 (7) The governing boards of the state universities shall charge to
7 and collect from each student, a services and activities fee. The
8 governing board may increase the existing fee annually, consistent with
9 budgeting procedures set forth in RCW 28B.15.045, by a percentage not
10 to exceed the annual percentage increase in resident undergraduate
11 tuition fees: PROVIDED, That such percentage increase shall not apply
12 to that portion of the services and activities fee previously committed
13 to the repayment of bonded debt. The services and activities fee
14 committee provided for in RCW 28B.15.045 may initiate a request to the
15 governing board for a fee increase.

16 **Sec. 6.** RCW 28B.15.225 and 1992 c 231 s 8 are each amended to read
17 as follows:

18 Subject to the limitations of RCW 28B.15.910, the governing board
19 of the University of Washington may exempt the following students from
20 the payment of all or a portion of the nonresident tuition fees
21 differential: Students admitted to the university's school of medicine
22 pursuant to contracts with the states of Alaska, Montana, or Idaho, or
23 agencies thereof, providing for a program of regionalized medical
24 education conducted by the school of medicine; or students admitted to
25 the university's school of dentistry pursuant to contracts with the
26 states of Utah, Idaho, or any other western state which does not have
27 a school of dentistry, or agencies thereof, providing for a program of
28 regionalized dental education conducted by the school of dentistry.
29 The proportional cost of the program, in excess of resident student
30 tuition and fees, will be reimbursed to the university by or on behalf
31 of participating states or agencies. Subject to the limitations of RCW
32 28B.15.910, the governing board of Washington State University may
33 exempt from payment all or a portion of the nonresident tuition
34 (~~fee[s]~~) fees differential for any student admitted to the University
35 of Washington's school of medicine and attending Washington State
36 University as a participant in the Washington, Alaska, Montana, or
37 Idaho program in this section. Washington State University may reduce
38 the professional student tuition for students enrolled in this program

1 by the amount the student pays the University of Washington as a
2 registration fee.

3 ~~((Before June 30, 1995, no individual waiver program under this
4 section may be reduced by more than twice the percentage reduction
5 required in operating fee foregone revenue from tuition waivers in the
6 biennial state appropriations act.))~~

7 **Sec. 7.** RCW 28B.15.380 and 1992 c 231 s 9 are each amended to read
8 as follows:

9 Subject to the limitations of RCW 28B.15.910, the governing boards
10 of the state universities, the regional universities, and The Evergreen
11 State College may exempt the following students from the payment of all
12 or a portion of tuition fees and services and activities fees:

13 (1) All veterans as defined in RCW 41.04.005: PROVIDED, That such
14 persons are no longer entitled to federal vocational or educational
15 benefits conferred by virtue of their military service: AND PROVIDED
16 FURTHER, That if any such veterans have not resided in this state for
17 one year prior to registration, the board may exempt the student from
18 paying up to fifty percent of the nonresident tuition fees
19 differential. Such exemptions may be provided only to those persons
20 otherwise covered who were enrolled in universities on or before
21 October 1, 1977.

22 (2) Children of any law enforcement officer or fire fighter who
23 lost his or her life or became totally disabled in the line of duty
24 while employed by any public law enforcement agency or full time or
25 volunteer fire department in this state: PROVIDED, That such persons
26 may receive the exemption only if they begin their course of study at
27 a state-supported college or university within ten years of their
28 graduation from high school.

29 ~~((Before June 30, 1995, no individual waiver program under this
30 section may be reduced by more than twice the percentage reduction
31 required in operating fee foregone revenue from tuition waivers in the
32 biennial state appropriations act.))~~

33 **Sec. 8.** RCW 28B.15.402 and 1992 c 231 s 10 are each amended to
34 read as follows:

35 Tuition fees and maximum services and activities fees at the
36 regional universities and The Evergreen State College for other than
37 the summer term shall be as follows:

1 (1) For full time resident undergraduate students and all other
2 full time resident students not in graduate study programs, the total
3 tuition fees for the 1993-94 academic year shall be ((~~twenty-five~~))
4 twenty-seven percent and thereafter total tuition fees shall be twenty-
5 eight percent of the per student undergraduate educational costs at the
6 regional universities computed as provided in RCW 28B.15.067 and
7 28B.15.070: PROVIDED, That the building fees for each academic year
8 shall be seventy-six dollars and fifty cents. Beginning with the 1995-
9 96 academic year the building fee for each academic year shall be a
10 percentage of total tuition fees. This percentage shall be calculated
11 by the higher education coordinating board and be based on the actual
12 percentage the building fee is of total tuition in the 1994-95 academic
13 year, rounded up to the nearest half percent.

14 (2) For full time resident graduate students, the total tuition
15 fees for the 1993-94 academic year shall be ((~~twenty-three~~)) twenty-
16 five percent and thereafter total tuition fees shall be twenty-six
17 percent of the per student graduate educational costs at the regional
18 universities computed as provided in RCW 28B.15.067 and 28B.15.070:
19 PROVIDED, That the building fees for each academic year shall be
20 seventy-six dollars and fifty cents. Beginning with the 1995-96
21 academic year the building fee for each academic year shall be a
22 percentage of total tuition fees. This percentage shall be calculated
23 by the higher education coordinating board and be based on the actual
24 percentage the building fee is of total tuition in the 1994-95 academic
25 year, rounded up to the nearest half percent.

26 (3) For full time nonresident undergraduate students and all other
27 full time nonresident students not in graduate study programs, the
28 total tuition fees for the 1993-94 academic year shall be one hundred
29 eight percent and thereafter total tuition fees shall be one hundred
30 twelve percent of the per student undergraduate educational costs at
31 the regional universities computed as provided in RCW 28B.15.067 and
32 28B.15.070: PROVIDED, That the building fees for each academic year
33 shall be two hundred and ninety-five dollars and fifty cents.
34 Beginning with the 1995-96 academic year the building fee for each
35 academic year shall be a percentage of total tuition fees. This
36 percentage shall be calculated by the higher education coordinating
37 board and be based on the actual percentage the building fee is of
38 total tuition in the 1994-95 academic year, rounded up to the nearest
39 half percent.

1 (4) For full time nonresident graduate students, the total tuition
2 fees for the 1993-94 academic year shall be (~~seventy-five~~) eighty-one
3 percent and thereafter total tuition fees shall be eighty-four percent
4 of the per student graduate educational costs at the regional
5 universities computed as provided in RCW 28B.15.067 and 28B.15.070:
6 PROVIDED, That the building fees for each academic year shall be two
7 hundred and ninety-five dollars and fifty cents. Beginning with the
8 1995-96 academic year the building fee for each academic year shall be
9 a percentage of total tuition fees. This percentage shall be
10 calculated by the higher education coordinating board and be based on
11 the actual percentage the building fee is of total tuition in the 1994-
12 95 academic year, rounded up to the nearest half percent.

13 (5) The governing boards of each of the regional universities and
14 The Evergreen State College shall charge to and collect from each
15 student, a services and activities fee. The governing board may
16 increase the existing fee annually, consistent with budgeting
17 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
18 the annual percentage increase in resident undergraduate tuition fees:
19 PROVIDED, That such percentage increase shall not apply to that portion
20 of the services and activities fee previously committed to the
21 repayment of bonded debt. The services and activities fee committee
22 provided for in RCW 28B.15.045 may initiate a request to the governing
23 board for a fee increase.

24 **Sec. 9.** RCW 28B.15.515 and 1991 c 353 s 1 are each amended to read
25 as follows:

26 (1) The boards of trustees of the community college districts may
27 operate summer schools on either a self-supporting or a state-funded
28 basis.

29 If summer school is operated on a self-supporting basis, the fees
30 charged shall be retained by the colleges, and shall be sufficient to
31 cover the direct costs, which are instructional salaries and related
32 benefits, supplies, publications, and records.

33 Community colleges that have self-supporting summer schools shall
34 continue to receive general fund state support for vocational programs
35 that require that students enroll in a four quarter sequence of courses
36 that includes summer quarter due to clinical or laboratory requirements
37 and for ungraded courses limited to adult basic education, vocational

1 apprenticeship, aging and retirement, small business management,
2 industrial first aid, and parent education.

3 (2)((~~a~~)) The board of trustees of a community college district
4 may permit the district's state-funded, full-time equivalent enrollment
5 level, as provided in the (~~operating budget~~) omnibus state
6 appropriations act, to vary (~~by plus or minus two percent each fiscal~~
7 ~~year unless otherwise authorized in the operating budget appropriations~~
8 ~~act~~). If the variance is above the state-funded level, the district
9 may charge those students above the state-funded level a fee equivalent
10 to the amount of tuition and fees that are charged students enrolled in
11 state-funded courses. These fees shall be retained by the colleges.

12 (~~b~~) Any community college that in 1990-91 has an enrollment above
13 the state-funded level but below the authorized variance may increase
14 its excess enrollments to within the variance.

15 (c) Community colleges that currently have excess enrollments more
16 than the authorized variance, by means of enrollments that would have
17 otherwise been eligible for state funding, shall reduce those excess
18 enrollments to within the authorized variance by September 1, 1995, in
19 at least equal annual reductions, commencing with the 1991-92 fiscal
20 year.

21 (d) ~~Except as permitted by (c) of this subsection, should the~~
22 ~~number of student supported, full-time equivalent enrollments in any~~
23 ~~fiscal year fall outside the authorized variance, the college shall~~
24 ~~return by September 1st to the state general fund, an amount equal to~~
25 ~~the college's full average state appropriations per full-time~~
26 ~~equivalent student for such student-funded full-time equivalent outside~~
27 ~~the variance, unless otherwise provided in the operating budget~~
28 ~~appropriations act.~~)

29 (3) The state board for community and technical colleges
30 (~~education~~) shall ensure compliance with this section.

31 **Sec. 10.** RCW 28B.15.502 and 1992 c 231 s 11 are each amended to
32 read as follows:

33 Tuition fees and maximum services and activities fees at each
34 community college for other than the summer term shall be set by the
35 state board for community and technical colleges as follows:

36 (1) For full time resident students, the total tuition fees for the
37 1993-94 academic year shall be (~~twenty-three~~) twenty-five percent and
38 thereafter total tuition fees shall be twenty-six percent of the per

1 student educational costs at the community colleges computed as
2 provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building
3 fees for each academic year shall be one hundred and twenty-seven
4 dollars and fifty cents. Beginning with the 1995-96 academic year the
5 building fee for each academic year shall be a percentage of total
6 tuition fees. This percentage shall be calculated by the higher
7 education coordinating board and be based on the actual percentage the
8 building fee is of total tuition in the 1994-95 academic year, rounded
9 up to the nearest half percent.

10 (2) For full time nonresident students, the total tuition fees for
11 the 1993-94 academic year shall be one hundred eight percent and
12 thereafter total tuition fees shall be one hundred twelve percent of
13 the per student educational costs at the community colleges computed as
14 provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building
15 fees for each academic year shall be four hundred and three dollars and
16 fifty cents. Beginning with the 1995-96 academic year the building fee
17 for each academic year shall be a percentage of total tuition fees.
18 This percentage shall be calculated by the higher education
19 coordinating board and be based on the actual percentage the building
20 fee is of total tuition in the 1994-95 academic year, rounded up to the
21 nearest half percent.

22 (3) The governing boards of each of the state community colleges
23 shall charge to and collect from each student a services and activities
24 fee. Each governing board may increase the existing fee annually,
25 consistent with budgeting procedures set forth in RCW 28B.15.045, by a
26 percentage not to exceed the annual percentage increase in resident
27 student tuition fees: PROVIDED, That such percentage increase shall
28 not apply to that portion of the services and activities fee previously
29 committed to the repayment of bonded debt. The services and activities
30 fee committee provided for in RCW 28B.15.045 may initiate a request to
31 the governing board for a fee increase.

32 (4) Tuition and services and activities fees consistent with
33 subsection (3) of this section shall be set by the state board for
34 community and technical colleges for summer school students unless the
35 community college charges fees in accordance with RCW 28B.15.515.

36 Subject to the limitations of RCW 28B.15.910, each governing board
37 may charge such fees for ungraded courses, noncredit courses, community
38 services courses, and self-supporting courses as it, in its discretion,

1 may determine, consistent with the rules and regulations of the state
2 board for community and technical colleges.

3 ~~((Before June 30, 1995, no individual waiver program under this
4 section may be reduced by more than twice the percentage reduction
5 required in operating fee foregone revenue from tuition waivers in the
6 biennial state appropriations act.))~~

7 NEW SECTION. **Sec. 11.** RCW 28B.15.824 and 1992 c 231 s 36 are each
8 repealed.

9 NEW SECTION. **Sec. 12.** All moneys in the accounts established
10 under RCW 28B.15.824 on the effective date of this section are hereby
11 appropriated to the respective institutions of higher education for
12 deposit in the institution's local account established under RCW
13 28B.15.031.

14 **Sec. 13.** RCW 28B.15.520 and 1992 c 231 s 12 are each amended to
15 read as follows:

16 Subject to the limitations of RCW 28B.15.910, the governing boards
17 of the community colleges may:

18 (1) Waive all or a portion of tuition fees and services and
19 activities fees for:

20 (a) Students nineteen years of age or older who are eligible for
21 resident tuition and fee rates as defined in RCW 28B.15.012 through
22 28B.15.015 and who enroll in a course of study or program which will
23 enable them to finish their high school education and obtain a high
24 school diploma or certificate; and

25 (b) Children of any law enforcement officer or fire fighter who
26 lost his or her life or became totally disabled in the line of duty
27 while employed by any public law enforcement agency or full time or
28 volunteer fire department in this state: PROVIDED, That such persons
29 may receive the waiver only if they begin their course of study at a
30 community college within ten years of their graduation from high
31 school;

32 (2) Waive all or a portion of the nonresident tuition fees
33 differential for:

34 (a) Nonresident students enrolled in a community college course of
35 study or program which will enable them to finish their high school
36 education and obtain a high school diploma or certificate. The waiver

1 shall be in effect only for those courses which lead to a high school
2 diploma or certificate; and

3 (b) Up to forty percent of the students enrolled in the regional
4 education program for deaf students, subject to federal funding of such
5 program.

6 ~~((3) Before June 30, 1995, no individual waiver program under this
7 section may be reduced by more than twice the percentage reduction
8 required in operating fee foregone revenue from tuition waivers in the
9 biennial state appropriations act.))~~

10 **Sec. 14.** RCW 28B.15.522 and 1992 c 231 s 13 are each amended to
11 read as follows:

12 (1) The governing boards of the community colleges may waive all or
13 a portion of the tuition and services and activities fees for persons
14 under subsection (2) of this section pursuant to the following
15 conditions:

16 (a) Such persons shall register for and be enrolled in courses on
17 a space available basis and new course sections shall not be created as
18 a result of the registration;

19 (b) Enrollment information on persons registered pursuant to this
20 section shall be maintained separately from other enrollment
21 information and shall not be included in official enrollment reports,
22 nor shall such persons be considered in any enrollment statistics which
23 would affect budgetary determinations; and

24 (c) Persons who enroll under this section shall have the same
25 access to support services as do all other students and shall be
26 subject to all course prerequisite requirements.

27 (2) A person is eligible for the waiver under subsection (1) of
28 this section if the person:

29 (a) Meets the requirements for a resident student under RCW
30 28B.15.011 through 28B.15.015;

31 (b) Is twenty-one years of age or older;

32 (c) At the time of initial enrollment under subsection (1) of this
33 section, has not attended an institution of higher education for the
34 previous six months;

35 (d) Is not receiving or is not entitled to receive unemployment
36 compensation of any nature under Title 50 RCW; and

37 (e) Has an income at or below the need standard established under
38 chapter 74.04 RCW by the department of social and health services.

1 (3) The state board for community and technical colleges shall
2 adopt rules to carry out this section.

3 ~~((4) Before June 30, 1995, no individual waiver program under this
4 section may be reduced by more than twice the percentage reduction
5 required in operating fee foregone revenue from tuition waivers in the
6 biennial state appropriations act.))~~

7 **Sec. 15.** RCW 28B.15.527 and 1992 c 231 s 14 are each amended to
8 read as follows:

9 Subject to the limitations of RCW 28B.15.910, the governing boards
10 of the community colleges may waive all or a portion of the nonresident
11 tuition fees differential for undergraduate students of foreign nations
12 as follows:

13 (1) Priority in the awarding of waivers shall be given to students
14 on academic exchanges and students participating in special programs
15 recognized through formal agreements between states, cities, or
16 institutions;

17 (2) The waiver programs under this section shall promote reciprocal
18 placements and waivers in foreign nations for Washington residents.
19 The number of foreign students granted waivers through this program
20 shall not exceed the number of that institution's own students enrolled
21 in approved study programs abroad during the same period;

22 (3) No reciprocal placements shall be required for up to thirty
23 students participating in the Georgetown University scholarship program
24 funded by the United States agency for international development;

25 (4) Participation shall be limited to one hundred full-time foreign
26 students each year.

27 ~~((5) Before June 30, 1995, no individual waiver program under this
28 section may be reduced by more than twice the percentage reduction
29 required in operating fee foregone revenue from tuition waivers in the
30 biennial state appropriations act.))~~

31 **Sec. 16.** RCW 28B.15.543 and 1992 c 231 s 17 are each amended to
32 read as follows:

33 Subject to the limitations of RCW 28B.15.910, the governing boards
34 of the state universities, the regional universities, The Evergreen
35 State College, and the community colleges shall waive tuition and
36 service and activities fees for recipients of the Washington scholars
37 award under RCW 28A.600.100 through 28A.600.150 who received their

1 awards before June 30, (~~1992~~) 1994. The governing boards may waive
2 all or a portion of tuition and services and activities fees for those
3 recipients of the Washington scholars award who received their awards
4 after June 30, (~~1992~~) 1994. The waivers shall be used only for
5 undergraduate studies. To qualify for the waiver, recipients shall
6 enter the college or university within three years of high school
7 graduation and maintain a minimum grade point average at the college or
8 university equivalent to 3.30. Students shall be eligible for waivers
9 for a maximum of twelve quarters or eight semesters and may transfer
10 among state-supported institutions of higher education during that
11 period and continue to have the tuition and services and activities
12 fees waived by the state-supported institution of higher education that
13 the student attends. Should the student's cumulative grade point
14 average fall below 3.30 during the first three quarters or two
15 semesters, that student may petition the higher education coordinating
16 board which shall have the authority to establish a probationary period
17 until such time as the student's grade point average meets required
18 standards.

19 ~~((Before June 30, 1995, no individual waiver program under this
20 section may be reduced by more than twice the percentage reduction
21 required in operating fee foregone revenue from tuition waivers in the
22 biennial state appropriations act.))~~

23 **Sec. 17.** RCW 28B.15.545 and 1992 c 231 s 18 are each amended to
24 read as follows:

25 Subject to the limitations of RCW 28B.15.910, the governing boards
26 of the state universities, the regional universities, The Evergreen
27 State College, and the community colleges shall waive tuition and
28 services and activities fees for those recipients of the Washington
29 award for vocational excellence established under RCW 28C.04.520
30 through 28C.04.540 who received their awards before June 30, (~~1992~~)
31 1994. The governing boards may waive all or a portion of tuition and
32 services and activities fees for those recipients of the Washington
33 award for vocational excellence who received their awards after June
34 30, (~~1992~~) 1994. Each recipient shall not receive a waiver for more
35 than six quarters or four semesters. To qualify for the waiver,
36 recipients shall enter the college or university within three years of
37 receiving the award. A minimum grade point average at the college or
38 university equivalent to 3.00, or an above-average rating at a

1 technical college, shall be required in the first year to qualify for
2 the second-year waiver. The tuition waiver shall be granted for
3 undergraduate studies only.

4 ~~((Before June 30, 1995, no individual waiver program under this
5 section may be reduced by more than twice the percentage reduction
6 required in operating fee foregone revenue from tuition waivers in the
7 biennial state appropriations act.))~~

8 **Sec. 18.** RCW 28B.15.556 and 1992 c 231 s 19 are each amended to
9 read as follows:

10 Subject to the limitations of RCW 28B.15.910, the governing boards
11 of the state universities, the regional universities, and The Evergreen
12 State College may waive all or a portion of the tuition, and services
13 and activities fees for undergraduate or graduate students of foreign
14 nations subject to the following limitations:

15 (1) No more than the equivalent of one hundred waivers may be
16 awarded to undergraduate or graduate students of foreign nations at
17 each of the two state universities;

18 (2) No more than the equivalent of twenty waivers may be awarded to
19 undergraduate or graduate students of foreign nations at each of the
20 regional universities and The Evergreen State College;

21 (3) Priority in the awarding of waivers shall be given to students
22 on academic exchanges or academic special programs sponsored by
23 recognized international educational organizations; and

24 (4) An undergraduate or graduate student of a foreign nation
25 receiving a waiver under this section is not eligible for any other
26 waiver.

27 The waiver programs under this section, to the greatest extent
28 possible, shall promote reciprocal placements and waivers in foreign
29 nations for Washington residents. The number of waivers awarded by
30 each institution shall not exceed the number of that institution's own
31 students enrolled in approved study programs abroad during the same
32 period.

33 ~~((5) Before June 30, 1995, no individual waiver program under this
34 section may be reduced by more than twice the percentage reduction
35 required in operating fee foregone revenue from tuition waivers in the
36 biennial state appropriations act.))~~

1 **Sec. 19.** RCW 28B.15.600 and 1991 c 164 s 5 are each amended to
2 read as follows:

3 The boards of regents of the state's universities and the boards of
4 trustees of the regional universities and The Evergreen State College
5 and community colleges may refund or cancel in full the tuition and
6 services and activities fees if the student withdraws from a university
7 or college course or program prior to the sixth day of instruction of
8 the quarter or semester for which said fees have been paid or are due.
9 If the student withdraws on or after the sixth day of instruction, said
10 boards of regents and trustees may refund or cancel up to one-half of
11 said fees, provided such withdrawal occurs within the first thirty
12 calendar days following the beginning of instruction. However, if
13 required by federal law in order to maintain eligibility for federal
14 funding of programs at the university or college, the regents or
15 trustees of the respective universities and colleges may adopt a refund
16 policy that meets the minimum requirements of the federal law, and the
17 policy may treat all students attending the institution in the same
18 manner.

19 The regents or trustees of the respective universities and colleges
20 may adopt rules for the refund of tuition and fees for courses or
21 programs that begin after the start of the regular quarter or semester.
22 Said boards of regents and trustees may adopt rules to comply with RCW
23 28B.15.623 and may extend the refund or cancellation period for
24 students who withdraw for medical reasons or who are called into the
25 military service of the United States.

26 Said boards of regents and trustees may refund other fees pursuant
27 to such rules as they may prescribe.

28 **Sec. 20.** RCW 28B.15.615 and 1992 c 231 s 21 are each amended to
29 read as follows:

30 Subject to the limitations of RCW 28B.15.910, the governing boards
31 of the state universities and the regional universities may exempt the
32 following students from paying all or a portion of the resident
33 operating fee: Students granted a graduate service appointment,
34 designated as such by the institution, involving not less than twenty
35 hours of work per week. The exemption shall be for the term of the
36 appointment. The stipend paid to persons holding graduate student
37 appointments from nonstate funds shall be reduced and the institution

1 reimbursed from such funds in an amount equal to the resident operating
2 fee which funds shall be transmitted to the general fund.

3 ~~((Before June 30, 1995, no individual waiver program under this
4 section may be reduced by more than twice the percentage reduction
5 required in operating fee foregone revenue from tuition waivers in the
6 biennial state appropriations act.))~~

7 **Sec. 21.** RCW 28B.15.620 and 1992 c 231 s 22 are each amended to
8 read as follows:

9 Subject to the limitations of RCW 28B.15.910, the governing boards
10 of the state universities, the regional universities, The Evergreen
11 State College, and the community colleges may exempt veterans of the
12 Vietnam conflict who have served in the southeast Asia theater of
13 operations from the payment of any increase in tuition and fees
14 otherwise applicable to any other resident or nonresident student. In
15 such cases, the veteran shall not be required to pay more than the
16 total amount of tuition and fees paid by veterans of the Vietnam
17 conflict on October 1, 1977: PROVIDED, That for the purposes of this
18 exemption, "veterans of the Vietnam conflict" shall be those persons
19 who have been on active federal service as a member of the armed
20 military or naval forces of the United States between a period
21 commencing August 5, 1964, and ending on May 7, 1975, and who qualify
22 as a resident student under RCW 28B.15.012, and who enrolled in state
23 institutions of higher education on or before May 7, 1990. This
24 section shall expire June 30, 1995.

25 ~~((Before June 30, 1995, no individual waiver program under this
26 section may be reduced by more than twice the percentage reduction
27 required in operating fee foregone revenue from tuition waivers in the
28 biennial state appropriations act.))~~

29 **Sec. 22.** RCW 28B.15.628 and 1992 c 231 s 23 are each amended to
30 read as follows:

31 Subject to the limitations of RCW 28B.15.910, the governing boards
32 of the state universities, the regional universities, The Evergreen
33 State College, and the community colleges may exempt veterans of the
34 Persian Gulf combat zone from increases in tuition and fees that occur
35 during and after their period of service. In such cases, the veteran
36 shall not be required to pay more than the total amount of tuition and
37 fees established for the 1990-91 academic year, if the veteran could

1 have qualified as a Washington resident student under RCW 28B.15.012-
2 (2), had he or she been enrolled as a student on August 1, 1990, and if
3 the veteran's adjusted gross family income as most recently reported to
4 the internal revenue service does not exceed Washington state's median
5 family income as established by the federal bureau of the census. For
6 the purposes of this section, "a veteran of the Persian Gulf combat
7 zone" means a person who during any portion of calendar year 1991,
8 served in active federal service as a member of the armed military or
9 naval forces of the United States in a combat zone as designated by the
10 president of the United States by executive order.

11 ~~((Before June 30, 1995, no individual waiver program under this
12 section may be reduced by more than twice the percentage reduction
13 required in operating fee foregone revenue from tuition waivers in the
14 biennial state appropriations act.))~~

15 **Sec. 23.** RCW 28B.15.725 and 1992 c 231 s 24 are each amended to
16 read as follows:

17 Subject to the limitations of RCW 28B.15.910, the governing boards
18 of the state universities, the regional universities, and The Evergreen
19 State College may enter into undergraduate upper division student
20 exchange agreements with comparable public four-year institutions of
21 higher education of other states and agree to exempt participating
22 undergraduate upper division students from payment of all or a portion
23 of the nonresident tuition fees differential subject to the following
24 restrictions:

25 (1) In any given academic year, the number of students receiving a
26 waiver at a state institution shall not exceed the number of that
27 institution's students receiving nonresident tuition waivers at
28 participating out-of-state institutions. Waiver imbalances that may
29 occur in one year shall be off-set in the year immediately following.

30 (2) Undergraduate upper division student participation in an
31 exchange program authorized by this section is limited to one academic
32 year.

33 ~~((Before June 30, 1995, no individual waiver program under this
34 section may be reduced by more than twice the percentage reduction
35 required in operating fee foregone revenue from tuition waivers in the
36 biennial state appropriations act.))~~

1 **Sec. 24.** RCW 28B.15.730 and 1992 c 231 s 25 are each amended to
2 read as follows:

3 Subject to the limitations of RCW 28B.15.910, the state board for
4 community and technical colleges and the governing boards of the state
5 universities, the regional universities, the community colleges, and
6 The Evergreen State College may waive all or a portion of the
7 nonresident tuition fees differential for residents of Oregon, upon
8 completion of and to the extent permitted by an agreement between the
9 higher education coordinating board and appropriate officials and
10 agencies in Oregon granting similar waivers for residents of the state
11 of Washington.

12 (~~Before June 30, 1995, no individual waiver program under this~~
13 ~~section may be reduced by more than twice the percentage reduction~~
14 ~~required in operating fee foregone revenue from tuition waivers in the~~
15 ~~biennial state appropriations act.))~~

16 **Sec. 25.** RCW 28B.15.740 and 1992 c 231 s 26 are each amended to
17 read as follows:

18 Subject to the limitations of RCW 28B.15.910, the governing boards
19 of the state universities, the regional universities, The Evergreen
20 State College, and the community colleges may waive all or a portion of
21 tuition and fees subject to the following restrictions:

22 (1) Except as provided in subsection (2) of this section, the total
23 dollar amount of tuition and fee waivers awarded by the governing
24 boards shall not exceed four percent, except for the community colleges
25 considered as a whole, such amount shall not exceed three percent of an
26 amount determined by estimating the total collections from tuition and
27 services and activities fees had no such waivers been made, and
28 deducting the portion of that total amount that is attributable to the
29 difference between resident and nonresident fees: PROVIDED, That at
30 least three-fourths of the dollars waived shall be for needy students
31 who are eligible for resident tuition and fee rates pursuant to RCW
32 28B.15.012 through 28B.15.015: PROVIDED FURTHER, That the remainder of
33 the dollars waived, not to exceed one-fourth of the total, may be
34 applied to other students at the discretion of the governing boards,
35 except on the basis of participation in intercollegiate athletic
36 programs: PROVIDED FURTHER, That the waivers for undergraduate and
37 graduate students of foreign nations under RCW 28B.15.556 are not
38 subject to the limitation under this section.

1 (2) In addition to the tuition and fee waivers provided in
2 subsection (1) of this section and subject to the provisions of RCW
3 28B.15.455 and 28B.15.460, a total dollar amount of tuition and fee
4 waivers awarded by any state university, regional university, or state
5 college under this chapter, not to exceed one percent, as calculated in
6 subsection (1) of this section, may be used for the purpose of
7 achieving or maintaining gender equity in intercollegiate athletic
8 programs. At any institution that has an underrepresented gender class
9 in intercollegiate athletics, any such waivers shall be awarded:

10 (a) First, to members of the underrepresented gender class who
11 participate in intercollegiate athletics, where such waivers result in
12 saved or displaced money that can be used for athletic programs for the
13 underrepresented gender class. Such saved or displaced money shall be
14 used for programs for the underrepresented gender class; and

15 (b) Second, (i) to nonmembers of the underrepresented gender class
16 who participate in intercollegiate athletics, where such waivers result
17 in saved or displaced money that can be used for athletic programs for
18 members of the underrepresented gender class. Such saved or displaced
19 money shall be used for programs for the underrepresented gender class;
20 or (ii) to members of the underrepresented gender class who participate
21 in intercollegiate athletics, where such waivers do not result in any
22 saved or displaced money that can be used for athletic programs for
23 members of the underrepresented gender class.

24 ~~((3) Before June 30, 1995, no individual waiver program under this
25 section may be reduced by more than twice the percentage reduction
26 required in operating fee foregone revenue from tuition waivers in the
27 biennial state appropriations act.))~~

28 **Sec. 26.** RCW 28B.15.750 and 1992 c 231 s 27 are each amended to
29 read as follows:

30 Subject to the limitations of RCW 28B.15.910, the governing boards
31 of the state universities, the regional universities, and The Evergreen
32 State College and the state board for community and technical colleges
33 may waive all or a portion of the nonresident tuition fees differential
34 for residents of Idaho, upon completion of and to the extent permitted
35 by an agreement between the higher education coordinating board and
36 appropriate officials and agencies in Idaho granting similar waivers
37 for residents of the state of Washington.

1 (~~Before June 30, 1995, no individual waiver program under this~~
2 ~~section may be reduced by more than twice the percentage reduction~~
3 ~~required in operating fee foregone revenue from tuition waivers in the~~
4 ~~biennial state appropriations act.~~)

5 **Sec. 27.** RCW 28B.15.756 and 1992 c 231 s 28 are each amended to
6 read as follows:

7 Subject to the limitations of RCW 28B.15.910, the governing boards
8 of the state universities, the regional universities, and The Evergreen
9 State College and the state board for community and technical colleges
10 may waive all or a portion of the nonresident tuition fees differential
11 for residents of the Canadian province of British Columbia, upon
12 completion of and to the extent permitted by an agreement between the
13 higher education coordinating board and appropriate officials and
14 agencies in the Canadian province of British Columbia providing for
15 enrollment opportunities for residents of the state of Washington
16 without payment of tuition or fees in excess of those charged to
17 residents of British Columbia.

18 (~~Before June 30, 1995, no individual waiver program under this~~
19 ~~section may be reduced by more than twice the percentage reduction~~
20 ~~required in operating fee foregone revenue from tuition waivers in the~~
21 ~~biennial state appropriations act.~~)

22 **Sec. 28.** RCW 28B.15.820 and 1985 c 390 s 35 are each amended to
23 read as follows:

24 (1) Each institution of higher education except technical colleges
25 shall deposit two and one-half percent of revenues collected from
26 tuition and services and activities fees in an institutional long-term
27 loan fund which is hereby created and which shall be held locally.
28 Moneys in such fund shall be used to make guaranteed loans to eligible
29 students except as provided for in subsection (10) of this section.

30 (2) An "eligible student" for the purposes of this section is a
31 student registered for at least six credit hours or the equivalent, who
32 is eligible for resident tuition and fee rates as defined in RCW
33 28B.15.012 (~~through 28B.15.015~~) and 28B.15.013, and who is a "needy
34 student" as defined in RCW 28B.10.802. A resident student as defined
35 in RCW 28B.15.012(2)(e) is not an eligible student for purposes of this
36 section.

1 (3) The amount of the loans made under subsection (1) of this
2 section shall not exceed the demonstrated financial need of the
3 student. Each institution shall establish loan terms and conditions
4 which shall be consistent with the terms of the guaranteed loan program
5 established by 20 U.S. Code Section 1071 et seq., as now or hereafter
6 amended. All loans made shall be guaranteed by the Washington student
7 loan guaranty association or its successor agency. Institutions are
8 hereby granted full authority to operate as an eligible lender under
9 the guaranteed loan program.

10 (4) Before approving a guaranteed loan, each institution shall
11 analyze the ability of the student to repay the loan based on factors
12 which include, but are not limited to, the student's accumulated total
13 education loan burdens and the employment opportunities and average
14 starting salary characteristics of the student's chosen fields of
15 study. The institution shall counsel the student on the advisability
16 of acquiring additional debt, and on the availability of other forms of
17 financial aid.

18 (5) Each institution is responsible for collection of loans made
19 under subsection (1) of this section and shall exercise due diligence
20 in such collection, maintaining all necessary records to insure that
21 maximum repayments are made. Institutions shall cooperate with other
22 lenders and the Washington student loan guaranty association, or its
23 successor agency, in the coordinated collection of guaranteed loans,
24 and shall assure that the guarantability of the loans is not violated.
25 Collection and servicing of loans under subsection (1) of this section
26 shall be performed by entities approved for such servicing by the
27 Washington student loan guaranty association or its successor agency:
28 PROVIDED, That institutions be permitted to perform such servicing if
29 specifically recognized to do so by the Washington student loan
30 guaranty association or its successor agency. Collection and servicing
31 of loans made by community colleges under subsection (1) of this
32 section shall be coordinated by the state board for community and
33 technical colleges ((education)) and shall be conducted under
34 procedures adopted by such state board.

35 (6) Receipts from payment of interest or principal or any other
36 subsidies to which institutions as lenders are entitled, which are paid
37 by or on behalf of borrowers of funds under subsection (1) of this
38 section, shall be deposited in each institution's general local fund
39 and shall be used to cover the costs of making the loans under

1 subsection (1) of this section and maintaining necessary records and
2 making collections under subsection (5) of this section: PROVIDED,
3 That such costs shall not exceed five percent of aggregate outstanding
4 loan principle. Institutions shall maintain accurate records of such
5 costs, and all receipts beyond those necessary to pay such costs, shall
6 be used for the support of the institution's operating budget.

7 (7) The boards of regents of the state universities, the boards of
8 trustees of the regional universities and The Evergreen State College,
9 and the state board for community and technical colleges ((education)),
10 on behalf of the community colleges, shall each adopt necessary rules
11 ((and regulations)) to implement this section.

12 (8) Lending activities under this section shall be directed toward
13 students who would not normally have access to educational loans from
14 private financial institutions in Washington state, and maximum use
15 shall be made of secondary markets in the support of loan
16 consolidation.

17 (9) Short-term interim loans, not to exceed one hundred twenty
18 days, may be made from the institutional long-term loan fund to
19 students eligible for guaranteed student loans and whose receipt of
20 such loans is pending. Such short-term loans shall not be subject to
21 the guarantee restrictions or the constraints of federal law imposed by
22 subsection (3) of this section. No such loan shall be made to any
23 student who is known by the institution to be in default or delinquent
24 in the payment of any outstanding student loan.

25 (10) Any moneys deposited in the institutional long-term loan fund
26 ((which)) that are not used in making long or short term loans ((or
27 transferred to institutional operating budgets)) may be used by the
28 institution for locally-administered financial aid programs for needy
29 students, such as need-based institutional employment programs or need-
30 based tuition and fee waiver programs. These funds shall be used in
31 addition to and not to replace institutional funds which would
32 otherwise support these locally-administered financial aid programs.
33 Priority in the use of these funds shall be given to needy students who
34 have accumulated excessive educational loan burdens. An excessive
35 educational loan burden is a burden that will be difficult to repay
36 given employment opportunities and average starting salaries in the
37 student's chosen fields of study.

1 **Sec. 29.** RCW 28B.50.259 and 1992 c 231 s 29 are each amended to
2 read as follows:

3 (1) The state board for community and technical colleges shall
4 administer a program designed to provide higher education opportunities
5 to dislocated forest products workers and their unemployed spouses who
6 are enrolled in a community or technical college for ten or more credit
7 hours per quarter. In administering the program, the college board
8 shall have the following powers and duties:

9 (a) With the assistance of an advisory committee, design a
10 procedure for selecting dislocated forest products workers to
11 participate in the program;

12 (b) Allocate funding to community and technical colleges attended
13 by participants;

14 (c) Monitor the program and report on participants' progress and
15 outcomes; and

16 (d) Report to the legislature by December 1, 1993, on the status of
17 the program.

18 (2) Unemployed spouses of eligible dislocated forest products
19 workers may participate in the program, but tuition and fees may be
20 waived under the program only for the worker or the spouse and not
21 both.

22 (3) Subject to the limitations of RCW 28B.15.910, the governing
23 boards of the community and technical colleges may waive all or a
24 portion of tuition and fees for program participants, for a maximum of
25 six quarters within a two-year period.

26 (4) During any biennium, the number of full-time equivalent
27 students to be served in this program shall be determined by the
28 applicable omnibus appropriations act, and shall be in addition to the
29 community college enrollment level funded by the applicable omnibus
30 appropriations act.

31 ~~((5) Before June 30, 1995, no individual waiver program under this
32 section may be reduced by more than twice the percentage reduction
33 required in operating fee foregone revenue from tuition waivers in the
34 biennial state appropriations act.))~~

35 **Sec. 30.** RCW 28B.70.050 and 1992 c 231 s 30 are each amended to
36 read as follows:

37 When said compact becomes operative the governing board of each
38 institution of higher education in this state, to the extent necessary

1 to conform with the terms of the contractual agreement, subject to the
2 limitations of RCW 28B.15.910, may exempt from payment all or a portion
3 of the nonresident tuition fees differential, any student admitted to
4 such institution under the terms of a contractual agreement entered
5 into with the commission in accord with the provisions of Article
6 VIII(a) of the compact.

7 ~~((Before June 30, 1995, no individual waiver program under this
8 section may be reduced by more than twice the percentage reduction
9 required in operating fee foregone revenue from tuition waivers in the
10 biennial state appropriations act.))~~

11 **Sec. 31.** RCW 28B.80.580 and 1992 c 231 s 31 are each amended to
12 read as follows:

13 (1) The board shall contract with institutions of higher education
14 to provide upper division classes to serve additional placebound
15 students in the timber impact areas meeting the following criteria, as
16 determined by the employment security department: (a) A lumber and
17 wood products employment location quotient at or above the state
18 average; (b) a direct lumber and wood products job loss of one hundred
19 positions or more; and (c) an annual unemployment rate twenty percent
20 above the state average; and which are not served by an existing state-
21 funded upper division degree program. The number of full-time
22 equivalent students served in this manner shall be determined by the
23 applicable omnibus appropriations act. The board may direct that all
24 the full-time equivalent enrollments be served in one of the eligible
25 timber impact areas if it should determine that this would be the most
26 viable manner of establishing the program and using available
27 resources. The institutions shall utilize telecommunication
28 technology, if available, to carry out the purposes of this section.
29 Subject to the limitations of RCW 28B.15.910, the institutions
30 providing the service may waive all or a portion of the tuition,
31 ~~((and))~~ and service and activities fees for dislocated forest
32 products workers or their unemployed spouses enrolled as one of the
33 full-time equivalent students allocated to the college under this
34 section.

35 (2) Unemployed spouses of eligible dislocated forest products
36 workers may participate in the program, but tuition and fees may be
37 waived under the program only for the worker or the spouse and not
38 both.

1 (3) Subject to the limitations of RCW 28B.15.910, for any eligible
2 participant, all or a portion of tuition may be waived for a maximum of
3 four semesters or six quarters within a two-year time period. The
4 participant must be enrolled for a minimum of ten credits per semester
5 or quarter.

6 ~~((Before June 30, 1995, no individual waiver program under this
7 section may be reduced by more than twice the percentage reduction
8 required in operating fee foregone revenue from tuition waivers in the
9 biennial state appropriations act.))~~

10 **Sec. 32.** RCW 28B.15.910 and 1992 c 231 s 33 are each amended to
11 read as follows:

12 (1) Except for revenue waived under programs listed in subsection
13 (3) of this section, and unless otherwise expressly provided in the
14 omnibus state appropriations act, the total amount of operating fees
15 revenue waived, exempted, or reduced by a state university, a regional
16 university, The Evergreen State College, or the community colleges as
17 a whole, shall not exceed the percentage of total ~~((net))~~ gross
18 authorized operating fees revenue set forth below. As used in this
19 section, "~~((net))~~ gross authorized operating fees revenue" means the
20 estimated gross operating fees revenue as estimated under RCW 82.33.020
21 or as revised by the office of financial management, before granting
22 any waivers(~~(, minus obligations under RCW 28B.15.820)~~). This
23 limitation applies to all tuition waiver programs established before or
24 after July 1, 1992.

25 (a) University of Washington	21 percent
26 (b) Washington State University	20 percent
27 (c) Eastern Washington University	11 percent
28 (d) Central Washington University	8 percent
29 (e) Western Washington University	10 percent
30 (f) The Evergreen State College	6 percent
31 (g) Community colleges as a whole	35 percent

32 (2) The limitations in subsection (1) of this section apply to
33 waivers, exemptions, or reductions in operating fees contained in the
34 following:

- 35 (a) RCW 28B.10.265;
- 36 (b) RCW 28B.15.014;
- 37 (c) RCW 28B.15.100;
- 38 (d) RCW 28B.15.225;

- 1 (e) RCW 28B.15.380;
- 2 (f) Ungraded courses under RCW 28B.15.502(4);
- 3 (g) RCW 28B.15.520;
- 4 (h) RCW 28B.15.526;
- 5 (i) RCW 28B.15.527;
- 6 (j) RCW 28B.15.543;
- 7 (k) RCW 28B.15.545;
- 8 (l) RCW 28B.15.555;
- 9 (m) RCW 28B.15.556;
- 10 (n) RCW 28B.15.615;
- 11 (o) RCW 28B.15.620;
- 12 (p) RCW 28B.15.628;
- 13 (q) RCW 28B.15.725;
- 14 (r) RCW 28B.15.730;
- 15 (s) RCW 28B.15.740;
- 16 (t) RCW 28B.15.750;
- 17 (u) RCW 28B.15.756;
- 18 (v) RCW 28B.50.259;
- 19 (w) RCW 28B.70.050; and
- 20 (x) RCW 28B.80.580.

21 (3) The limitations in subsection (1) of this section do not apply
22 to waivers, exemptions, or reductions in services and activities fees
23 contained in the following:

- 24 (a) RCW 28B.15.522;
- 25 (b) RCW 28B.15.535;
- 26 (c) RCW 28B.15.540; and
- 27 (d) RCW 28B.15.558.

28 **Sec. 33.** RCW 28B.10.800 and 1969 ex.s. c 222 s 7 are each amended
29 to read as follows:

30 The sole purpose of RCW 28B.10.800 through 28B.10.824 is to
31 establish a state of Washington student financial aid program, thus
32 assisting financially needy or disadvantaged students domiciled in
33 Washington to obtain the opportunity of attending an accredited
34 institution of higher education, as defined in RCW 28B.10.802(1).
35 Financial aid under RCW 28B.10.800 through 28B.10.824 is available only
36 to students who are resident students as defined in RCW 28B.15.012(2)
37 (a) through (d).

1 **Sec. 34.** RCW 28B.12.060 and 1987 c 330 s 202 are each amended to
2 read as follows:

3 The higher education coordinating board shall adopt rules and
4 regulations as may be necessary or appropriate for effecting the
5 provisions of this chapter, and not in conflict with this chapter, in
6 accordance with the provisions of chapter 34.05 RCW, the state higher
7 education administrative procedure act. Such rules and regulations
8 shall include provisions designed to make employment under such work-
9 study program reasonably available, to the extent of available funds,
10 to all eligible students in eligible post-secondary institutions in
11 need thereof. Such rules and regulations shall include:

12 (1) Providing work under the college work-study program which will
13 not result in the displacement of employed workers or impair existing
14 contracts for services.

15 (2) Furnishing work only to a student who:

16 (a) Is capable, in the opinion of the eligible institution, of
17 maintaining good standing in such course of study while employed under
18 the program covered by the agreement; and

19 (b) Has been accepted for enrollment as at least a half-time
20 student at the eligible institution or, in the case of a student
21 already enrolled in and attending the eligible institution, is in good
22 standing and in at least half-time attendance there either as an
23 undergraduate, graduate or professional student; and

24 (c) Is not pursuing a degree in theology.

25 (3) Placing priority on the securing of work opportunities for
26 students who are residents of the state of Washington as defined in RCW
27 28B.15.011 through 28B.15.014 except resident students defined in RCW
28 28B.15.012(2)(e).

29 (4) Provisions to assure that in the state institutions of higher
30 education utilization of this student work-study program:

31 (a) Shall only supplement and not supplant classified positions
32 under jurisdiction of chapter 28B.16 RCW;

33 (b) That all positions established which are comparable shall be
34 identified to a job classification under the higher education personnel
35 board's classification plan and shall receive equal compensation;

36 (c) Shall not take place in any manner that would replace
37 classified positions reduced due to lack of funds or work; and

38 (d) That work study positions shall only be established at entry
39 level positions of the classified service.

1 **Sec. 35.** RCW 28B.15.012 and 1987 c 137 s 1 and 1987 c 96 s 1 are
2 each reenacted and amended to read as follows:

3 Whenever used in chapter 28B.15 RCW:

4 (1) The term "institution" shall mean a public university, college,
5 or community college within the state of Washington.

6 (2) The term "resident student" shall mean: (a) A financially
7 independent student who has had a domicile in the state of Washington
8 for the period of one year immediately prior to the time of
9 commencement of the first day of the semester or quarter for which the
10 student has registered at any institution and has in fact established
11 a bona fide domicile in this state primarily for purposes other than
12 educational; (b) a dependent student, if one or both of the student's
13 parents or legal guardians have maintained a bona fide domicile in the
14 state of Washington for at least one year immediately prior to
15 commencement of the semester or quarter for which the student has
16 registered at any institution; (c) a student classified as a resident
17 based upon domicile by an institution on or before May 31, 1982, who
18 was enrolled at a state institution during any term of the 1982-1983
19 academic year, so long as such student's enrollment (excepting summer
20 sessions) at an institution in this state is continuous; ~~((or))~~ (d) any
21 student who has spent at least seventy-five percent of both his or her
22 junior and senior years in high schools in this state, whose parents or
23 legal guardians have been domiciled in the state for a period of at
24 least one year within the five-year period before the student graduates
25 from high school, and who enrolls in a public institution of higher
26 education within six months of leaving high school, for as long as the
27 student remains continuously enrolled for three quarters or two
28 semesters in any calendar year; or (e) a student who is the spouse or
29 a dependent of a person who is on active military duty stationed in the
30 state: PROVIDED, That a nonresident student enrolled for more than six
31 hours per semester or quarter shall be considered as attending for
32 primarily educational purposes, and for tuition and fee paying purposes
33 only such period of enrollment shall not be counted toward the
34 establishment of a bona fide domicile of one year in this state unless
35 such student proves that the student has in fact established a bona
36 fide domicile in this state primarily for purposes other than
37 educational.

38 (3) The term "nonresident student" shall mean any student who does
39 not qualify as a "resident student" under the provisions of RCW

1 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or hereafter
2 amended. A nonresident student shall include:

3 (a) A student attending an institution with the aid of financial
4 assistance provided by another state or governmental unit or agency
5 thereof, such nonresidency continuing for one year after the completion
6 of such semester or quarter.

7 (b) A person who is not a citizen of the United States of America
8 who does not have permanent or temporary resident status or does not
9 hold "Refugee-Parolee" or "Conditional Entrant" status with the United
10 States immigration and naturalization service or is not otherwise
11 permanently residing in the United States under color of law and who
12 does not also meet and comply with all the applicable requirements in
13 RCW 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or
14 hereafter amended.

15 (4) The term "domicile" shall denote a person's true, fixed and
16 permanent home and place of habitation. It is the place where the
17 student intends to remain, and to which the student expects to return
18 when the student leaves without intending to establish a new domicile
19 elsewhere. The burden of proof that a student, parent or guardian has
20 established a domicile in the state of Washington primarily for
21 purposes other than educational lies with the student.

22 (5) The term "dependent" shall mean a person who is not financially
23 independent. Factors to be considered in determining whether a person
24 is financially independent shall be set forth in rules and regulations
25 adopted by the higher education coordinating board and shall include,
26 but not be limited to, the state and federal income tax returns of the
27 person and/or the student's parents or legal guardian filed for the
28 calendar year prior to the year in which application is made and such
29 other evidence as the board may require.

30 **Sec. 36.** RCW 28B.101.040 and 1990 c 288 s 6 are each amended to
31 read as follows:

32 Grants may be used by eligible participants to attend any public or
33 private college or university in the state of Washington that has an
34 existing unused capacity. Grants shall not be used to attend any
35 branch campus or educational program established under chapter 28B.45
36 RCW. The participant shall not be eligible for a grant if it will be
37 used for any programs that include religious worship, exercise, or
38 instruction or to pursue a degree in theology. Each participating

1 student may receive up to two thousand five hundred dollars per
2 academic year, not to exceed the student's demonstrated financial need
3 for the course of study. Resident students as defined in RCW
4 28B.15.012(2)(e) are not eligible for grants under this chapter.

5 **Sec. 37.** RCW 28B.102.020 and 1987 c 437 s 2 are each amended to
6 read as follows:

7 Unless the context clearly requires otherwise, the definitions in
8 this section apply throughout this chapter.

9 (1) "Conditional scholarship" means a loan that is forgiven in
10 whole or in part if the recipient renders service as a teacher in the
11 public schools of this state.

12 (2) "Institution of higher education" or "institution" means a
13 college or university in the state of Washington which is accredited by
14 an accrediting association recognized as such by rule of the higher
15 education coordinating board.

16 (3) "Board" means the higher education coordinating board.

17 (4) "Eligible student" means a student who is registered for at
18 least ten credit hours or the equivalent, demonstrates achievement of
19 at least a 3.30 grade point average for students entering an
20 institution of higher education directly from high school or maintains
21 at least a 3.00 grade point average or the equivalent for each academic
22 year in an institution of higher education, is a resident student as
23 defined by RCW 28B.15.012 through 28B.15.015, and has a declared
24 intention to complete an approved preparation program leading to
25 initial teacher certification or required for earning an additional
26 endorsement, or a college or university graduate who meets the same
27 credit hour requirements and is seeking an additional teaching
28 endorsement or initial teacher certification. Resident students
29 defined in RCW 28B.15.012(2)(e) are not eligible students under this
30 chapter.

31 (5) "Public school" means an elementary school, a middle school,
32 junior high school, or high school within the public school system
33 referred to in Article IX of the state Constitution.

34 (6) "Forgiven" or "to forgive" or "forgiveness" means to render
35 service as a teacher at a public school in the state of Washington in
36 lieu of monetary repayment.

37 (7) "Satisfied" means paid-in-full.

1 (8) "Participant" means an eligible student who has received a
2 conditional scholarship under this chapter.

3 (9) "Targeted ethnic minority" means a group of Americans with a
4 common ethnic or racial heritage selected by the board for program
5 consideration due to societal concerns such as high dropout rates or
6 low rates of college participation by members of the group.

7 NEW SECTION. **Sec. 38.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and shall take
10 effect July 1, 1993.

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