

2 **E2SSB 5927** - H COMM AMD
3 By Committee on Higher Education

4 ADOPTED AS AMENDED 4/16/97

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** (1) The legislature finds that:

8 (a) Each of the state's public baccalaureate institutions plays
9 different but complementary roles in the state's system of higher
10 education;

11 (b) Although each community college has different strengths and
12 special programs, the community colleges as a whole have a common role
13 and mission;

14 (c) College and university governing boards are in a unique
15 position to assess the special needs of their institutions' students,
16 faculty, staff, programs, and facilities;

17 (d) State and institutional financial aid programs should help
18 needy low and middle-income students pay the costs of tuition
19 increases;

20 (e) The primary purpose of the state's public system of higher
21 education is the education and training of resident undergraduate
22 students; and

23 (f) The ability to manage institutional resources in order to meet
24 demand is critical to meeting present and future needs for access to
25 higher education.

26 (2) Therefore, the legislature intends to:

27 (a) Provide some new financial tools to the governing boards of the
28 baccalaureate institutions by allowing the boards to adjust tuition
29 rates, within specified limits, for different categories of students
30 and for graduate programs;

31 (b) Permit the state board for community and technical colleges to
32 adjust tuition rates, within specified limits, for the community
33 colleges as a whole;

34 (c) Revise the statutory funding mechanism for the state's
35 financial aid programs in order to substantially increase the amount of

1 state funding for programs that assist needy low and middle-income
2 students;

3 (d) Ensure that any tuition increases for resident undergraduate
4 students are limited, and, in conjunction with state financial aid
5 programs, do not obstruct access to higher education for low and
6 middle-income students; and

7 (e) Direct the colleges and universities to use part of the revenue
8 from tuition increases over a specified level to help needy low and
9 middle-income resident students pay the costs associated with the
10 tuition increase.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.15 RCW
12 to read as follows:

13 (1) As used in this section, "excess credit" means any credit taken
14 by either a resident undergraduate student or a resident student who is
15 not enrolled in a first professional, graduate, or law program if the
16 student has accumulated more than one hundred twenty-five percent of
17 the number of credits required to complete the student's baccalaureate
18 degree program.

19 (2)(a) Except as provided in (b) of this subsection, state
20 universities, regional universities, and The Evergreen State College
21 may collect a surcharge from any resident student who is enrolled for
22 excess credit. The amount of the surcharge may vary by credit or
23 percentage thresholds, or may be based on special circumstances, each
24 as established by the institution.

25 (b) Students who are required to take continuing education credits
26 as a condition of licensure or state law are exempt from the excess
27 credit surcharge for any credits taken as a result of the requirements.

28 (3) A surcharge for excess credits shall not exceed twenty-five
29 percent of the tuition fees rates for full-time resident undergraduate
30 students at the college or university.

31 **Sec. 3.** RCW 28B.15.031 and 1996 c 142 s 2 are each amended to read
32 as follows:

33 The term "operating fees" as used in this chapter shall include the
34 fees, other than building fees, charged all students registering at the
35 state's colleges and universities but shall not include surcharges for
36 excess credit under section 2 of this act, or fees for short courses,
37 self-supporting degree credit programs and courses, marine station

1 work, experimental station work, correspondence or extension courses,
2 and individual instruction and student deposits or rentals,
3 disciplinary and library fines, which colleges and universities shall
4 have the right to impose, laboratory, gymnasium, health, technology and
5 student activity fees, or fees, charges, rentals, and other income
6 derived from any or all revenue producing lands, buildings and
7 facilities of the colleges or universities heretofore or hereafter
8 acquired, constructed or installed, including but not limited to income
9 from rooms, dormitories, dining rooms, hospitals, infirmaries, housing
10 or student activity buildings, vehicular parking facilities, land, or
11 the appurtenances thereon, or such other special fees as may be
12 established by any college or university board of trustees or regents
13 from time to time. All moneys received as operating fees at any
14 institution of higher education shall be deposited in a local account
15 containing only operating fees revenue and related interest: PROVIDED,
16 That a minimum of three and one-half percent of operating fees shall be
17 retained by the institutions, except the technical colleges, for the
18 purposes of RCW 28B.15.820. Local operating fee accounts shall not be
19 subject to appropriation by the legislature or allotment procedures
20 under chapter 43.88 RCW.

21 **Sec. 4.** RCW 28B.15.065 and 1977 ex.s. c 322 s 6 are each amended
22 to read as follows:

23 It is the intent of the legislature that needy students not be
24 deprived of access to higher education due to increases in educational
25 costs or consequent increases in tuition and fees. It is the sense of
26 the legislature that state appropriations for student financial aid be
27 adjusted in an amount which together with funds estimated to be
28 available in the form of basic educational opportunity grants as
29 authorized under Section 411 of the federal Higher Education Act of
30 1965 as now or hereafter amended will equal twenty-four percent of any
31 change in revenue estimated to occur as a result of revisions in
32 tuition and fee levels under the provisions of ((~~this 1977 amendatory~~
33 ~~act~~)) chapter 322, Laws of 1977 ex. sess..

34 **Sec. 5.** RCW 28B.15.066 and 1995 1st sp.s. c 9 s 3 are each amended
35 to read as follows:

36 It is the intent of the legislature that:

1 In making appropriations from the state's general fund to
2 institutions of higher education, each appropriation shall conform to
3 the following:

4 (1) The appropriation shall not be reduced by the amount of
5 operating fees revenue estimated to be collected from students enrolled
6 at the state-funded enrollment level specified in the omnibus biennial
7 operating appropriations act;

8 (2) The appropriation shall not be reduced by the amount of
9 operating fees revenue collected from students enrolled above the
10 state-funded level, but within the over-enrollment limitations,
11 specified in the omnibus biennial operating appropriations act; ((and))

12 (3) The general fund state appropriation shall not be reduced by
13 the amount of operating fees revenue collected as a result of waiving
14 less operating fees revenue than the amounts authorized under RCW
15 28B.15.910; and

16 (4) The appropriation shall not be reduced or increased as a result
17 of adjustments during the 1997-98 and 1998-99 academic years of tuition
18 fees rates above or below the five-year rolling average of the per
19 capita personal income growth rate contained in the even-year September
20 Washington economic and revenue forecast by the office of the forecast
21 council, or by four percent, whichever is the lower amount.

22 **Sec. 6.** RCW 28B.15.067 and 1996 c 212 s 1 are each amended to read
23 as follows:

24 (1) Tuition fees shall be established under the provisions of this
25 chapter.

26 ~~(2) ((Academic year tuition for full-time students at the state's~~
27 ~~institutions of higher education for the 1995-96 academic year, other~~
28 ~~than the summer term, shall be as provided in this subsection.~~

29 ~~(a) At the University of Washington and Washington State~~
30 ~~University:~~

31 ~~(i) For resident undergraduate students and other resident students~~
32 ~~not in graduate study programs or enrolled in programs leading to the~~
33 ~~degrees of doctor of medicine, doctor of dental surgery, and doctor of~~
34 ~~veterinary medicine, two thousand seven hundred sixty four dollars;~~

35 ~~(ii) For nonresident undergraduate students and other nonresident~~
36 ~~students not in graduate study programs or enrolled in programs leading~~
37 ~~to the degrees of doctor of medicine, doctor of dental surgery, and~~

1 doctor of veterinary medicine, eight thousand two hundred sixty-eight
2 dollars;

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

7 (iv) For nonresident graduate and law students not enrolled in
8 programs leading to the degrees of doctor of medicine, doctor of dental
9 surgery, and doctor of veterinary medicine, eleven thousand six hundred
10 thirty-four dollars;

11 (v) For resident students enrolled in programs leading to the
12 degrees of doctor of medicine, doctor of dental surgery, and doctor of
13 veterinary medicine, seven thousand four hundred ninety-seven dollars;
14 and

15 (vi) For nonresident students enrolled in programs leading to the
16 degrees of doctor of medicine, doctor of dental surgery, and doctor of
17 veterinary medicine, nineteen thousand four hundred thirty-one dollars.

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

19 (i) For resident undergraduate and all other resident students not
20 in graduate study programs, two thousand forty-five dollars;

21 (ii) For nonresident undergraduate and all other nonresident
22 students not in graduate study programs, seven thousand nine hundred
23 ninety-two dollars;

24 (iii) For resident graduate students, three thousand four hundred
25 forty-three dollars; and

26 (iv) For nonresident graduate students, eleven thousand seventy-one
27 dollars.

28 (c) At the community colleges:

29 (i) For resident students, one thousand two hundred twelve dollars;
30 and

31 (ii) For nonresident students, five thousand one hundred sixty-two
32 dollars and fifty cents.

33 (3)) Academic year tuition for full-time students at the state's
34 institutions of higher education beginning with the 1996-97 academic
35 year, other than the summer term, shall be as provided in this
36 subsection.

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

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

5 (ii) For nonresident undergraduate students and other nonresident
6 students not in graduate study programs or enrolled in programs leading
7 to the degrees of doctor of medicine, doctor of dental surgery, and
8 doctor of veterinary medicine, nine thousand four hundred ninety-one
9 dollars;

10 (iii) For resident graduate and law students not enrolled in
11 programs leading to the degrees of doctor of medicine, doctor of dental
12 surgery, and doctor of veterinary medicine, four thousand six hundred
13 sixty-nine dollars;

14 (iv) For nonresident graduate and law students not enrolled in
15 programs leading to the degrees of doctor of medicine, doctor of dental
16 surgery, and doctor of veterinary medicine, twelve thousand one hundred
17 dollars;

18 (v) For resident students enrolled in programs leading to the
19 degrees of doctor of medicine, doctor of dental surgery, and doctor of
20 veterinary medicine, seven thousand seven hundred ninety-seven dollars;
21 and

22 (vi) For nonresident students enrolled in programs leading to the
23 degrees of doctor of medicine, doctor of dental surgery, and doctor of
24 veterinary medicine, twenty thousand two hundred nine dollars.

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

26 (i) For resident undergraduate and all other resident students not
27 in graduate study programs, two thousand one hundred twenty-seven
28 dollars;

29 (ii) For nonresident undergraduate and all other nonresident
30 students not in graduate study programs, eight thousand three hundred
31 twelve dollars;

32 (iii) For resident graduate students, three thousand five hundred
33 eighty-one dollars; and

34 (iv) For nonresident graduate students, eleven thousand five
35 hundred fourteen dollars.

36 (c) At the community colleges:

37 (i) For resident students, one thousand two hundred sixty-one
38 dollars; and

1 (ii) For nonresident students, five thousand three hundred sixty-
2 nine dollars and fifty cents.

3 ~~((+4))~~ (3) For each of the 1997-98 and 1998-99 academic years,
4 except as provided under subsections (4) and (5) of this section, the
5 tuition fees rates in subsection (2) of this section shall increase
6 annually based on the five-year rolling average of the per capita
7 personal income growth rate contained in the even-year September
8 Washington economic and revenue forecast by the office of the forecast
9 council, or by four percent, whichever is the lower amount. Increases
10 in tuition fees under this subsection shall be incorporated in the base
11 tuition fees rates for the next academic year.

12 (4) During each of the 1997-98 and 1998-99 academic years, the
13 governing boards of the state universities, the regional universities,
14 The Evergreen State College, and, for the community colleges as a
15 whole, the state board for community and technical colleges, may
16 increase tuition fees rates for nonresident students and for resident
17 students enrolled in programs leading to the degree of juris doctor, up
18 to six percent each year in addition to the tuition fees rates computed
19 under subsection (3) of this section. Any increase in tuition fees
20 adopted under this subsection shall be incorporated in the base tuition
21 fees rates for the next academic year.

22 (5) As a pilot program during the 1997-99 biennium, only for
23 programs and classes at the Cheney campus, the governing board of
24 Eastern Washington University, for each of the 1997-98 and 1998-99
25 academic years, may increase tuition fees rates for resident students
26 by up to the five-year rolling average of the per capita personal
27 income growth rate contained in the even-year September Washington
28 economic and revenue forecast by the office of the forecast council, or
29 by four percent, whichever is the lower amount, and may increase
30 tuition fees rates for nonresident students by up to six percent in
31 addition to the tuition fees rates for resident students.

32 (6) For tuition increases of more than four percent in any year,
33 the institution shall use at least ten percent of the revenue received
34 from the difference between a four percent increase and the actual
35 percentage increase to assist needy low and middle-income resident
36 students enrolled in the same tuition category or graduate or law
37 program. This requirement is in addition to the deposit requirements
38 of the institutional financial aid fund under RCW 28B.15.820.

1 (7) The tuition fees established under this chapter shall not apply
2 to summer term or to high school students enrolling in community
3 colleges under RCW 28A.600.300 through 28A.600.395.

4 **Sec. 7.** RCW 28B.15.069 and 1995 1st sp.s. c 9 s 5 are each amended
5 to read as follows:

6 (1) As used in this section, each of the following subsections is
7 a separate tuition category:

8 (a) Resident undergraduate students and all other resident students
9 not in first professional, graduate, or law programs;

10 (b) Nonresident undergraduate students and all other nonresident
11 students not in graduate or law programs;

12 (c) Resident graduate and law students;

13 (d) Nonresident graduate and law students;

14 (e) Resident first professional students; and

15 (f) Nonresident students in first professional programs.

16 (2) Unless the context clearly requires otherwise, as used in this
17 section "first professional programs" means programs leading to one of
18 the following degrees: Doctor of medicine, doctor of dental surgery,
19 or doctor of veterinary medicine.

20 (3) (~~For the 1995-96 and 1996-97 academic years,~~) The building
21 fee for each academic year shall be a percentage of total tuition fees.
22 This percentage shall be calculated by the higher education
23 coordinating board and be based on the actual percentage the building
24 fee is of total tuition for each tuition category in the 1994-95
25 academic year, rounded up to the nearest half percent.

26 (4) The governing boards of each institution of higher education,
27 except for the technical colleges, shall charge to and collect from
28 each student a services and activities fee. A governing board may
29 increase the existing fee annually, consistent with budgeting
30 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
31 the annual percentage increase in student tuition fees for the
32 applicable tuition category: PROVIDED, That such percentage increase
33 shall not apply to that portion of the services and activities fee
34 previously committed to the repayment of bonded debt. The services and
35 activities fee committee provided for in RCW 28B.15.045 may initiate a
36 request to the governing board for a fee increase.

37 (5) Tuition and services and activities fees consistent with
38 subsection (4) of this section shall be set by the state board for

1 community and technical colleges for community college summer school
2 students unless the community college charges fees in accordance with
3 RCW 28B.15.515.

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

9 Correct the title.

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