
SUBSTITUTE SENATE BILL 6399

State of Washington

62nd Legislature

2012 Regular Session

By Senate Higher Education & Workforce Development (originally sponsored by Senators Frockt, Tom, and Shin)

READ FIRST TIME 02/02/12.

1 AN ACT Relating to program fees at institutions of higher
2 education; amending RCW 28B.15.067; and reenacting and amending RCW
3 28B.15.031.

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

5 **Sec. 1.** RCW 28B.15.031 and 2011 1st sp.s. c 10 s 2 and 2011 c 274
6 s 2 are each reenacted and amended to read as follows:

7 (1) The term "operating fees" as used in this chapter shall include
8 the fees, other than building fees, charged all students registering at
9 the state's colleges and universities but shall not include fees for
10 short courses, self-supporting degree credit programs and courses,
11 marine station work, experimental station work, correspondence or
12 extension courses, and individual instruction and student deposits or
13 rentals, disciplinary and library fines, fees unique to specific
14 programs of study, which colleges and universities shall have the right
15 to impose, laboratory, gymnasium, health, technology and student
16 activity fees, or fees, charges, rentals, and other income derived from
17 any or all revenue producing lands, buildings and facilities of the
18 colleges or universities heretofore or hereafter acquired, constructed
19 or installed, including but not limited to income from rooms,

1 dormitories, dining rooms, hospitals, infirmaries, housing or student
2 activity buildings, vehicular parking facilities, land, or the
3 appurtenances thereon, or such other special fees as may be established
4 by any college or university board of trustees or regents from time to
5 time. All moneys received as operating fees at any institution of
6 higher education shall be deposited in a local account containing only
7 operating fees revenue and related interest: PROVIDED, That a minimum
8 of five percent of operating fees shall be retained by the four-year
9 institutions of higher education that increase tuition for resident
10 undergraduate students above assumed tuition increases in the omnibus
11 appropriations act, a minimum of four percent of operating fees shall
12 be retained by four-year institutions of higher education that do not
13 increase tuition for resident undergraduates above assumed increases in
14 the omnibus appropriations act, and a minimum of three and one-half
15 percent of operating fees shall be retained by the community and
16 technical colleges for the purposes of RCW 28B.15.820. At least thirty
17 percent of operating fees required to be retained by the four-year
18 institutions for purposes of RCW 28B.15.820 shall be used only for the
19 purposes of RCW 28B.15.820(10).

20 (2)(a) Before establishing, reducing, or increasing fees unique to
21 specific programs of study as specified under subsection (1) of this
22 section:

23 (i) The governing boards of the state universities, the regional
24 universities, and The Evergreen State College shall consult with
25 existing student associations or organizations with student
26 undergraduate and graduate representatives regarding the impacts of
27 establishing, reducing, or increasing these fees; and

28 (ii) The state board for community and technical colleges shall
29 consult with existing student associations or organizations with
30 student undergraduate representatives regarding the impacts of
31 establishing, reducing, or increasing these fees.

32 (b) The state universities, the regional universities, The
33 Evergreen State College, and the state board for community and
34 technical colleges shall offset these fees with financial aid awards
35 for those who are eligible. Financial aid sources may be:

36 (i) Tuition revenue or locally held funds;

37 (ii) Tuition waivers; or

38 (iii) State or local financial aid programs.

1 (c) By August 15th of the year in which the fees in this subsection
2 (2) are first implemented and August 15th every year thereafter, the
3 state universities, the regional universities, The Evergreen State
4 College, and the state board for community and technical colleges shall
5 submit a report to the governor and the relevant committees of the
6 legislature that includes:

7 (i) A list of programs that have implemented, increased, or reduced
8 these fees and the corresponding monetary value of these fees; and

9 (ii) The effect of such fees on class sizes, graduation rates,
10 financial aid, and enrollment patterns.

11 (3) In addition to the three and one-half percent of operating fees
12 retained by the institutions under subsection (1) of this section, up
13 to three percent of operating fees charged to students at community and
14 technical colleges shall be transferred to the community and technical
15 college innovation account for the implementation of the college
16 board's strategic technology plan in RCW 28B.50.515. The percentage to
17 be transferred to the community and technical college innovation
18 account shall be determined by the college board each year but shall
19 not exceed three percent of the operating fees collected each year.

20 ~~((+3))~~ (4) Local operating fee accounts shall not be subject to
21 appropriation by the legislature or allotment procedures under chapter
22 43.88 RCW.

23 (5) For the purposes of this section, "fees unique to specific
24 programs of study" means fees that are:

25 (a) Not charged to all students registering at the state's colleges
26 and universities; and

27 (b) Charged to offset the increased cost of delivery of the
28 particular courses or degree programs relative to the average cost of
29 delivering other courses or degree programs offered by the institution.

30 **Sec. 2.** RCW 28B.15.067 and 2011 1st sp.s. c 10 s 3 are each
31 amended to read as follows:

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

34 (2) Beginning in the 2011-12 academic year, reductions or increases
35 in full-time tuition fees shall be as provided in the omnibus
36 appropriations act for resident undergraduate students at community and
37 technical colleges. The governing boards of the state universities,

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

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

19 (b) Prior to reducing or increasing tuition for each academic year,
20 the governing boards of the state universities, the regional
21 universities, and The Evergreen State College shall consult with
22 existing student associations or organizations with student
23 undergraduate and graduate representatives regarding the impacts of
24 potential tuition increases. Governing boards shall be required to
25 provide data regarding the percentage of students receiving financial
26 aid, the sources of aid, and the percentage of total costs of
27 attendance paid for by aid.

28 (c) Prior to reducing or increasing tuition for each academic year,
29 the state board for community and technical college system shall
30 consult with existing student associations or organizations with
31 undergraduate student representation regarding the impacts of potential
32 tuition increases. The state board for community and technical
33 colleges shall provide data regarding the percentage of students
34 receiving financial aid, the sources of aid, and the percentage of
35 total costs of attendance paid for by aid.

36 (4) Beginning with the 2015-16 academic year through the 2018-19
37 academic year, the governing boards of the state universities, regional

1 universities, and The Evergreen State College may set tuition for
2 resident undergraduates as follows:

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

7 (b) If state funding for a college or university is at least at the
8 level of state funding provided in the operating budget for fiscal year
9 2011, the governing board may increase tuition up to the limits set in
10 (d) of this subsection and shall continue to at least maintain the
11 actual enrollment levels for fiscal year 2011 or increase enrollments
12 as required in the omnibus appropriations act; ~~((and))~~

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

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

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

27 (6) The tuition fees established under this chapter shall not apply
28 to eligible students enrolling in a dropout reengagement program
29 through an interlocal agreement between a school district and a
30 community or technical college under RCW 28A.175.100 through
31 28A.175.110.

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) Beginning in the 2019-20 academic year, reductions or increases
37 in full-time tuition fees for resident undergraduates at four-year

1 institutions of higher education shall be as provided in the omnibus
2 appropriations act.

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