
SENATE BILL 6156

State of Washington

61st Legislature

2009 Regular Session

By Senators Zarelli, Stevens, Becker, Delvin, Honeyford, Swecker, Schoesler, Hewitt, Parlette, Carrell, King, and Pflug

Read first time 04/10/09. Referred to Committee on Ways & Means.

1 AN ACT Relating to economically responsible solutions for higher
2 education funding and access; amending RCW 28B.10.695, 28B.15.910, and
3 28B.10.056; adding a new section to chapter 28B.10 RCW; adding a new
4 section to chapter 28B.15 RCW; creating a new section; and providing an
5 expiration date.

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

7 **Sec. 1.** RCW 28B.10.695 and 2003 c 407 s 1 are each amended to read
8 as follows:

9 (1) Each four-year institution of higher education and the state
10 board for community and technical colleges shall develop policies that
11 ensure undergraduate students enrolled in degree or certificate
12 programs complete their programs in a timely manner in order to make
13 the most efficient use of instructional resources and provide capacity
14 within the institution for additional students.

15 (2) Policies adopted under this section shall address, but not be
16 limited to, undergraduate students in the following circumstances:

17 (a) Students who accumulate more than one hundred twenty-five
18 percent of the number of credits required to complete their respective
19 baccalaureate or associate degree or certificate programs;

1 (b) Students who drop more than twenty-five percent of their course
2 load before the grading period for the quarter or semester, which
3 prevents efficient use of instructional resources; and

4 (c) Students who remain on academic probation for more than one
5 quarter or semester.

6 (3) Policies adopted under this section (~~may~~) shall include
7 assessment by the institution of a surcharge in addition to regular
8 tuition and fees to be paid by a student for continued enrollment. The
9 amount of the surcharge shall result in a tuition fees assessment for
10 that student equivalent to the full cost of instruction for the
11 subsequent quarter or semester after a finding that a policy under
12 subsection (2) of this section has been violated. The surcharge shall
13 continue to be assessed until the institution of higher education
14 determines that the policy is no longer being violated.

15 (4) It is presumed that the surcharge shall apply to all students
16 described in subsection (2) of this section unless the student presents
17 to his or her registrar evidence that one or more of the following
18 exemptions apply:

19 (a) The student is a dislocated worker as defined by RCW 50.04.075
20 or a person engaging in a job training program under the purview of the
21 workforce training and education coordinating board;

22 (b) The student participates in the border county higher education
23 opportunity project under RCW 28B.76.685;

24 (c) The student is a certificated teacher of the K-12 school system
25 pursuing continuing education credits according to certification
26 requirements; or

27 (d) The student has not been enrolled in an institution of higher
28 education during the preceding five years.

29 (5) Students who believe they are under extraordinary or unforeseen
30 academic or personal circumstances or were unable to complete their
31 baccalaureate degree program within the number of credits specified due
32 to institutional constraints may petition the institution of higher
33 education for a special waiver from the tuition surcharge provisions of
34 subsection (3) of this section. The institution of higher education
35 shall create a process through which student petitions may be fairly
36 processed, heard, and determined. The process shall include a one
37 hundred dollar administrative fee. The entire amount of the fee shall
38 be refunded for those students who make a successful petition.

1 (6) For the purposes of this section, "full cost of instruction"
2 means the average instructional support in state general funds and
3 tuition fees, as defined in RCW 28B.15.020, per full-time equivalent
4 undergraduate at each institution of higher education for that academic
5 year.

6 **Sec. 2.** RCW 28B.15.910 and 2008 c 188 s 3 are each amended to read
7 as follows:

8 (1) For the purpose of providing state general fund support to
9 public institutions of higher education, except for revenue waived
10 under programs listed in subsections (3) and (4) of this section, and
11 unless otherwise expressly provided in the omnibus state appropriations
12 act, the total amount of operating fees revenue waived, exempted, or
13 reduced by a state university, a regional university, The Evergreen
14 State College, or the community colleges as a whole, shall not exceed
15 the percentage of total gross authorized operating fees revenue in this
16 subsection. As used in this section, "gross authorized operating fees
17 revenue" means the estimated gross operating fees revenue as estimated
18 under RCW 82.33.020 or as revised by the office of financial
19 management, before granting any waivers. This limitation applies to
20 all tuition waiver programs established before or after July 1, 1992.

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|----|-----------------------------------|---------------------------|
| 21 | (a) University of Washington | ((21)) <u>18</u> percent |
| 22 | (b) Washington State University | ((20)) <u>14</u> percent |
| 23 | (c) Eastern Washington University | ((11)) <u>6.5</u> percent |
| 24 | (d) Central Washington University | ((10)) <u>8</u> percent |
| 25 | (e) Western Washington University | ((10)) <u>9</u> percent |
| 26 | (f) The Evergreen State College | ((10)) <u>6</u> percent |
| 27 | (g) Community colleges as a whole | ((35)) <u>20</u> percent |

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

- | | |
|----|---------------------|
| 31 | (a) RCW 28B.15.014; |
| 32 | (b) RCW 28B.15.100; |
| 33 | (c) RCW 28B.15.225; |
| 34 | (d) RCW 28B.15.380; |
| 35 | (e) RCW 28B.15.520; |
| 36 | (f) RCW 28B.15.526; |
| 37 | (g) RCW 28B.15.527; |

- 1 (h) RCW 28B.15.543;
- 2 (i) RCW 28B.15.545;
- 3 (j) RCW 28B.15.555;
- 4 (k) RCW 28B.15.556;
- 5 (l) RCW 28B.15.615;
- 6 (m) RCW 28B.15.621 (2) and (4);
- 7 (n) RCW 28B.15.730;
- 8 (o) RCW 28B.15.740;
- 9 (p) RCW 28B.15.750;
- 10 (q) RCW 28B.15.756;
- 11 (r) RCW 28B.50.259; and
- 12 (s) RCW 28B.70.050.

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

- 16 (a) RCW 28B.15.522;
- 17 (b) RCW 28B.15.540;
- 18 (c) RCW 28B.15.558; and
- 19 (d) RCW 28B.15.621(3).

20 (4) The total amount of operating fees revenue waived, exempted, or
21 reduced by institutions of higher education participating in the
22 western interstate commission for higher education western
23 undergraduate exchange program under RCW 28B.15.544 shall not exceed
24 the percentage of total gross authorized operating fees revenue in this
25 subsection.

- 26 (a) Washington State University 1 percent
- 27 (b) Eastern Washington University 3 percent
- 28 (c) Central Washington University 3 percent

29 (5) The institutions of higher education will participate in
30 outreach activities to increase the number of veterans who receive
31 tuition waivers. Colleges and universities shall revise the
32 application for admissions so that all applicants shall have the
33 opportunity to advise the institution that they are veterans who need
34 assistance. If a person indicates on the application for admissions
35 that the person is a veteran who is in need of assistance, then the
36 institution of higher education shall ask the person whether they have
37 any funds disbursed in accordance with the Montgomery GI Bill available

1 to them. Each institution shall encourage veterans to utilize funds
2 available to them in accordance with the Montgomery GI Bill prior to
3 providing the veteran a tuition waiver.

4 **Sec. 3.** RCW 28B.10.056 and 2006 c 180 s 2 are each amended to read
5 as follows:

6 (1) A state priority is established for institutions of higher
7 education, including community colleges, to encourage growing numbers
8 of enrollments and degrees in the fields of engineering, technology,
9 biotechnology, sciences, computer sciences, and mathematics.

10 (2) In meeting this state priority, the legislature understands and
11 recognizes that the demands of the economic marketplace and the desires
12 of students are not always on parallel tracks. Therefore, institutions
13 of higher education shall determine and track local student demand for
14 programs in the fields of engineering, technology, biotechnology,
15 sciences, computer sciences, and mathematics (~~(and submit findings and~~
16 ~~proposed alternatives to meet demand to the higher education~~
17 ~~coordinating board and the legislature by November 1, 2008)~~).

18 (3) While it is understood that these areas of emphasis should not
19 be the sole focus of institutions of higher education(~~(-)~~), it is the
20 intent of the legislature that steady progress in these areas occur.
21 The higher education coordinating board shall track and report progress
22 in the fields of engineering, technology, biotechnology, sciences,
23 computer sciences, and mathematics including, but not limited to, the
24 following information:

25 (a) The number of students enrolled in these fields on a biennial
26 basis;

27 (b) The number of associate, bachelor's, and master's degrees
28 conferred in these fields on a biennial basis;

29 (c) The amount of expenditures in enrollment and degree programs in
30 these fields; and

31 (d) The number and type of public-private partnerships established
32 relating to these fields among institutions of higher education,
33 including community colleges, private colleges and universities, and
34 leading corporations in Washington state.

35 (4) Institutions of higher education, including community colleges,
36 shall be provided discretion and flexibility in achieving the
37 objectives under this section. Examples of the types of institutional

1 programs that may help achieve these objectives include, but are not
2 limited to, establishment of institutes of technology, new polytechnic-
3 based institutions, new divisions of existing institutions,
4 partnerships with private colleges and universities, and a flexible
5 array of delivery models, including face-to-face learning, interactive
6 courses, internet-based offerings, and instruction on main campuses,
7 branch campuses, and other educational centers.

8 (5) The legislature recognizes the global needs of the economic
9 marketplace for technologically prepared graduates, and the
10 relationship between technology industries and higher education.
11 Institutions of higher education, including community colleges, are
12 strongly urged to consider science, engineering, and technology program
13 growth in areas of the state that exhibit a high concentration of
14 aerospace, biotechnology, and technology industrial presence. Expanded
15 science and technology programs can gain from the proximity of
16 experienced and knowledgeable industry leaders, while industry can
17 benefit from access to new sources of highly trained and educated
18 graduates.

19 (6) The state may contract with private colleges and universities
20 to provide courses or degrees in the fields of engineering, technology,
21 biotechnology, sciences, computer sciences, and mathematics, for
22 Washington resident students as defined in RCW 28B.15.012(2) (a)
23 through (d). The higher education coordinating board shall act as the
24 agent for the state in negotiating the terms of the contracts. The
25 terms of the contract shall include:

- 26 (a) The number of courses offered or degrees to be conferred per
27 year;
- 28 (b) The number of students to be served per year;
- 29 (c) The financial consideration for providing the services; and
- 30 (d) Any other terms necessary to facilitate the administration of
31 the contract.

32 NEW SECTION. Sec. 4. For fiscal years 2010 and 2011, the
33 percentage of nonresident undergraduate students admitted to
34 institutions of higher education, as defined in RCW 28B.10.016, shall
35 be limited to:

- 36 (1) Fifteen percent at the University of Washington, Washington

1 State University, The Evergreen State College, and the regional
2 universities; and

3 (2) Four percent at the community and technical colleges.

4 NEW SECTION. **Sec. 5.** For fiscal years 2010 and 2011, community
5 colleges shall charge not less than one hundred dollars in tuition per
6 semester or quarter for adult basic education. This requirement may be
7 waived for students who demonstrate a financial inability to meet the
8 total cost of books, tuition, and incidental fees for any semester or
9 quarter.

10 NEW SECTION. **Sec. 6.** A new section is added to chapter 28B.10 RCW
11 to read as follows:

12 (1) To the greatest extent feasible within available funds, all
13 institutions of higher education shall use common online learning
14 technologies including, but not limited to, existing learning
15 management and web conferencing systems currently managed and governed
16 by the state board for community and technical colleges; and share
17 professional development materials and activities related to effective
18 use of these tools. The state board for community and technical
19 colleges may adjust existing vendor licenses to accommodate and provide
20 enterprise services for any interested institutions of higher
21 education. The common learning management system shall be designed in
22 a way that allows for easy sharing of courses, learning objects, and
23 other digital content among the institutions of higher education.

24 (2) It is the intent of the legislature that the number and percent
25 of enrollments served by online learning or web conferencing
26 technologies continue to expand. The goal is for twenty percent of
27 community and technical college enrollments and ten percent of four-
28 year public institution enrollments to be attending using online
29 learning or web conferencing technologies by 2015.

30 NEW SECTION. **Sec. 7.** A new section is added to chapter 28B.15 RCW
31 to read as follows:

32 (1) Some upper division courses at Washington colleges and
33 universities are significantly more expensive to offer because the
34 classes must be smaller or specialized faculty must be retained to
35 maintain the quality of instruction that students expect and deserve.

1 (2) Colleges and universities, using the expertise of
2 administrators and faculty, and in consultation with student government
3 association or its equivalent, shall identify upper division courses
4 that are significantly more expensive to offer.

5 (3) The governing board of each of the state colleges or
6 universities may establish and charge each student enrolled in upper
7 division courses identified in subsection (2) of this section, an upper
8 division surcharge. The surcharge may not exceed ten percent of the
9 student's tuition fees charged to a student for that class.

10 (4) The surcharge may be waived for students receiving state need
11 grant awards under chapter 28B.92 RCW.

12 (5) Revenues from the surcharge in this section shall be used
13 exclusively for expenses incurred for offering the specific class that
14 resulted the surcharge, except that three and one-half percent of
15 revenues from the surcharge shall be deposited in the institutional
16 financial aid fund under RCW 28B.15.820.

17 NEW SECTION. **Sec. 8.** Section 2 of this act expires July 1, 2011.

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