

CERTIFICATION OF ENROLLMENT

**ENGROSSED SUBSTITUTE SENATE BILL 5448**

Chapter 232, Laws of 2003

58th Legislature  
2003 Regular Session

HIGHER EDUCATION--TUITION

EFFECTIVE DATE: 7/27/03

Passed by the Senate March 28, 2003  
YEAS 34 NAYS 15

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Passed by the House April 24, 2003  
YEAS 60 NAYS 37

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Approved May 12, 2003.

GARY LOCKE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Milton H. Doumit, Jr.,  
Secretary of the Senate of the  
State of Washington, do hereby  
certify that the attached is  
**ENGROSSED SUBSTITUTE SENATE BILL  
5448** as passed by the Senate and  
the House of Representatives on  
the dates hereon set forth.

MILTON H. DOUMIT JR.

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**Secretary**

FILED

May 12, 2003 - 4:10 p.m.

**Secretary of State  
State of Washington**

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**ENGROSSED SUBSTITUTE SENATE BILL 5448**

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Passed Legislature - 2003 Regular Session

**State of Washington                      58th Legislature                      2003 Regular Session**

**By** Senate Committee on Higher Education (originally sponsored by Senators Carlson, Kohl-Welles, Mulliken, Horn, Brown and Schmidt; by request of Governor Locke)

READ FIRST TIME 03/05/03.

1            AN ACT Relating to tuition-setting authority at institutions of  
2 higher education; amending RCW 28B.15.031, 28B.15.066, 28B.15.067,  
3 28B.15.069, and 28B.15.100; and creating a new section.

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

5            NEW SECTION.    **Sec. 1.** The legislature finds that, as a partner in  
6 financing public higher education with students and parents who pay  
7 tuition and fees, periodic increases in state funding, state financial  
8 aid, and tuition must be authorized to provide high quality higher  
9 education for the citizens of Washington. It is the intent of the  
10 legislature to address higher education through a cooperative  
11 bipartisan effort that includes the legislative and executive branches  
12 of government, parents, students, educators, as well as business,  
13 labor, and community leaders. The legislature recognizes the  
14 importance of keeping the public commitment to public higher education  
15 and will continue searching for policies that halt the trend for the  
16 growth in tuition revenue to outpace the revenue provided by the state.  
17 The legislature believes that a well-educated citizenry is essential to  
18 both the private and the public good. The economic and civic health of  
19 the state require both an educated citizenry and a well-trained work

1 force. The six-year time limitation authorizing the governing boards  
2 to establish tuition rates for all students other than undergraduate  
3 resident students will give the legislature, the governor, and the  
4 higher education institutions an opportunity to determine whether this  
5 policy achieves the goal of maintaining quality and access for all who  
6 are eligible for and can benefit from a higher education. Using data  
7 from six years of this tuition policy, the state will be able to  
8 identify options for long-term funding of higher education including  
9 not only tuition but general fund and financial aid sources.

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

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

1       **Sec. 3.** RCW 28B.15.066 and 2000 c 152 s 2 are each amended to read  
2 as follows:

3       It is the intent of the legislature that:

4       In making appropriations from the state's general fund to  
5 institutions of higher education, each appropriation shall conform to  
6 the following:

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

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

15       (3) The general fund state appropriation shall not be reduced by  
16 the amount of operating fees revenue collected as a result of waiving  
17 less operating fees revenue than the amounts authorized under RCW  
18 28B.15.910. State general fund appropriations shall not be provided  
19 for revenue foregone as a result of or for waivers granted under RCW  
20 28B.15.915.

21       **Sec. 4.** RCW 28B.15.067 and 1997 c 403 s 1 are each amended to read  
22 as follows:

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

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

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

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

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

1       ~~(B) For nonresident undergraduate students and other nonresident~~  
2 ~~students at Washington State University not in graduate or first~~  
3 ~~professional programs, nine thousand eight hundred seventy dollars;~~  
4       ~~(iii) For resident graduate students, four thousand eight hundred~~  
5 ~~fifty four dollars;~~  
6       ~~(iv) For nonresident graduate students, twelve thousand five~~  
7 ~~hundred eighty eight dollars;~~  
8       ~~(v) For resident law students, five thousand ten dollars;~~  
9       ~~(vi) For nonresident law students, twelve thousand nine hundred~~  
10 ~~fifteen dollars;~~  
11       ~~(vii) For resident first professional students, eight thousand one~~  
12 ~~hundred twelve dollars; and~~  
13       ~~(viii) For nonresident first professional students, twenty one~~  
14 ~~thousand twenty four dollars.~~  
15       ~~(b) At the regional universities and The Evergreen State College:~~  
16       ~~(i) For resident undergraduate and all other resident students not~~  
17 ~~in graduate programs, two thousand two hundred eleven dollars;~~  
18       ~~(ii) For nonresident undergraduate and all other nonresident~~  
19 ~~students not in graduate programs, eight thousand six hundred forty six~~  
20 ~~dollars;~~  
21       ~~(iii) For resident graduate students, three thousand seven hundred~~  
22 ~~twenty six dollars; and~~  
23       ~~(iv) For nonresident graduate students, eleven thousand nine~~  
24 ~~hundred seventy six dollars.~~  
25       ~~(c) At the community colleges:~~  
26       ~~(i) For resident students, one thousand three hundred eleven~~  
27 ~~dollars; and~~  
28       ~~(ii) For nonresident students, five thousand five hundred eighty~~  
29 ~~six dollars.~~  
30       ~~(3) Academic year tuition for full time students at the state's~~  
31 ~~institutions of higher education beginning with the 1998-99 academic~~  
32 ~~year, other than the summer term, shall be as provided in this~~  
33 ~~subsection unless different rates are adopted in the omnibus~~  
34 ~~appropriations act.~~  
35       ~~(a) At the University of Washington and Washington State~~  
36 ~~University:~~  
37       ~~(i) For resident undergraduate students and other resident students~~

1 ~~not in graduate, law, or first professional programs, three thousand~~  
2 ~~one hundred eight dollars;~~  
3 ~~(ii)(A) For nonresident undergraduate students and other~~  
4 ~~nonresident students at the University of Washington not in graduate,~~  
5 ~~law, or first professional programs, eleven thousand one hundred thirty~~  
6 ~~dollars;~~  
7 ~~(B) For nonresident undergraduate students and other nonresident~~  
8 ~~students at Washington State University not in graduate or first~~  
9 ~~professional programs, ten thousand two hundred sixty six dollars;~~  
10 ~~(iii) For resident graduate students, five thousand forty six~~  
11 ~~dollars;~~  
12 ~~(iv) For nonresident graduate students, thirteen thousand ninety~~  
13 ~~two dollars;~~  
14 ~~(v) For resident law students, five thousand three hundred seventy~~  
15 ~~six dollars;~~  
16 ~~(vi) For nonresident law students, thirteen thousand seven hundred~~  
17 ~~eighty two dollars;~~  
18 ~~(vii) For resident first professional students, eight thousand four~~  
19 ~~hundred thirty six dollars; and~~  
20 ~~(viii) For nonresident first professional students, twenty one~~  
21 ~~thousand eight hundred sixty four dollars.~~  
22 ~~(b) At the regional universities and The Evergreen State College:~~  
23 ~~(i) For resident undergraduate and all other resident students not~~  
24 ~~in graduate programs, two thousand two hundred ninety eight dollars;~~  
25 ~~(ii) For nonresident undergraduate and all other nonresident~~  
26 ~~students not in graduate programs, eight thousand nine hundred ninety~~  
27 ~~one dollars;~~  
28 ~~(iii) For resident graduate students, three thousand eight hundred~~  
29 ~~seventy six dollars; and~~  
30 ~~(iv) For nonresident graduate students, twelve thousand four~~  
31 ~~hundred fifty six dollars.~~  
32 ~~(c) At the community colleges:~~  
33 ~~(i) For resident students, one thousand three hundred sixty two~~  
34 ~~dollars; and~~  
35 ~~(ii) For nonresident students, five thousand eight hundred eight~~  
36 ~~dollars.~~  
37 ~~(4) For the 1997-98 and 1998-99 academic years, the University of~~  
38 ~~Washington shall use at least ten percent of the revenue received from~~

1 ~~the difference between a four percent increase in tuition fees and the~~  
2 ~~actual increase charged to law students to assist needy low and middle-~~  
3 ~~income resident law students. For the 1997-98 and 1998-99 academic~~  
4 ~~years, the University of Washington shall use at least ten percent of~~  
5 ~~the revenue received from the difference between a four percent~~  
6 ~~increase in tuition fees and the actual increase charged to nonresident~~  
7 ~~undergraduate students and all other nonresident students not in~~  
8 ~~graduate, law, or first professional programs to assist needy low and~~  
9 ~~middle income resident undergraduate students and all other resident~~  
10 ~~students not enrolled in graduate, law, or first professional programs.~~  
11 ~~This requirement is in addition to the deposit requirements of the~~  
12 ~~institutional aid fund under RCW 28B.15.820.~~

13 (5)) Beginning with the 2003-04 academic year and ending with the  
14 2008-09 academic year, reductions or increases in full-time tuition  
15 fees for resident undergraduates shall be as provided in the omnibus  
16 appropriations act.

17 (3) Beginning with the 2003-04 academic year and ending with the  
18 2008-09 academic year, the governing boards of the state universities,  
19 the regional universities, The Evergreen State College, and the state  
20 board for community and technical colleges may reduce or increase full-  
21 time tuition fees for all students other than resident undergraduates,  
22 including summer school students and students in other self-supporting  
23 degree programs. Percentage increases in full-time tuition fees may  
24 exceed the fiscal growth factor. Reductions or increases may be made  
25 for all or portions of an institution's programs, campuses, courses, or  
26 students.

27 (4) Academic year tuition for full-time students at the state's  
28 institutions of higher education beginning with 2009-10, other than  
29 summer term, shall be as charged during the 2008-09 academic year  
30 unless different rates are adopted by the legislature.

31 (5) The tuition fees established under this chapter shall not apply  
32 to high school students enrolling in participating institutions of  
33 higher education under RCW 28A.600.300 through ((28A.600.395))  
34 28A.600.400.

35 (6) For the academic years 2003-04 through 2008-09, the University  
36 of Washington shall use an amount equivalent to ten percent of all  
37 revenues received as a result of law school tuition increases beginning

1 in academic year 2000-01 through academic year 2008-09 to assist needy  
2 low and middle income resident law students.

3 (7) For the academic years 2003-04 through 2008-09, institutions of  
4 higher education shall use an amount equivalent to ten percent of all  
5 revenues received as a result of graduate academic school tuition  
6 increases beginning in academic year 2003-04 through academic year  
7 2008-09 to assist needy low and middle-income resident graduate  
8 academic students.

9 **Sec. 5.** RCW 28B.15.069 and 1997 c 403 s 2 are each amended to read  
10 as follows:

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

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

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

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

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

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

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

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

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

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

27 ~~(3))~~ The building fee for each academic year shall be a percentage  
28 of total tuition fees. This percentage shall be calculated by the  
29 higher education coordinating board and be based on the actual  
30 percentage the building fee is of total tuition for each tuition  
31 category in the 1994-95 academic year, rounded up to the nearest half  
32 percent.

33 ~~((4))~~ (2) The governing boards of each institution of higher  
34 education, except for the technical colleges, shall charge to and  
35 collect from each student a services and activities fee. A governing  
36 board may increase the existing fee annually, consistent with budgeting  
37 procedures set forth in RCW 28B.15.045, by a percentage not to exceed

1 the annual percentage increase in student tuition fees for (~~the~~  
2 ~~applicable tuition category~~) resident undergraduate students:  
3 PROVIDED, That such percentage increase shall not apply to that portion  
4 of the services and activities fee previously committed to the  
5 repayment of bonded debt. These rate adjustments may exceed the fiscal  
6 growth factor. For the 2003-04 academic year, the services and  
7 activities fee shall be based upon the resident undergraduate services  
8 and activities fee in 2002-03. The services and activities fee  
9 committee provided for in RCW 28B.15.045 may initiate a request to the  
10 governing board for a fee increase.

11 ~~((+5))~~ (3) Tuition and services and activities fees consistent  
12 with subsection ~~((+4))~~ (2) of this section shall be set by the state  
13 board for community and technical colleges for community college summer  
14 school students unless the community college charges fees in accordance  
15 with RCW 28B.15.515.

16 ~~((+6))~~ (4) Subject to the limitations of RCW 28B.15.910, each  
17 governing board of a community college may charge such fees for  
18 ungraded courses, noncredit courses, community services courses, and  
19 self-supporting courses as it, in its discretion, may determine,  
20 consistent with the rules of the state board for community and  
21 technical colleges.

22 **Sec. 6.** RCW 28B.15.100 and 1999 c 321 s 2 are each amended to read  
23 as follows:

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

34 (2) Part-time students shall be charged tuition and services and  
35 activities fees proportionate to full-time student rates established  
36 for residents and nonresidents: PROVIDED, That except for students  
37 registered at community colleges, students registered for fewer than

1 two credit hours shall be charged tuition and services and activities  
2 fees at the rate established for two credit hours: PROVIDED FURTHER,  
3 That, subject to the limitations of RCW 28B.15.910, residents of Idaho  
4 or Oregon who are enrolled in community college district number twenty  
5 for six or fewer credits during any quarter or semester may be exempted  
6 from payment of all or a portion of the nonresident tuition fees  
7 differential upon a declaration by the higher education coordinating  
8 board that it finds Washington residents from the community college  
9 district are afforded substantially equivalent treatment by such other  
10 states.

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

Passed by the Senate March 28, 2003.

Passed by the House April 24, 2003.

Approved by the Governor May 12, 2003.

Filed in Office of Secretary of State May 12, 2003.