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SENATE BILL 6399

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State of Washington

62nd Legislature

2012 Regular Session

By Senators Frockt, Tom, and Shin

Read first time 01/20/12. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to program fees at institutions of higher  
2 education; amending RCW 28B.15.067; and reenacting and amending RCW  
3 28B.15.031.

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

5 **Sec. 1.** RCW 28B.15.031 and 2011 1st sp.s. c 10 s 2 and 2011 c 274  
6 s 2 are each reenacted and amended to read as follows:

7 (1) The term "operating fees" as used in this chapter shall include  
8 the fees, other than building fees, charged all students registering at  
9 the state's colleges and universities but shall not include fees for  
10 short courses, self-supporting degree credit programs and courses,  
11 marine station work, experimental station work, correspondence or  
12 extension courses, and individual instruction and student deposits or  
13 rentals, disciplinary and library fines, fees unique to specific  
14 programs of study, which colleges and universities shall have the right  
15 to impose, laboratory, gymnasium, health, technology and student  
16 activity fees, or fees, charges, rentals, and other income derived from  
17 any or all revenue producing lands, buildings and facilities of the  
18 colleges or universities heretofore or hereafter acquired, constructed  
19 or installed, including but not limited to income from rooms,

1 dormitories, dining rooms, hospitals, infirmaries, housing or student  
2 activity buildings, vehicular parking facilities, land, or the  
3 appurtenances thereon, or such other special fees as may be established  
4 by any college or university board of trustees or regents from time to  
5 time. All moneys received as operating fees at any institution of  
6 higher education shall be deposited in a local account containing only  
7 operating fees revenue and related interest: PROVIDED, That a minimum  
8 of five percent of operating fees shall be retained by the four-year  
9 institutions of higher education that increase tuition for resident  
10 undergraduate students above assumed tuition increases in the omnibus  
11 appropriations act, a minimum of four percent of operating fees shall  
12 be retained by four-year institutions of higher education that do not  
13 increase tuition for resident undergraduates above assumed increases in  
14 the omnibus appropriations act, and a minimum of three and one-half  
15 percent of operating fees shall be retained by the community and  
16 technical colleges for the purposes of RCW 28B.15.820. At least thirty  
17 percent of operating fees required to be retained by the four-year  
18 institutions for purposes of RCW 28B.15.820 shall be used only for the  
19 purposes of RCW 28B.15.820(10).

20 (2) In addition to the three and one-half percent of operating fees  
21 retained by the institutions under subsection (1) of this section, up  
22 to three percent of operating fees charged to students at community and  
23 technical colleges shall be transferred to the community and technical  
24 college innovation account for the implementation of the college  
25 board's strategic technology plan in RCW 28B.50.515. The percentage to  
26 be transferred to the community and technical college innovation  
27 account shall be determined by the college board each year but shall  
28 not exceed three percent of the operating fees collected each year.

29 (3) Local operating fee accounts shall not be subject to  
30 appropriation by the legislature or allotment procedures under chapter  
31 43.88 RCW.

32 **Sec. 2.** RCW 28B.15.067 and 2011 1st sp.s. c 10 s 3 are each  
33 amended to read as follows:

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

36 (2) Beginning in the 2011-12 academic year, reductions or increases  
37 in full-time tuition fees shall be as provided in the omnibus

1 appropriations act for resident undergraduate students at community and  
2 technical colleges. The governing boards of the state universities,  
3 regional universities, and The Evergreen State College; and the state  
4 board for community and technical colleges may reduce or increase full-  
5 time tuition fees for all students other than resident undergraduates,  
6 including nonresident students, summer school students, and students in  
7 other self-supporting degree programs. Percentage increases in full-  
8 time tuition may exceed the fiscal growth factor. The state board for  
9 community and technical colleges may pilot or institute differential  
10 tuition models. The board may define scale, scope, and rationale for  
11 the models.

12 (3)(a) Beginning with the 2011-12 academic year and through the end  
13 of the 2014-15 academic year, the governing boards of the state  
14 universities, the regional universities, and The Evergreen State  
15 College may reduce or increase full-time tuition fees for all students,  
16 including summer school students and students in other self-supporting  
17 degree programs. Percentage increases in full-time tuition fees may  
18 exceed the fiscal growth factor. For students other than resident  
19 undergraduates, reductions or increases may be made for all or portions  
20 of an institution's programs, campuses, courses, or students.

21 (b) Prior to reducing or increasing tuition for each academic year,  
22 the governing boards of the state universities, the regional  
23 universities, and The Evergreen State College shall consult with  
24 existing student associations or organizations with student  
25 undergraduate and graduate representatives regarding the impacts of  
26 potential tuition increases. Governing boards shall be required to  
27 provide data regarding the percentage of students receiving financial  
28 aid, the sources of aid, and the percentage of total costs of  
29 attendance paid for by aid.

30 (c) Prior to reducing or increasing tuition for each academic year,  
31 the state board for community and technical college system shall  
32 consult with existing student associations or organizations with  
33 undergraduate student representation regarding the impacts of potential  
34 tuition increases. The state board for community and technical  
35 colleges shall provide data regarding the percentage of students  
36 receiving financial aid, the sources of aid, and the percentage of  
37 total costs of attendance paid for by aid.

1 (4) Beginning with the 2015-16 academic year through the 2018-19  
2 academic year, the governing boards of the state universities, regional  
3 universities, and The Evergreen State College may set tuition for  
4 resident undergraduates as follows:

5 (a) If state funding for a college or university falls below the  
6 state funding provided in the operating budget for fiscal year 2011,  
7 the governing board may increase tuition up to the limits set in (d) of  
8 this subsection, reduce enrollments, or both;

9 (b) If state funding for a college or university is at least at the  
10 level of state funding provided in the operating budget for fiscal year  
11 2011, the governing board may increase tuition up to the limits set in  
12 (d) of this subsection and shall continue to at least maintain the  
13 actual enrollment levels for fiscal year 2011 or increase enrollments  
14 as required in the omnibus appropriations act; (~~and~~)

15 (c) If state funding is increased so that combined with resident  
16 undergraduate tuition the sixtieth percentile of the total per-student  
17 funding at similar public institutions of higher education in the  
18 global challenge states under RCW 28B.15.068 is exceeded, the governing  
19 board shall decrease tuition by the amount needed for the total per-  
20 student funding to be at the sixtieth percentile under RCW 28B.15.068;  
21 and

22 (d) The amount of tuition set by the governing board for an  
23 institution under this subsection (4) may not exceed the sixtieth  
24 percentile of the resident undergraduate tuition of similar public  
25 institutions of higher education in the global challenge states.

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

29 (6) The tuition fees established under this chapter shall not apply  
30 to eligible students enrolling in a dropout reengagement program  
31 through an interlocal agreement between a school district and a  
32 community or technical college under RCW 28A.175.100 through  
33 28A.175.110.

34 (7) The tuition fees established under this chapter shall not apply  
35 to eligible students enrolling in a community or technical college  
36 participating in the pilot program under RCW 28B.50.534 for the purpose  
37 of obtaining a high school diploma.

1           (8) Beginning in the 2019-20 academic year, reductions or increases  
2 in full-time tuition fees for resident undergraduates at four-year  
3 institutions of higher education shall be as provided in the omnibus  
4 appropriations act.

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