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SENATE BILL 5448

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State of Washington                      58th Legislature                      2003 Regular Session

By Senators Carlson, Kohl-Welles, Mulliken, Horn, Brown and Schmidt;  
by request of Governor Locke

Read first time 01/27/2003.                      Referred to Committee on Higher  
Education.

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

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

5            NEW SECTION.    **Sec. 1.** Public higher education funding is a shared  
6 responsibility between the state, students, and the public colleges and  
7 universities. Periodic increases in state funding, state financial  
8 aid, and tuition must be authorized to provide quality higher education  
9 for the citizens of Washington. It is the intent of the legislature to  
10 authorize the governing boards to establish tuition rates for all  
11 students other than resident undergraduates.

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

14            The term "operating fees" as used in this chapter shall include the  
15 fees, other than building fees, charged all students registering at the  
16 state's colleges and universities but shall not include fees for short  
17 courses, self-supporting degree credit programs and courses, marine  
18 station work, experimental station work, correspondence or extension

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

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

22 It is the intent of the legislature that:

23 In making appropriations from the state's general fund to  
24 institutions of higher education, each appropriation shall conform to  
25 the following:

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

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

34 (3) The general fund state appropriation shall not be reduced by  
35 the amount of operating fees revenue collected as a result of waiving  
36 less operating fees revenue than the amounts authorized under RCW

1 28B.15.910. State general fund appropriations shall not be provided  
2 for revenue foregone as a result of or for waivers granted under RCW  
3 28B.15.915.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 ~~(vii) For resident first professional students, eight thousand four~~  
2 ~~hundred thirty six dollars; and~~

3 ~~(viii) For nonresident first professional students, twenty one~~  
4 ~~thousand eight hundred sixty four dollars.~~

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

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

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

11 ~~(iii) For resident graduate students, three thousand eight hundred~~  
12 ~~seventy six dollars; and~~

13 ~~(iv) For nonresident graduate students, twelve thousand four~~  
14 ~~hundred fifty six dollars.~~

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

16 ~~(i) For resident students, one thousand three hundred sixty two~~  
17 ~~dollars; and~~

18 ~~(ii) For nonresident students, five thousand eight hundred eight~~  
19 ~~dollars.~~

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

34 (5)) For the 2003-04 academic year and each academic year  
35 thereafter, the governing boards of the state universities, the  
36 regional universities, The Evergreen State College, and the state board  
37 for community and technical colleges may reduce or increase full-time  
38 tuition fees for all students other than resident undergraduates,

1 including summer school students and students in other self-supporting  
2 degree programs. Percentage increases in full-time tuition fees may  
3 exceed the fiscal growth factor. Reductions or increases may be made  
4 for all or portions of an institution's programs, campuses, courses, or  
5 students.

6 (3) The tuition fees established under this chapter shall not apply  
7 to high school students enrolling in participating institutions of  
8 higher education under RCW 28A.600.300 through ~~((28A.600.395))~~  
9 28A.600.400.

10 **Sec. 5.** RCW 28B.15.069 and 1997 c 403 s 2 are each amended to read  
11 as follows:

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

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

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

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

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

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

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

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

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

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

28 (3)) The building fee for each academic year shall be a percentage  
29 of total tuition fees. This percentage shall be calculated by the  
30 higher education coordinating board and be based on the actual  
31 percentage the building fee is of total tuition for each tuition  
32 category in the 1994-95 academic year, rounded up to the nearest half  
33 percent.

34 ~~((4))~~(2) The governing boards of each institution of higher  
35 education, except for the technical colleges, shall charge to and  
36 collect from each student a services and activities fee. A governing  
37 board may increase the existing fee annually, consistent with budgeting

1 procedures set forth in RCW 28B.15.045, by a percentage not to exceed  
2 the annual percentage increase in student tuition fees for (~~the~~  
3 ~~applicable—tuition—category~~) resident undergraduate students:  
4 PROVIDED, That such percentage increase shall not apply to that portion  
5 of the services and activities fee previously committed to the  
6 repayment of bonded debt. These rate adjustments may exceed the fiscal  
7 growth factor. For the 2003-04 academic year, the services and  
8 activities fee shall be based upon the resident undergraduate services  
9 and activities fee in 2002-03. The services and activities fee  
10 committee provided for in RCW 28B.15.045 may initiate a request to the  
11 governing board for a fee increase.

12 ~~((+5))~~(3) Tuition and services and activities fees consistent with  
13 subsection ~~((+4))~~(2) of this section shall be set by the state board  
14 for community and technical colleges for community college summer  
15 school students unless the community college charges fees in accordance  
16 with RCW 28B.15.515.

17 ~~((+6))~~(4) Subject to the limitations of RCW 28B.15.910, each  
18 governing board of a community college may charge such fees for  
19 ungraded courses, noncredit courses, community services courses, and  
20 self-supporting courses as it, in its discretion, may determine,  
21 consistent with the rules of the state board for community and  
22 technical colleges.

23 **Sec. 6.** RCW 28B.15.100 and 1999 c 321 s 2 are each amended to read  
24 as follows:

25 (1) The governing boards of the state universities, the regional  
26 universities, The Evergreen State College, and the community colleges  
27 shall charge to and collect from each of the students registering at  
28 the particular institution for any quarter or semester such tuition  
29 fees and services and activities fees, and other fees as such board  
30 shall in its discretion determine. The total of all fees shall be  
31 rounded to the nearest whole dollar amount: PROVIDED, That such  
32 tuition fees (~~for other than the summer term~~) shall be (~~in the~~  
33 ~~amounts for the respective institutions as otherwise set forth in~~)  
34 established in accordance with RCW 28B.15.067.

35 (2) Part-time students shall be charged tuition and services and  
36 activities fees proportionate to full-time student rates established  
37 for residents and nonresidents: PROVIDED, That except for students

1 registered at community colleges, students registered for fewer than  
2 two credit hours shall be charged tuition and services and activities  
3 fees at the rate established for two credit hours: PROVIDED FURTHER,  
4 That, subject to the limitations of RCW 28B.15.910, residents of Idaho  
5 or Oregon who are enrolled in community college district number twenty  
6 for six or fewer credits during any quarter or semester may be exempted  
7 from payment of all or a portion of the nonresident tuition fees  
8 differential upon a declaration by the higher education coordinating  
9 board that it finds Washington residents from the community college  
10 district are afforded substantially equivalent treatment by such other  
11 states.

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

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