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**SUBSTITUTE SENATE BILL 5927**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** Senate Committee on Higher Education (originally sponsored by Senators Wood, Bauer, Winsley, Kohl, Sheldon, Hale, Prince, Patterson and West)

Read first time 03/05/97.

1 AN ACT Relating to higher education; amending RCW 28B.15.067,  
2 28B.15.069, 28B.10.776, 28B.10.778, and 28B.10.784; adding a new  
3 section to chapter 28B.15 RCW; creating a new section; repealing RCW  
4 28B.10.780, 28B.10.782, 28B.10.786, and 28B.80.500; and declaring an  
5 emergency.

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

7 **TUITION**

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.15 RCW  
9 to read as follows:

10 The legislature finds that, as a partner in financing public higher  
11 education with students and parents who pay tuition and fees, it is  
12 important to provide predictability in tuition rates as well as  
13 affordability. To accomplish predictability and affordability in  
14 tuition rates, the legislature intends that annual changes in tuition  
15 rates be based on the average per capita income in the state, as  
16 predicted by the office of economic and revenue forecast.

1       **Sec. 2.** RCW 28B.15.067 and 1996 c 212 s 1 are each amended to read  
2 as follows:

3       (1) Tuition fees shall be established and adjusted annually under  
4 the provisions of this chapter beginning with the 1997-98 academic  
5 year. Such fees shall be identical, subject to other provisions of  
6 this chapter, for students enrolled at any community college.

7       (2)(a) Tuition fees for resident undergraduate students shall not  
8 exceed the percentage of the undergraduate cost of instruction  
9 specified in this subsection (2)(a), updated to the current year, from  
10 the cost study performed by the higher education coordinating board:

11       (i) For students at research universities, no more than forty-six  
12 percent of the cost of instruction per student at research  
13 universities;

14       (ii) For students at regional universities and The Evergreen State  
15 College, no more than thirty-five percent of the cost of instruction  
16 per student at regional universities and The Evergreen State College;

17       (iii) For students at community colleges, no more than thirty-two  
18 percent of the cost of instruction per student at community colleges;

19       (b) Tuition fees for nonresident undergraduate students shall not  
20 exceed the percentage of the undergraduate cost of instruction  
21 specified in this subsection (2)(b), updated to the current year, from  
22 the cost study performed by the higher education coordinating board:

23       (i) For students at the University of Washington, no more than one  
24 hundred sixty-three percent of the cost of instruction per student at  
25 the University of Washington;

26       (ii) For students at Washington State University, no more than one  
27 hundred thirty-seven percent of the cost of instruction per student at  
28 Washington State University;

29       (iii) For students at regional universities and The Evergreen State  
30 College, no more than one hundred thirty-six percent of the cost of  
31 instruction per student at regional universities and The Evergreen  
32 State College;

33       (iv) For students at community colleges, no more than one hundred  
34 thirty-four percent of the cost of instruction per student at community  
35 colleges;

36       (c) Tuition fees for resident graduate students shall not exceed  
37 the percentage of the graduate cost of instruction specified in this  
38 subsection (2)(c), updated to the current year, from the cost study  
39 performed by the higher education coordinating board:

1       (i) For students at research universities:

2       (A) For graduate students not enrolled in programs leading to the  
3 degrees of juris doctor, master of business administration at the  
4 University of Washington, doctor of medicine, doctor of dental surgery,  
5 and doctor of veterinary medicine, no more than thirty percent of the  
6 cost of instruction per student at research universities;

7       (B) For graduate students enrolled in programs leading to the  
8 degrees of juris doctor, no more than forty-three percent of the cost  
9 per graduate student at research universities;

10       (C) For graduate students at the University of Washington enrolled  
11 in programs leading to the degree of master of business administration,  
12 no more than thirty-nine percent of the cost per graduate student at  
13 research universities;

14       (D) For graduate students enrolled in programs leading to the  
15 degrees of doctor of medicine, doctor of dental surgery, and doctor of  
16 veterinary medicine, no more than one hundred sixty-seven percent of  
17 the rate charged resident graduate students not enrolled in programs  
18 leading to the degrees of juris doctor or master of business  
19 administration; and

20       (ii) For students at regional universities and The Evergreen State  
21 College, no more than thirty-nine percent of the cost of instruction  
22 per student at comprehensive universities;

23       (d) Tuition fees for nonresident graduate students shall not exceed  
24 the percentage of the graduate cost of instruction specified in this  
25 subsection (2)(d), updated to the current year, from the cost study  
26 performed by the higher education coordinating board:

27       (i) For students at research universities:

28       (A) For graduate students not enrolled in programs leading to the  
29 degrees of juris doctor, master of business administration at the  
30 University of Washington, doctor of medicine, doctor of dental surgery,  
31 and doctor of veterinary medicine, no more than seventy-six percent of  
32 the cost of instruction per student at research universities;

33       (B) For graduate students enrolled in programs leading to the  
34 degrees of juris doctor, no more than ninety-eight percent of the cost  
35 per graduate student at research universities;

36       (C) For graduate students at the University of Washington enrolled  
37 in programs leading to the degree of master of business administration,  
38 no more than eighty-one percent of the cost per graduate student at  
39 research universities;

1        (D) For graduate students enrolled in programs leading to the  
2 degrees of doctor of medicine, doctor of dental surgery, and doctor of  
3 veterinary medicine, no more than one hundred sixty-seven percent of  
4 the rate charged resident graduate students not enrolled in programs  
5 leading to the degrees of juris doctor or master of business  
6 administration; and

7        (ii) For students at regional universities and The Evergreen State  
8 College, no more than one hundred twenty-four percent of the cost of  
9 instruction per student at regional universities and The Evergreen  
10 State College.

11        (3) Academic year tuition for full-time students at the state's  
12 institutions of higher education for the 1995-96 academic year, other  
13 than the summer term, shall be as provided in this subsection.

14        (a) At the University of Washington and Washington State  
15 University:

16        (i) For resident undergraduate students and other resident students  
17 not in graduate study programs or enrolled in programs leading to the  
18 degrees of doctor of medicine, doctor of dental surgery, and doctor of  
19 veterinary medicine, two thousand seven hundred sixty-four dollars;

20        (ii) For nonresident undergraduate students and other nonresident  
21 students not in graduate study programs or enrolled in programs leading  
22 to the degrees of doctor of medicine, doctor of dental surgery, and  
23 doctor of veterinary medicine, eight thousand two hundred sixty-eight  
24 dollars;

25        (iii) For resident graduate and law students not enrolled in  
26 programs leading to the degrees of doctor of medicine, doctor of dental  
27 surgery, and doctor of veterinary medicine, four thousand four hundred  
28 ninety dollars;

29        (iv) For nonresident graduate and law students not enrolled in  
30 programs leading to the degrees of doctor of medicine, doctor of dental  
31 surgery, and doctor of veterinary medicine, eleven thousand six hundred  
32 thirty-four dollars;

33        (v) For resident students enrolled in programs leading to the  
34 degrees of doctor of medicine, doctor of dental surgery, and doctor of  
35 veterinary medicine, seven thousand four hundred ninety-seven dollars;  
36 and

37        (vi) For nonresident students enrolled in programs leading to the  
38 degrees of doctor of medicine, doctor of dental surgery, and doctor of  
39 veterinary medicine, nineteen thousand four hundred thirty-one dollars.

1 (b) At the regional universities and The Evergreen State College:

2 (i) For resident undergraduate and all other resident students not  
3 in graduate study programs, two thousand forty-five dollars;

4 (ii) For nonresident undergraduate and all other nonresident  
5 students not in graduate study programs, seven thousand nine hundred  
6 ninety-two dollars;

7 (iii) For resident graduate students, three thousand four hundred  
8 forty-three dollars; and

9 (iv) For nonresident graduate students, eleven thousand seventy-one  
10 dollars.

11 (c) At the community colleges:

12 (i) For resident students, one thousand two hundred twelve dollars;  
13 and

14 (ii) For nonresident students, five thousand one hundred sixty-two  
15 dollars and fifty cents.

16 (~~((+3))~~) (4) Academic year tuition for full-time students at the  
17 state's institutions of higher education beginning with the 1996-97  
18 academic year, other than the summer term, shall be as provided in this  
19 subsection.

20 (a) At the University of Washington and Washington State  
21 University:

22 (i) For resident undergraduate students and other resident students  
23 not in graduate study programs or enrolled in programs leading to the  
24 degrees of doctor of medicine, doctor of dental surgery, and doctor of  
25 veterinary medicine, two thousand eight hundred seventy-five dollars;

26 (ii) For nonresident undergraduate students and other nonresident  
27 students not in graduate study programs or enrolled in programs leading  
28 to the degrees of doctor of medicine, doctor of dental surgery, and  
29 doctor of veterinary medicine, nine thousand four hundred ninety-one  
30 dollars;

31 (iii) For resident graduate and law students not enrolled in  
32 programs leading to the degrees of doctor of medicine, doctor of dental  
33 surgery, and doctor of veterinary medicine, four thousand six hundred  
34 sixty-nine dollars;

35 (iv) For nonresident graduate and law students not enrolled in  
36 programs leading to the degrees of doctor of medicine, doctor of dental  
37 surgery, and doctor of veterinary medicine, twelve thousand one hundred  
38 dollars;

1 (v) For resident students enrolled in programs leading to the  
2 degrees of doctor of medicine, doctor of dental surgery, and doctor of  
3 veterinary medicine, seven thousand seven hundred ninety-seven dollars;  
4 and

5 (vi) For nonresident students enrolled in programs leading to the  
6 degrees of doctor of medicine, doctor of dental surgery, and doctor of  
7 veterinary medicine, twenty thousand two hundred nine dollars.

8 (b) At the regional universities and The Evergreen State College:

9 (i) For resident undergraduate and all other resident students not  
10 in graduate study programs, two thousand one hundred twenty-seven  
11 dollars;

12 (ii) For nonresident undergraduate and all other nonresident  
13 students not in graduate study programs, eight thousand three hundred  
14 twelve dollars;

15 (iii) For resident graduate students, three thousand five hundred  
16 eighty-one dollars; and

17 (iv) For nonresident graduate students, eleven thousand five  
18 hundred fourteen dollars.

19 (c) At the community colleges:

20 (i) For resident students, one thousand two hundred sixty-one  
21 dollars; and

22 (ii) For nonresident students, five thousand three hundred sixty-  
23 nine dollars and fifty cents.

24 ~~((+4))~~ (5) Subject to the limitations in subsection (2) of this  
25 section, for the 1997-98 academic year and thereafter, the tuition fee  
26 rates specified in subsection (4) of this section shall be adjusted to  
27 reflect the forecasted annual change in state personal per capita  
28 income or four percent, whichever is the lower amount, except for  
29 academic year annual increases for students at the University of  
30 Washington in the following categories: Nonresident undergraduates,  
31 graduate students in programs leading to degrees of juris doctor, and  
32 master of business administration at the University of Washington only,  
33 which are in this subsection (5). Annually by December 15th, the  
34 higher education coordinating board shall calculate tuition fee rates  
35 for the following academic year and forecast the tuition fee rates for  
36 the next succeeding academic year, based on the current tuition rates  
37 and the forecasted annual percentage change in state personal per  
38 capita income during the fiscal year in which the academic year begins,

1 as determined by the economic and revenue forecast council under  
2 chapter 82.33 RCW.

3 (a) Nonresident undergraduate rates at the University of Washington  
4 shall increase eight and three-tenths percent per year for academic  
5 years 1997-98 and 1998-99.

6 (b) Resident graduate rates for students in programs leading to the  
7 degree of juris doctor shall increase ten and six-tenths percent per  
8 year through academic year 2002-03.

9 (c) Nonresident graduate rates for students in programs leading to  
10 the degree of juris doctor shall increase six and seven-tenths percent  
11 per year through academic year 2002-03.

12 (d) Resident graduate rates for students in programs leading to the  
13 degree of master of business administration at the University of  
14 Washington shall increase ten and eight-tenths percent per year through  
15 academic year 2000-01.

16 (e) Nonresident graduate rates for students in programs leading to  
17 the degree of master of business administration at the University of  
18 Washington shall increase four and nine-tenths percent per year through  
19 academic year 2000-01.

20 (6) Tuition fee rates established under subsection (5) of this  
21 section may be adjusted in the state omnibus appropriations act based  
22 on requests from the boards of regents at the University of Washington  
23 or Washington State University, the boards of trustees at the regional  
24 universities or The Evergreen State College, or the state board for  
25 community and technical colleges. In considering rate adjustments, the  
26 legislature shall adopt or deny each institution's package of tuition  
27 rate adjustments in its entirety. Any adjustments adopted under this  
28 subsection are subject to the limitations established by subsection (2)  
29 of this section.

30 (7) The tuition fees established under this chapter shall not apply  
31 to high school students enrolling in ((community—colleges))  
32 participating institutions of higher education under RCW 28A.600.300  
33 through 28A.600.395.

34 **Sec. 3.** RCW 28B.15.069 and 1995 1st sp.s. c 9 s 5 are each amended  
35 to read as follows:

36 (1) As used in this section, each of the following subsections is  
37 a separate tuition category:

1 (a) Resident undergraduate students and all other resident students  
2 not in first professional, graduate, or law programs;

3 (b) Nonresident undergraduate students and all other nonresident  
4 students not in graduate or law programs;

5 (c) Resident graduate and law students;

6 (d) Nonresident graduate and law students;

7 (e) Resident first professional students; and

8 (f) Nonresident students in first professional programs.

9 (2) Unless the context clearly requires otherwise, as used in this  
10 section "first professional programs" means programs leading to one of  
11 the following degrees: Doctor of medicine, doctor of dental surgery,  
12 or doctor of veterinary medicine.

13 (3) (~~For the 1995-96 and 1996-97 academic years,~~) The building  
14 fee for each academic year shall be a percentage of total tuition fees.  
15 This percentage shall be calculated by the higher education  
16 coordinating board and be based on the actual percentage the building  
17 fee is of total tuition for each tuition category in the 1994-95  
18 academic year, rounded up to the nearest half percent.

19 (4) The governing boards of each institution of higher education,  
20 except for the technical colleges, shall charge to and collect from  
21 each student a services and activities fee. A governing board 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 student tuition fees for the  
25 applicable tuition category: PROVIDED, That such percentage increase  
26 shall not apply to that portion of the services and activities fee  
27 previously committed to the repayment of bonded debt. The services and  
28 activities fee committee provided for in RCW 28B.15.045 may initiate a  
29 request to the governing board for a fee increase.

30 (5) Tuition and services and activities fees consistent with  
31 subsection (4) of this section shall be set by the state board for  
32 community and technical colleges for community college summer school  
33 students unless the community college charges fees in accordance with  
34 RCW 28B.15.515.

35 (6) Subject to the limitations of RCW 28B.15.910, each governing  
36 board of a community college may charge such fees for ungraded courses,  
37 noncredit courses, community services courses, and self-supporting  
38 courses as it, in its discretion, may determine, consistent with the  
39 rules of the state board for community and technical colleges.



**ENROLLMENT AND ACCOUNTABILITY**

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**Sec. 4.** RCW 28B.10.776 and 1993 sp.s. c 15 s 2 are each amended to read as follows:

It is the policy of the state of Washington that (~~the essential requirements level budget calculation~~) state appropriations for institutions of higher education include (enrollment levels) state funding necessary to (maintain, by educational sector, the participation rate funded in the 1993 fiscal year. The participation rate shall be based on the state's estimated population ages seventeen and above by appropriate age groups) support enrollment levels in the state's institutions of higher education which, at a minimum, keep pace with population change.

**Sec. 5.** RCW 28B.10.778 and 1993 sp.s. c 15 s 3 are each amended to read as follows:

Consistent with RCW 28B.10.776, it is the policy of the state of Washington that (, for new enrollments provided under RCW 28B.10.776, the essential requirements level budget calculation for those enrollments shall, each biennium) the state appropriations act shall, at a minimum, include a funding level (per full-time equivalent student that is equal to the rate assumed in the omnibus appropriations act for the last fiscal year of the previous biennium for the instructional, primary support, and library programs, plus an inflation factor. The inflation factor should be equivalent to the inflation factor used to calculate basic education in the common school system budget request submitted by the governor) for the state's institutions of higher education, in the manner provided in this section.

(1) By November 15th of each year, the office of financial management shall certify to the higher education coordinating board, the state board for community and technical colleges, and the appropriate fiscal and higher education committees of the legislature the student enrollments for the current academic year at the state's institutions of higher education and the official enrollment projection for each of the two succeeding academic years. The enrollment projections shall be based on the most recently available projections of state population and higher education participation rates. Institutions of higher education shall provide enrollment information

1 necessary to develop the enrollment projections according to a  
2 timetable required by the office of financial management.

3 (2) By December 10th of each year, the higher education  
4 coordinating board shall determine for the institutions of higher  
5 education the cost of any incremental increase in enrollment levels for  
6 the next two fiscal years as forecast by the office of financial  
7 management under subsection (1) of this section. The cost  
8 determination shall be based on the undergraduate and graduate  
9 educational costs determined by the board under RCW 28B.15.070. The  
10 costs for the enrollment increases shall be certified by the board to  
11 the office of financial management and the appropriate higher education  
12 and fiscal committees of the legislature.

13 (3) The legislative appropriations to the institutions of higher  
14 education shall include the costs certified by the higher education  
15 coordinating board as necessary to fund the enrollment levels  
16 forecasted under subsection (1) of this section. For each fiscal year  
17 after July 1, 1998, ten percent of the incremental amount appropriated  
18 for any increased enrollment at each institution of higher education  
19 shall not be expended by the institution of higher education until the  
20 higher education coordinating board has certified that the institution  
21 has achieved the measures of accountability and efficiency established  
22 by the board under subsection (4) of this section.

23 (4) To ensure that the state's commitment of financial resources to  
24 higher education will result in effective and efficient expenditures,  
25 the higher education coordinating board shall provide measurable  
26 standards of higher education accountability and efficiency by July 1,  
27 1997. The standards shall be consistent with the board's comprehensive  
28 master plan under RCW 28B.80.330 and shall be adopted in consultation  
29 with the institutions of higher education, the state board for  
30 community and technical colleges, the appropriate higher education and  
31 fiscal committees of the legislature, representative student  
32 organizations, and other interested parties. The standards shall  
33 include measures of student educational progression, faculty  
34 productivity, administrative efficiency, student outcomes, and other  
35 educational goals. Upon request, the employment security department  
36 and other state agencies shall provide the necessary information to the  
37 board to fulfill the requirements of this subsection. After adoption  
38 by the higher education coordinating board, the standards may be  
39 periodically revised and shall constitute state higher education policy

1 unless legislation is enacted to alter the standards adopted by the  
2 board.

3 **Sec. 6.** RCW 28B.10.784 and 1993 sp.s. c 15 s 6 are each amended to  
4 read as follows:

5 The participation rate used to calculate enrollment levels under  
6 RCW 28B.10.776 and ~~((28B.10.782))~~ 28B.10.778 shall be based on fall  
7 enrollment reported in the higher education enrollment report as  
8 maintained by the office of financial management, fall enrollment as  
9 reported in the management information system of the state board for  
10 community and technical colleges, and the corresponding fall population  
11 forecast by the office of financial management. Formal estimates of  
12 the state participation rates and enrollment levels necessary to  
13 fulfill the requirements of RCW 28B.10.776 and ~~((28B.10.782))~~  
14 28B.10.778 shall be determined by the office of financial management as  
15 part of its responsibility to develop and maintain student enrollment  
16 forecasts for colleges and universities under RCW 43.62.050. Formal  
17 estimates of the state participation rates and enrollment levels  
18 required by this section shall be based on procedures and standards  
19 established by a technical work group consisting of staff from the  
20 higher education coordinating board, the public four-year institutions  
21 of higher education, the state board for community and technical  
22 colleges, the fiscal and higher education committees of the house of  
23 representatives and the senate, and the office of financial management.  
24 Formal estimates of the state participation rates and enrollment levels  
25 required by this section shall be submitted to the fiscal committees of  
26 the house of representatives and senate on or before November 15th of  
27 each ~~((even-numbered))~~ year. ~~((The higher education coordinating board  
28 shall periodically review the enrollment goals set forth in RCW  
29 28B.10.776 and 28B.10.782 and submit recommendations concerning  
30 modification of these goals to the governor and to the higher education  
31 committees of the house of representatives and the senate.))~~

32 NEW SECTION. **Sec. 7.** The following acts or parts of acts are each  
33 repealed:

- 34 (1) RCW 28B.10.780 and 1993 sp.s. c 15 s 4;  
35 (2) RCW 28B.10.782 and 1993 sp.s. c 15 s 5;  
36 (3) RCW 28B.10.786 and 1993 sp.s. c 15 s 7; and  
37 (4) RCW 28B.80.500 and 1989 1st ex.s. c 7 s 2.

**MISCELLANEOUS**

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2        NEW SECTION.    **Sec. 8.**    PART HEADINGS NOT LAW.    Part headings used  
3 in this act are not any part of the law.

4        NEW SECTION.    **Sec. 9.**    This act is necessary for the immediate  
5 preservation of the public peace, health, or safety, or support of the  
6 state government and its existing public institutions, and takes effect  
7 immediately.

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