

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2313**

Chapter 228, Laws of 2012

62nd Legislature  
2012 Regular Session

HIGHER EDUCATION--BOARDS OF TRUSTEES OR REGENTS--MEETING  
REQUIREMENTS

EFFECTIVE DATE: 06/07/12

Passed by the House March 5, 2012  
Yeas 98 Nays 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Passed by the Senate February 28, 2012  
Yeas 48 Nays 0

BRAD OWEN

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**President of the Senate**

Approved March 30, 2012, 11:51 a.m.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2313** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

\_\_\_\_\_  
**Chief Clerk**

FILED

March 30, 2012

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2313**

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AS AMENDED BY THE SENATE

Passed Legislature - 2012 Regular Session

**State of Washington                      62nd Legislature                      2012 Regular Session**

**By** House Higher Education (originally sponsored by Representatives Zeiger, Carlyle, Probst, Wilcox, Anderson, Haler, Fagan, Reykdal, Springer, Buys, Pollet, Wylie, Crouse, Jenkins, Moscoso, and Overstreet)

READ FIRST TIME 01/31/12.

1            AN ACT Relating to the meeting procedures of the boards of trustees  
2 and boards of regents of institutions of higher education; and amending  
3 RCW 28B.20.105, 28B.30.120, 28B.35.110, 28B.40.110, 28B.50.100, and  
4 28B.15.067.

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

6            **Sec. 1.** RCW 28B.20.105 and 2011 c 336 s 717 are each amended to  
7 read as follows:

8            The board shall organize by electing from its membership a  
9 president and an executive committee, of which committee the president  
10 shall be ex officio chair. The board may adopt bylaws or rules and  
11 regulations for its own government and shall follow procedures for open  
12 public meetings in chapter 42.30 RCW. The board shall provide time for  
13 public comment at each meeting. The board shall hold regular quarterly  
14 meetings, and during the interim between such meetings the executive  
15 committee may transact business for the whole board: PROVIDED, That  
16 the executive committee may call special meetings of the whole board  
17 when such action is deemed necessary.

1       **Sec. 2.** RCW 28B.30.120 and 1979 ex.s. c 103 s 6 are each amended  
2 to read as follows:

3       Meetings of the board of regents may be called in such manner as  
4 the board may prescribe((τ)) and shall follow procedures for open  
5 public meetings in chapter 42.30 RCW. A full meeting of the board  
6 shall be called at least once a year. The board shall provide time for  
7 public comment at each meeting. No vacancy in said board shall impair  
8 the rights of the remaining members of the board.

9       **Sec. 3.** RCW 28B.35.110 and 2011 c 336 s 727 are each amended to  
10 read as follows:

11       Each board of regional university trustees shall hold at least two  
12 regular meetings each year, at such times as may be provided by the  
13 board, and shall follow procedures for open public meetings in chapter  
14 42.30 RCW. Each board shall provide time for public comment at each  
15 meeting. Special meetings shall be held as may be deemed necessary,  
16 whenever called by the chair or by a majority of the board. Public  
17 notice of all meetings shall be given in accordance with chapter 42.32  
18 RCW.

19       **Sec. 4.** RCW 28B.40.110 and 2011 c 336 s 733 are each amended to  
20 read as follows:

21       The board of The Evergreen State College trustees shall hold at  
22 least two regular meetings each year, at such times as may be provided  
23 by the board, and shall follow procedures for open public meetings in  
24 chapter 42.30 RCW. The board shall provide time for public comment at  
25 each meeting. Special meetings shall be held as may be deemed  
26 necessary, whenever called by the chair or by a majority of the board.  
27 Public notice of all meetings shall be given in accordance with chapter  
28 42.32 RCW.

29       **Sec. 5.** RCW 28B.50.100 and 2011 c 336 s 739 are each amended to  
30 read as follows:

31       There is hereby created a board of trustees for each college  
32 district as set forth in this chapter. Each board of trustees shall be  
33 composed of five trustees, who shall be appointed by the governor for  
34 terms commencing October 1st of the year in which appointed. In making  
35 such appointments the governor shall give consideration to geographical

1 diversity, and representing labor, business, women, and racial and  
2 ethnic minorities, in the membership of the boards of trustees. The  
3 boards of trustees for districts containing technical colleges shall  
4 include at least one member from business and one member from labor.

5 The successors of the trustees initially appointed shall be  
6 appointed by the governor to serve for a term of five years except that  
7 any person appointed to fill a vacancy occurring prior to the  
8 expiration of any term shall be appointed only for the remainder of the  
9 term. Each member shall serve until a successor is appointed and  
10 qualified.

11 Every trustee shall be a resident and qualified elector of the  
12 college district. No trustee may be an employee of the community and  
13 technical college system, a member of the board of directors of any  
14 school district, or a member of the governing board of any public or  
15 private educational institution.

16 Each board of trustees shall organize itself by electing a chair  
17 from its members. The board shall adopt a seal and may adopt such  
18 bylaws, rules, and regulations as it deems necessary for its own  
19 government. Three members of the board shall constitute a quorum, but  
20 a lesser number may adjourn from time to time and may compel the  
21 attendance of absent members in such manner as prescribed in its  
22 bylaws, rules, or regulations. The district president, or if there be  
23 none, the president of the college, shall serve as, or may designate  
24 another person to serve as, the secretary of the board, who shall not  
25 be deemed to be a member of the board.

26 Each board of trustees shall follow procedures for open public  
27 meetings in chapter 42.30 RCW. Each board shall provide time for  
28 public comment at each meeting.

29 Members of the boards of trustees may be removed for misconduct or  
30 malfeasance in office in the manner provided by RCW 28B.10.500.

31 **Sec. 6.** RCW 28B.15.067 and 2011 1st sp.s. c 10 s 3 are each  
32 amended to read as follows:

33 (1) Tuition fees shall be established under the provisions of this  
34 chapter.

35 (2) Beginning in the 2011-12 academic year, reductions or increases  
36 in full-time tuition fees shall be as provided in the omnibus  
37 appropriations act for resident undergraduate students at community and

1 technical colleges. The governing boards of the state universities,  
2 regional universities, and The Evergreen State College; and the state  
3 board for community and technical colleges may reduce or increase full-  
4 time tuition fees for all students other than resident undergraduates,  
5 including nonresident students, summer school students, and students in  
6 other self-supporting degree programs. Percentage increases in full-  
7 time tuition may exceed the fiscal growth factor. The state board for  
8 community and technical colleges may pilot or institute differential  
9 tuition models. The board may define scale, scope, and rationale for  
10 the models.

11 (3)(a) Beginning with the 2011-12 academic year and through the end  
12 of the 2014-15 academic year, the governing boards of the state  
13 universities, the regional universities, and The Evergreen State  
14 College may reduce or increase full-time tuition fees for all students,  
15 including summer school students and students in other self-supporting  
16 degree programs. Percentage increases in full-time tuition fees may  
17 exceed the fiscal growth factor. Reductions or increases may be made  
18 for all or portions of an institution's programs, campuses, courses, or  
19 students.

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

35 (c) Prior to reducing or increasing tuition for each academic year,  
36 the state board for community and technical college system shall  
37 consult with existing student associations or organizations with  
38 undergraduate student representation regarding the impacts of potential

1 tuition increases. The state board for community and technical  
2 colleges shall provide data regarding the percentage of students  
3 receiving financial aid, the sources of aid, and the percentage of  
4 total costs of attendance paid for by aid.

5 (4) Beginning with the 2015-16 academic year through the 2018-19  
6 academic year, the governing boards of the state universities, regional  
7 universities, and The Evergreen State College may set tuition for  
8 resident undergraduates as follows:

9 (a) If state funding for a college or university falls below the  
10 state funding provided in the operating budget for fiscal year 2011,  
11 the governing board may increase tuition up to the limits set in (d) of  
12 this subsection, reduce enrollments, or both;

13 (b) If state funding for a college or university is at least at the  
14 level of state funding provided in the operating budget for fiscal year  
15 2011, the governing board may increase tuition up to the limits set in  
16 (d) of this subsection and shall continue to at least maintain the  
17 actual enrollment levels for fiscal year 2011 or increase enrollments  
18 as required in the omnibus appropriations act; (~~and~~)

19 (c) If state funding is increased so that combined with resident  
20 undergraduate tuition the sixtieth percentile of the total per-student  
21 funding at similar public institutions of higher education in the  
22 global challenge states under RCW 28B.15.068 is exceeded, the governing  
23 board shall decrease tuition by the amount needed for the total per-  
24 student funding to be at the sixtieth percentile under RCW 28B.15.068;  
25 and

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

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

33 (6) The tuition fees established under this chapter shall not apply  
34 to eligible students enrolling in a dropout reengagement program  
35 through an interlocal agreement between a school district and a  
36 community or technical college under RCW 28A.175.100 through  
37 28A.175.110.

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

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

Passed by the House March 5, 2012.

Passed by the Senate February 28, 2012.

Approved by the Governor March 30, 2012.

Filed in Office of Secretary of State March 30, 2012.