
ENGROSSED SECOND SUBSTITUTE SENATE BILL 5135

State of Washington

58th Legislature

2003 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Carlson, Kohl-Welles, West, Horn, Schmidt and Rossi)

READ FIRST TIME 03/10/03.

1 AN ACT Relating to increased tuition fees and fees for excess
2 credits taken at institutions of higher education; and adding a new
3 section to chapter 28B.15 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.15 RCW
6 to read as follows:

7 (1) For the purposes of this section, "cost of instruction" means
8 the average instructional support in state general funds and operating
9 fees per full-time equivalent undergraduate, at each respective
10 institution for the prior academic year, as disclosed by the higher
11 education coordinating board under RCW 28B.10.044.

12 (2) Credits earned through advance placement programs shall not be
13 applied to the total accumulated for the purposes of this section.

14 (3)(a) For resident undergraduate students who have accumulated
15 more than one hundred twenty-five percent of the number of credits
16 required to complete their respective baccalaureate degree at a state

1 university, regional university, or The Evergreen State College,
2 tuition fees shall equal a sum not less than the cost of instruction.

3 (b) For resident undergraduate students who have accumulated more
4 than one hundred twenty-five percent of the number of credits required
5 to complete their respective associate degree or certificate programs
6 at a state community or technical college, tuition fees shall equal a
7 sum not less than the cost of instruction.

8 (4)(a) For nonresident undergraduate students who have accumulated
9 more than one hundred twenty-five percent of the number of credits
10 required to complete their respective baccalaureate degree at a state
11 university, regional university, or The Evergreen State College,
12 tuition fees shall equal a sum not less than twice the cost of
13 instruction.

14 (b) For nonresident undergraduate students who have accumulated more
15 than one hundred twenty-five percent of the number of credits required
16 to complete their respective associate degree or certificate programs
17 at a state community or technical college, tuition fees shall equal a
18 sum not less than twice the cost of instruction.

19 (5) It is presumed that increased tuition fees will apply to all
20 students described in subsections (3) and (4) of this section unless
21 the student presents to his or her registrar evidence that one or more
22 of the following exemptions apply:

23 (a) The student is a dislocated worker as defined by RCW 50.04.075
24 or a person engaging in a job training program under the purview of the
25 work force training and education coordinating board;

26 (b) The student participates in the border county higher education
27 opportunity project under RCW 28B.80.806;

28 (c) The student is a certificated teacher of the K-12 school system
29 pursuing continuing education credits according to certification
30 requirements;

31 (d) The student has not been enrolled in an institution of higher
32 education during the preceding five years.

33 (6) Students who believe they are under extraordinary or unforeseen
34 academic or personal circumstances or were unable to complete their
35 baccalaureate degree program within the number of credits specified due
36 to institutional constraints may petition the higher education
37 coordinating board for a special waiver from the tuition provision of
38 subsections (3) and (4) of this section. The board shall create a

1 process through which student petitions may be fairly processed, heard,
2 and determined. The process shall include a one hundred dollar
3 administrative fee. The entire amount of the fee shall be refunded for
4 those students who make a successful petition.

5 (7) For students unable to enroll in a class required for the
6 student's major due to the sequencing of courses, if the student
7 enrolls in the class the next time it is offered, the institution must
8 waive the tuition and fees for that class.

9 (8) The general fund--state appropriation to an institution of
10 higher education may not be reduced by the additional amount of
11 operating fees revenue collected as a result of this section.

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