

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 5734

Chapter 574, Laws of 2009
(partial veto)
61st Legislature
2009 Regular Session

TUITION FEES

EFFECTIVE DATE: 07/26/09

Passed by the Senate April 24, 2009
YEAS 36 NAYS 8

BRAD OWEN

President of the Senate

Passed by the House April 22, 2009
YEAS 53 NAYS 44

FRANK CHOPP

Speaker of the House of Representatives

Approved May 19, 2009, 4:07 p.m., with
the exception of section 2 which is
vetoed.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Thomas Hoemann, Secretary of
the Senate of the State of
Washington, do hereby certify that
the attached is **SUBSTITUTE SENATE
BILL 5734** as passed by the Senate
and the House of Representatives
on the dates hereon set forth.

THOMAS HOEMANN

Secretary

FILED

May 20, 2009

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5734

AS AMENDED BY THE HOUSE

Passed Legislature - 2009 Regular Session

State of Washington 61st Legislature 2009 Regular Session

By Senate Higher Education & Workforce Development (originally sponsored by Senators Kilmer, Delvin, and Shin; by request of Higher Education Coordinating Board)

READ FIRST TIME 02/17/09.

1 AN ACT Relating to tuition fees; amending RCW 28B.15.067; and
2 creating a new section.

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

4 **Sec. 1.** RCW 28B.15.067 and 2007 c 355 s 7 are each amended to read
5 as follows:

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

8 (2) Beginning with the 2003-04 academic year and ending with the
9 ((2008-09)) 2012-13 academic year, reductions or increases in full-time
10 tuition fees for resident undergraduates shall be as provided in the
11 omnibus appropriations act.

12 (3)(a) Beginning with the 2003-04 academic year and ending with the
13 ((2008-09)) 2012-13 academic year, the governing boards of the state
14 universities, the regional universities, The Evergreen State College,
15 and the state board for community and technical colleges may reduce or
16 increase full-time tuition fees for all students other than resident
17 undergraduates, including summer school students and students in other
18 self-supporting degree programs. Percentage increases in full-time

1 tuition fees may exceed the fiscal growth factor. Reductions or
2 increases may be made for all or portions of an institution's programs,
3 campuses, courses, or students.

4 (b) Prior to reducing or increasing tuition for each academic year,
5 the governing boards of the state universities, the regional
6 universities, and The Evergreen State College shall consult with
7 existing student associations or organizations with student
8 undergraduate and graduate representatives regarding the impacts of
9 potential tuition increases. Governing boards shall be required to
10 provide data regarding the percentage of students receiving financial
11 aid, the sources of aid, and the percentage of total costs of
12 attendance paid for by aid.

13 (c) Prior to reducing or increasing tuition for each academic year,
14 each college in the state board for community and technical college
15 system shall consult with existing student associations or
16 organizations with undergraduate student representation regarding the
17 impacts of potential tuition increases. Colleges shall provide data
18 regarding the percentage of students receiving financial aid, the
19 sources of aid, and the percentage of total costs of attendance paid
20 for by aid.

21 (4) Academic year tuition for full-time students at the state's
22 institutions of higher education beginning with ~~((2009-10))~~ 2015-16,
23 other than summer term, shall be as charged during the ~~((2008-09))~~
24 2014-15 academic year unless different rates are adopted by the
25 legislature.

26 (5) The tuition fees established under this chapter shall not apply
27 to high school students enrolling in participating institutions of
28 higher education under RCW 28A.600.300 through 28A.600.400.

29 (6) The tuition fees established under this chapter shall not apply
30 to eligible students enrolling in a community or technical college
31 under RCW 28C.04.610.

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

36 (8) For the academic years 2003-04 through 2008-09, the University
37 of Washington shall use an amount equivalent to ten percent of all

1 revenues received as a result of law school tuition increases beginning
2 in academic year 2000-01 through academic year 2008-09 to assist needy
3 low and middle-income resident law students.

4 (9) For the academic years 2003-04 through 2008-09, institutions of
5 higher education shall use an amount equivalent to ten percent of all
6 revenues received as a result of graduate academic school tuition
7 increases beginning in academic year 2003-04 through academic year
8 2008-09 to assist needy low and middle-income resident graduate
9 academic students.

10 (10) Any tuition increases above seven percent shall fund costs of
11 instruction, library and student services, utilities and maintenance,
12 other costs related to instruction as well as institutional financial
13 aid. Through 2010-11, any funding reductions to instruction, library
14 and student services, utilities and maintenance and other costs related
15 to instruction shall be proportionally less than other program areas
16 including administration.

17 ****NEW SECTION. Sec. 2. (1) Within existing resources, the joint***
18 ***legislative audit and review committee shall complete a systemic***
19 ***performance audit of the state universities, regional universities, and***
20 ***The Evergreen State College. The purpose of the audit is to create a***
21 ***transparent link between revenues, expenditures, and performance***
22 ***outcomes as outlined in the performance agreements developed under RCW***
23 ***28B.10.920 and the strategic master plan for higher education as***
24 ***adopted by the legislature. The study shall:***

25 (a) ***Identify standardized categories of costs that will allow***
26 ***comparison across various administrative, student support, and academic***
27 ***functions;***

28 (b) ***Based on available management data, estimate current annual***
29 ***costs at each institution for the various cost categories;***

30 (c) ***Based on available management data, identify fund sources that***
31 ***support the cost categories at each institution; and***

32 (d) ***Identify barriers or gaps in data linking revenues,***
33 ***expenditures, and performance agreement outcome measures.***

34 (2) ***The auditor shall report findings and recommendations to the***
35 ***appropriate committees of the legislature by December 1, 2010. The***
36 ***report shall include, but is not limited to, the following elements as***
37 ***they relate to the purpose of the audit:***

1 (a) *The identification of cost savings and programs or services*
2 *that could be eliminated;*

3 (b) *Analysis of gaps or overlaps in programs or services and*
4 *recommendations to correct gaps or overlaps;*

5 (c) *Feasibility of pooling technology systems or elements of*
6 *technology systems pursuant to chapter . . . RCW (Second Substitute*
7 *House Bill No. 1946), Laws of 2009;*

8 (d) *Recommendations for statutory or regulatory changes that may be*
9 *necessary for the state universities, regional universities, and The*
10 *Evergreen State College to meet performance agreement objectives*
11 *mutually agreed upon pursuant to RCW 28B.10.922; and*

12 (e) *Recommendations on the development of a uniform higher*
13 *education performance, budgeting, accounting, and reporting system.*

**Sec. 2 was vetoed. See message at end of chapter.*

Passed by the Senate April 24, 2009.

Passed by the House April 22, 2009.

Approved by the Governor May 19, 2009, with the exception of
certain items that were vetoed.

Filed in Office of Secretary of State May 20, 2009.

Note: Governor's explanation of partial veto is as follows:

"I have approved, except for Section 2, Substitute Senate Bill 5734
entitled:

"AN ACT Relating to tuition fees."

Section 2 of Substitute Senate Bill 5734 is identical to Section 3 in
Engrossed Substitute House Bill 2344 that I signed yesterday. Signing
two bills with identical sections may cause confusion, so I am vetoing
this iteration of the performance audit requirement.

For this reason, I have vetoed Section 2 of Substitute Senate Bill 5734.

With the exception of Section 2, Substitute Senate Bill 5734 is
approved."