
HOUSE BILL 2805

State of Washington 57th Legislature 2002 Regular Session

By Representatives Kenney, Fromhold and Chase; by request of Governor Locke

Read first time 01/29/2002. Referred to Committee on Higher Education.

1 AN ACT Relating to tuition-setting authority and accountability for
2 the use of tuition at institutions of higher education; amending RCW
3 28B.15.031, 28B.15.066, 28B.15.067, 28B.15.069, and 28B.15.100; adding
4 a new section to chapter 28B.15 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** Public higher education funding is a shared
7 responsibility between the state, students, and the public colleges and
8 universities. Periodic increases in state funding, state financial
9 aid, and tuition must be authorized to provide quality higher education
10 for the citizens of Washington. It is the intent of the legislature to
11 authorize the governing boards to establish tuition rates, to make
12 colleges and universities responsible to provide quality programs, and
13 to provide state fund appropriations so that tuition increases can
14 support program improvements.

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

17 The term "operating fees" as used in this chapter shall include the
18 fees, other than building fees, charged all students registering at the

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

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

25 It is the intent of the legislature that:

26 In making appropriations from the state's general fund to
27 institutions of higher education, each appropriation shall conform to
28 the following:

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

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

37 (3) The general fund state appropriation shall not be reduced by
38 the amount of operating fees revenue collected as a result of waiving

1 less operating fees revenue than the amounts authorized under RCW
2 28B.15.910. State general fund appropriations shall not be provided
3 for revenue foregone as a result of or for waivers granted under RCW
4 28B.15.915.

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

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

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

12 ~~(a) At the University of Washington and Washington State
13 University:~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

18 ~~(a) At the University of Washington and Washington State~~
19 ~~University:~~

20 ~~(i) For resident undergraduate students and other resident students~~
21 ~~not in graduate, law, or first professional programs, three thousand~~
22 ~~one hundred eight dollars;~~

23 ~~(ii)(A) For nonresident undergraduate students and other~~
24 ~~nonresident students at the University of Washington not in graduate,~~
25 ~~law, or first professional programs, eleven thousand one hundred thirty~~
26 ~~dollars;~~

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

30 ~~(iii) For resident graduate students, five thousand forty-six~~
31 ~~dollars;~~

32 ~~(iv) For nonresident graduate students, thirteen thousand ninety-~~
33 ~~two dollars;~~

34 ~~(v) For resident law students, five thousand three hundred seventy-~~
35 ~~six dollars;~~

36 ~~(vi) For nonresident law students, thirteen thousand seven hundred~~
37 ~~eighty-two dollars;~~

38 ~~(vii) For resident first professional students, eight thousand four~~
39 ~~hundred thirty-six dollars; and~~

1 ~~(viii) For nonresident first professional students, twenty-one~~
2 ~~thousand eight hundred sixty-four dollars.~~

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

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

6 ~~(ii) For nonresident undergraduate and all other nonresident~~
7 ~~students not in graduate programs, eight thousand nine hundred ninety-~~
8 ~~one dollars;~~

9 ~~(iii) For resident graduate students, three thousand eight hundred~~
10 ~~seventy-six dollars; and~~

11 ~~(iv) For nonresident graduate students, twelve thousand four~~
12 ~~hundred fifty-six dollars.~~

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

14 ~~(i) For resident students, one thousand three hundred sixty-two~~
15 ~~dollars; and~~

16 ~~(ii) For nonresident students, five thousand eight hundred eight~~
17 ~~dollars.~~

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

32 ~~(5))~~ (a) For the 2003-04 academic year and each academic year
33 thereafter, the governing boards of the state universities, the
34 regional universities, The Evergreen State College, and the state board
35 for community and technical colleges may reduce or increase full-time
36 tuition fees for resident undergraduate students, including summer
37 school students. Percentage increases in full-time tuition fees may
38 exceed the fiscal growth factor. Reductions or increases may be made
39 for all or portions of an institution's programs, campuses, courses, or

1 students. Reductions and increases for resident undergraduate students
2 at the community and technical colleges are limited to no more than ten
3 percent per year starting with the 2003-04 academic year.

4 (b) For the 2003-04 academic year and each academic year
5 thereafter, the governing boards of the state universities, the
6 regional universities, The Evergreen State College, and the state board
7 for community and technical colleges may reduce or increase full-time
8 tuition fees for all students other than resident undergraduates,
9 including summer school students. Percentage increases in full-time
10 tuition fees may exceed the fiscal growth factor. Reductions or
11 increases may be made for all or portions of an institution's programs,
12 campuses, courses, or students.

13 (3) The legislature shall continue to fund the state need grant
14 program to support changes in overall program eligibility, increases in
15 enrollments, and changes in tuition. The legislature shall increase
16 funding for the state need grant program to support annual tuition
17 increases of up to ten percent. If any undergraduate resident tuition
18 rate is increased in excess of ten percent, the state universities, the
19 regional universities, and The Evergreen State College are responsible
20 for providing funds from local revenues to state need grant recipients
21 to cover the increased costs in tuition and fees resulting from the
22 tuition increase above ten percent. The amount provided per student
23 shall be at the same proportion as the increase in the underlying state
24 need grant for the tuition and fees increase up to ten percent. This
25 amount of local need grant support shall be carried forward into
26 following years and adjusted for any future tuition and state need
27 grant program changes. The state universities, the regional
28 universities, and The Evergreen State College shall submit a report to
29 the office of financial management and the higher education
30 coordinating board at the conclusion of each academic year, describing
31 how state and institutional funds were awarded to state need grant
32 recipients.

33 (4) The tuition fees established under this chapter shall not apply
34 to high school students enrolling in participating institutions of
35 higher education under RCW 28A.600.300 through ((28A.600.395))
36 28A.600.400.

37 NEW SECTION. Sec. 5. A new section is added to chapter 28B.15 RCW
38 to read as follows:

1 (1) In recognition of increasing authority at the state
2 universities, the regional universities, and The Evergreen State
3 College, to promote accountability these institutions shall permit
4 entering freshmen and resident students enrolled in one hundred twenty
5 semester hour or one hundred eighty quarter hour programs to enter into
6 an agreement with the institution to guarantee that the student will be
7 able to graduate in four years. Resident students transferring from
8 other institutions of higher education may have an individual agreement
9 developed by an academic advisor establishing a guaranteed graduation
10 date based on the degree program to be undertaken, credits accepted
11 toward program requirements, and term of arrival at the four-year
12 institution of higher education.

13 (2)(a) The state universities, the regional universities, and The
14 Evergreen State College shall guarantee that a student enrolled in a
15 four-year course of study will be able to graduate in four years if
16 they meet the requirements of this subsection. Guarantees for students
17 transferring from other institutions of higher education shall be
18 individually developed and a guaranteed graduation date established
19 based on the student meeting the requirements of this subsection (2).

20 (b) To secure the guarantee in this subsection (2), each student
21 and an academic advisor of that institution of higher education must
22 enter an agreement establishing a graduation action plan for an
23 approved course of study before enrollment.

24 (c) Students are responsible to complete courses successfully and
25 in a timely manner to maintain progress required by the graduation
26 action plan. Students with agreements under this section, however, are
27 not restricted any differently than other students from attending,
28 enrolling in courses, or graduating.

29 (d) Students are responsible for gaining acceptance into the degree
30 program specified in their graduation action plan. Degree program
31 admissions policies and procedures are not affected by the provisions
32 of this section.

33 (e) The state universities, the regional universities, and The
34 Evergreen State College are responsible for providing students with
35 access to courses, or approved substitute courses, necessary for
36 students to meet the requirements of their graduation action plans.
37 Four-year institutions of higher education may provide priority
38 enrollment to students with guaranteed graduation dates under the
39 provisions of this section.

1 (3) If a student with an existing guarantee under a graduation
2 action plan desires to change degree programs, the four-year
3 institution of higher education shall determine if the existing
4 guarantee can remain in force and, if so, will develop a new graduation
5 action plan. If the four-year institution of higher education cannot
6 accommodate a student's change of degree program made after the student
7 completes more than fifteen credit hours, the institution is not under
8 an obligation to change the guarantee or the graduation action plan
9 under which it was established.

10 (4) Should a four-year institution of higher education be unable to
11 provide the necessary courses, preventing a student from graduating in
12 the quarter established in the graduation action plan, the institution
13 shall waive all tuition and fees for additional courses necessary to
14 meet the requirements of the graduation action plan that must be taken
15 after the guaranteed graduation date. Enrollment in required courses
16 without charging any tuition or any fees is the full extent of the
17 remedy available to a student under the guarantee.

18 (5) The state universities, the regional universities, and The
19 Evergreen State College shall report annually, by December 15th, to the
20 office of financial management, the higher education coordinating
21 board, and the fiscal committees and the higher education committees of
22 the legislature, the number of students who have approved graduation
23 action plans, the number of students who have graduated by the
24 guaranteed graduation date, and waivers provided under this section
25 during the prior academic year.

26 **Sec. 6.** RCW 28B.15.069 and 1997 c 403 s 2 are each amended to read
27 as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 **Sec. 7.** RCW 28B.15.100 and 1999 c 321 s 2 are each amended to read
2 as follows:

3 (1) The governing boards of the state universities, the regional
4 universities, The Evergreen State College, and the community colleges
5 shall charge to and collect from each of the students registering at
6 the particular institution for any quarter or semester such tuition
7 fees and services and activities fees, and other fees as such board
8 shall in its discretion determine. The total of all fees shall be
9 rounded to the nearest whole dollar amount: PROVIDED, That such
10 tuition fees (~~for other than the summer term~~) shall be (~~in the~~
11 ~~amounts for the respective institutions as otherwise set forth in~~)
12 established in accordance with RCW 28B.15.067.

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

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

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