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SENATE BILL 5325

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State of Washington                      54th Legislature                      1995 Regular Session

By Senators Rinehart, Bauer, Prince, Pelz, Sheldon, Kohl, Drew and Wood

Read first time 01/19/95. Referred to Committee on Higher Education.

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

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

8            NEW SECTION.    **Sec. 1.** The legislature finds that, as a partner in  
9 financing public higher education with students and parents who pay  
10 tuition and fees, it is important to provide predictability in state  
11 support and tuition rates as well as affordability for both taxpayers  
12 and students. To accomplish predictability and affordability in  
13 tuition rates, the legislature intends that annual changes in tuition  
14 rates be based on the average per capita income in the state, as  
15 predicted by the office of economic and revenue forecast. It is the  
16 policy of the state that general tax support for public postsecondary  
17 instruction also change in accordance with the forecast of the state's  
18 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 nine hundred seven 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, eight thousand one hundred ninety-nine 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 five hundred sixty-six 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 four hundred thirty-six dollars;

(v) For resident students enrolled in programs leading to the degrees of doctor of medicine, doctor of dental surgery, and doctor of

1 veterinary medicine, seven thousand four hundred fifty-eight dollars;  
2 and

3 (vi) For nonresident students enrolled in programs leading to the  
4 degrees of doctor of medicine, doctor of dental surgery, and doctor of  
5 veterinary medicine, eighteen thousand nine hundred thirty-three  
6 dollars.

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

8 (i) For resident undergraduate and all other resident students not  
9 in graduate study programs, two thousand two hundred fifty-six dollars;

10 (ii) For nonresident undergraduate and all other nonresident  
11 students not in graduate study programs, seven thousand nine hundred  
12 seventy-four dollars;

13 (iii) For resident graduate students, three thousand six hundred  
14 dollars; and

15 (iv) For nonresident graduate students, ten thousand nine hundred  
16 thirty-five dollars.

17 (c) At the community colleges:

18 (i) For resident students, one thousand two hundred ninety-six  
19 dollars; and

20 (ii) For nonresident students, five thousand ninety-four dollars.

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

31 (4) The tuition fees established under this chapter shall not apply  
32 to high school students enrolling in community colleges under RCW  
33 28A.600.300 through 28A.600.395.

34 **Sec. 102.** RCW 28B.15.100 and 1993 sp.s. c 18 s 7 are each amended  
35 to read as follows:

36 (1) The governing boards of the state universities, the regional  
37 universities, The Evergreen State College, and the community colleges  
38 shall charge to and collect from each of the students registering at

1 the particular institution for any quarter or semester such tuition  
2 fees and services and activities fees, and other fees as such board  
3 shall in its discretion determine. The total of all fees shall be  
4 rounded to the nearest whole dollar amount: PROVIDED, That such  
5 tuition fees for other than the summer term shall be in the amounts for  
6 the respective institutions as otherwise set forth in (~~this chapter~~)  
7 RCW 28B.15.067.

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

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

31 **Sec. 103.** RCW 28B.15.202 and 1993 sp.s. c 18 s 8 and 1993 c 379 s  
32 202 are each reenacted and amended to read as follows:

33 (~~Tuition~~) Building fees and maximum services and activities fees  
34 at the University of Washington and at Washington State University for  
35 other than the summer term shall be as follows:

36 (1) For full-time resident undergraduate students and all other  
37 full-time resident students not in graduate study programs or enrolled  
38 in programs leading to the degrees of doctor of medicine, doctor of

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

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

27 (3) For full-time resident students enrolled in programs leading to  
28 the degrees of doctor of medicine, doctor of dental surgery, and doctor  
29 of veterinary medicine, (~~the total tuition fees shall be one hundred~~  
30 ~~sixty-seven percent of such fees charged in subsection (2) of this~~  
31 ~~section: PROVIDED, That)) the building fees for each academic year  
32 shall be three hundred and forty-two dollars. Beginning with the 1995-  
33 96 academic year, the building fee for each academic year shall be a  
34 percentage of total tuition fees. This percentage shall be calculated  
35 by the higher education coordinating board and be based on the actual  
36 percentage the building fee is of total tuition in the 1994-95 academic  
37 year, rounded up to the nearest half percent.~~

38 (4) For full-time nonresident undergraduate students and such other  
39 full-time nonresident students not in graduate study programs or

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

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

29 (6) For full-time nonresident students enrolled in programs leading  
30 to the degrees of doctor of medicine, doctor of dental surgery, and  
31 doctor of veterinary medicine, (~~the total tuition fees shall be one~~  
32 ~~hundred sixty seven percent of such fees charged in subsection (5) of~~  
33 ~~this section: PROVIDED, That)) the building fees for each academic  
34 year shall be five hundred and fifty-five dollars. Beginning with the  
35 1995-96 academic year, the building fee for each academic year shall be  
36 a percentage of total tuition fees. This percentage shall be  
37 calculated by the higher education coordinating board and be based on  
38 the actual percentage the building fee is of total tuition in the 1994-  
39 95 academic year, rounded up to the nearest half percent.~~

1 (7) The governing boards of the state universities shall charge to  
2 and collect from each student, a services and activities fee. The  
3 governing board may increase the existing fee annually, consistent with  
4 budgeting procedures set forth in RCW 28B.15.045, by a percentage not  
5 to exceed the annual percentage increase in resident undergraduate  
6 tuition fees: PROVIDED, That such percentage increase shall not apply  
7 to that portion of the services and activities fee previously committed  
8 to the repayment of bonded debt. For the 1993-94 academic year,  
9 services and activities fees shall not exceed two hundred forty-three  
10 dollars per student. For the 1994-95 academic year, services and  
11 activities fees shall not exceed two hundred forty-nine dollars per  
12 student. The services and activities fee committee provided for in RCW  
13 28B.15.045 may initiate a request to the governing board for a fee  
14 increase.

15 **Sec. 104.** RCW 28B.15.402 and 1993 sp.s. c 18 s 11 and 1993 c 379  
16 s 203 are each reenacted and amended to read as follows:

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

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

34 (2) For full-time resident graduate students, ~~((the total tuition  
35 fees for the 1993-94 academic year shall be twenty-five and three-  
36 tenths percent and thereafter total tuition fees shall be twenty-eight  
37 and six-tenths percent of the per student graduate educational costs at  
38 the regional universities computed as provided in RCW 28B.15.067 and~~

1 28B.15.070:—PROVIDED, That)) the building fees for each academic year  
2 shall be seventy-six dollars and fifty cents. Beginning with the 1995-  
3 96 academic year, the building fee for each academic year shall be a  
4 percentage of total tuition fees. This percentage shall be calculated  
5 by the higher education coordinating board and be based on the actual  
6 percentage the building fee is of total tuition in the 1994-95 academic  
7 year, rounded up to the nearest half percent.

8 (3) For full-time nonresident undergraduate students and all other  
9 full time nonresident students not in graduate study programs, (~~the~~  
10 ~~total tuition fees for the 1993-94 academic year shall be one hundred~~  
11 ~~nine and four-tenths percent and thereafter total tuition fees shall be~~  
12 ~~one hundred twenty three percent of the per student undergraduate~~  
13 ~~educational costs at the regional universities computed as provided in~~  
14 ~~RCW 28B.15.067 and 28B.15.070:—PROVIDED, That)) the building fees for  
15 each academic year shall be two hundred and ninety-five dollars and  
16 fifty cents. Beginning with the 1995-96 academic year, the building  
17 fee 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 (4) For full-time nonresident graduate students, (~~the total~~  
23 ~~tuition fees for the 1993-94 academic year shall be eighty two percent~~  
24 ~~and thereafter total tuition fees shall be ninety two percent of the~~  
25 ~~per student graduate educational costs at the regional universities~~  
26 ~~computed as provided in RCW 28B.15.067 and 28B.15.070:—PROVIDED,~~  
27 ~~That)) the building fees for each academic year shall be two hundred  
28 and ninety-five dollars and fifty cents. Beginning with the 1995-96  
29 academic year, the building fee for each academic year shall be a  
30 percentage of total tuition fees. This percentage shall be calculated  
31 by the higher education coordinating board and be based on the actual  
32 percentage the building fee is of total tuition in the 1994-95 academic  
33 year, rounded up to the nearest half percent.~~

34 (5) The governing boards of each of the regional universities and  
35 The Evergreen State College shall charge to and collect from each  
36 student, a services and activities fee. The governing board may  
37 increase the existing fee annually, consistent with budgeting  
38 procedures set forth in RCW 28B.15.045, by a percentage not to exceed  
39 the annual percentage increase in resident undergraduate tuition fees:

1 PROVIDED, That such percentage increase shall not apply to that portion  
2 of the services and activities fee previously committed to the  
3 repayment of bonded debt. For the 1993-94 academic year, services and  
4 activities fees shall not exceed two hundred (~~eight-four [eighty-~~  
5 ~~four]~~) eighty-four dollars per student. For the 1994-95 academic  
6 year, services and activities fees shall not exceed two hundred ninety  
7 dollars per student. The services and activities fee committee  
8 provided for in RCW 28B.15.045 may initiate a request to the governing  
9 board for a fee increase.

10 **Sec. 105.** RCW 28B.15.502 and 1993 sp.s. c 18 s 12 and 1993 c 379  
11 s 204 are each reenacted and amended to read as follows:

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

15 (1) For full-time resident students, (~~the total tuition fees for~~  
16 ~~the 1993-94 academic year shall be twenty-five and four-tenths percent~~  
17 ~~and thereafter total tuition fees shall be twenty-eight and eight-~~  
18 ~~tenths percent of the per student educational costs at the community~~  
19 ~~colleges computed as provided in RCW 28B.15.067 and 28B.15.070:~~  
20 ~~PROVIDED, That~~)) the building fees for each academic year shall be one  
21 hundred and twenty-seven dollars and fifty cents. Beginning with the  
22 1995-96 academic year, the building fee for each academic year shall be  
23 a percentage of total tuition fees. This percentage shall be  
24 calculated by the higher education coordinating board and be based on  
25 the actual percentage the building fee is of total tuition in the 1994-  
26 95 academic year, rounded up to the nearest half percent.

27 (2) For full-time nonresident students, (~~the total tuition fees~~  
28 ~~for the 1993-94 academic year shall be one hundred nine and three-~~  
29 ~~tenths percent and thereafter total tuition fees shall be one hundred~~  
30 ~~twenty-two and seven-tenths percent of the per student educational~~  
31 ~~costs at the community colleges computed as provided in RCW 28B.15.067~~  
32 ~~and 28B.15.070: PROVIDED, That~~)) the building fees for each academic  
33 year shall be four hundred and three 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

1 total tuition in the 1994-95 academic year, rounded up to the nearest  
2 half percent.

3 (3) The governing boards of each of the state community colleges  
4 shall charge to and collect from each student a services and activities  
5 fee. Each governing board may increase the existing fee annually,  
6 consistent with budgeting procedures set forth in RCW 28B.15.045, by a  
7 percentage not to exceed the annual percentage increase in resident  
8 student tuition fees: PROVIDED, That such percentage increase shall  
9 not apply to that portion of the services and activities fee previously  
10 committed to the repayment of bonded debt. For the 1993-94 academic  
11 year, services and activities fees shall not exceed one hundred twenty-  
12 eight dollars per student. For the 1994-95 academic year, services and  
13 activities fees shall not exceed one hundred thirty-one dollars per  
14 student. The services and activities fee committee provided for in RCW  
15 28B.15.045 may initiate a request to the governing board for a fee  
16 increase.

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

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

26 **Sec. 106.** RCW 28B.50.095 and 1991 c 238 s 36 are each amended to  
27 read as follows:

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

34 **Sec. 107.** RCW 28B.80.360 and 1990 c 33 s 561 are each amended to  
35 read as follows:

36 The board shall perform the following administrative  
37 responsibilities:

1 (1) Administer the programs set forth in the following statutes:  
2 RCW 28A.600.100 through 28A.600.150 (Washington scholars); chapter  
3 28B.04 RCW (displaced homemakers); chapter 28B.85 RCW (degree-granting  
4 institutions); RCW 28B.10.210 through 28B.10.220 (blind students  
5 subsidy); RCW 28B.10.800 through 28B.10.824 (student financial aid  
6 program); chapter 28B.12 RCW (work study); RCW 28B.15.067 (~~through~~  
7 ~~28B.15.076 (educational costs for)~~) (establishing tuition and fees);  
8 RCW 28B.15.543 (tuition waivers for Washington scholars); RCW  
9 28B.15.760 through 28B.15.766 (math and science loans); RCW 28B.80.150  
10 through 28B.80.170 (student exchange compact); RCW 28B.80.240 (student  
11 aid programs); and RCW 28B.80.210 (federal programs).

12 (2) Study the delegation of the administration of the following:  
13 RCW 28B.65.040 through 28B.65.060 (high-technology board); chapter  
14 28B.85 RCW (degree-granting institutions); RCW 28B.80.150 through  
15 28B.80.170 (student exchange compact programs); RCW 28B.80.200 (state  
16 commission for federal law purposes); RCW 28B.80.210 (enumerated  
17 federal programs); RCW 28B.80.230 (receipt of federal funds); RCW  
18 28B.80.240 (student financial aid programs); RCW 28A.600.120 through  
19 28A.600.150 (Washington scholars); RCW 28B.15.543 (Washington  
20 scholars); RCW 28B.04.020 through 28B.04.110 (displaced homemakers);  
21 RCW 28B.10.215 and 28B.10.220 (blind students); RCW 28B.10.790,  
22 28B.10.792, and 28B.10.802 through 28B.10.844 (student financial aid);  
23 RCW 28B.12.040 through 28B.12.070 (student work study); RCW 28B.15.100  
24 (reciprocity agreement); RCW 28B.15.730 through 28B.15.736 (Oregon  
25 reciprocity); RCW 28B.15.750 through 28B.15.754 (Idaho reciprocity);  
26 RCW 28B.15.756 and 28B.15.758 (British Columbia reciprocity); and RCW  
27 28B.15.760 through 28B.15.764 (math/science loans). The board shall  
28 report the results of its study and recommendations to the legislature.

29 NEW SECTION. **Sec. 108.** The following acts or parts of acts are  
30 each repealed:

31 (1) RCW 28B.15.070 and 1992 c 231 s 5 & 1989 c 245 s 3; and

32 (2) RCW 28B.15.076 and 1989 c 245 s 4.

## 33 **PART II. TUITION WAIVERS**

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

1       (1) Subject to the limitations of RCW 28B.15.910, the governing  
2 boards of the state universities, the regional universities, The  
3 Evergreen State College, and the community colleges may waive all or a  
4 portion of tuition and fees (~~(subject to the following restrictions:~~  
5       ~~(1) Except as provided in subsection (2) of this section, the total~~  
6 ~~dollar amount of tuition and fee waivers awarded by the governing~~  
7 ~~boards shall not exceed four percent, except for the community colleges~~  
8 ~~considered as a whole, such amount shall not exceed three percent of an~~  
9 ~~amount determined by estimating the total collections from tuition and~~  
10 ~~services and activities fees had no such waivers been made, and~~  
11 ~~deducting the portion of that total amount that is attributable to the~~  
12 ~~difference between resident and nonresident fees: PROVIDED, That at~~  
13 ~~least three-fourths of the dollars waived shall be)) for needy students~~  
14 ~~who are eligible for resident tuition and fee rates pursuant to RCW~~  
15 ~~28B.15.012 and 28B.15.013( (: PROVIDED FURTHER, That the remainder of~~  
16 ~~the dollars waived, not to exceed one-fourth of the total, may be~~  
17 ~~applied to)). Subject to the limitations of RCW 28B.15.910, the~~  
18 governing boards of the state universities, the regional universities,  
19 The Evergreen State College, and the community colleges may waive all  
20 or portion of tuition and fees for other students at the discretion of  
21 the governing boards, except on the basis of participation in  
22 intercollegiate athletic programs( (: PROVIDED FURTHER, That the  
23 wavers for undergraduate and graduate students of foreign nations  
24 under RCW 28B.15.556 are not subject to the limitation under this  
25 section)), not to exceed three-fourths of one percent of gross  
26 authorized operating fees revenue under RCW 28B.15.910 for the  
27 community colleges considered as a whole and not to exceed one percent  
28 of gross authorized operating fees revenue for the other institutions  
29 of higher education.  
30       (2) In addition to the tuition and fee waivers provided in  
31 subsection (1) of this section and subject to the provisions of RCW  
32 28B.15.455 and 28B.15.460, a total dollar amount of tuition and fee  
33 waivers awarded by any state university, regional university, or state  
34 college under this chapter, not to exceed one percent, as calculated in  
35 subsection (1) of this section, may be used for the purpose of  
36 achieving or maintaining gender equity in intercollegiate athletic  
37 programs. At any institution that has an underrepresented gender class  
38 in intercollegiate athletics, any such waivers shall be awarded:

1 (a) First, to members of the underrepresented gender class who  
2 participate in intercollegiate athletics, where such waivers result in  
3 saved or displaced money that can be used for athletic programs for the  
4 underrepresented gender class. Such saved or displaced money shall be  
5 used for programs for the underrepresented gender class; and

6 (b) Second, (i) to nonmembers of the underrepresented gender class  
7 who participate in intercollegiate athletics, where such waivers result  
8 in saved or displaced money that can be used for athletic programs for  
9 members of the underrepresented gender class. Such saved or displaced  
10 money shall be used for programs for the underrepresented gender class;  
11 or (ii) to members of the underrepresented gender class who participate  
12 in intercollegiate athletics, where such waivers do not result in any  
13 saved or displaced money that can be used for athletic programs for  
14 members of the underrepresented gender class.

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

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

18 (1) Each institution of higher education(~~(, except technical~~  
19 ~~colleges,))~~) shall deposit two and one-half percent of revenues  
20 collected from tuition and services and activities fees in an  
21 institutional financial aid fund that is hereby created and which shall  
22 be held locally. Moneys in the fund shall be used only for the  
23 following purposes: (a) To make guaranteed long-term loans to eligible  
24 students as provided in subsections (3) through (8) of this section;  
25 (b) to make short-term loans as provided in subsection (9) of this  
26 section; or (c) to provide financial aid to needy students as provided  
27 in subsection (10) of this section. An additional one percent of  
28 revenues collected from tuition and services and activities fees shall  
29 be deposited by each institution in its institutional financial aid  
30 fund and used exclusively for the purposes of subsection (10) of this  
31 section.

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

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

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

36 (6) Receipts from payment of interest or principal [principle] or  
37 any other subsidies to which institutions as lenders are entitled, that  
38 are paid by or on behalf of borrowers of funds under subsections (3)  
39 through (8) of this section, shall be deposited in each institution's

1 financial aid fund and shall be used to cover the costs of making the  
2 guaranteed long-term loans under this section and maintaining necessary  
3 records and making collections under subsection (5) of this section:  
4 PROVIDED, That such costs shall not exceed five percent of aggregate  
5 outstanding loan (~~(principal-[principle])~~) principle. Institutions  
6 shall maintain accurate records of such costs, and all receipts beyond  
7 those necessary to pay such costs, shall be deposited in the  
8 institution's financial aid fund.

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

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

19 (9) Short-term loans, not to exceed one year, may be made from the  
20 institutional financial aid fund to students enrolled in the  
21 institution. No such loan shall be made to any student who is known by  
22 the institution to be in default or delinquent in the payment of any  
23 outstanding student loan. A short-term loan may be made only if the  
24 institution has ample evidence that the student has the capability of  
25 repaying the loan within the time frame specified by the institution  
26 for repayment.

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

1 students with their educational expenses, including expenses associated  
2 with child care and transportation.

3 **Sec. 302.** RCW 28B.15.031 and 1993 sp.s. c 18 s 6 and 1993 c 379 s  
4 201 are each reenacted and amended to read as follows:

5 The term "operating fees" as used in this chapter shall include the  
6 fees, other than building fees, charged all students registering at the  
7 state's colleges and universities but shall not include fees for short  
8 courses, self-supporting degree credit programs and courses, marine  
9 station work, experimental station work, correspondence or extension  
10 courses, and individual instruction and student deposits or rentals,  
11 disciplinary and library fines, which colleges and universities shall  
12 have the right to impose, laboratory, gymnasium, health, and student  
13 activity fees, or fees, charges, rentals, and other income derived from  
14 any or all revenue producing lands, buildings and facilities of the  
15 colleges or universities heretofore or hereafter acquired, constructed  
16 or installed, including but not limited to income from rooms,  
17 dormitories, dining rooms, hospitals, infirmaries, housing or student  
18 activity buildings, vehicular parking facilities, land, or the  
19 appurtenances thereon, or such other special fees as may be established  
20 by any college or university board of trustees or regents from time to  
21 time. All moneys received as operating fees at any institution of  
22 higher education shall be deposited in a local account containing only  
23 operating fees revenue and related interest(~~(: PROVIDED, That two and~~  
24 ~~one half percent of operating fees shall be retained by the~~  
25 ~~institutions, except the technical colleges, for the purposes of)),~~  
26 except as provided in RCW 28B.15.820. Local operating fee accounts  
27 shall not be subject to appropriation by the legislature or allotment  
28 procedures under chapter 43.88 RCW.

29 **PART IV. PRIORITY OF EXPENDITURES**

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

32 (1) For those agencies that make expenditures from both  
33 appropriated and nonappropriated funds for the same purpose, the  
34 governor shall direct such agencies to charge their expenditures in  
35 such ratio, as between appropriated and nonappropriated funds, as will  
36 conserve appropriated funds. This subsection does not apply to

1 operating fees revenue, as defined in RCW 28B.15.031, received by the  
2 state institutions of higher education.

3 (2) Unless otherwise provided by law, if state moneys are  
4 appropriated for a capital project and matching funds or other  
5 contributions are required as a condition of the receipt of the state  
6 moneys, the state moneys shall be disbursed in proportion to and only  
7 to the extent that the matching funds or other contributions have been  
8 received and are available for expenditure.

9 (3) The office of financial management shall adopt guidelines for  
10 the implementation of this section. The guidelines may account for  
11 federal matching requirements or other requirements to spend other  
12 moneys in a particular manner.

13 **PART V. MISCELLANEOUS**

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

16 NEW SECTION. **Sec. 502.** This act is necessary for the immediate  
17 preservation of the public peace, health, or safety, or support of the  
18 state government and its existing public institutions, and shall take  
19 effect July 1, 1995.

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