
SUBSTITUTE SENATE BILL 5325

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Higher Education (originally sponsored by Senators Rinehart, Bauer, Prince, Pelz, Sheldon, Kohl, Drew and Wood)

Read first time 01/31/95.

1 AN ACT Relating to higher education fiscal matters; amending RCW
2 28B.15.067, 28B.15.070, 28B.15.100, 28B.50.095, 28B.80.360, 28B.15.740,
3 and 43.88.150; reenacting and amending RCW 28B.15.202, 28B.15.402,
4 28B.15.502, 28B.15.820, and 28B.15.031; adding a new section to chapter
5 28B.15 RCW; creating a new section; repealing RCW 28B.15.076; providing
6 an effective date; and declaring an emergency.

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

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.15 RCW
9 to read as follows:

10 The legislature finds that, as a partner in financing public higher
11 education with students and parents who pay tuition and fees, it is
12 important to provide predictability in state support and tuition rates
13 as well as affordability for both taxpayers and students. To
14 accomplish predictability and affordability in tuition rates, the
15 legislature intends that annual changes in tuition rates be based on
16 the average per capita income in the state, as predicted by the office
17 of economic and revenue forecast. It is the policy of the state that
18 general tax support for public postsecondary instruction also change in
19 accordance with the forecast of the state's average per capita income.

PART I. TUITION

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Sec. 101. RCW 28B.15.067 and 1992 c 231 s 4 are each amended to read as follows:

(1) Tuition fees shall be established and adjusted annually under the provisions of this chapter beginning with the ~~((1987-88))~~ 1995-96 academic year. Such fees shall be identical, subject to other provisions of this chapter, for students enrolled at either state university, for students enrolled at the regional universities and The Evergreen State College and for students enrolled at any community college. ~~((Tuition fees shall reflect the undergraduate and graduate educational costs of the state universities, the regional universities and the community colleges, respectively, in the amounts prescribed in this chapter.))~~

(2) Academic year tuition for full-time students at the state's institutions of higher education for the 1994-95 academic year, other than the summer term, shall be as provided in this subsection.

(a) At the University of Washington and Washington State University:

(i) For resident undergraduate students and other resident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, two thousand six hundred fifty-eight dollars;

(ii) For nonresident undergraduate students and other nonresident students not in graduate study programs or enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, seven thousand nine hundred fifty dollars;

(iii) For resident graduate and law students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, four thousand three hundred seventeen dollars;

(iv) For nonresident graduate and law students not enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, eleven thousand one hundred eighty-seven dollars;

(v) For resident students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of veterinary medicine, seven thousand two hundred nine dollars; and

1 (vi) For nonresident students enrolled in programs leading to the
2 degrees of doctor of medicine, doctor of dental surgery, and doctor of
3 veterinary medicine, eighteen thousand six hundred eighty-four dollars.

4 (b) At the regional universities and The Evergreen State College:

5 (i) For resident undergraduate and all other resident students not
6 in graduate study programs, one thousand nine hundred sixty-six dollars
7 and fifty cents;

8 (ii) For nonresident undergraduate and all other nonresident
9 students not in graduate study programs, seven thousand six hundred
10 eighty-four dollars and fifty cents;

11 (iii) For resident graduate students, three thousand three hundred
12 ten dollars and fifty cents; and

13 (iv) For nonresident graduate students, ten thousand six hundred
14 forty-five dollars and fifty cents.

15 (c) At the community colleges:

16 (i) For resident students, one thousand one hundred sixty-five
17 dollars and fifty cents; and

18 (ii) For nonresident students, four thousand nine hundred sixty-
19 three dollars and fifty cents.

20 (3) For the 1995-96 academic year and thereafter, the tuition fees
21 rates specified in subsection (2) of this section shall be adjusted to
22 reflect the forecasted annual change in state personal per capita
23 income. Annually by December 15th, the higher education coordinating
24 board shall calculate tuition fees rates for the following academic
25 year and forecast the tuition fees rates for the next succeeding
26 academic year, based on the forecasted annual percentage change in
27 state personal per capita income during the fiscal year in which the
28 academic year begins, as determined by the economic and revenue
29 forecast council under chapter 82.33 RCW.

30 (4) The tuition fees established under this chapter shall not apply
31 to high school students enrolling in community colleges under RCW
32 28A.600.300 through 28A.600.395.

33 **Sec. 102.** RCW 28B.15.070 and 1992 c 231 s 5 are each amended to
34 read as follows:

35 (1) The higher education coordinating board, in consultation with
36 the house of representatives and senate committees responsible for
37 higher education, the respective fiscal committees of the house of
38 representatives and senate, the office of financial management, and the

1 state institutions of higher education, shall develop by December of
2 every fourth year beginning in 1989, definitions, criteria, and
3 procedures for determining the undergraduate and graduate educational
4 costs for the state universities, regional universities, and community
5 colleges (~~(upon which tuition fees will be based)~~).

6 (2) Every four years, the state institutions of higher education in
7 cooperation with the higher education coordinating board shall perform
8 an educational cost study pursuant to subsection (1) of this section.
9 The study shall be conducted based on every fourth academic year
10 beginning with 1989-90. Institutions shall complete the studies within
11 one year of the end of the study year and report the results to the
12 higher education coordinating board for consolidation, review, and
13 distribution.

14 (3) In order to conduct the study required by subsection (2) of
15 this section, the higher education coordinating board, in cooperation
16 with the institutions of higher education, shall develop a methodology
17 that requires the collection of comparable educational cost data, which
18 utilizes a faculty activity analysis or similar instrument.

19 **Sec. 103.** RCW 28B.15.100 and 1993 sp.s. c 18 s 7 are each amended
20 to read as follows:

21 (1) The governing boards of the state universities, the regional
22 universities, The Evergreen State College, and the community colleges
23 shall charge to and collect from each of the students registering at
24 the particular institution for any quarter or semester such tuition
25 fees and services and activities fees, and other fees as such board
26 shall in its discretion determine. The total of all fees shall be
27 rounded to the nearest whole dollar amount: PROVIDED, That such
28 tuition fees for other than the summer term shall be in the amounts for
29 the respective institutions as otherwise set forth in (~~this chapter~~)
30 RCW 28B.15.067.

31 (2) Part-time students shall be charged tuition and services and
32 activities fees proportionate to full-time student rates established
33 for residents and nonresidents: PROVIDED, That students registered for
34 fewer than two credit hours shall be charged tuition and services and
35 activities fees at the rate established for two credit hours: PROVIDED
36 FURTHER, That, subject to the limitations of RCW 28B.15.910, residents
37 of Idaho or Oregon who are enrolled in community college district
38 number twenty for six or fewer credits during any quarter or semester

1 may be exempted from payment of all or a portion of the nonresident
2 tuition fees differential upon a declaration by the higher education
3 coordinating board that it finds Washington residents from the
4 community college district are afforded substantially equivalent
5 treatment by such other states.

6 (3) Full-time students registered for more than eighteen credit
7 hours shall be charged an additional operating fee for each credit hour
8 in excess of eighteen hours at the applicable established per credit
9 hour tuition fee rate for part-time students: PROVIDED, That, subject
10 to the limitations of RCW 28B.15.910, the governing boards of the state
11 universities and the community colleges may exempt all or a portion of
12 the additional charge, for students who are registered exclusively in
13 first professional programs in medicine, dental medicine, veterinary
14 medicine, or law, or who are registered exclusively in required courses
15 in vocational preparatory programs.

16 **Sec. 104.** RCW 28B.15.202 and 1993 sp.s. c 18 s 8 and 1993 c 379 s
17 202 are each reenacted and amended to read as follows:

18 ((Tuition)) Building fees and maximum services and activities fees
19 at the University of Washington and at Washington State University for
20 other than the summer term shall be as follows:

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

36 (2) For full-time resident graduate and law students not enrolled
37 in programs leading to the degrees of doctor of medicine, doctor of
38 dental surgery, and doctor of veterinary medicine, ~~((the total tuition~~

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

12 (3) For full-time resident students enrolled in programs leading to
13 the degrees of doctor of medicine, doctor of dental surgery, and doctor
14 of veterinary medicine, (~~the total tuition fees shall be one hundred~~
15 ~~sixty-seven percent of such fees charged in subsection (2) of this~~
16 ~~section: PROVIDED, That))~~ the building fees for each academic year
17 shall be three hundred and forty-two dollars. Beginning with the 1995-
18 96 academic year, the building fee for each academic year shall be a
19 percentage of total tuition fees. This percentage shall be calculated
20 by the higher education coordinating board and be based on the actual
21 percentage the building fee is of total tuition in the 1994-95 academic
22 year, rounded up to the nearest half percent.

23 (4) For full-time nonresident undergraduate students and such other
24 full-time nonresident students not in graduate study programs or
25 enrolled in programs leading to the degrees of doctor of medicine,
26 doctor of dental surgery, or doctor of veterinary medicine, (~~the total~~
27 ~~tuition fees for the 1993-94 academic year shall be one hundred nine~~
28 ~~and three-tenths percent and thereafter total tuition fees shall be one~~
29 ~~hundred twenty-two and nine-tenths percent of the per student~~
30 ~~undergraduate educational costs at the state universities computed as~~
31 ~~provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That))~~ the
32 building fees for each academic year shall be three hundred and
33 fifty-four dollars. Beginning with the 1995-96 academic year, the
34 building fee for each academic year shall be a percentage of total
35 tuition fees. This percentage shall be calculated by the higher
36 education coordinating board and be based on the actual percentage the
37 building fee is of total tuition in the 1994-95 academic year, rounded
38 up to the nearest half percent.

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

15 (6) For full-time nonresident students enrolled in programs leading
16 to the degrees of doctor of medicine, doctor of dental surgery, and
17 doctor of veterinary medicine, (~~the total tuition fees shall be one~~
18 ~~hundred sixty seven percent of such fees charged in subsection (5) of~~
19 ~~this section: PROVIDED, That~~)) the building fees for each academic
20 year shall be five hundred and fifty-five dollars. Beginning with the
21 1995-96 academic year, the building fee for each academic year shall be
22 a percentage of total tuition fees. This percentage shall be
23 calculated by the higher education coordinating board and be based on
24 the actual percentage the building fee is of total tuition in the 1994-
25 95 academic year, rounded up to the nearest half percent.

26 (7) The governing boards of the state universities shall charge to
27 and collect from each student, a services and activities fee. The
28 governing board may increase the existing fee annually, consistent with
29 budgeting procedures set forth in RCW 28B.15.045, by a percentage not
30 to exceed the annual percentage increase in resident undergraduate
31 tuition fees: PROVIDED, That such percentage increase shall not apply
32 to that portion of the services and activities fee previously committed
33 to the repayment of bonded debt. For the 1993-94 academic year,
34 services and activities fees shall not exceed two hundred forty-three
35 dollars per student. For the 1994-95 academic year, services and
36 activities fees shall not exceed two hundred forty-nine dollars per
37 student. The services and activities fee committee provided for in RCW
38 28B.15.045 may initiate a request to the governing board for a fee
39 increase.

1 **Sec. 105.** RCW 28B.15.402 and 1993 sp.s. c 18 s 11 and 1993 c 379
2 s 203 are each reenacted and amended to read as follows:

3 ((Tuition)) Building fees and maximum services and activities fees
4 at the regional universities and The Evergreen State College for other
5 than the summer term shall be as follows:

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

20 (2) For full-time resident graduate students, (~~the total tuition~~
21 ~~fees for the 1993-94 academic year shall be twenty five and three-~~
22 ~~tenths percent and thereafter total tuition fees shall be twenty-eight~~
23 ~~and six-tenths percent of the per student graduate educational costs at~~
24 ~~the regional universities computed as provided in RCW 28B.15.067 and~~
25 ~~28B.15.070: PROVIDED, That~~)) the building fees for each academic year
26 shall be seventy-six dollars and fifty cents. Beginning with the 1995-
27 96 academic year, the building fee for each academic year shall be a
28 percentage of total tuition fees. This percentage shall be calculated
29 by the higher education coordinating board and be based on the actual
30 percentage the building fee is of total tuition in the 1994-95 academic
31 year, rounded up to the nearest half percent.

32 (3) For full-time nonresident undergraduate students and all other
33 full time nonresident students not in graduate study programs, (~~the~~
34 ~~total tuition fees for the 1993-94 academic year shall be one hundred~~
35 ~~nine and four-tenths percent and thereafter total tuition fees shall be~~
36 ~~one hundred twenty-three percent of the per student undergraduate~~
37 ~~educational costs at the regional universities computed as provided in~~
38 ~~RCW 28B.15.067 and 28B.15.070: PROVIDED, That~~)) the building fees for
39 each academic year shall be two hundred and ninety-five dollars and

1 fifty cents. Beginning with the 1995-96 academic year, the building
2 fee for each academic year shall be a percentage of total tuition fees.
3 This percentage shall be calculated by the higher education
4 coordinating board and be based on the actual percentage the building
5 fee is of total tuition in the 1994-95 academic year, rounded up to the
6 nearest half percent.

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

19 (5) The governing boards of each of the regional universities and
20 The Evergreen State College shall charge to and collect from each
21 student, a services and activities fee. The governing board may
22 increase the existing fee annually, consistent with budgeting
23 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
24 the annual percentage increase in resident undergraduate tuition fees:
25 PROVIDED, That such percentage increase shall not apply to that portion
26 of the services and activities fee previously committed to the
27 repayment of bonded debt. For the 1993-94 academic year, services and
28 activities fees shall not exceed two hundred (~~eight-four [eighty-~~
29 ~~four]~~) eighty-four dollars per student. For the 1994-95 academic
30 year, services and activities fees shall not exceed two hundred ninety
31 dollars per student. The services and activities fee committee
32 provided for in RCW 28B.15.045 may initiate a request to the governing
33 board for a fee increase.

34 **Sec. 106.** RCW 28B.15.502 and 1993 sp.s. c 18 s 12 and 1993 c 379
35 s 204 are each reenacted and amended to read as follows:

36 ((~~Tuition~~)) Building fees and maximum services and activities fees
37 at each community college for other than the summer term shall be set
38 by the state board for community and technical colleges as follows:

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

26 (3) The governing boards of each of the state community colleges
27 shall charge to and collect from each student a services and activities
28 fee. Each governing board may increase the existing fee annually,
29 consistent with budgeting procedures set forth in RCW 28B.15.045, by a
30 percentage not to exceed the annual percentage increase in resident
31 student tuition fees: PROVIDED, That such percentage increase shall
32 not apply to that portion of the services and activities fee previously
33 committed to the repayment of bonded debt. For the 1993-94 academic
34 year, services and activities fees shall not exceed one hundred twenty-
35 eight dollars per student. For the 1994-95 academic year, services and
36 activities fees shall not exceed one hundred thirty-one dollars per
37 student. The services and activities fee committee provided for in RCW
38 28B.15.045 may initiate a request to the governing board for a fee
39 increase.

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

5 Subject to the limitations of RCW 28B.15.910, each governing board
6 may charge such fees for ungraded courses, noncredit courses, community
7 services courses, and self-supporting courses as it, in its discretion,
8 may determine, consistent with the rules and regulations of the state
9 board for community and technical colleges.

10 **Sec. 107.** RCW 28B.50.095 and 1991 c 238 s 36 are each amended to
11 read as follows:

12 In addition to other powers and duties, the college board may issue
13 rules and regulations permitting a student to register at more than one
14 community and technical college, provided that such student shall pay
15 tuition and fees as if the student were registered at a single college,
16 but not to exceed tuition and fees charged a full-time student as
17 established (~~by RCW 28B.15.502~~) under chapter 28B.15 RCW.

18 **Sec. 108.** RCW 28B.80.360 and 1990 c 33 s 561 are each amended to
19 read as follows:

20 The board shall perform the following administrative
21 responsibilities:

22 (1) Administer the programs set forth in the following statutes:
23 RCW 28A.600.100 through 28A.600.150 (Washington scholars); chapter
24 28B.04 RCW (displaced homemakers); chapter 28B.85 RCW (degree-granting
25 institutions); RCW 28B.10.210 through 28B.10.220 (blind students
26 subsidy); RCW 28B.10.800 through 28B.10.824 (student financial aid
27 program); chapter 28B.12 RCW (work study); RCW 28B.15.067 (~~through~~
28 ~~28B.15.076 (educational costs for)~~) (establishing tuition and fees);
29 RCW 28B.15.543 (tuition waivers for Washington scholars); RCW
30 28B.15.760 through 28B.15.766 (math and science loans); RCW 28B.80.150
31 through 28B.80.170 (student exchange compact); RCW 28B.80.240 (student
32 aid programs); and RCW 28B.80.210 (federal programs).

33 (2) Study the delegation of the administration of the following:
34 RCW 28B.65.040 through 28B.65.060 (high-technology board); chapter
35 28B.85 RCW (degree-granting institutions); RCW 28B.80.150 through
36 28B.80.170 (student exchange compact programs); RCW 28B.80.200 (state
37 commission for federal law purposes); RCW 28B.80.210 (enumerated

1 federal programs); RCW 28B.80.230 (receipt of federal funds); RCW
2 28B.80.240 (student financial aid programs); RCW 28A.600.120 through
3 28A.600.150 (Washington scholars); RCW 28B.15.543 (Washington
4 scholars); RCW 28B.04.020 through 28B.04.110 (displaced homemakers);
5 RCW 28B.10.215 and 28B.10.220 (blind students); RCW 28B.10.790,
6 28B.10.792, and 28B.10.802 through 28B.10.844 (student financial aid);
7 RCW 28B.12.040 through 28B.12.070 (student work study); RCW 28B.15.100
8 (reciprocity agreement); RCW 28B.15.730 through 28B.15.736 (Oregon
9 reciprocity); RCW 28B.15.750 through 28B.15.754 (Idaho reciprocity);
10 RCW 28B.15.756 and 28B.15.758 (British Columbia reciprocity); and RCW
11 28B.15.760 through 28B.15.764 (math/science loans). The board shall
12 report the results of its study and recommendations to the legislature.

13 NEW SECTION. **Sec. 109.** RCW 28B.15.076 and 1989 c 245 s 4 are each
14 repealed.

15 **PART II. TUITION WAIVERS**

16 **Sec. 201.** RCW 28B.15.740 and 1993 sp.s. c 18 s 28 are each amended
17 to read as follows:

18 (1) Subject to the limitations of RCW 28B.15.910, the governing
19 boards of the state universities, the regional universities, The
20 Evergreen State College, and the community colleges may waive all or a
21 portion of 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 and 28B.15.013((: PROVIDED FURTHER, That the remainder of
33 the dollars waived, not to exceed one-fourth of the total, may be
34 applied to)). Subject to the limitations of RCW 28B.15.910, the
35 governing boards of the state universities, the regional universities,
36 The Evergreen State College, and the community colleges may waive all

1 or portion of tuition and fees for other students at the discretion of
2 the governing boards, except on the basis of participation in
3 intercollegiate athletic programs~~((:—PROVIDED FURTHER, That the~~
4 ~~waivers for undergraduate and graduate students of foreign nations~~
5 ~~under RCW 28B.15.556 are not subject to the limitation under this~~
6 ~~section))~~, not to exceed three-fourths of one percent of gross
7 authorized operating fees revenue under RCW 28B.15.910 for the
8 community colleges considered as a whole and not to exceed one percent
9 of gross authorized operating fees revenue for the other institutions
10 of higher education.

11 (2) In addition to the tuition and fee waivers provided in
12 subsection (1) of this section and subject to the provisions of RCW
13 28B.15.455 ~~((and))~~, 28B.15.460, and 28B.15.910, a total dollar amount
14 of tuition and fee waivers awarded by any state university, regional
15 university, or state college under this chapter, not to exceed one
16 percent, as calculated in subsection (1) of this section, may be used
17 for the purpose of achieving or maintaining gender equity in
18 intercollegiate athletic programs. At any institution that has an
19 underrepresented gender class in intercollegiate athletics, any such
20 waivers shall be awarded:

21 (a) First, to members of the underrepresented gender class who
22 participate in intercollegiate athletics, where such waivers result in
23 saved or displaced money that can be used for athletic programs for the
24 underrepresented gender class. Such saved or displaced money shall be
25 used for programs for the underrepresented gender class; and

26 (b) Second, (i) to nonmembers of the underrepresented gender class
27 who participate in intercollegiate athletics, where such waivers result
28 in saved or displaced money that can be used for athletic programs for
29 members of the underrepresented gender class. Such saved or displaced
30 money shall be used for programs for the underrepresented gender class;
31 or (ii) to members of the underrepresented gender class who participate
32 in intercollegiate athletics, where such waivers do not result in any
33 saved or displaced money that can be used for athletic programs for
34 members of the underrepresented gender class.

35 **PART III. FINANCIAL AID FUND FOR TECHNICAL COLLEGES**

36 **Sec. 301.** RCW 28B.15.820 and 1993 c 385 s 1 and 1993 c 173 s 1 are
37 each reenacted and amended to read as follows:

1 (1) Each institution of higher education(~~(, except technical~~
2 ~~colleges,))~~) shall deposit two and one-half percent of revenues
3 collected from tuition and services and activities fees in an
4 institutional financial aid fund that is hereby created and which shall
5 be held locally. Moneys in the fund shall be used only for the
6 following purposes: (a) To make guaranteed long-term loans to eligible
7 students as provided in subsections (3) through (8) of this section;
8 (b) to make short-term loans as provided in subsection (9) of this
9 section; or (c) to provide financial aid to needy students as provided
10 in subsection (10) of this section. An additional one percent of
11 revenues collected from tuition and services and activities fees shall
12 be deposited by each institution in its institutional financial aid
13 fund and used exclusively for the purposes of subsection (10) of this
14 section.

15 (2) An "eligible student" for the purposes of subsections (3)
16 through (8) and (10) of this section is a student registered for at
17 least six credit hours or the equivalent, who is eligible for resident
18 tuition and fee rates as defined in RCW 28B.15.012 through 28B.15.013,
19 and who is a "needy student" as defined in RCW 28B.10.802.

20 (3) The amount of the guaranteed long-term loans made under this
21 section shall not exceed the demonstrated financial need of the
22 student. Each institution shall establish loan terms and conditions
23 which shall be consistent with the terms of the guaranteed loan program
24 established by 20 U.S. Code Section 1071 et seq., as now or hereafter
25 amended. All loans made shall be guaranteed by the Washington student
26 loan guaranty association or its successor agency. Institutions are
27 hereby granted full authority to operate as an eligible lender under
28 the guaranteed loan program.

29 (4) Before approving a guaranteed long-term loan, each institution
30 shall analyze the ability of the student to repay the loan based on
31 factors which include, but are not limited to, the student's
32 accumulated total education loan burdens and the employment
33 opportunities and average starting salary characteristics of the
34 student's chosen fields of study. The institution shall counsel the
35 student on the advisability of acquiring additional debt, and on the
36 availability of other forms of financial aid.

37 (5) Each institution is responsible for collection of guaranteed
38 long-term loans made under this section and shall exercise due
39 diligence in such collection, maintaining all necessary records to

1 insure that maximum repayments are made. Institutions shall cooperate
2 with other lenders and the Washington student loan guaranty
3 association, or its successor agency, in the coordinated collection of
4 guaranteed loans, and shall assure that the guarantability of the loans
5 is not violated. Collection and servicing of guaranteed long-term
6 loans under this section shall be performed by entities approved for
7 such servicing by the Washington student loan guaranty association or
8 its successor agency: PROVIDED, That institutions be permitted to
9 perform such servicing if specifically recognized to do so by the
10 Washington student loan guaranty association or its successor agency.
11 Collection and servicing of guaranteed long-term loans made by
12 community and technical colleges under subsection (1) of this section
13 shall be coordinated by the state board for community and technical
14 colleges and shall be conducted under procedures adopted by the state
15 board.

16 (6) Receipts from payment of interest or principal (~~(principle)~~)
17 or any other subsidies to which institutions as lenders are entitled,
18 that are paid by or on behalf of borrowers of funds under subsections
19 (3) through (8) of this section, shall be deposited in each
20 institution's financial aid fund and shall be used to cover the costs
21 of making the guaranteed long-term loans under this section and
22 maintaining necessary records and making collections under subsection
23 (5) of this section: PROVIDED, That such costs shall not exceed five
24 percent of aggregate outstanding loan principal (~~(principle)~~).
25 Institutions shall maintain accurate records of such costs, and all
26 receipts beyond those necessary to pay such costs, shall be deposited
27 in the institution's financial aid fund.

28 (7) The governing boards of the state universities, the regional
29 universities, and The Evergreen State College, and the state board for
30 community and technical colleges, on behalf of the community and
31 technical colleges, shall each adopt necessary rules and regulations to
32 implement this section.

33 (8) First priority for any guaranteed long-term loans made under
34 this section shall be directed toward students who would not normally
35 have access to educational loans from private financial institutions in
36 Washington state, and maximum use shall be made of secondary markets in
37 the support of loan consolidation.

38 (9) Short-term loans, not to exceed one year, may be made from the
39 institutional financial aid fund to students enrolled in the

1 institution. No such loan shall be made to any student who is known by
2 the institution to be in default or delinquent in the payment of any
3 outstanding student loan. A short-term loan may be made only if the
4 institution has ample evidence that the student has the capability of
5 repaying the loan within the time frame specified by the institution
6 for repayment.

7 (10) Any moneys deposited in the institutional financial aid fund
8 that are not used in making long-term or short-term loans may be used
9 by the institution for locally-administered financial aid programs for
10 needy students, such as need-based institutional employment programs or
11 need-based tuition and fee scholarship or grant programs. These funds
12 shall be used in addition to and not to replace institutional funds
13 that would otherwise support these locally-administered financial aid
14 programs. First priority in the use of these funds shall be given to
15 needy students who have accumulated excessive educational loan burdens.
16 An excessive educational loan burden is a burden that will be difficult
17 to repay given employment opportunities and average starting salaries
18 in the student's chosen fields of study. Second priority in the use of
19 these funds shall be given to needy single parents, to assist these
20 students with their educational expenses, including expenses associated
21 with child care and transportation.

22 **Sec. 302.** RCW 28B.15.031 and 1993 sp.s. c 18 s 6 and 1993 c 379 s
23 201 are each reenacted and amended to read as follows:

24 The term "operating fees" as used in this chapter shall include the
25 fees, other than building fees, charged all students registering at the
26 state's colleges and universities but shall not include fees for short
27 courses, self-supporting degree credit programs and courses, marine
28 station work, experimental station work, correspondence or extension
29 courses, and individual instruction and student deposits or rentals,
30 disciplinary and library fines, which colleges and universities shall
31 have the right to impose, laboratory, gymnasium, health, and student
32 activity fees, or fees, charges, rentals, and other income derived from
33 any or all revenue producing lands, buildings and facilities of the
34 colleges or universities heretofore or hereafter acquired, constructed
35 or installed, including but not limited to income from rooms,
36 dormitories, dining rooms, hospitals, infirmaries, housing or student
37 activity buildings, vehicular parking facilities, land, or the
38 appurtenances thereon, or such other special fees as may be established

1 by any college or university board of trustees or regents from time to
2 time. All moneys received as operating fees at any institution of
3 higher education shall be deposited in a local account containing only
4 operating fees revenue and related interest(~~(: PROVIDED, That two and~~
5 ~~one half percent of operating fees shall be retained by the~~
6 ~~institutions, except the technical colleges, for the purposes of))
7 except as provided in RCW 28B.15.820. Local operating fee accounts
8 shall not be subject to appropriation by the legislature or allotment
9 procedures under chapter 43.88 RCW.~~

10 **PART IV. PRIORITY OF EXPENDITURES**

11 **Sec. 401.** RCW 43.88.150 and 1991 c 284 s 3 are each amended to
12 read as follows:

13 (1) For those agencies that make expenditures from both
14 appropriated and nonappropriated funds for the same purpose, the
15 governor shall direct such agencies to charge their expenditures in
16 such ratio, as between appropriated and nonappropriated funds, as will
17 conserve appropriated funds. This subsection does not apply to
18 operating fees revenue, as defined in RCW 28B.15.031, received by the
19 state institutions of higher education.

20 (2) Unless otherwise provided by law, if state moneys are
21 appropriated for a capital project and matching funds or other
22 contributions are required as a condition of the receipt of the state
23 moneys, the state moneys shall be disbursed in proportion to and only
24 to the extent that the matching funds or other contributions have been
25 received and are available for expenditure.

26 (3) The office of financial management shall adopt guidelines for
27 the implementation of this section. The guidelines may account for
28 federal matching requirements or other requirements to spend other
29 moneys in a particular manner.

30 **PART V. MISCELLANEOUS**

31 NEW SECTION. **Sec. 501.** Part headings as used in this act do not
32 constitute any part of the law.

33 NEW SECTION. **Sec. 502.** This act is necessary for the immediate
34 preservation of the public peace, health, or safety, or support of the

1 state government and its existing public institutions, and shall take
2 effect July 1, 1995.

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