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SENATE BILL 5814

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State of Washington

52nd Legislature

1991 Regular Session

By Senators Saling and Rasmussen.

Read first time February 22, 1991. Referred to Committee on Ways & Means.

1 AN ACT Relating to funding additional enrollments at institutions  
2 of higher education; amending RCW 28B.15.202, 28B.15.402, 28B.15.502,  
3 28B.15.520, and 28B.15.740; reenacting and amending RCW 28B.15.014;  
4 creating new sections; repealing RCW 28B.15.524, 28B.15.526,  
5 28B.15.527, 28B.15.555, and 28B.15.556; making appropriations;  
6 providing an effective date; and declaring an emergency.

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

8 NEW SECTION. **Sec. 1.** It is the intent of this act to provide  
9 the funding necessary to implement Senate Bill No. 5174, the higher  
10 education opportunity act of 1991. Any increased revenues to the state  
11 general fund resulting from this act shall be utilized for the purpose  
12 of providing the funding necessary for additional state-funded  
13 enrollments at our state institutions of higher education.

1       **Sec. 2.** RCW 28B.15.014 and 1989 c 306 s 3 and 1989 c 290 s 3 are  
2 each reenacted and amended to read as follows:

3       The following nonresidents shall be exempted from paying the  
4 nonresident tuition and fee differential:

5       (1) Any person who resides in the state of Washington and who holds  
6 a graduate service appointment designated as such by a public  
7 institution of higher education or is employed for an academic  
8 department in support of the instructional or research programs  
9 involving not less than twenty hours per week during the term such  
10 person shall hold such appointment.

11       ~~((Any faculty member, classified staff member or  
12 administratively exempt employee holding not less than a half time  
13 appointment at an institution who resides in the state of Washington,  
14 and the dependent children and spouse of such persons.~~

15       ~~(3))~~ Active-duty military personnel stationed in the state of  
16 Washington and the spouses and dependents of such military personnel.

17       ~~((4) Any immigrant refugee and the spouse and dependent children  
18 of such refugee, if the refugee (a) is on parole status, or (b) has  
19 received an immigrant visa, or (c) has applied for United States  
20 citizenship.~~

21       ~~(5))~~ (3) Domestic exchange students participating in the program  
22 created under RCW 28B.15.725.

23       ~~((6))~~ (4) Any dependent of a member of the United States congress  
24 representing the state of Washington.

25       **Sec. 3.** RCW 28B.15.202 and 1985 c 390 s 19 are each amended to  
26 read as follows:

27       Tuition fees and services and activities fees at the University of  
28 Washington and at Washington State University for other than summer  
29 quarters or semesters shall be as follows:

1 (1) For full time resident undergraduate students and all other  
2 full time resident students not in graduate study programs or enrolled  
3 in programs leading to the degrees of doctor of medicine, doctor of  
4 dental surgery, and doctor of veterinary medicine, the total tuition  
5 fees shall be (~~one-third~~) thirty-five percent of the per student  
6 undergraduate educational costs at the state universities computed as  
7 provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building  
8 fees for each academic year shall be one hundred and twenty dollars.

9 (2) For full time resident graduate students not enrolled in  
10 programs leading to the degrees of doctor of medicine, doctor of dental  
11 surgery, and doctor of veterinary medicine, the total tuition fees  
12 shall be twenty-three percent of the per student graduate educational  
13 costs at the state universities computed as provided in RCW 28B.15.067  
14 and 28B.15.070: PROVIDED, That the building fees for each academic  
15 year shall be one hundred and twenty dollars.

16 (3) For full time resident students enrolled in programs leading to  
17 the degrees of doctor of medicine, doctor of dental surgery, and doctor  
18 of veterinary medicine, the total tuition fees shall be one hundred  
19 sixty-seven percent of such fees charged in subsection (2) above:  
20 PROVIDED, That the building fees for each academic year shall be three  
21 hundred and forty-two dollars.

22 (4) For full time nonresident undergraduate students and such other  
23 full time nonresident students not in graduate study programs or  
24 enrolled in programs leading to the degrees of doctor of medicine,  
25 doctor of dental surgery, or doctor of veterinary medicine, the total  
26 tuition fees shall be one hundred percent of the per student  
27 undergraduate educational costs at the state universities computed as  
28 provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building  
29 fees for each academic year shall be three hundred and fifty-four  
30 dollars.

1 (5) For full time nonresident graduate students not enrolled in  
2 programs leading to the degrees of doctor of medicine, doctor of dental  
3 surgery, and doctor of veterinary medicine, the total tuition fees  
4 shall be (~~four thousand and seventy four dollars, and thereafter such~~  
5 ~~fees shall be sixty~~) seventy-five percent of the per student graduate  
6 educational costs at the state universities computed as provided in RCW  
7 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each  
8 academic year shall be three hundred and fifty-four dollars.

9 (6) For full time nonresident students enrolled in programs leading  
10 to the degrees of doctor of medicine, doctor of dental surgery, and  
11 doctor of veterinary medicine, the total tuition fees shall be one  
12 hundred sixty-seven percent of such fees charged in subsection (5)  
13 above: PROVIDED, That the building fees for each academic year shall  
14 be five hundred and fifty-five dollars.

15 (7) The boards of regents of each of the state universities shall  
16 charge and collect equally from each of the students registering at the  
17 particular institution and included in subsections (1) through (6)  
18 hereof a services and activities fee which for each year of the 1981-83  
19 biennium shall not exceed one hundred and thirty-eight dollars. In  
20 subsequent biennia the board of regents may increase the existing fee,  
21 consistent with budgeting procedures set forth in RCW 28B.15.045, by a  
22 percentage not to exceed the percentage increase in tuition fees  
23 authorized in subsection (1) above: PROVIDED, That such percentage  
24 increase shall not apply to that portion of the services and activities  
25 fee previously committed to the repayment of bonded debt. The services  
26 and activities fee committee provided for in RCW 28B.15.045 may  
27 initiate a request to the governing board for a fee increase.

28 **Sec. 4.** RCW 28B.15.402 and 1989 c 245 s 1 are each amended to read  
29 as follows:

1 Tuition fees and services and activities fees at the regional  
2 universities and The Evergreen State College for other than summer  
3 quarters or semesters shall be as follows:

4 (1) For full time resident undergraduate students and all other  
5 full time resident students not in graduate study programs, the total  
6 tuition fees shall be (~~(one-fourth)~~) twenty-seven percent of the per  
7 student undergraduate educational costs at the regional universities  
8 computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That  
9 the building fees for each academic year shall be seventy-six dollars  
10 and fifty cents.

11 (2) For full time resident graduate students, the total tuition  
12 fees shall be twenty-three percent of the per student graduate  
13 educational costs at the regional universities computed as provided in  
14 RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for  
15 each academic year shall be seventy-six dollars and fifty cents.

16 (3) For full time nonresident undergraduate students and all other  
17 full time nonresident students not in graduate study programs, the  
18 total tuition fees shall be one hundred percent of the per student  
19 undergraduate educational costs at the regional universities computed  
20 as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the  
21 building fees for each academic year shall be two hundred and ninety-  
22 five dollars and fifty cents.

23 (4) For full time nonresident graduate students, the total of  
24 tuition fees shall be seventy-five percent of the per student graduate  
25 educational costs at the regional universities computed as provided in  
26 RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for  
27 each academic year shall be two hundred and ninety-five dollars and  
28 fifty cents.

29 (5) The boards of trustees of each of the regional universities and  
30 The Evergreen State College shall charge and collect equally from each

1 of the students registering at the particular institution and included  
2 in subsections (1) through (4) hereof a services and activities fee  
3 which for each year of the 1981-83 biennium shall not exceed one  
4 hundred eighty-four dollars and fifty cents. In subsequent biennia the  
5 board of trustees may increase the existing fee, consistent with  
6 budgeting procedures set forth in RCW 28B.15.045, by a percentage not  
7 to exceed the percentage increase in tuition fees authorized in  
8 subsection (1) above: PROVIDED, That such percentage increase shall  
9 not apply to that portion of the services and activities fee previously  
10 committed to the repayment of bonded debt. The services and activities  
11 fee committee provided for in RCW 28B.15.045 may initiate a request to  
12 the governing board for a fee increase.

13 (6) Notwithstanding the provisions of RCW 28B.15.067, for the 1989-  
14 91 biennium the undergraduate and graduate cost relationship developed  
15 by the 1987 cost study for Central Washington University shall be used  
16 to establish tuition fees for the regional universities and The  
17 Evergreen State College.

18 **Sec. 5.** RCW 28B.15.502 and 1985 c 390 s 25 are each amended to  
19 read as follows:

20 Tuition fees and services and activities fees at each community  
21 college other than at summer quarters shall be as follows:

22 (1) For full time resident students, the total tuition fees shall  
23 be (~~(twenty-three)~~) twenty-five percent of the per student educational  
24 costs at the community colleges computed as provided in RCW 28B.15.067  
25 and 28B.15.070: PROVIDED, That the building fees for each academic  
26 year shall be one hundred and twenty-seven dollars and fifty cents.

27 (2) For full time nonresident students, the total tuition fees  
28 shall be one hundred percent of the per student educational costs at  
29 the community colleges computed as provided in RCW 28B.15.067 and

1 28B.15.070: PROVIDED, That the building fees for each academic year  
2 shall be four hundred and three dollars and fifty cents.

3 (3) The boards of trustees of each of the state community colleges  
4 shall charge and collect equally from each of the students registering  
5 at the particular institution and included in subsections (1) and (2)  
6 hereof a services and activities fee which for each year of the 1981-83  
7 biennium shall not exceed sixty-four dollars and fifty cents. In  
8 subsequent biennia the board of trustees may increase the existing fee,  
9 consistent with budgeting procedures set forth in RCW 28B.15.045, by a  
10 percentage not to exceed the percentage increase in tuition fees  
11 authorized in subsection (1) above: PROVIDED, That such percentage  
12 increase shall not apply to that portion of the services and activities  
13 fee previously committed to the repayment of bonded debt. The services  
14 and activities fee committee provided for in RCW 28B.15.045 may  
15 initiate a request to the governing board for a fee increase.

16 (4) Tuition and services and activities fees consistent with the  
17 above schedule will be fixed by the state board for community colleges  
18 for summer school students.

19 ~~((The board of trustees shall charge such fees for ungraded  
20 courses, noncredit courses, community services courses, and self-  
21 supporting short courses as it, in its discretion, may determine, not  
22 inconsistent with the rules and regulations of the state board for  
23 community college education.))~~

24 **Sec. 6.** RCW 28B.15.520 and 1990 c 154 s 2 are each amended to read  
25 as follows:

26 Notwithstanding any other provision of this chapter or chapter  
27 28B.50 RCW as now or hereafter amended:

28 (1) Boards of trustees of the various community colleges ~~((shall  
29 waive tuition fees and services and activities fees for students~~

1 ~~nineteen years of age or older who are eligible for resident tuition~~  
2 ~~and fee rates as defined in RCW 28B.15.012 through 28B.15.015 and who~~  
3 ~~enroll in a course of study or program which will enable them to finish~~  
4 ~~their high school education and obtain a high school diploma or~~  
5 ~~certificate;~~

6 ~~(2) The various community college boards))~~ may waive the tuition  
7 and services and activities fees for children of any law enforcement  
8 officer or fire fighter who lost his life or became totally disabled in  
9 the line of duty while employed by any public law enforcement agency or  
10 full time or volunteer fire department in this state: PROVIDED, That  
11 such persons may receive the exemption only if they begin their course  
12 of study at a community college within ten years of their graduation  
13 from high school; and

14 ~~((3) Boards of trustees of the various community colleges may~~  
15 ~~wave residency requirements for students enrolled in that community~~  
16 ~~college in a course of study or program which will enable them to~~  
17 ~~finish their high school education and obtain a high school diploma or~~  
18 ~~certificate. The waiver shall be in effect only for those courses~~  
19 ~~which lead to a high school diploma or certificate; and~~

20 ~~(4))~~ (2) Boards of trustees of the various community colleges may  
21 waive the nonresident portion of tuition and fees for up to forty  
22 percent of the students enrolled in the regional education program for  
23 deaf students, subject to federal funding of such program.

24 **Sec. 7.** RCW 28B.15.740 and 1989 c 340 s 2 are each amended to read  
25 as follows:

26 (1) The boards of trustees or regents of each of the state's  
27 regional universities, The Evergreen State College, or state  
28 universities, and the various community colleges, consistent with  
29 regulations and procedures established by the state board for community

1 college education, may waive, in whole or in part, tuition and services  
2 and activities fees subject to the limitations set forth in subsections  
3 (2) and (3).

4 (2) Except as provided in subsection (3) of this section, the total  
5 dollar amount of tuition and fee waivers awarded by any state  
6 university, regional university, or state college, shall not exceed  
7 (~~four~~) three percent, and for the community colleges considered as a  
8 whole, such amount shall not exceed (~~three~~) two percent of an amount  
9 determined by estimating the total collections from tuition and  
10 services and activities fees had no such waivers been made and  
11 deducting the portion of that total amount which is attributable to the  
12 difference between resident and nonresident fees: PROVIDED, That (~~at~~  
13 ~~least three fourths~~) all of the dollars waived shall be for needy  
14 students who are eligible for resident tuition and fee rates pursuant  
15 to RCW 28B.15.012 through 28B.15.015(~~(: PROVIDED FURTHER, That the~~  
16 ~~remainder of the dollars waived, not to exceed one fourth of the total,~~  
17 ~~may be applied to other students at the discretion of the board of~~  
18 ~~trustees or regents, except on the basis of participation in~~  
19 ~~intercollegiate athletic programs: PROVIDED FURTHER, That the waivers~~  
20 ~~for undergraduate and graduate students of foreign nations under RCW~~  
21 ~~28B.15.556 are not subject to the limitation under this section)~~).

22 (3) In addition to the tuition and fee waivers provided in  
23 subsection (2) of this section and subject to the provisions of RCW  
24 28B.15.455 and 28B.15.460, a total dollar amount of tuition and fee  
25 waivers awarded by any state university, regional university, or state  
26 college, not to exceed one percent, as calculated in subsection (2) of  
27 this section, may be used for the purpose of achieving or maintaining  
28 gender equity in intercollegiate athletic programs. At any institution  
29 that has an underrepresented gender class in intercollegiate athletics,  
30 any such waivers shall be awarded:

1 (a) First, to members of the underrepresented gender class who  
2 participate in intercollegiate athletics, where such waivers result in  
3 saved or displaced money that can be used for athletic programs for the  
4 underrepresented gender class. Such saved or displaced money shall be  
5 used for programs for the underrepresented gender class; and

6 (b) Second, (i) to nonmembers of the underrepresented gender class  
7 who participate in intercollegiate athletics, where such waivers result  
8 in saved or displaced money that can be used for athletic programs for  
9 members of the underrepresented gender class. Such saved or displaced  
10 money shall be used for programs for the underrepresented gender class;  
11 or (ii) to members of the underrepresented gender class who participate  
12 in intercollegiate athletics, where such waivers do not result in any  
13 saved or displaced money that can be used for athletic programs for  
14 members of the underrepresented gender class.

15 NEW SECTION. **Sec. 8.** It is the intent of the legislature that  
16 funding for out-of-state travel from the state general fund for state  
17 institutions of higher education be reduced, in each fiscal year of the  
18 1991-93 biennium, by fifty percent from the level established in fiscal  
19 year 1990. The funds made available by this reduction shall be used to  
20 provide funding for additional higher education enrollments as set  
21 forth in Senate Bill No. 5174, the higher education opportunity act of  
22 1991.

23 NEW SECTION. **Sec. 9.** The following acts or parts of acts are each  
24 repealed:

- 25 (1) RCW 28B.15.524 and 1987 c 12 s 1;
- 26 (2) RCW 28B.15.526 and 1987 c 12 s 2;
- 27 (3) RCW 28B.15.527 and 1989 c 245 s 5 & 1987 c 12 s 3;
- 28 (4) RCW 28B.15.555 and 1986 c 232 s 1; and

1 (5) RCW 28B.15.556 and 1986 c 232 s 2.

2 NEW SECTION. **Sec. 10.** The funds appropriated in sections 11  
3 through 17 of this act are to provide for additional state-funded  
4 enrollments at the state institutions of higher education above the  
5 level established for each institution during the 1989-91 biennium.

6 NEW SECTION. **Sec. 11.** Ten million six hundred seventy-nine  
7 thousand nine hundred ninety-six dollars, or as much thereof as may be  
8 necessary, is appropriated to the University of Washington from the  
9 general fund for the biennium ending June 30, 1993. The appropriation  
10 in this section is subject to the following conditions:

11 (1) Four million seven hundred forty-four thousand six hundred  
12 forty-three dollars of the appropriation shall be expended to provide  
13 for one hundred seventeen full-time equivalent upper division and  
14 graduate enrollments during the 1991-92 fiscal year plus an additional  
15 one hundred ninety-nine full-time equivalent upper division and  
16 graduate enrollments during the 1992-93 fiscal year, at the Tacoma  
17 branch campus;

18 (2) Four million five hundred ninety-three thousand one hundred  
19 eighty-eight dollars of the appropriation shall be expended to provide  
20 for eighty-eight full-time equivalent upper division and graduate  
21 enrollments during the 1991-92 fiscal year plus an additional one  
22 hundred sixty-four full-time equivalent upper division and graduate  
23 enrollments during the 1992-93 fiscal year, at the Bothell/Woodinville  
24 branch campus;

25 (3) One million three hundred forty-two thousand one hundred sixty-  
26 five dollars of the appropriation shall be expended to provide for  
27 forty full-time equivalent upper division and graduate enrollments  
28 during the 1991-92 fiscal year plus an additional thirty-five full-time

1 equivalent upper division and graduate enrollments during the 1992-93  
2 fiscal year, in the evening program.

3 NEW SECTION. **Sec. 12.** Nineteen million four hundred fifty-  
4 eight thousand six hundred seventy-five dollars, or as much thereof as  
5 may be necessary, is appropriated to Washington State University from  
6 the general fund for the biennium ending June 30, 1993. The  
7 appropriation in this section is subject to the following conditions:

8 (1) Eight million eight hundred sixty thousand five hundred dollars  
9 of the appropriation shall be expended to provide for one hundred  
10 seventy-five full-time equivalent upper division and seventy-five full-  
11 time equivalent graduate enrollments during the 1991-92 fiscal year  
12 plus an additional one hundred seventy-five full-time equivalent upper  
13 division and seventy-five full-time equivalent graduate enrollments  
14 during the 1992-93 fiscal year, at the Pullman campus;

15 (2) Four million six hundred sixty-one thousand eight hundred  
16 dollars of the appropriation shall be expended to provide for one  
17 hundred twenty full-time equivalent upper division and graduate  
18 enrollments during the 1991-92 fiscal year plus an additional two  
19 hundred eighty full-time equivalent upper division and graduate  
20 enrollments during the 1992-93 fiscal year, at the Southwest Washington  
21 branch campus;

22 (3) Three million one hundred twenty-eight thousand four hundred  
23 dollars of the appropriation shall be expended to provide for thirty-  
24 nine full-time equivalent upper division and graduate enrollments  
25 during the 1991-92 fiscal year plus an additional eighty full-time  
26 equivalent upper division and graduate enrollments during the 1992-93  
27 fiscal year, at the Spokane branch campus;

28 (4) Two million eight hundred seven thousand nine hundred seventy-  
29 five dollars of the appropriation shall be expended to provide for

1 sixty-five full-time equivalent upper division and graduate enrollments  
2 during the 1991-92 fiscal year plus an additional one hundred seventy-  
3 five full-time equivalent upper division and graduate enrollments  
4 during the 1992-93 fiscal year, at the Tri-Cities branch campus.

5 NEW SECTION. **Sec. 13.** Seven million three hundred eighty-two  
6 thousand five hundred dollars, or as much thereof as may be necessary,  
7 is appropriated to Central Washington University from the general fund  
8 for the biennium ending June 30, 1993, to provide for two hundred fifty  
9 full-time equivalent upper division and fifty full-time equivalent  
10 graduate enrollments during the 1991-92 fiscal year plus an additional  
11 two hundred full-time equivalent upper division and fifty full-time  
12 equivalent graduate enrollments during the 1992-93 fiscal year.

13 NEW SECTION. **Sec. 14.** Five million three hundred seventy-eight  
14 thousand dollars, or as much thereof as may be necessary, is  
15 appropriated to Eastern Washington University from the general fund for  
16 the biennium ending June 30, 1993, to provide for one hundred fifty  
17 full-time equivalent upper division and fifty full-time equivalent  
18 graduate enrollments during the 1991-92 fiscal year plus an additional  
19 one hundred fifty full-time equivalent upper division and fifty full-  
20 time equivalent graduate enrollments during the 1992-93 fiscal year.

21 NEW SECTION. **Sec. 15.** One million three hundred seventy-two  
22 thousand eight hundred five dollars, or as much thereof as may be  
23 necessary, is appropriated to The Evergreen State College from the  
24 general fund for the biennium ending June 30, 1993, to provide for  
25 forty-five full-time equivalent upper division and five full-time  
26 equivalent graduate enrollments during the 1991-92 fiscal year plus an  
27 additional forty-five full-time equivalent upper division and five

1 full-time equivalent graduate enrollments during the 1992-93 fiscal  
2 year.

3 NEW SECTION. **Sec. 16.** Six million five hundred thirty-three  
4 thousand seven hundred eighty dollars, or as much thereof as may be  
5 necessary, is appropriated to Western Washington University from the  
6 general fund for the biennium ending June 30, 1993, to provide for one  
7 hundred twenty full-time equivalent upper division and eighty full-time  
8 equivalent graduate enrollments during the 1991-92 fiscal year plus an  
9 additional two hundred twenty full-time equivalent upper division and  
10 eighty full-time equivalent graduate enrollments during the 1992-93  
11 fiscal year.

12 NEW SECTION. **Sec. 17.** Thirty-nine million five hundred fifty-  
13 three thousand five hundred dollars, or as much thereof as may be  
14 necessary, is appropriated to the state board for community college  
15 education from the general fund for the biennium ending June 30, 1993,  
16 to provide for three thousand five hundred full-time equivalent  
17 enrollments in the community college system during the 1991-92 fiscal  
18 year plus an additional three thousand five hundred full-time  
19 equivalent enrollments during the 1992-93 fiscal year. These new  
20 enrollments shall be distributed throughout the system by the state  
21 board for community college education consistent with legislative  
22 intent.

23 NEW SECTION. **Sec. 18.** This act is necessary for the immediate  
24 preservation of the public peace, health, or safety, or support of the  
25 state government and its existing public institutions, and shall take  
26 effect July 1, 1991.