

1 5770-S2 AMS KOHL S4731.1

2 **2SSB 5770** - S AMD

3 By Senator Kohl-Welles

4 ADOPTED AS AMENDED 03/07/02

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

7 **"Sec. 1.** RCW 28B.15.031 and 1996 c 142 s 2 are each amended to
8 read as follows:

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

33 **Sec. 2.** RCW 28B.15.067 and 1997 c 403 s 1 are each amended to read
34 as follows:

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

3 (2) (~~Academic year tuition for full-time students at the state's~~
4 ~~institutions of higher education for the 1997-98 academic year, other~~
5 ~~than the summer term, shall be as provided in this subsection.~~

6 (a) ~~At the University of Washington and Washington State~~
7 ~~University:~~

8 (i) ~~For resident undergraduate students and other resident students~~
9 ~~not in graduate, law, or first professional programs, two thousand nine~~
10 ~~hundred eighty-eight dollars;~~

11 (ii)(A) ~~For nonresident undergraduate students and other~~
12 ~~nonresident students at the University of Washington not in graduate,~~
13 ~~law, or first professional programs, ten thousand two hundred seventy-~~
14 ~~eight dollars;~~

15 (B) ~~For nonresident undergraduate students and other nonresident~~
16 ~~students at Washington State University not in graduate or first~~
17 ~~professional programs, nine thousand eight hundred seventy dollars;~~

18 (iii) ~~For resident graduate students, four thousand eight hundred~~
19 ~~fifty-four dollars;~~

20 (iv) ~~For nonresident graduate students, twelve thousand five~~
21 ~~hundred eighty-eight dollars;~~

22 (v) ~~For resident law students, five thousand ten dollars;~~

23 (vi) ~~For nonresident law students, twelve thousand nine hundred~~
24 ~~fifteen dollars;~~

25 (vii) ~~For resident first professional students, eight thousand one~~
26 ~~hundred twelve dollars; and~~

27 (viii) ~~For nonresident first professional students, twenty-one~~
28 ~~thousand twenty-four dollars.~~

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

30 (i) ~~For resident undergraduate and all other resident students not~~
31 ~~in graduate programs, two thousand two hundred eleven dollars;~~

32 (ii) ~~For nonresident undergraduate and all other nonresident~~
33 ~~students not in graduate programs, eight thousand six hundred forty-six~~
34 ~~dollars;~~

35 (iii) ~~For resident graduate students, three thousand seven hundred~~
36 ~~twenty-six dollars; and~~

37 (iv) ~~For nonresident graduate students, eleven thousand nine~~
38 ~~hundred seventy-six dollars.~~

39 (c) ~~At the community colleges:~~

1 ~~(i) For resident students, one thousand three hundred eleven~~
2 ~~dollars; and~~

3 ~~(ii) For nonresident students, five thousand five hundred eighty-~~
4 ~~six dollars.~~

5 (3)) Academic year tuition for full-time students at the state's
6 institutions of higher education beginning with the 1998-99 academic
7 year, other than the summer term, shall be as provided in this
8 subsection unless different rates are adopted in the omnibus
9 appropriations act.

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

12 (i) For resident undergraduate students and other resident students
13 not in graduate, law, or first professional programs, three thousand
14 one hundred eight dollars;

15 (ii)(A) For nonresident undergraduate students and other
16 nonresident students at the University of Washington not in graduate,
17 law, or first professional programs, eleven thousand one hundred thirty
18 dollars;

19 (B) For nonresident undergraduate students and other nonresident
20 students at Washington State University not in graduate or first
21 professional programs, ten thousand two hundred sixty-six dollars;

22 (iii) For resident graduate students, five thousand forty-six
23 dollars;

24 (iv) For nonresident graduate students, thirteen thousand ninety-
25 two dollars;

26 (v) For resident law students, five thousand three hundred seventy-
27 six dollars;

28 (vi) For nonresident law students, thirteen thousand seven hundred
29 eighty-two dollars;

30 (vii) For resident first professional students, eight thousand four
31 hundred thirty-six dollars; and

32 (viii) For nonresident first professional students, twenty-one
33 thousand eight hundred sixty-four dollars.

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

35 (i) For resident undergraduate and all other resident students not
36 in graduate programs, two thousand two hundred ninety-eight dollars;

37 (ii) For nonresident undergraduate and all other nonresident
38 students not in graduate programs, eight thousand nine hundred ninety-
39 one dollars;

1 (iii) For resident graduate students, three thousand eight hundred
2 seventy-six dollars; and

3 (iv) For nonresident graduate students, twelve thousand four
4 hundred fifty-six dollars.

5 (c) At the community colleges:

6 (i) For resident students, one thousand three hundred sixty-two
7 dollars; and

8 (ii) For nonresident students, five thousand eight hundred eight
9 dollars.

10 ~~((4) For the 1997-98 and 1998-99 academic years, the University of~~
11 ~~Washington shall use at least ten percent of the revenue received from~~
12 ~~the difference between a four percent increase in tuition fees and the~~
13 ~~actual increase charged to law students to assist needy low and middle-~~
14 ~~income resident law students. For the 1997-98 and 1998-99 academic~~
15 ~~years, the University of Washington shall use at least ten percent of~~
16 ~~the revenue received from the difference between a four percent~~
17 ~~increase in tuition fees and the actual increase charged to nonresident~~
18 ~~undergraduate students and all other nonresident students not in~~
19 ~~graduate, law, or first professional programs to assist needy low and~~
20 ~~middle-income resident undergraduate students and all other resident~~
21 ~~students not enrolled in graduate, law, or first professional programs.~~
22 ~~This requirement is in addition to the deposit requirements of the~~
23 ~~institutional aid fund under RCW 28B.15.820.~~

24 ~~(5)) (3)(a) Beginning with the 2002-03 academic year and ending~~
25 ~~with the 2007-08 academic year, the governing boards of the state~~
26 ~~universities, the regional universities, The Evergreen State College,~~
27 ~~and the state board for community and technical colleges may reduce or~~
28 ~~increase full-time tuition fees for all students other than resident~~
29 ~~undergraduates. Percentage increases in full-time tuition fees may~~
30 ~~exceed the fiscal growth factor under chapter 43.135 RCW. Reductions~~
31 ~~or increases may be made for all or portions of an institution's~~
32 ~~programs, campuses, courses, or students. The governing boards and the~~
33 ~~state board may adjust full-time tuition fees for factors that include~~
34 ~~time of day and day of week, delivery method, and campus to encourage~~
35 ~~full use of the state's educational facilities and resources.~~

36 ~~(b) Pursuant to RCW 43.135.055, state colleges and universities~~
37 ~~receiving general fund appropriations as part of the omnibus~~
38 ~~appropriations act may increase summer term tuition in excess of the~~
39 ~~fiscal growth factor. Tuition levels increased under this subsection~~

1 shall not exceed the per credit hour rate calculated from the academic
2 year tuition levels for all students, including resident
3 undergraduates.

4 (c) An amount equal to at least three and one-half percent of
5 revenue received as a result of the difference in percentage rate of
6 increase in resident graduate, law, and first professional tuition fees
7 over the percentage rate of increase in resident undergraduate tuition
8 fees must be used by the state universities, the regional universities,
9 and The Evergreen State College to assist those resident graduate, law,
10 and first professional degree students with demonstrated financial need
11 and family income below the median for Washington state, to the extent
12 that funds are available under this subsection. This requirement is in
13 addition to the deposit requirements of the institutional financial aid
14 fund under RCW 28B.15.820, but does not create an entitlement to
15 financial aid.

16 (4) Academic year tuition for full-time students at the state's
17 institutions of higher education beginning with the 2008-09 academic
18 year, other than summer term, shall be as charged during the 2007-08
19 academic year unless different rates are adopted in the omnibus
20 appropriations act.

21 (5) The tuition fees established under this chapter shall not apply
22 to high school students enrolling in participating institutions of
23 higher education under RCW 28A.600.300 through ((28A.600.395))
24 28A.600.400.

25 **Sec. 3.** RCW 28B.15.069 and 1997 c 403 s 2 are each amended to read
26 as follows:

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

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

31 ~~(b) Nonresident undergraduate students and all other nonresident~~
32 ~~students not in first professional graduate or law programs;~~

33 ~~(c) Resident graduate students;~~

34 ~~(d) Resident law students;~~

35 ~~(e) Nonresident graduate students;~~

36 ~~(f) Nonresident law students;~~

37 ~~(g) Resident first professional students; and~~

38 ~~(h) Nonresident first professional students.~~

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

5 ~~(3))~~ The building fee for each academic year shall be a percentage
6 of total tuition fees. This percentage shall be calculated by the
7 higher education coordinating board and be based on the actual
8 percentage the building fee is of total tuition for each tuition
9 category in the 1994-95 academic year, rounded up to the nearest half
10 percent.

11 ~~((4))~~ (2) The governing boards of each institution of higher
12 education, except for the technical colleges, shall charge to and
13 collect from each student a services and activities fee. A governing
14 board may increase the existing fee annually, consistent with budgeting
15 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
16 the annual percentage increase in student tuition fees for ~~((the~~
17 ~~applicable tuition category))~~ resident undergraduate students:
18 PROVIDED, That such percentage increase shall not apply to that portion
19 of the services and activities fee previously committed to the
20 repayment of bonded debt. These rate adjustments may exceed the fiscal
21 growth factor under chapter 43.135 RCW. For the 2003-04 academic year,
22 the services and activities fee shall be based upon the resident
23 undergraduate services and activities fee in 2002-03. The services and
24 activities fee committee provided for in RCW 28B.15.045 may initiate a
25 request to the governing board for a fee increase.

26 ~~((5))~~ (3) Tuition and services and activities fees consistent
27 with subsection ~~((4))~~ (2) of this section shall be set by the state
28 board for community and technical colleges for community college summer
29 school students unless the community college charges fees in accordance
30 with RCW 28B.15.515.

31 ~~((6))~~ (4) Subject to the limitations of RCW 28B.15.910, each
32 governing board of a community college may charge such fees for
33 ungraded courses, noncredit courses, community services courses, and
34 self-supporting courses as it, in its discretion, may determine,
35 consistent with the rules of the state board for community and
36 technical colleges.

37 **Sec. 4.** RCW 28B.15.910 and 2000 c 152 s 3 are each amended to read
38 as follows:

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

14	(a) University of Washington	21 percent
15	(b) Washington State University	20 percent
16	(c) Eastern Washington University	11 percent
17	(d) Central Washington University	8 percent
18	(e) Western Washington University	10 percent
19	(f) The Evergreen State College	6 percent
20	(g) Community colleges as a whole	35 percent

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

- 24 (a) RCW 28B.10.265;
- 25 (b) RCW 28B.15.014;
- 26 (c) RCW 28B.15.100;
- 27 (d) RCW 28B.15.225;
- 28 (e) RCW 28B.15.380;
- 29 (f) RCW 28B.15.520;
- 30 (g) RCW 28B.15.526;
- 31 (h) RCW 28B.15.527;
- 32 (i) RCW 28B.15.543;
- 33 (j) RCW 28B.15.545;
- 34 (k) RCW 28B.15.555;
- 35 (l) RCW 28B.15.556;
- 36 (m) RCW 28B.15.615;
- 37 (n) RCW 28B.15.620;
- 38 (o) RCW 28B.15.628;
- 39 (p) RCW 28B.15.730;

1 (q) RCW 28B.15.740;
2 (r) RCW 28B.15.750;
3 (s) RCW 28B.15.756;
4 (t) RCW 28B.50.259; and
5 (u) RCW 28B.70.050(~~(i~~
6 ~~(v) RCW 28B.80.580; and~~
7 ~~(w) During the 1997-99 fiscal biennium, the western interstate~~
8 ~~commission for higher education undergraduate exchange program for~~
9 ~~students attending Eastern Washington University)).~~

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

- 13 (a) RCW 28B.15.522;
- 14 (b) RCW 28B.15.540; and
- 15 (c) RCW 28B.15.558.

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

- 22 (a) Washington State University 1 percent
- 23 (b) Eastern Washington University 3 percent
- 24 (c) Central Washington University 3 percent

25 (5) The general fund state appropriation shall not be reduced by
26 the amount of operating fees revenue collected as a result of waiving
27 less operating fees revenue than the amounts authorized under this
28 section. State general fund appropriations shall not be provided for
29 revenue forgone as a result of or for waivers granted under RCW
30 28B.15.915.

31 **Sec. 5.** RCW 28B.15.100 and 1999 c 321 s 2 are each amended to read
32 as follows:

33 (1) The governing boards of the state universities, the regional
34 universities, The Evergreen State College, and the community colleges
35 shall charge to and collect from each of the students registering at
36 the particular institution for any quarter or semester such tuition
37 fees and services and activities fees, and other fees as such board
38 shall in its discretion determine. The total of all fees shall be

1 rounded to the nearest whole dollar amount: PROVIDED, That such
2 tuition fees (~~((for other than the summer term))~~) shall be (~~((in the~~
3 ~~amounts for the respective institutions as otherwise set forth in))~~)
4 established in accordance with RCW 28B.15.067.

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

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

29 NEW SECTION. **Sec. 6.** RCW 28B.15.066 (General fund appropriations
30 to institutions of higher education) and 2000 c 152 s 2, 1999 c 309 s
31 932, 1995 1st sp.s. c 9 s 3, & 1993 c 379 s 205 are each repealed."

1 **2SSB 5770** - S AMD
2 By Senator Kohl-Welles

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ADOPTED 03/07/02
4 On page 1, line 2 of the title, after "education;" strike the
5 remainder of the title and insert "amending RCW 28B.15.031, 28B.15.067,
6 28B.15.069, 28B.15.910, and 28B.15.100; and repealing RCW 28B.15.066."

--- END ---