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HOUSE BILL 2758

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By Representatives Jacobsen, Quall, Basich, Rayburn, Mielke, Tate, Wood, Ballard, Finkbeiner, Brumsickle, Orr, Carlson, Kessler, Schoesler, McMorris, Ogden, Grant, Shin and Springer

Read first time 01/21/94. Referred to Committee on Higher Education.

1 AN ACT Relating to services and activities fees; amending RCW  
2 28B.15.041 and 28B.15.045; and reenacting and amending RCW 28B.15.202,  
3 28B.15.402, and 28B.15.502.

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

5 **Sec. 1.** RCW 28B.15.041 and 1985 c 390 s 14 are each amended to  
6 read as follows:

7 The term "services and activities fees" as used in this chapter is  
8 defined to mean fees, other than tuition fees, charged to all students  
9 registering at the state's community colleges, regional universities,  
10 The Evergreen State College, and state universities. Services and  
11 activities fees shall be used as (~~otherwise provided by law or by rule~~  
12 ~~or regulation of the board of trustees or regents~~) determined by the  
13 services and activities fee committee of each of the state's community  
14 colleges, The Evergreen State College, the regional universities, or  
15 the state universities for the express purpose of funding student  
16 activities and programs of their particular institution. Student  
17 activity fees, student use fees, student building use fees, special  
18 student fees, or other similar fees charged to all full time students,  
19 or to all students, as the case may be, registering at the state's

1 colleges or universities and pledged for the payment of bonds  
2 heretofore or hereafter issued for, or other indebtedness incurred to  
3 pay, all or part of the cost of acquiring, constructing or installing  
4 any lands, buildings, or facilities of the nature described in RCW  
5 28B.10.300 as now or hereafter amended, shall be included within and  
6 deemed to be services and activities fees.

7 **Sec. 2.** RCW 28B.15.045 and 1990 c 7 s 1 are each amended to read  
8 as follows:

9 The legislature recognizes that institutional governing boards have  
10 a responsibility to manage and protect institutions of higher  
11 education. (~~This responsibility includes ensuring~~) Governing boards,  
12 in collaboration with the services and activities fee committee, shall  
13 ensure certain lawful agreements for which revenues from services and  
14 activities fees have been pledged. Such lawful agreements include, but  
15 are not limited to, bond covenant agreements and other contractual  
16 obligations. Institutional governing boards are also expected to  
17 protect the stability of programs that benefit students.

18 The legislature also recognizes that services and activities fees  
19 are paid by students for the express purpose of funding student  
20 services and programs. It is the intent of the legislature that  
21 governing boards ensure that students have a strong voice in  
22 recommending budgets for services and activities fees. The (~~boards of~~  
23 ~~trustees and the boards of regents~~) services and activities fee  
24 committee of the respective institutions of higher education shall  
25 adopt guidelines governing the establishment and funding of programs  
26 supported by services and activities fees. Such guidelines shall  
27 stipulate procedures for budgeting and expending services and  
28 activities fee revenue. Any such guidelines shall be consistent with  
29 the following provisions:

30 (1) Student representatives (~~from the services and activities fee~~  
31 ~~committee~~) and representatives of the college or university  
32 administration shall have an opportunity to address the board before  
33 board decisions on services and activities fee budgets and dispute  
34 resolution actions are made;

35 (2) (~~Members of the governing boards shall adhere to the principle~~  
36 ~~that~~) The services and activities fee committee (~~desires be given~~  
37 ~~priority consideration on~~) shall determine funding items that do not

1 fall into the categories of preexisting contractual obligations, bond  
2 covenant agreements, or stability for programs affecting students;

3       (3) ~~((Responsibility for proposing to the administration and the~~  
4 ~~governing board program priorities and budget levels for that portion~~  
5 ~~of program budgets that derive from services and activities fees shall~~  
6 ~~reside with a))~~ The services and activities fee committee, on which  
7 students shall hold at least a majority of the voting memberships, such  
8 student members ~~((shall represent))~~ representing diverse student  
9 interests ~~((7))~~ and ~~((shall be))~~ being recommended by the student  
10 government association or its equivalent, shall determine priorities  
11 and budget levels for that portion of program budgets derived from  
12 service and activities fees. The chairperson of the services and  
13 activities fee committee shall be selected by the members of that  
14 committee. The ~~((governing board shall insure that the))~~ services and  
15 activities fee committee shall provide ~~((s))~~ an opportunity for all  
16 viewpoints to be heard at a public meeting during its consideration of  
17 the funding of student programs and activities.

18       (4) The services and activities fee committee shall evaluate  
19 existing and proposed programs and submit budget recommendations for  
20 the expenditure of those services and activities fees with supporting  
21 documents simultaneously to the college or university governing board  
22 and administration for review and comment.

23       (5) The college or university administration shall review the  
24 services and activities fee committee budget recommendations and  
25 publish a written response to the services and activities fee  
26 committee. This response shall outline potential areas of difference  
27 between the committee recommendations and the administration's proposed  
28 budget recommendations. This response, with supporting documentation,  
29 shall be submitted to the services and activities fee committee in a  
30 timely manner to allow adequate consideration.

31       (6)(a) In the event of a dispute or disputes involving the services  
32 and activities fee committee recommendations, the college or university  
33 administration shall meet with the services and activities fee  
34 committee in a good faith effort to resolve such dispute or disputes  
35 ~~((prior to submittal of final recommendations to the governing board))~~  
36 before approval of recommendations by the services and activities fee  
37 committee.

1 (b) If said dispute is not resolved within fourteen days, a dispute  
2 resolution committee shall be convened by the chair of the services and  
3 activities fee committee within fourteen days.

4 (7) The dispute resolution committee shall be selected as follows:  
5 The college or university administration shall appoint two nonvoting  
6 advisory members; the governing board shall appoint three voting  
7 members; and the services and activities fee committee chair shall  
8 appoint three student members of the services and activities fee  
9 committee who will have a vote, and one student representing the  
10 services and activities fee committee who will chair the dispute  
11 resolution committee and be nonvoting. The committee shall meet in  
12 good faith, and settle by vote any and all disputes. In the event of  
13 a tie vote, the chair of the dispute resolution committee shall vote to  
14 settle the dispute.

15 (8) The (~~governing board~~) services and activities fee committee  
16 may take action on those portions of the services and activities fee  
17 budget not in dispute in accordance with the customary budget approval  
18 timeline established by the (~~board~~) committee. The (~~governing~~  
19 ~~board~~) committee shall consider the results, if any, of the dispute  
20 resolution committee and shall take action.

21 (9) Services and activities fees and revenues generated by programs  
22 and activities funded by such fees shall be deposited and expended  
23 through (~~the office of the chief fiscal officer of the institution~~)  
24 a process and procedure established by the services and activities fee  
25 committee.

26 (10) Services and activities fees and revenues generated by  
27 programs and activities funded by such fees shall be subject to the  
28 applicable policies, (~~regulations~~) rules, and procedures of the  
29 institution (~~and the budget and accounting act, chapter 43.88 RCW~~).  
30 However, service and activities fees, because they are student imposed  
31 institutionally collected fees, shall not be subject to the budget and  
32 accounting act, chapter 43.88 RCW.

33 (11) All information pertaining to services and activities fees  
34 budgets shall be made available to interested parties.

35 (12) With the exception of any funds needed for bond covenant  
36 obligations, once the budget for expending service and activities fees  
37 is approved by the (~~governing board~~) services and activities fee  
38 committee, funds shall not be shifted from funds budgeted for  
39 associated students or departmentally related categories or the reserve

1 fund until (~~the administration provides written justification to~~) the  
2 services and activities fee committee (~~and the governing board, or the~~  
3 ~~governing board~~) gives its express approval. In the event of a fund  
4 transfer dispute among the services and activities fee committee, the  
5 administration, or the governing board, said dispute shall be resolved  
6 pursuant to subsections (6)(b), (7), and (8) of this section.

7 (~~(13) Any service and activities fees collected which exceed~~  
8 ~~initially budgeted amounts are subject to subsections (1) through (10)~~  
9 ~~and (12) of this section.~~)

10 **Sec. 3.** RCW 28B.15.202 and 1993 sp.s. c 18 s 8 and 1993 c 379 s  
11 202 are each reenacted and amended to read as follows:

12 Tuition fees and maximum services and activities fees at the  
13 University of Washington and at Washington State University for other  
14 than the summer term shall be as follows:

15 (1) For full time resident undergraduate students and all other  
16 full time resident students not in graduate study programs or enrolled  
17 in programs leading to the degrees of doctor of medicine, doctor of  
18 dental surgery, and doctor of veterinary medicine, the total tuition  
19 fees for the 1993-94 academic year shall be thirty-six and three-tenths  
20 percent and thereafter total tuition fees shall be forty-one and one-  
21 tenth percent of the per student undergraduate educational costs at the  
22 state universities computed as provided in RCW 28B.15.067 and  
23 28B.15.070: PROVIDED, That the building fees for each academic year  
24 shall be one hundred and twenty dollars. Beginning with the 1995-96  
25 academic year the building fee for each academic year shall be a  
26 percentage of total tuition fees. This percentage shall be calculated  
27 by the higher education coordinating board and be based on the actual  
28 percentage the building fee is of total tuition in the 1994-95 academic  
29 year, rounded up to the nearest half percent.

30 (2) For full time resident graduate and law students not enrolled  
31 in programs leading to the degrees of doctor of medicine, doctor of  
32 dental surgery, and doctor of veterinary medicine, the total tuition  
33 fees for the 1993-94 academic year shall be twenty-five and two-tenths  
34 percent and thereafter total tuition fees shall be twenty-eight and  
35 four-tenths percent of the per student graduate educational costs at  
36 the state universities computed as provided in RCW 28B.15.067 and  
37 28B.15.070: PROVIDED, That the building fees for each academic year  
38 shall be one hundred and twenty dollars. Beginning with the 1995-96

1 academic year the building fee for each academic year shall be a  
2 percentage of total tuition fees. This percentage shall be calculated  
3 by the higher education coordinating board and be based on the actual  
4 percentage the building fee is of total tuition in the 1994-95 academic  
5 year, rounded up to the nearest half percent.

6 (3) For full time resident students enrolled in programs leading to  
7 the degrees of doctor of medicine, doctor of dental surgery, and doctor  
8 of veterinary medicine, the total tuition fees shall be one hundred  
9 sixty-seven percent of such fees charged in subsection (2) of this  
10 section: PROVIDED, That the building fees for each academic year shall  
11 be three hundred and forty-two dollars. Beginning with the 1995-96  
12 academic year the building fee for each academic year shall be a  
13 percentage of total tuition fees. This percentage shall be calculated  
14 by the higher education coordinating board and be based on the actual  
15 percentage the building fee is of total tuition in the 1994-95 academic  
16 year, rounded up to the nearest half percent.

17 (4) For full time nonresident undergraduate students and such other  
18 full time nonresident students not in graduate study programs or  
19 enrolled in programs leading to the degrees of doctor of medicine,  
20 doctor of dental surgery, or doctor of veterinary medicine, the total  
21 tuition fees for the 1993-94 academic year shall be one hundred nine  
22 and three-tenths percent and thereafter total tuition fees shall be one  
23 hundred twenty-two and nine-tenths percent of the per student  
24 undergraduate educational costs at the state universities computed as  
25 provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building  
26 fees for each academic year shall be three hundred and fifty-four  
27 dollars. Beginning with the 1995-96 academic year the building fee for  
28 each academic year shall be a percentage of total tuition fees. This  
29 percentage shall be calculated by the higher education coordinating  
30 board and be based on the actual percentage the building fee is of  
31 total tuition in the 1994-95 academic year, rounded up to the nearest  
32 half percent.

33 (5) For full time nonresident graduate and law students not  
34 enrolled in programs leading to the degrees of doctor of medicine,  
35 doctor of dental surgery, and doctor of veterinary medicine, the total  
36 tuition fees for the 1993-94 academic year shall be sixty-five and six-  
37 tenths percent and thereafter total tuition fees shall be seventy-three  
38 and six-tenths percent of the per student graduate educational costs at  
39 the state universities 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 three hundred and fifty-four dollars. Beginning with the  
3 1995-96 academic year the building fee for each academic year shall be  
4 a percentage of total tuition fees. This percentage shall be  
5 calculated by the higher education coordinating board and be based on  
6 the actual percentage the building fee is of total tuition in the 1994-  
7 95 academic year, rounded up to the nearest half percent.

8 (6) For full time nonresident students enrolled in programs leading  
9 to the degrees of doctor of medicine, doctor of dental surgery, and  
10 doctor of veterinary medicine, the total tuition fees shall be one  
11 hundred sixty-seven percent of such fees charged in subsection (5) of  
12 this section: PROVIDED, That the building fees for each academic year  
13 shall be five hundred and fifty-five dollars. Beginning with the 1995-  
14 96 academic year the building fee for each academic year shall be a  
15 percentage of total tuition fees. This percentage shall be calculated  
16 by the higher education coordinating board and be based on the actual  
17 percentage the building fee is of total tuition in the 1994-95 academic  
18 year, rounded up to the nearest half percent.

19 (7) The (~~governing boards of the state universities~~) services and  
20 activities fee committee shall charge to and collect from each student,  
21 a services and activities fee. The (~~governing board~~) committee may  
22 increase the existing fee annually(~~(, consistent with budgeting~~  
23 ~~procedures set forth in RCW 28B.15.045, by a percentage not to exceed~~  
24 ~~the annual percentage increase in resident undergraduate tuition~~  
25 ~~fees))): PROVIDED, That such percentage increase shall not apply to  
26 that portion of the services and activities fee previously committed to  
27 the repayment of bonded debt. For the 1993-94 academic year, services  
28 and activities fees shall not exceed two hundred forty-three dollars  
29 per student. For the 1994-95 academic year, services and activities  
30 fees shall not exceed two hundred forty-nine dollars per student. The  
31 services and activities fee committee provided for in RCW 28B.15.045  
32 may (~~initiate a request to the governing board for~~) mandate a fee  
33 increase.~~

34 **Sec. 4.** RCW 28B.15.402 and 1993 sp.s. c 18 s 11 and 1993 c 379 s  
35 203 are each reenacted and amended to read as follows:

36 Tuition fees and maximum services and activities fees at the  
37 regional universities and The Evergreen State College for other than  
38 the summer term 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, the total  
3 tuition fees for the 1993-94 academic year shall be twenty-seven and  
4 seven-tenths percent and thereafter total tuition fees shall be thirty-  
5 one and five-tenths percent of the per student undergraduate  
6 educational costs at the regional universities computed as provided in  
7 RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for  
8 each academic year shall be seventy-six dollars and fifty cents.  
9 Beginning with the 1995-96 academic year the building fee for each  
10 academic year shall be a percentage of total tuition fees. This  
11 percentage shall be calculated by the higher education coordinating  
12 board and be based on the actual percentage the building fee is of  
13 total tuition in the 1994-95 academic year, rounded up to the nearest  
14 half percent.

15 (2) For full time resident graduate students, the total tuition  
16 fees for the 1993-94 academic year shall be twenty-five and three-  
17 tenths percent and thereafter total tuition fees shall be twenty-eight  
18 and six-tenths percent of the per student graduate educational costs at  
19 the regional universities computed as provided in RCW 28B.15.067 and  
20 28B.15.070: PROVIDED, That the building fees for each academic year  
21 shall be seventy-six dollars and fifty cents. Beginning with the 1995-  
22 96 academic year the building fee for each academic year shall be a  
23 percentage of total tuition fees. This percentage shall be calculated  
24 by the higher education coordinating board and be based on the actual  
25 percentage the building fee is of total tuition in the 1994-95 academic  
26 year, rounded up to the nearest half percent.

27 (3) For full time nonresident undergraduate students and all other  
28 full time nonresident students not in graduate study programs, the  
29 total tuition fees for the 1993-94 academic year shall be one hundred  
30 nine and four-tenths percent and thereafter total tuition fees shall be  
31 one hundred twenty-three percent of the per student undergraduate  
32 educational costs at the regional universities computed as provided in  
33 RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for  
34 each academic year shall be two hundred and ninety-five dollars and  
35 fifty cents. Beginning with the 1995-96 academic year the building fee  
36 for each academic year shall be a percentage of total tuition fees.  
37 This percentage shall be calculated by the higher education  
38 coordinating board and be based on the actual percentage the building



1 fee is of total tuition in the 1994-95 academic year, rounded up to the  
2 nearest half percent.

3 (4) For full time nonresident graduate students, the total tuition  
4 fees for the 1993-94 academic year shall be eighty-two percent and  
5 thereafter total tuition fees shall be ninety-two percent of the per  
6 student graduate educational costs at the regional universities  
7 computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That  
8 the building fees for each academic year shall be two hundred and  
9 ninety-five dollars and fifty cents. Beginning with the 1995-96  
10 academic year the building fee for each academic year shall be a  
11 percentage of total tuition fees. This percentage shall be calculated  
12 by the higher education coordinating board and be based on the actual  
13 percentage the building fee is of total tuition in the 1994-95 academic  
14 year, rounded up to the nearest half percent.

15 (5) The (~~governing boards~~) services and activities fee committee  
16 of each of the regional universities and The Evergreen State College  
17 shall charge to and collect from each student, a services and  
18 activities fee. The (~~governing board~~) committee may increase the  
19 existing fee annually(~~(, consistent with budgeting procedures set forth~~  
20 ~~in RCW 28B.15.045, by a percentage not to exceed the annual percentage~~  
21 ~~increase in resident undergraduate tuition fees))): PROVIDED, That such  
22 percentage increase shall not apply to that portion of the services and  
23 activities fee previously committed to the repayment of bonded debt.  
24 For the 1993-94 academic year, services and activities fees shall not  
25 exceed two hundred (~~eight-four [eighty-four]~~) eighty-four dollars per  
26 student. For the 1994-95 academic year, services and activities fees  
27 shall not exceed two hundred ninety dollars per student. The services  
28 and activities fee committee provided for in RCW 28B.15.045 may  
29 (~~initiate a request to the governing board for~~) mandate a fee  
30 increase.~~

31 **Sec. 5.** RCW 28B.15.502 and 1993 sp.s. c 18 s 12 and 1993 c 379 s  
32 204 are each reenacted and amended to read as follows:

33 Tuition fees and maximum services and activities fees at each  
34 community college for other than the summer term shall be set by the  
35 state board for community and technical colleges as follows:

36 (1) For full time resident students, the total tuition fees for the  
37 1993-94 academic year shall be twenty-five and four-tenths percent and  
38 thereafter total tuition fees shall be twenty-eight and eight-tenths

1 percent of the per student educational costs at the community colleges  
2 computed as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That  
3 the building fees for each academic year shall be one hundred and  
4 twenty-seven dollars and fifty cents. Beginning with the 1995-96  
5 academic year the building fee for each academic year shall be a  
6 percentage of total tuition fees. This percentage shall be calculated  
7 by the higher education coordinating board and be based on the actual  
8 percentage the building fee is of total tuition in the 1994-95 academic  
9 year, rounded up to the nearest half percent.

10 (2) For full time nonresident students, the total tuition fees for  
11 the 1993-94 academic year shall be one hundred nine and three-tenths  
12 percent and thereafter total tuition fees shall be one hundred twenty-  
13 two and seven-tenths percent of the per student educational costs at  
14 the community colleges computed as provided in RCW 28B.15.067 and  
15 28B.15.070: PROVIDED, That the building fees for each academic year  
16 shall be four hundred and three dollars and fifty cents. Beginning  
17 with the 1995-96 academic year the building fee for each academic year  
18 shall be a percentage of total tuition fees. This percentage shall be  
19 calculated by the higher education coordinating board and be based on  
20 the actual percentage the building fee is of total tuition in the 1994-  
21 95 academic year, rounded up to the nearest half percent.

22 (3) The ~~((governing boards))~~ services and activities fee committee  
23 of each of the state community colleges shall charge to and collect  
24 from each student a services and activities fee. Each ~~((governing~~  
25 ~~board))~~ committee may increase the existing fee annually~~((, consistent~~  
26 ~~with budgeting procedures set forth in RCW 28B.15.045, by a percentage~~  
27 ~~not to exceed the annual percentage increase in resident student~~  
28 ~~tuition fees))): PROVIDED, That such percentage increase shall not~~  
29 apply to that portion of the services and activities fee previously  
30 committed to the repayment of bonded debt. For the 1993-94 academic  
31 year, services and activities fees shall not exceed one hundred twenty-  
32 eight dollars per student. For the 1994-95 academic year, services and  
33 activities fees shall not exceed one hundred thirty-one dollars per  
34 student. The services and activities fee committee provided for in RCW  
35 28B.15.045 may ~~((initiate a request to the governing board for))~~  
36 mandate a fee increase.

37 (4) Tuition and services and activities fees consistent with  
38 subsection (3) of this section shall be set by the ~~((state board for~~  
39 ~~community and technical colleges))~~ services and activities fee

1 committee for summer school students unless the community college  
2 charges fees in accordance with RCW 28B.15.515.

3 Subject to the limitations of RCW 28B.15.910, each governing board  
4 may charge such fees for ungraded courses, noncredit courses, community  
5 services courses, and self-supporting courses as it, in its discretion,  
6 may determine, consistent with the rules and regulations of the state  
7 board for community and technical colleges.

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