
SENATE BILL 5941

State of Washington 63rd Legislature 2013 1st Special Session

By Senators Baumgartner and Bailey

Read first time 05/31/13. Referred to Committee on Ways & Means.

1 AN ACT Relating to decreasing resident undergraduate tuition rates
2 by three percent for the 2013-2015 fiscal biennium and limiting future
3 growth of resident undergraduate tuition rates to inflation; and
4 reenacting and amending RCW 28B.15.067 and 28B.15.068.

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

6 **Sec. 1.** RCW 28B.15.067 and 2012 2nd sp.s. c 7 s 914 and 2012 c 228
7 s 6 are each reenacted and amended to read as follows:

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

10 (2) Except as provided in subsection (4)(a)(ii) of this section:

11 (a) For the 2013-14 and 2014-15 academic years, reductions or
12 increases in full-time tuition fees shall be as provided in the omnibus
13 appropriations act for resident undergraduate students at community and
14 technical colleges and shall be three percent below the full-time
15 resident undergraduate tuition fees for the 2012-13 academic year.

16 (b) Beginning in the ((2011-12)) 2015-16 academic year, reductions
17 or increases in full-time tuition fees shall be as provided in the
18 omnibus appropriations act for resident undergraduate students at
19 community and technical colleges and shall not exceed inflation as

1 measured by the implicit price deflator for personal consumption
2 expenditures for the United States for the previous calendar year, as
3 compiled by the bureau of economic analysis of the United States
4 department of commerce and reported in the most recent quarterly
5 publication of the economic and revenue forecast council or successor
6 agency.

7 (3) The governing boards of the state universities, regional
8 universities, and The Evergreen State College; and the state board for
9 community and technical colleges may reduce or increase full-time
10 tuition fees for all students other than resident undergraduates,
11 including nonresident students, summer school students, and students in
12 other self-supporting degree programs. Percentage increases in full-
13 time tuition may exceed the fiscal growth factor. Except during the
14 2011-2013 fiscal biennium, the state board for community and technical
15 colleges may pilot or institute differential tuition models. The board
16 may define scale, scope, and rationale for the models.

17 ~~((+3))~~ (4)(a)(i) Beginning with the 2011-12 academic year and
18 through the end of the ~~((2014-15))~~ 2018-19 academic year, the governing
19 boards of the state universities, the regional universities, and The
20 Evergreen State College may reduce or increase full-time tuition fees
21 for all students, including summer school students and students in
22 other self-supporting degree programs. Percentage increases in full-
23 time tuition fees may exceed the fiscal growth factor. Reductions or
24 increases may be made for all or portions of an institution's programs,
25 campuses, courses, or students; however ~~((, during the 2011-2013 fiscal~~
26 ~~biennium, reductions or))~~;

27 (A) For the 2013-14 and 2014-15 academic years, full-time tuition
28 fees for resident undergraduate students shall be three percent below
29 the full-time resident undergraduate tuition fees for the 2012-13
30 academic year, except as provided in (a)(ii) of this subsection; and

31 (B) Increases in tuition must be uniform among resident
32 undergraduate students beginning in academic year 2015-16 and must not
33 exceed inflation as measured by the implicit price deflator for
34 personal consumption expenditures for the United States for the
35 previous calendar year, as compiled by the bureau of economic analysis
36 of the United States department of commerce and reported in the most
37 recent quarterly publication of the economic and revenue forecast

1 council or successor agency, except as provided in (a)(ii) of this
2 subsection.

3 (ii) If Senate Bill No. . . . (S-2759/13) becomes law, then in any
4 fiscal year that state funding for a college or university falls below
5 the funding rates for full-time equivalent resident students specified
6 in RCW 28B.10.776, the governing board may increase full-time tuition
7 fees for resident undergraduate students for the ensuing academic year
8 by an amount not to exceed the amount necessary to achieve the funding
9 levels specified in RCW 28B.10.776.

10 (b) Prior to reducing or increasing tuition for each academic year,
11 the governing boards of the state universities, the regional
12 universities, and The Evergreen State College shall consult with
13 existing student associations or organizations with student
14 undergraduate and graduate representatives regarding the impacts of
15 potential tuition increases. Each governing board shall make public
16 its proposal for tuition and fee increases twenty-one days before the
17 governing board of the institution considers adoption and allow
18 opportunity for public comment. However, the requirement to make
19 public a proposal for tuition and fee increases twenty-one days before
20 the governing board considers adoption shall not apply if the omnibus
21 appropriations act has not passed the legislature by May 15th.
22 Governing boards shall be required to provide data regarding the
23 percentage of students receiving financial aid, the sources of aid, and
24 the percentage of total costs of attendance paid for by aid.

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

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

37 ~~(a) If state funding for a college or university falls below the~~

1 ~~state funding provided in the operating budget for fiscal year 2011,~~
2 ~~the governing board may increase tuition up to the limits set in (d) of~~
3 ~~this subsection, reduce enrollments, or both;~~

4 ~~(b) If state funding for a college or university is at least at the~~
5 ~~level of state funding provided in the operating budget for fiscal year~~
6 ~~2011, the governing board may increase tuition up to the limits set in~~
7 ~~(d) of this subsection and shall continue to at least maintain the~~
8 ~~actual enrollment levels for fiscal year 2011 or increase enrollments~~
9 ~~as required in the omnibus appropriations act;~~

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

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

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.600.400.

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

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

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

37 ~~((9) The legislative advisory committee to the committee on~~
38 ~~advanced tuition payment established in RCW 28B.95.170 shall:~~

1 ~~(a) Review the impact of differential tuition rates on the funded~~
2 ~~status and future unit price of the Washington advanced college tuition~~
3 ~~payment program; and~~

4 ~~(b) No later than January 14, 2013, make a recommendation to the~~
5 ~~appropriate policy and fiscal committees of the legislature regarding~~
6 ~~how differential tuition should be addressed in order to maintain the~~
7 ~~ongoing solvency of the Washington advanced college tuition payment~~
8 ~~program.)~~

9 **Sec. 2.** RCW 28B.15.068 and 2012 c 229 s 525 and 2012 c 229 s 524
10 are each reenacted and amended to read as follows:

11 (1) In order to facilitate the full implementation of (~~chapter 10,~~
12 ~~Laws of 2011 1st sp. sess. for the 2011-12 through 2018-19 academic~~
13 ~~years~~) RCW 28B.10.776 if Senate Bill No. . . . (S-2759/13) becomes law
14 and RCW 28B.15.067, the institutions of higher education are authorized
15 to adopt tuition levels that are less than, equal to, or greater than
16 the tuition levels assumed in the omnibus appropriations act, subject
17 to the conditions and limitations in this chapter, chapter 28B.10 RCW,
18 and the omnibus appropriations act.

19 (2) By September 1st of each year beginning in 2011, the office of
20 financial management shall report to the governor, the student
21 achievement council, and appropriate committees of the legislature with
22 updated estimates of:

23 (a) The total per-student funding level that represents the
24 sixtieth percentile of funding for similar institutions of higher
25 education in the global challenge states; and

26 (b) The tuition that represents the sixtieth percentile of resident
27 undergraduate tuition for similar institutions of higher education in
28 the global challenge states.

29 (3) As used in this section, "global challenge states" are the top
30 performing states on the new economy index published by the progressive
31 policy institute as of July 22, 2007. The new economy index ranks
32 states on indicators of their potential to compete in the new economy.
33 At least once every five years, the office of financial management
34 shall determine if changes to the list of global challenge states are
35 appropriate. The office of financial management shall report its
36 findings to the governor and the legislature.

1 (4) Institutions of higher education, in collaboration with
2 relevant student associations, shall aim to have all students who can
3 benefit from available tax credits that mitigate the costs of higher
4 education take advantage of these opportunities. These tax credits
5 include the American opportunity tax credit provided in the American
6 recovery and reinvestment act of 2009, the lifetime learning credit,
7 and other relevant tax credits for as long as they are available.

8 (5)(a) Institutions shall make every effort to communicate to
9 students and their families the benefits of such tax credits and
10 provide assistance to students and their families on how to apply.

11 (b) Information about relevant tax credits shall, to the greatest
12 extent possible, be incorporated into financial aid counseling,
13 admission information, and individual billing statements.

14 (c) Institutions shall, to the greatest extent possible, use all
15 means of communication, including but not limited to web sites, online
16 catalogues, admission and registration forms, mass email messaging,
17 social media, and outside marketing to ensure information about
18 relevant tax credits is visible and compelling, and reaches the maximum
19 amount of student and families that can benefit.

20 (6) In the event that the economic value of the American
21 opportunity tax credit is reduced or expires at any time before
22 December 31, 2012, institutions of higher education shall:

23 (a) Develop an updated tuition mitigation plan established under
24 RCW 28B.15.102 for the purpose of minimizing, to the greatest extent
25 possible, the increase in net cost of tuition or total cost of
26 attendance for students resulting from any such change. This plan
27 shall include the methods specified by the four-year institution of
28 higher education to avoid adding additional loan debt burdens to
29 students regardless of the source of such loans;

30 (b) Report to the governor and the relevant committees of the
31 legislature on their plans to adjust their tuition mitigation plans no
32 later than ninety days after any such change to the American
33 opportunity tax credit.

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