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SECOND ENGROSSED SUBSTITUTE SENATE BILL 5982

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State of Washington

53rd Legislature

1993 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senator Rinehart; by request of Office of Financial Management)

Read first time 04/13/93.

1 AN ACT Relating to higher education tuition; amending RCW  
2 28B.10.265, 28B.10.800, 28B.12.060, 28B.15.014, 28B.15.031, 28B.15.100,  
3 28B.15.202, 28B.15.225, 28B.15.380, 28B.15.402, 28B.15.502, 28B.15.515,  
4 28B.15.520, 28B.15.522, 28B.15.527, 28B.15.543, 28B.15.545, 28B.15.556,  
5 28B.15.600, 28B.15.615, 28B.15.620, 28B.15.628, 28B.15.725, 28B.15.730,  
6 28B.15.740, 28B.15.750, 28B.15.756, 28B.15.910, 28B.50.259, 28B.70.050,  
7 28B.80.580, 28B.101.040, 28B.102.020, and 82.04.170; reenacting and  
8 amending RCW 28B.15.012; creating a new section; repealing RCW  
9 28B.15.824, 28B.35.361, and 28B.40.361; providing an effective date;  
10 and declaring an emergency.

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

12 **Sec. 1.** RCW 28B.10.265 and 1992 c 231 s 2 are each amended to read  
13 as follows:

14 Subject to the limitations of RCW 28B.15.910, the governing boards  
15 of the state universities, the regional universities, The Evergreen  
16 State College, and the community colleges may waive all or a portion of  
17 the tuition, operating, and services and activities fees for children  
18 of any person who was a Washington domiciliary and who within the past  
19 eleven years has been determined by the federal government to be a

1 prisoner of war or missing in action in Southeast Asia, including  
2 Korea, or who shall become so hereafter, if the children meet such  
3 other educational qualifications as such institution of higher  
4 education shall deem reasonable and necessary under the circumstances.  
5 Applicants for free or reduced tuition shall provide institutional  
6 administrative personnel with documentation of their rights under this  
7 section.

8 ~~((Before June 30, 1995, no individual waiver program under this  
9 section may be reduced by more than twice the percentage reduction  
10 required in operating fee foregone revenue from tuition waivers in the  
11 biennial state appropriations act.))~~

12 **Sec. 2.** RCW 28B.10.800 and 1969 ex.s. c 222 s 7 are each amended  
13 to read as follows:

14 The sole purpose of RCW 28B.10.800 through 28B.10.824 is to  
15 establish a state of Washington student financial aid program, thus  
16 assisting financially needy or disadvantaged students domiciled in  
17 Washington to obtain the opportunity of attending an accredited  
18 institution of higher education, as defined in RCW 28B.10.802(1).  
19 Financial aid under RCW 28B.10.800 through 28B.10.824 is available only  
20 to students who are resident students as defined in RCW 28B.15.012(2)  
21 (a) through (d).

22 **Sec. 3.** RCW 28B.12.060 and 1987 c 330 s 202 are each amended to  
23 read as follows:

24 The higher education coordinating board shall adopt rules and  
25 regulations as may be necessary or appropriate for effecting the  
26 provisions of this chapter, and not in conflict with this chapter, in  
27 accordance with the provisions of chapter 34.05 RCW, the state higher  
28 education administrative procedure act. Such rules and regulations  
29 shall include provisions designed to make employment under such work-  
30 study program reasonably available, to the extent of available funds,  
31 to all eligible students in eligible post-secondary institutions in  
32 need thereof. Such rules and regulations shall include:

33 (1) Providing work under the college work-study program which will  
34 not result in the displacement of employed workers or impair existing  
35 contracts for services.

36 (2) Furnishing work only to a student who:

1 (a) Is capable, in the opinion of the eligible institution, of  
2 maintaining good standing in such course of study while employed under  
3 the program covered by the agreement; and

4 (b) Has been accepted for enrollment as at least a half-time  
5 student at the eligible institution or, in the case of a student  
6 already enrolled in and attending the eligible institution, is in good  
7 standing and in at least half-time attendance there either as an  
8 undergraduate, graduate or professional student; and

9 (c) Is not pursuing a degree in theology.

10 (3) Placing priority on the securing of work opportunities for  
11 students who are residents of the state of Washington as defined in RCW  
12 (~~((28B.15.011 through 28B.15.014))~~) 28B.15.012 and 28B.15.013 except  
13 resident students defined in RCW 28B.15.012(2)(e).

14 (4) Provisions to assure that in the state institutions of higher  
15 education utilization of this student work-study program:

16 (a) Shall only supplement and not supplant classified positions  
17 under jurisdiction of chapter 28B.16 RCW;

18 (b) That all positions established which are comparable shall be  
19 identified to a job classification under the higher education personnel  
20 board's classification plan and shall receive equal compensation;

21 (c) Shall not take place in any manner that would replace  
22 classified positions reduced due to lack of funds or work; and

23 (d) That work study positions shall only be established at entry  
24 level positions of the classified service.

25 **Sec. 4.** RCW 28B.15.012 and 1987 c 137 s 1 and 1987 c 96 s 1 are  
26 each reenacted and amended to read as follows:

27 Whenever used in chapter 28B.15 RCW:

28 (1) The term "institution" shall mean a public university, college,  
29 or community college within the state of Washington.

30 (2) The term "resident student" shall mean: (a) A financially  
31 independent student who has had a domicile in the state of Washington  
32 for the period of one year immediately prior to the time of  
33 commencement of the first day of the semester or quarter for which the  
34 student has registered at any institution and has in fact established  
35 a bona fide domicile in this state primarily for purposes other than  
36 educational; (b) a dependent student, if one or both of the student's  
37 parents or legal guardians have maintained a bona fide domicile in the  
38 state of Washington for at least one year immediately prior to

1 commencement of the semester or quarter for which the student has  
2 registered at any institution; (c) a student classified as a resident  
3 based upon domicile by an institution on or before May 31, 1982, who  
4 was enrolled at a state institution during any term of the 1982-1983  
5 academic year, so long as such student's enrollment (excepting summer  
6 sessions) at an institution in this state is continuous; ~~((or))~~ (d) any  
7 student who has spent at least seventy-five percent of both his or her  
8 junior and senior years in high schools in this state, whose parents or  
9 legal guardians have been domiciled in the state for a period of at  
10 least one year within the five-year period before the student graduates  
11 from high school, and who enrolls in a public institution of higher  
12 education within six months of leaving high school, for as long as the  
13 student remains continuously enrolled for three quarters or two  
14 semesters in any calendar year; or (e) a student who is the spouse or  
15 a dependent of a person who is on active military duty stationed in the  
16 state: PROVIDED, That a nonresident student enrolled for more than six  
17 hours per semester or quarter shall be considered as attending for  
18 primarily educational purposes, and for tuition and fee paying purposes  
19 only such period of enrollment shall not be counted toward the  
20 establishment of a bona fide domicile of one year in this state unless  
21 such student proves that the student has in fact established a bona  
22 fide domicile in this state primarily for purposes other than  
23 educational.

24 (3) The term "nonresident student" shall mean any student who does  
25 not qualify as a "resident student" under the provisions of RCW  
26 ~~((28B.15.011 through 28B.15.014 and 28B.15.015, each as now or~~  
27 ~~hereafter amended))~~ 28B.15.012 and 28B.15.013. A nonresident student  
28 shall include:

29 (a) A student attending an institution with the aid of financial  
30 assistance provided by another state or governmental unit or agency  
31 thereof, such nonresidency continuing for one year after the completion  
32 of such semester or quarter.

33 (b) A person who is not a citizen of the United States of America  
34 who does not have permanent or temporary resident status or does not  
35 hold "Refugee-Parolee" or "Conditional Entrant" status with the United  
36 States immigration and naturalization service or is not otherwise  
37 permanently residing in the United States under color of law and who  
38 does not also meet and comply with all the applicable requirements in

1 RCW ((28B.15.011 through 28B.15.014 and 28B.15.015, each as now or  
2 hereafter amended)) 28B.15.012 and 28B.15.013.

3 (4) The term "domicile" shall denote a person's true, fixed and  
4 permanent home and place of habitation. It is the place where the  
5 student intends to remain, and to which the student expects to return  
6 when the student leaves without intending to establish a new domicile  
7 elsewhere. The burden of proof that a student, parent or guardian has  
8 established a domicile in the state of Washington primarily for  
9 purposes other than educational lies with the student.

10 (5) The term "dependent" shall mean a person who is not financially  
11 independent. Factors to be considered in determining whether a person  
12 is financially independent shall be set forth in rules and regulations  
13 adopted by the higher education coordinating board and shall include,  
14 but not be limited to, the state and federal income tax returns of the  
15 person and/or the student's parents or legal guardian filed for the  
16 calendar year prior to the year in which application is made and such  
17 other evidence as the board may require.

18 **Sec. 5.** RCW 28B.15.014 and 1992 c 231 s 3 are each amended to read  
19 as follows:

20 Subject to the limitations of RCW 28B.15.910, the governing boards  
21 of the state universities, the regional universities, The Evergreen  
22 State College, and the community colleges may exempt the following  
23 nonresidents from paying all or a portion of the nonresident tuition  
24 fees differential:

25 (1) Any person who resides in the state of Washington and who holds  
26 a graduate service appointment designated as such by a public  
27 institution of higher education or is employed for an academic  
28 department in support of the instructional or research programs  
29 involving not less than twenty hours per week during the term such  
30 person shall hold such appointment.

31 (2) Any faculty member, classified staff member or administratively  
32 exempt employee holding not less than a half time appointment at an  
33 institution who resides in the state of Washington, and the dependent  
34 children and spouse of such persons.

35 (3) Active-duty military personnel stationed in the state of  
36 Washington ((and the spouses and dependents of such military  
37 personnel)).

1 (4) Any immigrant refugee and the spouse and dependent children of  
2 such refugee, if the refugee (a) is on parole status, or (b) has  
3 received an immigrant visa, or (c) has applied for United States  
4 citizenship.

5 (5) Domestic exchange students participating in the program created  
6 under RCW 28B.15.725.

7 (6) Any dependent of a member of the United States congress  
8 representing the state of Washington.

9 ~~((Before June 30, 1995, no individual waiver program under this  
10 section may be reduced by more than twice the percentage reduction  
11 required in operating fee foregone revenue from tuition waivers in the  
12 biennial state appropriations act.))~~

13 **Sec. 6.** RCW 28B.15.031 and 1987 c 15 s 2 are each amended to read  
14 as follows:

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

1 ~~institutions of higher education from the periodic payment plan~~  
2 ~~authorized by RCW 28B.15.411 shall be transmitted to the state~~  
3 ~~treasurer within five days following the close of registration of the~~  
4 ~~appropriate quarter or semester)). Local operating fee accounts shall~~  
5 ~~not be subject to appropriation by the legislature or allotment~~  
6 ~~procedures under chapter 43.88 RCW.~~

7       **Sec. 7.** RCW 28B.15.100 and 1992 c 231 s 6 are each amended to read  
8 as follows:

9       (1) The governing boards of the state universities, the regional  
10 universities, The Evergreen State College, and the community colleges  
11 shall charge to and collect from each of the students registering at  
12 the particular institution for any quarter or semester such tuition  
13 fees and services and activities fees, and other fees as such board  
14 shall in its discretion determine. The total of all fees shall be  
15 rounded to the nearest whole dollar amount: PROVIDED, That such  
16 tuition fees for other than the summer term shall be in the amounts for  
17 the respective institutions as otherwise set forth in this chapter.

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

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

1 medicine, or law, or who are registered exclusively in required courses  
2 in vocational preparatory programs.

3 ~~((4) Before June 30, 1995, no individual waiver program under this  
4 section may be reduced by more than twice the percentage reduction  
5 required in operating fee foregone revenue from tuition waivers in the  
6 biennial state appropriations act.))~~

7 **Sec. 8.** RCW 28B.15.202 and 1992 c 231 s 7 are each amended to read  
8 as follows:

9 Tuition fees and maximum services and activities fees at the  
10 University of Washington and at Washington State University for other  
11 than the summer term shall be as follows:

12 (1) For full time resident undergraduate students and all other  
13 full time resident students not in graduate study programs or enrolled  
14 in programs leading to the degrees of doctor of medicine, doctor of  
15 dental surgery, and doctor of veterinary medicine, the total tuition  
16 fees for the 1993-94 academic year shall be ~~((thirty-three))~~ thirty-six  
17 and three-tenths percent and thereafter total tuition fees shall be  
18 forty-one and one-tenth percent of the per student undergraduate  
19 educational costs at the state universities computed as provided in RCW  
20 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each  
21 academic year shall be one hundred and twenty dollars. Beginning with  
22 the 1995-96 academic year the building fee for each academic year shall  
23 be a percentage of total tuition fees. This percentage shall be  
24 calculated by the higher education coordinating board and be based on  
25 the actual percentage the building fee is of total tuition in the 1994-  
26 95 academic year, rounded up to the nearest half percent.

27 (2) For full time resident graduate and law students not enrolled  
28 in programs leading to the degrees of doctor of medicine, doctor of  
29 dental surgery, and doctor of veterinary medicine, the total tuition  
30 fees for the 1993-94 academic year shall be ~~((twenty-three))~~ twenty-  
31 five and two-tenths percent and thereafter total tuition fees shall be  
32 twenty-eight and four-tenths percent of the per student graduate  
33 educational costs at the state universities computed as provided in RCW  
34 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each  
35 academic year shall be one hundred and twenty dollars. Beginning with  
36 the 1995-96 academic year the building fee for each academic year shall  
37 be a percentage of total tuition fees. This percentage shall be  
38 calculated by the higher education coordinating board and be based on



1 the actual percentage the building fee is of total tuition in the 1994-  
2 95 academic year, rounded up to the nearest half percent.

3 (3) For full time resident students enrolled in programs leading to  
4 the degrees of doctor of medicine, doctor of dental surgery, and doctor  
5 of veterinary medicine, the total tuition fees shall be one hundred  
6 sixty-seven percent of such fees charged in subsection (2) of this  
7 section: PROVIDED, That the building fees for each academic year shall  
8 be three hundred and forty-two dollars. Beginning with the 1995-96  
9 academic year the building fee for each academic year shall be a  
10 percentage of total tuition fees. This percentage shall be calculated  
11 by the higher education coordinating board and be based on the actual  
12 percentage the building fee is of total tuition in the 1994-95 academic  
13 year, rounded up to the nearest half percent.

14 (4) For full time nonresident undergraduate students and such other  
15 full time nonresident students not in graduate study programs or  
16 enrolled in programs leading to the degrees of doctor of medicine,  
17 doctor of dental surgery, or doctor of veterinary medicine, the total  
18 tuition fees for the 1993-94 academic year shall be one hundred nine  
19 and three-tenths percent and thereafter total tuition fees shall be one  
20 hundred twenty-two and nine-tenths percent of the per student  
21 undergraduate educational costs at the state universities computed as  
22 provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building  
23 fees for each academic year shall be three hundred and fifty-four  
24 dollars. Beginning with the 1995-96 academic year the building fee for  
25 each academic year shall be a percentage of total tuition fees. This  
26 percentage shall be calculated by the higher education coordinating  
27 board and be based on the actual percentage the building fee is of  
28 total tuition in the 1994-95 academic year, rounded up to the nearest  
29 half percent.

30 (5) For full time nonresident graduate and law students not  
31 enrolled in programs leading to the degrees of doctor of medicine,  
32 doctor of dental surgery, and doctor of veterinary medicine, the total  
33 tuition fees for the 1993-94 academic year shall be sixty-five and six-  
34 tenths percent and thereafter total tuition fees shall be seventy-three  
35 and six-tenths percent of the per student graduate educational costs at  
36 the state universities computed as provided in RCW 28B.15.067 and  
37 28B.15.070: PROVIDED, That the building fees for each academic year  
38 shall be three hundred and fifty-four dollars. Beginning with the  
39 1995-96 academic year the building fee for each academic year shall be

1 a percentage of total tuition fees. This percentage shall be  
2 calculated by the higher education coordinating board and be based on  
3 the actual percentage the building fee is of total tuition in the 1994-  
4 95 academic year, rounded up to the nearest half percent.

5 (6) For full time nonresident students enrolled in programs leading  
6 to the degrees of doctor of medicine, doctor of dental surgery, and  
7 doctor of veterinary medicine, the total tuition fees shall be one  
8 hundred sixty-seven percent of such fees charged in subsection (5) of  
9 this section: PROVIDED, That the building fees for each academic year  
10 shall be five hundred and fifty-five dollars. Beginning with the 1995-  
11 96 academic year the building fee for each academic year shall be a  
12 percentage of total tuition fees. This percentage shall be calculated  
13 by the higher education coordinating board and be based on the actual  
14 percentage the building fee is of total tuition in the 1994-95 academic  
15 year, rounded up to the nearest half percent.

16 (7) The governing boards of the state universities shall charge to  
17 and collect from each student, a services and activities fee. The  
18 governing board may increase the existing fee annually, consistent with  
19 budgeting procedures set forth in RCW 28B.15.045, by a percentage not  
20 to exceed the annual percentage increase in resident undergraduate  
21 tuition fees: PROVIDED, That such percentage increase shall not apply  
22 to that portion of the services and activities fee previously committed  
23 to the repayment of bonded debt. For the 1993-94 academic year,  
24 services and activities fees shall not exceed two hundred forty-three  
25 dollars per student. For the 1994-95 academic year, services and  
26 activities fees shall not exceed two hundred forty-nine dollars per  
27 student. The services and activities fee committee provided for in RCW  
28 28B.15.045 may initiate a request to the governing board for a fee  
29 increase.

30 **Sec. 9.** RCW 28B.15.225 and 1992 c 231 s 8 are each amended to read  
31 as follows:

32 Subject to the limitations of RCW 28B.15.910, the governing board  
33 of the University of Washington may exempt the following students from  
34 the payment of all or a portion of the nonresident tuition fees  
35 differential: Students admitted to the university's school of medicine  
36 pursuant to contracts with the states of Alaska, Montana, or Idaho, or  
37 agencies thereof, providing for a program of regionalized medical  
38 education conducted by the school of medicine; or students admitted to

1 the university's school of dentistry pursuant to contracts with the  
2 states of Utah, Idaho, or any other western state which does not have  
3 a school of dentistry, or agencies thereof, providing for a program of  
4 regionalized dental education conducted by the school of dentistry.  
5 The proportional cost of the program, in excess of resident student  
6 tuition and fees, will be reimbursed to the university by or on behalf  
7 of participating states or agencies. Subject to the limitations of RCW  
8 28B.15.910, the governing board of Washington State University may  
9 exempt from payment all or a portion of the nonresident tuition  
10 (~~fee[s]~~) fees differential for any student admitted to the University  
11 of Washington's school of medicine and attending Washington State  
12 University as a participant in the Washington, Alaska, Montana, or  
13 Idaho program in this section. Washington State University may reduce  
14 the professional student tuition for students enrolled in this program  
15 by the amount the student pays the University of Washington as a  
16 registration fee.

17 (~~Before June 30, 1995, no individual waiver program under this  
18 section may be reduced by more than twice the percentage reduction  
19 required in operating fee foregone revenue from tuition waivers in the  
20 biennial state appropriations act.~~)

21 **Sec. 10.** RCW 28B.15.380 and 1992 c 231 s 9 are each amended to  
22 read as follows:

23 Subject to the limitations of RCW 28B.15.910, the governing boards  
24 of the state universities, the regional universities, and The Evergreen  
25 State College may exempt the following students from the payment of all  
26 or a portion of tuition fees and services and activities fees:

27 (1) All veterans as defined in RCW 41.04.005: PROVIDED, That such  
28 persons are no longer entitled to federal vocational or educational  
29 benefits conferred by virtue of their military service: AND PROVIDED  
30 FURTHER, That if any such veterans have not resided in this state for  
31 one year prior to registration, the board may exempt the student from  
32 paying up to fifty percent of the nonresident tuition fees  
33 differential. Such exemptions may be provided only to those persons  
34 otherwise covered who were enrolled in universities on or before  
35 October 1, 1977.

36 (2) Children of any law enforcement officer or fire fighter who  
37 lost his or her life or became totally disabled in the line of duty  
38 while employed by any public law enforcement agency or full time or

1 volunteer fire department in this state: PROVIDED, That such persons  
2 may receive the exemption only if they begin their course of study at  
3 a state-supported college or university within ten years of their  
4 graduation from high school.

5 ~~((Before June 30, 1995, no individual waiver program under this  
6 section may be reduced by more than twice the percentage reduction  
7 required in operating fee foregone revenue from tuition waivers in the  
8 biennial state appropriations act.))~~

9 **Sec. 11.** RCW 28B.15.402 and 1992 c 231 s 10 are each amended to  
10 read as follows:

11 Tuition fees and maximum services and activities fees at the  
12 regional universities and The Evergreen State College for other than  
13 the summer term shall be as follows:

14 (1) For full time resident undergraduate students and all other  
15 full time resident students not in graduate study programs, the total  
16 tuition fees for the 1993-94 academic year shall be ((twenty-five))  
17 twenty-seven and seven-tenths percent and thereafter total tuition fees  
18 shall be thirty-one and five-tenths percent of the per student  
19 undergraduate educational costs at the regional universities computed  
20 as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the  
21 building fees for each academic year shall be seventy-six dollars and  
22 fifty cents. Beginning with the 1995-96 academic year the building fee  
23 for each academic year shall be a percentage of total tuition fees.  
24 This percentage shall be calculated by the higher education  
25 coordinating board and be based on the actual percentage the building  
26 fee is of total tuition in the 1994-95 academic year, rounded up to the  
27 nearest half percent.

28 (2) For full time resident graduate students, the total tuition  
29 fees for the 1993-94 academic year shall be ((twenty-three)) twenty-  
30 five and three-tenths percent and thereafter total tuition fees shall  
31 be twenty-eight and six-tenths percent of the per student graduate  
32 educational costs at the regional universities computed as provided in  
33 RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for  
34 each academic year shall be seventy-six dollars and fifty cents.  
35 Beginning with the 1995-96 academic year the building fee for each  
36 academic year shall be a percentage of total tuition fees. This  
37 percentage shall be calculated by the higher education coordinating  
38 board and be based on the actual percentage the building fee is of

1 total tuition in the 1994-95 academic year, rounded up to the nearest  
2 half percent.

3 (3) For full time nonresident undergraduate students and all other  
4 full time nonresident students not in graduate study programs, the  
5 total tuition fees for the 1993-94 academic year shall be one hundred  
6 nine and four-tenths percent and thereafter total tuition fees shall be  
7 one hundred twenty-three percent of the per student undergraduate  
8 educational costs at the regional universities computed as provided in  
9 RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for  
10 each academic year shall be two hundred and ninety-five dollars and  
11 fifty cents. Beginning with the 1995-96 academic year the building fee  
12 for each academic year shall be a percentage of total tuition fees.  
13 This percentage shall be calculated by the higher education  
14 coordinating board and be based on the actual percentage the building  
15 fee is of total tuition in the 1994-95 academic year, rounded up to the  
16 nearest half percent.

17 (4) For full time nonresident graduate students, the total tuition  
18 fees for the 1993-94 academic year shall be (~~seventy-five~~) eighty-two  
19 percent and thereafter total tuition fees shall be ninety-two percent  
20 of the per student graduate educational costs at the regional  
21 universities computed as provided in RCW 28B.15.067 and 28B.15.070:  
22 PROVIDED, That the building fees for each academic year shall be two  
23 hundred and ninety-five dollars and fifty cents. Beginning with the  
24 1995-96 academic year the building fee for each academic year shall be  
25 a percentage of total tuition fees. This percentage shall be  
26 calculated by the higher education coordinating board and be based on  
27 the actual percentage the building fee is of total tuition in the 1994-  
28 95 academic year, rounded up to the nearest half percent.

29 (5) The governing boards of each of the regional universities and  
30 The Evergreen State College shall charge to and collect from each  
31 student, a services and activities fee. The governing board may  
32 increase the existing fee annually, consistent with budgeting  
33 procedures set forth in RCW 28B.15.045, by a percentage not to exceed  
34 the annual percentage increase in resident undergraduate tuition fees:  
35 PROVIDED, That such percentage increase shall not apply to that portion  
36 of the services and activities fee previously committed to the  
37 repayment of bonded debt. For the 1993-94 academic year, services and  
38 activities fees shall not exceed two hundred eight-four dollars per  
39 student. For the 1994-95 academic year, services and activities fees

1 shall not exceed two hundred ninety dollars per student. The services  
2 and activities fee committee provided for in RCW 28B.15.045 may  
3 initiate a request to the governing board for a fee increase.

4 **Sec. 12.** RCW 28B.15.502 and 1992 c 231 s 11 are each amended to  
5 read as follows:

6 Tuition fees and maximum services and activities fees at each  
7 community college for other than the summer term shall be set by the  
8 state board for community and technical colleges as follows:

9 (1) For full time resident students, the total tuition fees for the  
10 1993-94 academic year shall be ((~~twenty-three~~)) ~~twenty-five and four-~~  
11 tenths percent and thereafter total tuition fees shall be twenty-eight  
12 and eight-tenths percent of the per student educational costs at the  
13 community colleges computed as provided in RCW 28B.15.067 and  
14 28B.15.070: PROVIDED, That the building fees for each academic year  
15 shall be one hundred and twenty-seven dollars and fifty cents.  
16 Beginning with the 1995-96 academic year the building fee for each  
17 academic year shall be a percentage of total tuition fees. This  
18 percentage shall be calculated by the higher education coordinating  
19 board and be based on the actual percentage the building fee is of  
20 total tuition in the 1994-95 academic year, rounded up to the nearest  
21 half percent.

22 (2) For full time nonresident students, the total tuition fees for  
23 the 1993-94 academic year shall be one hundred ~~nine and three-tenths~~  
24 percent and thereafter total tuition fees shall be one hundred twenty-  
25 two and seven-tenths percent of the per student educational costs at  
26 the community colleges computed as provided in RCW 28B.15.067 and  
27 28B.15.070: PROVIDED, That the building fees for each academic year  
28 shall be four hundred and three dollars and fifty cents. Beginning  
29 with the 1995-96 academic year the building fee for each academic year  
30 shall be a percentage of total tuition fees. This percentage shall be  
31 calculated by the higher education coordinating board and be based on  
32 the actual percentage the building fee is of total tuition in the 1994-  
33 95 academic year, rounded up to the nearest half percent.

34 (3) The governing boards of each of the state community colleges  
35 shall charge to and collect from each student a services and activities  
36 fee. Each governing board may increase the existing fee annually,  
37 consistent with budgeting procedures set forth in RCW 28B.15.045, by a  
38 percentage not to exceed the annual percentage increase in resident

1 student tuition fees: PROVIDED, That such percentage increase shall  
2 not apply to that portion of the services and activities fee previously  
3 committed to the repayment of bonded debt. For the 1993-94 academic  
4 year, services and activities fees shall not exceed one hundred twenty-  
5 eight dollars per student. For the 1994-95 academic year, services and  
6 activities fees shall not exceed one hundred thirty-one dollars per  
7 student. The services and activities fee committee provided for in RCW  
8 28B.15.045 may initiate a request to the governing board for a fee  
9 increase.

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

14 Subject to the limitations of RCW 28B.15.910, each governing board  
15 may charge such fees for ungraded courses, noncredit courses, community  
16 services courses, and self-supporting courses as it, in its discretion,  
17 may determine, consistent with the rules and regulations of the state  
18 board for community and technical colleges.

19 ~~((Before June 30, 1995, no individual waiver program under this~~  
20 ~~section may be reduced by more than twice the percentage reduction~~  
21 ~~required in operating fee foregone revenue from tuition waivers in the~~  
22 ~~biennial state appropriations act.))~~

23 **Sec. 13.** RCW 28B.15.515 and 1991 c 353 s 1 are each amended to  
24 read as follows:

25 (1) The boards of trustees of the community college districts may  
26 operate summer schools on either a self-supporting or a state-funded  
27 basis.

28 If summer school is operated on a self-supporting basis, the fees  
29 charged shall be retained by the colleges, and shall be sufficient to  
30 cover the direct costs, which are instructional salaries and related  
31 benefits, supplies, publications, and records.

32 Community colleges that have self-supporting summer schools shall  
33 continue to receive general fund state support for vocational programs  
34 that require that students enroll in a four quarter sequence of courses  
35 that includes summer quarter due to clinical or laboratory requirements  
36 and for ungraded courses limited to adult basic education, vocational  
37 apprenticeship, aging and retirement, small business management,  
38 industrial first aid, and parent education.

1           (2)((~~a~~)) The board of trustees of a community college district  
2 may permit the district's state-funded, full-time equivalent enrollment  
3 level, as provided in the (~~operating budget~~) omnibus state  
4 appropriations act, to vary (~~by plus or minus two percent each fiscal~~  
5 ~~year unless otherwise authorized in the operating budget appropriations~~  
6 ~~act~~). If the variance is above the state-funded level, the district  
7 may charge those students above the state-funded level a fee equivalent  
8 to the amount of tuition and fees that are charged students enrolled in  
9 state-funded courses. These fees shall be retained by the colleges.

10           (~~b~~) Any community college that in 1990-91 has an enrollment above  
11 the state-funded level but below the authorized variance may increase  
12 its excess enrollments to within the variance.

13           (c) Community colleges that currently have excess enrollments more  
14 than the authorized variance, by means of enrollments that would have  
15 otherwise been eligible for state funding, shall reduce those excess  
16 enrollments to within the authorized variance by September 1, 1995, in  
17 at least equal annual reductions, commencing with the 1991-92 fiscal  
18 year.

19           (d) ~~Except as permitted by (c) of this subsection, should the~~  
20 ~~number of student supported, full-time equivalent enrollments in any~~  
21 ~~fiscal year fall outside the authorized variance, the college shall~~  
22 ~~return by September 1st to the state general fund, an amount equal to~~  
23 ~~the college's full average state appropriations per full-time~~  
24 ~~equivalent student for such student-funded full-time equivalent outside~~  
25 ~~the variance, unless otherwise provided in the operating budget~~  
26 ~~appropriations act.~~)

27           (3) The state board for community and technical colleges  
28 (~~education~~) shall ensure compliance with this section.

29           NEW SECTION.   **Sec. 14.** The following acts or parts of acts are  
30 each repealed:

31           (1) RCW 28B.15.824 and 1992 c 231 s 36;

32           (2) RCW 28B.35.361 and 1990 c 154 s 3, 1985 c 390 s 46, 1977 ex.s.  
33 c 322 s 12, & 1977 ex.s. c 169 s 59; and

34           (3) RCW 28B.40.361 and 1990 c 154 s 4, 1985 c 390 s 53, 1977 ex.s.  
35 c 322 s 11, 1977 ex.s. c 169 s 78, 1973 1st ex.s. c 191 s 3, 1971 ex.s.  
36 c 279 s 16, & 1969 ex.s. c 269 s 9.



1        NEW SECTION.    **Sec. 15.**    All moneys in the accounts established  
2 under RCW 28B.15.824 on the effective date of this section are hereby  
3 appropriated to the respective institutions of higher education for  
4 deposit in the institution's local account established under RCW  
5 28B.15.031.

6        **Sec. 16.**    RCW 28B.15.520 and 1992 c 231 s 12 are each amended to  
7 read as follows:

8        Subject to the limitations of RCW 28B.15.910, the governing boards  
9 of the community colleges may:

10        (1) Waive all or a portion of tuition fees and services and  
11 activities fees for:

12        (a) Students nineteen years of age or older who are eligible for  
13 resident tuition and fee rates as defined in RCW 28B.15.012 through  
14 28B.15.015 and who enroll in a course of study or program which will  
15 enable them to finish their high school education and obtain a high  
16 school diploma or certificate; and

17        (b) Children of any law enforcement officer or fire fighter who  
18 lost his or her life or became totally disabled in the line of duty  
19 while employed by any public law enforcement agency or full time or  
20 volunteer fire department in this state: PROVIDED, That such persons  
21 may receive the waiver only if they begin their course of study at a  
22 community college within ten years of their graduation from high  
23 school;

24        (2) Waive all or a portion of the nonresident tuition fees  
25 differential for:

26        (a) Nonresident students enrolled in a community college course of  
27 study or program which will enable them to finish their high school  
28 education and obtain a high school diploma or certificate. The waiver  
29 shall be in effect only for those courses which lead to a high school  
30 diploma or certificate; and

31        (b) Up to forty percent of the students enrolled in the regional  
32 education program for deaf students, subject to federal funding of such  
33 program.

34        (~~((3) Before June 30, 1995, no individual waiver program under this~~  
35 ~~section may be reduced by more than twice the percentage reduction~~  
36 ~~required in operating fee foregone revenue from tuition waivers in the~~  
37 ~~biennial state appropriations act.))~~)

1       **Sec. 17.** RCW 28B.15.522 and 1992 c 231 s 13 are each amended to  
2 read as follows:

3       (1) The governing boards of the community colleges may waive all or  
4 a portion of the tuition and services and activities fees for persons  
5 under subsection (2) of this section pursuant to the following  
6 conditions:

7       (a) Such persons shall register for and be enrolled in courses on  
8 a space available basis and new course sections shall not be created as  
9 a result of the registration;

10       (b) Enrollment information on persons registered pursuant to this  
11 section shall be maintained separately from other enrollment  
12 information and shall not be included in official enrollment reports,  
13 nor shall such persons be considered in any enrollment statistics which  
14 would affect budgetary determinations; and

15       (c) Persons who enroll under this section shall have the same  
16 access to support services as do all other students and shall be  
17 subject to all course prerequisite requirements.

18       (2) A person is eligible for the waiver under subsection (1) of  
19 this section if the person:

20       (a) Meets the requirements for a resident student under RCW  
21 28B.15.011 through 28B.15.015;

22       (b) Is twenty-one years of age or older;

23       (c) At the time of initial enrollment under subsection (1) of this  
24 section, has not attended an institution of higher education for the  
25 previous six months;

26       (d) Is not receiving or is not entitled to receive unemployment  
27 compensation of any nature under Title 50 RCW; and

28       (e) Has an income at or below the need standard established under  
29 chapter 74.04 RCW by the department of social and health services.

30       (3) The state board for community and technical colleges shall  
31 adopt rules to carry out this section.

32       (~~((4) Before June 30, 1995, no individual waiver program under this  
33 section may be reduced by more than twice the percentage reduction  
34 required in operating fee foregone revenue from tuition waivers in the  
35 biennial state appropriations act.))~~)

36       **Sec. 18.** RCW 28B.15.527 and 1992 c 231 s 14 are each amended to  
37 read as follows:

1 Subject to the limitations of RCW 28B.15.910, the governing boards  
2 of the community colleges may waive all or a portion of the nonresident  
3 tuition fees differential for undergraduate students of foreign nations  
4 as follows:

5 (1) Priority in the awarding of waivers shall be given to students  
6 on academic exchanges and students participating in special programs  
7 recognized through formal agreements between states, cities, or  
8 institutions;

9 (2) The waiver programs under this section shall promote reciprocal  
10 placements and waivers in foreign nations for Washington residents.  
11 The number of foreign students granted waivers through this program  
12 shall not exceed the number of that institution's own students enrolled  
13 in approved study programs abroad during the same period;

14 (3) No reciprocal placements shall be required for up to thirty  
15 students participating in the Georgetown University scholarship program  
16 funded by the United States agency for international development;

17 (4) Participation shall be limited to one hundred full-time foreign  
18 students each year.

19 ~~((5) Before June 30, 1995, no individual waiver program under this  
20 section may be reduced by more than twice the percentage reduction  
21 required in operating fee foregone revenue from tuition waivers in the  
22 biennial state appropriations act.))~~

23 **Sec. 19.** RCW 28B.15.543 and 1992 c 231 s 17 are each amended to  
24 read as follows:

25 Subject to the limitations of RCW 28B.15.910, the governing boards  
26 of the state universities, the regional universities, The Evergreen  
27 State College, and the community colleges shall waive tuition and  
28 service and activities fees for recipients of the Washington scholars  
29 award under RCW 28A.600.100 through 28A.600.150 who received their  
30 awards before June 30, ~~((1992))~~ 1994. The governing boards may waive  
31 all or a portion of tuition and services and activities fees for those  
32 recipients of the Washington scholars award who received their awards  
33 after June 30, ~~((1992))~~ 1994. The waivers shall be used only for  
34 undergraduate studies. To qualify for the waiver, recipients shall  
35 enter the college or university within three years of high school  
36 graduation and maintain a minimum grade point average at the college or  
37 university equivalent to 3.30. Students shall be eligible for waivers  
38 for a maximum of twelve quarters or eight semesters and may transfer

1 among state-supported institutions of higher education during that  
2 period and continue to have the tuition and services and activities  
3 fees waived by the state-supported institution of higher education that  
4 the student attends. Should the student's cumulative grade point  
5 average fall below 3.30 during the first three quarters or two  
6 semesters, that student may petition the higher education coordinating  
7 board which shall have the authority to establish a probationary period  
8 until such time as the student's grade point average meets required  
9 standards.

10 ~~((Before June 30, 1995, no individual waiver program under this  
11 section may be reduced by more than twice the percentage reduction  
12 required in operating fee foregone revenue from tuition waivers in the  
13 biennial state appropriations act.))~~

14 **Sec. 20.** RCW 28B.15.545 and 1992 c 231 s 18 are each amended to  
15 read as follows:

16 Subject to the limitations of RCW 28B.15.910, the governing boards  
17 of the state universities, the regional universities, The Evergreen  
18 State College, and the community colleges shall waive tuition and  
19 services and activities fees for those recipients of the Washington  
20 award for vocational excellence established under RCW 28C.04.520  
21 through 28C.04.540 who received their awards before June 30, ~~((1992))~~  
22 1994. The governing boards may waive all or a portion of tuition and  
23 services and activities fees for those recipients of the Washington  
24 award for vocational excellence who received their awards after June  
25 30, ~~((1992))~~ 1994. Each recipient shall not receive a waiver for more  
26 than six quarters or four semesters. To qualify for the waiver,  
27 recipients shall enter the college or university within three years of  
28 receiving the award. A minimum grade point average at the college or  
29 university equivalent to 3.00, or an above-average rating at a  
30 technical college, shall be required in the first year to qualify for  
31 the second-year waiver. The tuition waiver shall be granted for  
32 undergraduate studies only.

33 ~~((Before June 30, 1995, no individual waiver program under this  
34 section may be reduced by more than twice the percentage reduction  
35 required in operating fee foregone revenue from tuition waivers in the  
36 biennial state appropriations act.))~~

1       **Sec. 21.** RCW 28B.15.556 and 1992 c 231 s 19 are each amended to  
2 read as follows:

3       Subject to the limitations of RCW 28B.15.910, the governing boards  
4 of the state universities, the regional universities, and The Evergreen  
5 State College may waive all or a portion of the tuition, and services  
6 and activities fees for undergraduate or graduate students of foreign  
7 nations subject to the following limitations:

8       (1) No more than the equivalent of one hundred waivers may be  
9 awarded to undergraduate or graduate students of foreign nations at  
10 each of the two state universities;

11       (2) No more than the equivalent of twenty waivers may be awarded to  
12 undergraduate or graduate students of foreign nations at each of the  
13 regional universities and The Evergreen State College;

14       (3) Priority in the awarding of waivers shall be given to students  
15 on academic exchanges or academic special programs sponsored by  
16 recognized international educational organizations; and

17       (4) An undergraduate or graduate student of a foreign nation  
18 receiving a waiver under this section is not eligible for any other  
19 waiver.

20       The waiver programs under this section, to the greatest extent  
21 possible, shall promote reciprocal placements and waivers in foreign  
22 nations for Washington residents. The number of waivers awarded by  
23 each institution shall not exceed the number of that institution's own  
24 students enrolled in approved study programs abroad during the same  
25 period.

26       ~~((5) Before June 30, 1995, no individual waiver program under this  
27 section may be reduced by more than twice the percentage reduction  
28 required in operating fee foregone revenue from tuition waivers in the  
29 biennial state appropriations act.))~~

30       **Sec. 22.** RCW 28B.15.600 and 1991 c 164 s 5 are each amended to  
31 read as follows:

32       The ~~((boards of regents))~~ governing boards of the ~~((state's))~~ state  
33 universities ~~((and the boards of trustees of))~~, the regional  
34 universities ~~((and))~~, The Evergreen State College, and the community  
35 colleges may refund or cancel in full the tuition and services and  
36 activities fees if the student withdraws from a university or college  
37 course or program prior to the sixth day of instruction of the quarter  
38 or semester for which ~~((said))~~ the fees have been paid or are due. If

1 the student withdraws on or after the sixth day of instruction,  
2 ~~((said))~~ the governing boards ~~((of regents and trustees))~~ may refund or  
3 cancel up to one-half of ~~((said))~~ the fees, provided such withdrawal  
4 occurs within the first thirty calendar days following the beginning of  
5 instruction. However, if a different policy is required by federal law  
6 in order for the institution of higher education to maintain  
7 eligibility for federal funding of programs, the governing board may  
8 adopt a refund policy that meets the minimum requirements of the  
9 federal law, and the policy may treat all students attending the  
10 institution in the same manner.

11 The ~~((regents or trustees))~~ governing boards of the respective  
12 universities and colleges may adopt rules for the refund of tuition and  
13 fees for courses or programs that begin after the start of the regular  
14 quarter or semester. ~~((Said))~~ The governing boards ~~((of regents and~~  
15 ~~trustees))~~ may adopt rules to comply with RCW 28B.15.623 and may extend  
16 the refund or cancellation period for students who withdraw for medical  
17 reasons or who are called into the military service of the United  
18 States(~~-~~

19 ~~Said boards of regents and trustees))~~ and may refund other fees  
20 pursuant to such rules as they may prescribe.

21 **Sec. 23.** RCW 28B.15.615 and 1992 c 231 s 21 are each amended to  
22 read as follows:

23 Subject to the limitations of RCW 28B.15.910, the governing boards  
24 of the state universities and the regional universities may exempt the  
25 following students from paying all or a portion of the resident  
26 operating fee: Students granted a graduate service appointment,  
27 designated as such by the institution, involving not less than twenty  
28 hours of work per week. The exemption shall be for the term of the  
29 appointment. The stipend paid to persons holding graduate student  
30 appointments from nonstate funds shall be reduced and the institution  
31 reimbursed from such funds in an amount equal to the resident operating  
32 fee which funds shall be transmitted to the general fund.

33 ~~((Before June 30, 1995, no individual waiver program under this~~  
34 ~~section may be reduced by more than twice the percentage reduction~~  
35 ~~required in operating fee foregone revenue from tuition waivers in the~~  
36 ~~biennial state appropriations act.))~~

1       **Sec. 24.** RCW 28B.15.620 and 1992 c 231 s 22 are each amended to  
2 read as follows:

3       Subject to the limitations of RCW 28B.15.910, the governing boards  
4 of the state universities, the regional universities, The Evergreen  
5 State College, and the community colleges may exempt veterans of the  
6 Vietnam conflict who have served in the southeast Asia theater of  
7 operations from the payment of any increase in tuition and fees  
8 otherwise applicable to any other resident or nonresident student. In  
9 such cases, the veteran shall not be required to pay more than the  
10 total amount of tuition and fees paid by veterans of the Vietnam  
11 conflict on October 1, 1977: PROVIDED, That for the purposes of this  
12 exemption, "veterans of the Vietnam conflict" shall be those persons  
13 who have been on active federal service as a member of the armed  
14 military or naval forces of the United States between a period  
15 commencing August 5, 1964, and ending on May 7, 1975, and who qualify  
16 as a resident student under RCW 28B.15.012, and who enrolled in state  
17 institutions of higher education on or before May 7, 1990. This  
18 section shall expire June 30, 1995.

19       ~~((Before June 30, 1995, no individual waiver program under this  
20 section may be reduced by more than twice the percentage reduction  
21 required in operating fee foregone revenue from tuition waivers in the  
22 biennial state appropriations act.))~~

23       **Sec. 25.** RCW 28B.15.628 and 1992 c 231 s 23 are each amended to  
24 read as follows:

25       Subject to the limitations of RCW 28B.15.910, the governing boards  
26 of the state universities, the regional universities, The Evergreen  
27 State College, and the community colleges may exempt veterans of the  
28 Persian Gulf combat zone from increases in tuition and fees that occur  
29 during and after their period of service. In such cases, the veteran  
30 shall not be required to pay more than the total amount of tuition and  
31 fees established for the 1990-91 academic year, if the veteran could  
32 have qualified as a Washington resident student under RCW  
33 28B.15.012(2), had he or she been enrolled as a student on August 1,  
34 1990, and if the veteran's adjusted gross family income as most  
35 recently reported to the internal revenue service does not exceed  
36 Washington state's median family income as established by the federal  
37 bureau of the census. For the purposes of this section, "a veteran of  
38 the Persian Gulf combat zone" means a person who during any portion of

1 calendar year 1991, served in active federal service as a member of the  
2 armed military or naval forces of the United States in a combat zone as  
3 designated by the president of the United States by executive order.

4 ~~((Before June 30, 1995, no individual waiver program under this  
5 section may be reduced by more than twice the percentage reduction  
6 required in operating fee foregone revenue from tuition waivers in the  
7 biennial state appropriations act.))~~

8 **Sec. 26.** RCW 28B.15.725 and 1992 c 231 s 24 are each amended to  
9 read as follows:

10 Subject to the limitations of RCW 28B.15.910, the governing boards  
11 of the state universities, the regional universities, and The Evergreen  
12 State College may enter into undergraduate upper division student  
13 exchange agreements with comparable public four-year institutions of  
14 higher education of other states and agree to exempt participating  
15 undergraduate upper division students from payment of all or a portion  
16 of the nonresident tuition fees differential subject to the following  
17 restrictions:

18 (1) In any given academic year, the number of students receiving a  
19 waiver at a state institution shall not exceed the number of that  
20 institution's students receiving nonresident tuition waivers at  
21 participating out-of-state institutions. Waiver imbalances that may  
22 occur in one year shall be off-set in the year immediately following.

23 (2) Undergraduate upper division student participation in an  
24 exchange program authorized by this section is limited to one academic  
25 year.

26 ~~((Before June 30, 1995, no individual waiver program under this  
27 section may be reduced by more than twice the percentage reduction  
28 required in operating fee foregone revenue from tuition waivers in the  
29 biennial state appropriations act.))~~

30 **Sec. 27.** RCW 28B.15.730 and 1992 c 231 s 25 are each amended to  
31 read as follows:

32 Subject to the limitations of RCW 28B.15.910, the state board for  
33 community and technical colleges and the governing boards of the state  
34 universities, the regional universities, the community colleges, and  
35 The Evergreen State College may waive all or a portion of the  
36 nonresident tuition fees differential for residents of Oregon, upon  
37 completion of and to the extent permitted by an agreement between the



1 higher education coordinating board and appropriate officials and  
2 agencies in Oregon granting similar waivers for residents of the state  
3 of Washington.

4 ~~((Before June 30, 1995, no individual waiver program under this  
5 section may be reduced by more than twice the percentage reduction  
6 required in operating fee foregone revenue from tuition waivers in the  
7 biennial state appropriations act.))~~

8 **Sec. 28.** RCW 28B.15.740 and 1992 c 231 s 26 are each amended to  
9 read as follows:

10 Subject to the limitations of RCW 28B.15.910, the governing boards  
11 of the state universities, the regional universities, The Evergreen  
12 State College, and the community colleges may waive all or a portion of  
13 tuition and fees subject to the following restrictions:

14 (1) Except as provided in subsection (2) of this section, the total  
15 dollar amount of tuition and fee waivers awarded by the governing  
16 boards shall not exceed four percent, except for the community colleges  
17 considered as a whole, such amount shall not exceed three percent of an  
18 amount determined by estimating the total collections from tuition and  
19 services and activities fees had no such waivers been made, and  
20 deducting the portion of that total amount that is attributable to the  
21 difference between resident and nonresident fees: PROVIDED, That at  
22 least three-fourths of the dollars waived shall be for needy students  
23 who are eligible for resident tuition and fee rates pursuant to RCW  
24 28B.15.012 ~~((through 28B.15.015))~~ and 28B.15.013: PROVIDED FURTHER,  
25 That the remainder of the dollars waived, not to exceed one-fourth of  
26 the total, may be applied to other students at the discretion of the  
27 governing boards, except on the basis of participation in  
28 intercollegiate athletic programs: PROVIDED FURTHER, That the waivers  
29 for undergraduate and graduate students of foreign nations under RCW  
30 28B.15.556 are not subject to the limitation under this section.

31 (2) In addition to the tuition and fee waivers provided in  
32 subsection (1) of this section and subject to the provisions of RCW  
33 28B.15.455 and 28B.15.460, a total dollar amount of tuition and fee  
34 waivers awarded by any state university, regional university, or state  
35 college under this chapter, not to exceed one percent, as calculated in  
36 subsection (1) of this section, may be used for the purpose of  
37 achieving or maintaining gender equity in intercollegiate athletic

1 programs. At any institution that has an underrepresented gender class  
2 in intercollegiate athletics, any such waivers shall be awarded:

3 (a) First, to members of the underrepresented gender class who  
4 participate in intercollegiate athletics, where such waivers result in  
5 saved or displaced money that can be used for athletic programs for the  
6 underrepresented gender class. Such saved or displaced money shall be  
7 used for programs for the underrepresented gender class; and

8 (b) Second, (i) to nonmembers of the underrepresented gender class  
9 who participate in intercollegiate athletics, where such waivers result  
10 in saved or displaced money that can be used for athletic programs for  
11 members of the underrepresented gender class. Such saved or displaced  
12 money shall be used for programs for the underrepresented gender class;  
13 or (ii) to members of the underrepresented gender class who participate  
14 in intercollegiate athletics, where such waivers do not result in any  
15 saved or displaced money that can be used for athletic programs for  
16 members of the underrepresented gender class.

17 ~~((3) Before June 30, 1995, no individual waiver program under this  
18 section may be reduced by more than twice the percentage reduction  
19 required in operating fee foregone revenue from tuition waivers in the  
20 biennial state appropriations act.))~~

21 **Sec. 29.** RCW 28B.15.750 and 1992 c 231 s 27 are each amended to  
22 read as follows:

23 Subject to the limitations of RCW 28B.15.910, the governing boards  
24 of the state universities, the regional universities, and The Evergreen  
25 State College and the state board for community and technical colleges  
26 may waive all or a portion of the nonresident tuition fees differential  
27 for residents of Idaho, upon completion of and to the extent permitted  
28 by an agreement between the higher education coordinating board and  
29 appropriate officials and agencies in Idaho granting similar waivers  
30 for residents of the state of Washington.

31 ~~((Before June 30, 1995, no individual waiver program under this  
32 section may be reduced by more than twice the percentage reduction  
33 required in operating fee foregone revenue from tuition waivers in the  
34 biennial state appropriations act.))~~

35 **Sec. 30.** RCW 28B.15.756 and 1992 c 231 s 28 are each amended to  
36 read as follows:

1 Subject to the limitations of RCW 28B.15.910, the governing boards  
2 of the state universities, the regional universities, and The Evergreen  
3 State College and the state board for community and technical colleges  
4 may waive all or a portion of the nonresident tuition fees differential  
5 for residents of the Canadian province of British Columbia, upon  
6 completion of and to the extent permitted by an agreement between the  
7 higher education coordinating board and appropriate officials and  
8 agencies in the Canadian province of British Columbia providing for  
9 enrollment opportunities for residents of the state of Washington  
10 without payment of tuition or fees in excess of those charged to  
11 residents of British Columbia.

12 ~~((Before June 30, 1995, no individual waiver program under this  
13 section may be reduced by more than twice the percentage reduction  
14 required in operating fee foregone revenue from tuition waivers in the  
15 biennial state appropriations act.))~~

16 **Sec. 31.** RCW 28B.15.910 and 1992 c 231 s 33 are each amended to  
17 read as follows:

18 (1) Except for revenue waived under programs listed in subsection  
19 (3) of this section, and unless otherwise expressly provided in the  
20 omnibus state appropriations act, the total amount of operating fees  
21 revenue waived, exempted, or reduced by a state university, a regional  
22 university, The Evergreen State College, or the community colleges as  
23 a whole, shall not exceed the percentage of total ~~((net))~~ gross  
24 authorized operating fees revenue set forth below. As used in this  
25 section, "~~((net))~~ gross authorized operating fees revenue" means the  
26 estimated gross operating fees revenue as estimated under RCW 82.33.020  
27 or as revised by the office of financial management, before granting  
28 any waivers(~~(, minus obligations under RCW 28B.15.820)~~). This  
29 limitation applies to all tuition waiver programs established before or  
30 after July 1, 1992.

- |                                      |            |
|--------------------------------------|------------|
| 31 (a) University of Washington      | 21 percent |
| 32 (b) Washington State University   | 20 percent |
| 33 (c) Eastern Washington University | 11 percent |
| 34 (d) Central Washington University | 8 percent  |
| 35 (e) Western Washington University | 10 percent |
| 36 (f) The Evergreen State College   | 6 percent  |
| 37 (g) Community colleges as a whole | 35 percent |

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

- 4 (a) RCW 28B.10.265;
- 5 (b) RCW 28B.15.014;
- 6 (c) RCW 28B.15.100;
- 7 (d) RCW 28B.15.225;
- 8 (e) RCW 28B.15.380;
- 9 (f) Ungraded courses under RCW 28B.15.502(4);
- 10 (g) RCW 28B.15.520;
- 11 (h) RCW 28B.15.526;
- 12 (i) RCW 28B.15.527;
- 13 (j) RCW 28B.15.543;
- 14 (k) RCW 28B.15.545;
- 15 (l) RCW 28B.15.555;
- 16 (m) RCW 28B.15.556;
- 17 (n) RCW 28B.15.615;
- 18 (o) RCW 28B.15.620;
- 19 (p) RCW 28B.15.628;
- 20 (q) RCW 28B.15.725;
- 21 (r) RCW 28B.15.730;
- 22 (s) RCW 28B.15.740;
- 23 (t) RCW 28B.15.750;
- 24 (u) RCW 28B.15.756;
- 25 (v) RCW 28B.50.259;
- 26 (w) RCW 28B.70.050; and
- 27 (x) RCW 28B.80.580.

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

- 31 (a) RCW 28B.15.522;
- 32 (b) RCW 28B.15.535;
- 33 (c) RCW 28B.15.540; and
- 34 (d) RCW 28B.15.558.

35 **Sec. 32.** RCW 28B.50.259 and 1992 c 231 s 29 are each amended to  
36 read as follows:

37 (1) The state board for community and technical colleges shall  
38 administer a program designed to provide higher education opportunities

1 to dislocated forest products workers and their unemployed spouses who  
2 are enrolled in a community or technical college for ten or more credit  
3 hours per quarter. In administering the program, the college board  
4 shall have the following powers and duties:

5 (a) With the assistance of an advisory committee, design a  
6 procedure for selecting dislocated forest products workers to  
7 participate in the program;

8 (b) Allocate funding to community and technical colleges attended  
9 by participants;

10 (c) Monitor the program and report on participants' progress and  
11 outcomes; and

12 (d) Report to the legislature by December 1, 1993, on the status of  
13 the program.

14 (2) Unemployed spouses of eligible dislocated forest products  
15 workers may participate in the program, but tuition and fees may be  
16 waived under the program only for the worker or the spouse and not  
17 both.

18 (3) Subject to the limitations of RCW 28B.15.910, the governing  
19 boards of the community and technical colleges may waive all or a  
20 portion of tuition and fees for program participants, for a maximum of  
21 six quarters within a two-year period.

22 (4) During any biennium, the number of full-time equivalent  
23 students to be served in this program shall be determined by the  
24 applicable omnibus appropriations act, and shall be in addition to the  
25 community college enrollment level funded by the applicable omnibus  
26 appropriations act.

27 ~~((5) Before June 30, 1995, no individual waiver program under this  
28 section may be reduced by more than twice the percentage reduction  
29 required in operating fee foregone revenue from tuition waivers in the  
30 biennial state appropriations act.))~~

31 **Sec. 33.** RCW 28B.70.050 and 1992 c 231 s 30 are each amended to  
32 read as follows:

33 When said compact becomes operative the governing board of each  
34 institution of higher education in this state, to the extent necessary  
35 to conform with the terms of the contractual agreement, subject to the  
36 limitations of RCW 28B.15.910, may exempt from payment all or a portion  
37 of the nonresident tuition fees differential, any student admitted to  
38 such institution under the terms of a contractual agreement entered

1 into with the commission in accord with the provisions of Article  
2 VIII(a) of the compact.

3 ~~((Before June 30, 1995, no individual waiver program under this  
4 section may be reduced by more than twice the percentage reduction  
5 required in operating fee foregone revenue from tuition waivers in the  
6 biennial state appropriations act.))~~

7 **Sec. 34.** RCW 28B.80.580 and 1992 c 231 s 31 are each amended to  
8 read as follows:

9 (1) The board shall contract with institutions of higher education  
10 to provide upper division classes to serve additional placebound  
11 students in the timber impact areas meeting the following criteria, as  
12 determined by the employment security department: (a) A lumber and  
13 wood products employment location quotient at or above the state  
14 average; (b) a direct lumber and wood products job loss of one hundred  
15 positions or more; and (c) an annual unemployment rate twenty percent  
16 above the state average; and which are not served by an existing state-  
17 funded upper division degree program. The number of full-time  
18 equivalent students served in this manner shall be determined by the  
19 applicable omnibus appropriations act. The board may direct that all  
20 the full-time equivalent enrollments be served in one of the eligible  
21 timber impact areas if it should determine that this would be the most  
22 viable manner of establishing the program and using available  
23 resources. The institutions shall utilize telecommunication  
24 technology, if available, to carry out the purposes of this section.  
25 Subject to the limitations of RCW 28B.15.910, the institutions  
26 providing the service may waive all or a portion of the tuition,  
27 ~~((and))~~ and service and activities fees for dislocated forest  
28 products workers or their unemployed spouses enrolled as one of the  
29 full-time equivalent students allocated to the college under this  
30 section.

31 (2) Unemployed spouses of eligible dislocated forest products  
32 workers may participate in the program, but tuition and fees may be  
33 waived under the program only for the worker or the spouse and not  
34 both.

35 (3) Subject to the limitations of RCW 28B.15.910, for any eligible  
36 participant, all or a portion of tuition may be waived for a maximum of  
37 four semesters or six quarters within a two-year time period. The

1 participant must be enrolled for a minimum of ten credits per semester  
2 or quarter.

3 ~~((Before June 30, 1995, no individual waiver program under this  
4 section may be reduced by more than twice the percentage reduction  
5 required in operating fee foregone revenue from tuition waivers in the  
6 biennial state appropriations act.))~~

7 **Sec. 35.** RCW 28B.101.040 and 1990 c 288 s 6 are each amended to  
8 read as follows:

9 Grants may be used by eligible participants to attend any public or  
10 private college or university in the state of Washington that has an  
11 existing unused capacity. Grants shall not be used to attend any  
12 branch campus or educational program established under chapter 28B.45  
13 RCW. The participant shall not be eligible for a grant if it will be  
14 used for any programs that include religious worship, exercise, or  
15 instruction or to pursue a degree in theology. Each participating  
16 student may receive up to two thousand five hundred dollars per  
17 academic year, not to exceed the student's demonstrated financial need  
18 for the course of study. Resident students as defined in RCW  
19 28B.15.012(2)(e) are not eligible for grants under this chapter.

20 **Sec. 36.** RCW 28B.102.020 and 1987 c 437 s 2 are each amended to  
21 read as follows:

22 Unless the context clearly requires otherwise, the definitions in  
23 this section apply throughout this chapter.

24 (1) "Conditional scholarship" means a loan that is forgiven in  
25 whole or in part if the recipient renders service as a teacher in the  
26 public schools of this state.

27 (2) "Institution of higher education" or "institution" means a  
28 college or university in the state of Washington which is accredited by  
29 an accrediting association recognized as such by rule of the higher  
30 education coordinating board.

31 (3) "Board" means the higher education coordinating board.

32 (4) "Eligible student" means a student who is registered for at  
33 least ten credit hours or the equivalent, demonstrates achievement of  
34 at least a 3.30 grade point average for students entering an  
35 institution of higher education directly from high school or maintains  
36 at least a 3.00 grade point average or the equivalent for each academic  
37 year in an institution of higher education, is a resident student as

1 defined by RCW 28B.15.012 (~~((through 28B.15.015))~~) and 28B.15.013, and  
2 has a declared intention to complete an approved preparation program  
3 leading to initial teacher certification or required for earning an  
4 additional endorsement, or a college or university graduate who meets  
5 the same credit hour requirements and is seeking an additional teaching  
6 endorsement or initial teacher certification. Resident students  
7 defined in RCW 28B.15.012(2)(e) are not eligible students under this  
8 chapter.

9 (5) "Public school" means an elementary school, a middle school,  
10 junior high school, or high school within the public school system  
11 referred to in Article IX of the state Constitution.

12 (6) "Forgiven" or "to forgive" or "forgiveness" means to render  
13 service as a teacher at a public school in the state of Washington in  
14 lieu of monetary repayment.

15 (7) "Satisfied" means paid-in-full.

16 (8) "Participant" means an eligible student who has received a  
17 conditional scholarship under this chapter.

18 (9) "Targeted ethnic minority" means a group of Americans with a  
19 common ethnic or racial heritage selected by the board for program  
20 consideration due to societal concerns such as high dropout rates or  
21 low rates of college participation by members of the group.

22 **Sec. 37.** RCW 82.04.170 and 1992 c 206 s 1 are each amended to read  
23 as follows:

24 "Tuition fee" includes library, laboratory, health service and  
25 other special fees, and amounts charged for room and board by an  
26 educational institution when the property or service for which such  
27 charges are made is furnished exclusively to the students or faculty of  
28 such institution. "Educational institution," as used in this section,  
29 means only those institutions created or generally accredited as such  
30 by the state and includes educational programs that such educational  
31 institution cosponsors with a nonprofit organization, as defined by the  
32 internal revenue code Sec. 501(c)(3), if such educational institution  
33 grants college credit for coursework successfully completed through the  
34 educational program, or defined as a degree granting institution under  
35 RCW 28B.85.010(3) and accredited by an accrediting association  
36 recognized by the United States secretary of education, and offering to  
37 students an educational program of a general academic nature or those  
38 institutions which are not operated for profit and which are privately



1 endowed under a deed of trust to offer instruction in trade, industry,  
2 and agriculture, but not including specialty schools, business  
3 colleges, other trade schools, or similar institutions.

4 NEW SECTION. **Sec. 38.** This act is necessary for the immediate  
5 preservation of the public peace, health, or safety, or support of the  
6 state government and its existing public institutions, and shall take  
7 effect July 1, 1993.

--- END ---