
SUBSTITUTE SENATE BILL 5770

State of Washington

57th Legislature

2001 Regular Session

By Senate Committee on Higher Education (originally sponsored by Senators Kohl-Welles, Jacobsen and Horn; by request of Governor Locke)

READ FIRST TIME 02/28/01.

1 AN ACT Relating to tuition setting authority and the use of tuition
2 in higher education; amending RCW 28B.15.031, 28B.15.066, 28B.15.067,
3 28B.15.069, and 28B.15.100; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
6 address higher education through a cooperative bipartisan effort that
7 includes the legislative and executive branches of government, parents,
8 students, educators, and concerned citizens. This effort will begin in
9 2001, with the results providing the basis for discussion during the
10 2002 legislative session for future decisions and final legislative
11 action in 2003. The new policy will recognize that funding higher
12 education is a shared responsibility of the state, the institutions of
13 higher education, and the students and families served. In addition,
14 this new policy will maintain affordable tuition levels so students and
15 their families can plan and pay for access to public higher education.
16 The legislature further intends that tuition revenue be used by each
17 institution of higher education to provide student access to quality
18 learning opportunities.

1 **Sec. 2.** RCW 28B.15.031 and 1996 c 142 s 2 are each amended to read
2 as follows:

3 The term "operating fees" as used in this chapter shall include the
4 fees, other than building fees, charged all students registering at the
5 state's colleges and universities but shall not include fees for short
6 courses, self-supporting degree credit programs and courses, marine
7 station work, experimental station work, correspondence or extension
8 courses, and individual instruction and student deposits or rentals,
9 disciplinary and library fines, which colleges and universities shall
10 have the right to impose, laboratory, gymnasium, health, technology and
11 student activity fees, or fees, charges, rentals, and other income
12 derived from any or all revenue producing lands, buildings and
13 facilities of the colleges or universities heretofore or hereafter
14 acquired, constructed or installed, including but not limited to income
15 from rooms, dormitories, dining rooms, hospitals, infirmaries, housing
16 or student activity buildings, vehicular parking facilities, land, or
17 the appurtenances thereon, or such other special fees as may be
18 established by any college or university board of trustees or regents
19 from time to time. All moneys received as operating fees at any
20 institution of higher education shall be deposited in a local account
21 containing only operating fees revenue and related interest: PROVIDED,
22 That a minimum of three and one-half percent of operating fees shall be
23 retained by the institutions(~~(, except the technical colleges,)~~) for
24 the purposes of RCW 28B.15.820. Local operating fee accounts shall not
25 be subject to appropriation by the legislature or allotment procedures
26 under chapter 43.88 RCW.

27 **Sec. 3.** RCW 28B.15.066 and 2000 c 152 s 2 are each amended to read
28 as follows:

29 It is the intent of the legislature that:

30 In making appropriations from the state's general fund to
31 institutions of higher education, each appropriation shall conform to
32 the following:

33 (1) The appropriation shall not be reduced by the amount of
34 operating fees revenue estimated to be collected from students enrolled
35 at the state-funded enrollment level specified in the omnibus biennial
36 operating appropriations act;

37 (2) The appropriation shall not be reduced by the amount of
38 operating fees revenue collected from students enrolled above the

1 state-funded level(~~(, but within the over-enrollment limitations,)~~)
2 specified in the omnibus biennial operating appropriations act; and
3 (3) The general fund state appropriation shall not be reduced by
4 the amount of operating fees revenue collected as a result of waiving
5 less operating fees revenue than the amounts authorized under RCW
6 28B.15.910. State general fund appropriations shall not be provided
7 for revenue foregone as a result of or for waivers granted under RCW
8 28B.15.915.

9 **Sec. 4.** RCW 28B.15.067 and 1997 c 403 s 1 are each amended to read
10 as follows:

11 (1) Tuition fees shall be established under the provisions of this
12 chapter.

13 (2) (~~Academic year tuition for full-time students at the state's~~
14 ~~institutions of higher education for the 1997-98 academic year, other~~
15 ~~than the summer term, shall be as provided in this subsection.~~

16 (a) ~~At the University of Washington and Washington State~~
17 ~~University:~~

18 (i) ~~For resident undergraduate students and other resident students~~
19 ~~not in graduate, law, or first professional programs, two thousand nine~~
20 ~~hundred eighty-eight dollars;~~

21 (ii)(A) ~~For nonresident undergraduate students and other~~
22 ~~nonresident students at the University of Washington not in graduate,~~
23 ~~law, or first professional programs, ten thousand two hundred seventy-~~
24 ~~eight dollars;~~

25 (B) ~~For nonresident undergraduate students and other nonresident~~
26 ~~students at Washington State University not in graduate or first~~
27 ~~professional programs, nine thousand eight hundred seventy dollars;~~

28 (iii) ~~For resident graduate students, four thousand eight hundred~~
29 ~~fifty-four dollars;~~

30 (iv) ~~For nonresident graduate students, twelve thousand five~~
31 ~~hundred eighty-eight dollars;~~

32 (v) ~~For resident law students, five thousand ten dollars;~~

33 (vi) ~~For nonresident law students, twelve thousand nine hundred~~
34 ~~fifteen dollars;~~

35 (vii) ~~For resident first professional students, eight thousand one~~
36 ~~hundred twelve dollars; and~~

37 (viii) ~~For nonresident first professional students, twenty-one~~
38 ~~thousand twenty-four 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 programs, two thousand two hundred eleven dollars;~~
4 ~~(ii) For nonresident undergraduate and all other nonresident~~
5 ~~students not in graduate programs, eight thousand six hundred forty-six~~
6 ~~dollars;~~
7 ~~(iii) For resident graduate students, three thousand seven hundred~~
8 ~~twenty-six dollars; and~~
9 ~~(iv) For nonresident graduate students, eleven thousand nine~~
10 ~~hundred seventy-six dollars.~~
11 ~~(c) At the community colleges:~~
12 ~~(i) For resident students, one thousand three hundred eleven~~
13 ~~dollars; and~~
14 ~~(ii) For nonresident students, five thousand five hundred eighty-~~
15 ~~six dollars.~~
16 ~~(3) Academic year tuition for full-time students at the state's~~
17 ~~institutions of higher education beginning with the 1998-99 academic~~
18 ~~year, other than the summer term, shall be as provided in this~~
19 ~~subsection unless different rates are adopted in the omnibus~~
20 ~~appropriations act.~~
21 ~~(a) At the University of Washington and Washington State~~
22 ~~University:~~
23 ~~(i) For resident undergraduate students and other resident students~~
24 ~~not in graduate, law, or first professional programs, three thousand~~
25 ~~one hundred eight dollars;~~
26 ~~(ii)(A) For nonresident undergraduate students and other~~
27 ~~nonresident students at the University of Washington not in graduate,~~
28 ~~law, or first professional programs, eleven thousand one hundred thirty~~
29 ~~dollars;~~
30 ~~(B) For nonresident undergraduate students and other nonresident~~
31 ~~students at Washington State University not in graduate or first~~
32 ~~professional programs, ten thousand two hundred sixty-six dollars;~~
33 ~~(iii) For resident graduate students, five thousand forty-six~~
34 ~~dollars;~~
35 ~~(iv) For nonresident graduate students, thirteen thousand ninety-~~
36 ~~two dollars;~~
37 ~~(v) For resident law students, five thousand three hundred seventy-~~
38 ~~six dollars;~~

1 ~~(vi) For nonresident law students, thirteen thousand seven hundred~~
2 ~~eighty two dollars;~~

3 ~~(vii) For resident first professional students, eight thousand four~~
4 ~~hundred thirty six dollars; and~~

5 ~~(viii) For nonresident first professional students, twenty one~~
6 ~~thousand eight hundred sixty four dollars.~~

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

8 ~~(i) For resident undergraduate and all other resident students not~~
9 ~~in graduate programs, two thousand two hundred ninety eight dollars;~~

10 ~~(ii) For nonresident undergraduate and all other nonresident~~
11 ~~students not in graduate programs, eight thousand nine hundred ninety~~
12 ~~one dollars;~~

13 ~~(iii) For resident graduate students, three thousand eight hundred~~
14 ~~seventy six dollars; and~~

15 ~~(iv) For nonresident graduate students, twelve thousand four~~
16 ~~hundred fifty six dollars.~~

17 ~~(c) At the community colleges:~~

18 ~~(i) For resident students, one thousand three hundred sixty two~~
19 ~~dollars; and~~

20 ~~(ii) For nonresident students, five thousand eight hundred eight~~
21 ~~dollars.~~

22 ~~(4) For the 1997-98 and 1998-99 academic years, the University of~~
23 ~~Washington shall use at least ten percent of the revenue received from~~
24 ~~the difference between a four percent increase in tuition fees and the~~
25 ~~actual increase charged to law students to assist needy low and middle~~
26 ~~income resident law students. For the 1997-98 and 1998-99 academic~~
27 ~~years, the University of Washington shall use at least ten percent of~~
28 ~~the revenue received from the difference between a four percent~~
29 ~~increase in tuition fees and the actual increase charged to nonresident~~
30 ~~undergraduate students and all other nonresident students not in~~
31 ~~graduate, law, or first professional programs to assist needy low and~~
32 ~~middle income resident undergraduate students and all other resident~~
33 ~~students not enrolled in graduate, law, or first professional programs.~~
34 ~~This requirement is in addition to the deposit requirements of the~~
35 ~~institutional aid fund under RCW 28B.15.820.~~

36 ~~(5))~~ (a) For the 2001-02 academic year, the governing boards of
37 the state universities, the regional universities, The Evergreen State
38 College, and the state board for community and technical colleges may
39 reduce or increase full-time operating fees for resident undergraduate

1 students. Increases for resident undergraduate students may be in
2 excess of the fiscal growth factor but are limited to no more than six
3 and two-thirds percent. Reductions or increases may be made for all or
4 portions of an institution's programs including but not limited to time
5 of day, day of the week, campus, and delivery method.

6 (b) For the 2001-02 academic year, the governing boards of the
7 state universities, the regional universities, The Evergreen State
8 College, and the state board for community and technical colleges may
9 reduce or increase full-time operating fees for all students other than
10 resident undergraduates, including summer school students. Increases
11 may be in excess of the fiscal growth factor. Reductions or increases
12 may be made for all or portions of an institution's programs including
13 but not limited to time of day, day of the week, campus, and delivery
14 method.

15 (c) For the 2002-03 academic year, the governing boards of the
16 state universities, the regional universities, The Evergreen State
17 College, and the state board for community and technical colleges may
18 reduce or increase full-time operating fees for resident undergraduate
19 students. Increases for resident undergraduate students may be in
20 excess of the fiscal growth factor but are limited to no more than six
21 and two-thirds percent. Reductions or increases may be made for all or
22 portions of an institution's programs including but not limited to time
23 of day, day of the week, campus, and delivery method.

24 (d) For the 2002-03 academic year, the governing boards of the
25 state universities, the regional universities, The Evergreen State
26 College, and the state board for community and technical colleges may
27 reduce or increase full-time operating fees for all students other than
28 resident undergraduates, including summer school students. Increases
29 may be in excess of the fiscal growth factor. Reductions or increases
30 may be made for all or portions of an institution's programs including
31 but not limited to time of day, day of the week, campus, and delivery
32 method.

33 (3) Students receiving state need grants should not be deprived of
34 access to higher education due to increases in tuition rates. The
35 legislature retains the responsibility to appropriate funds to the
36 state need grant program to support changes in overall program
37 eligibility, increased enrollments, and tuition levels. The
38 legislature shall continue to provide resources directly to the state
39 need grant program for changes in program eligibility, increases in

1 enrollments, and changes in tuition based on the maximum tuition
2 increase of six and two-thirds percent per year in academic years 2001-
3 02 and 2002-03. Institutions of higher education may not reduce the
4 proportion of state need grant recipients relative to the total number
5 of resident undergraduates in the prior year as determined by the
6 higher education coordinating board.

7 (4) The tuition fees established under this chapter shall not apply
8 to high school students enrolling in participating institutions of
9 higher education under RCW 28A.600.300 through 28A.600.395.

10 **Sec. 5.** RCW 28B.15.069 and 1997 c 403 s 2 are each amended to read
11 as follows:

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

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

16 ~~(b) Nonresident undergraduate students and all other nonresident~~
17 ~~students not in first professional graduate or law programs;~~

18 ~~(c) Resident graduate students;~~

19 ~~(d) Resident law students;~~

20 ~~(e) Nonresident graduate students;~~

21 ~~(f) Nonresident law students;~~

22 ~~(g) Resident first professional students; and~~

23 ~~(h) Nonresident first professional students.~~

24 (2) ~~Unless the context clearly requires otherwise, as used in this~~
25 ~~section "first professional programs" means programs leading to one of~~
26 ~~the following degrees: Doctor of medicine, doctor of dental surgery,~~
27 ~~or doctor of veterinary medicine.~~

28 ~~(3))~~ The building fee for each academic year shall be a percentage
29 of total tuition fees. This percentage shall be calculated by the
30 higher education coordinating board and be based on the actual
31 percentage the building fee is of total tuition for each tuition
32 category in the 1994-95 academic year, rounded up to the nearest half
33 percent.

34 ~~((4))~~ (2) The governing boards of each institution of higher
35 education, except for the technical colleges, shall charge to and
36 collect from each student a services and activities fee. A governing
37 board may increase the existing fee annually, consistent with budgeting
38 procedures set forth in RCW 28B.15.045, by a percentage not to exceed

1 the annual percentage increase in student tuition fees for the
2 applicable tuition category: PROVIDED, That such percentage increase
3 shall not apply to that portion of the services and activities fee
4 previously committed to the repayment of bonded debt. The services and
5 activities fee committee provided for in RCW 28B.15.045 may initiate a
6 request to the governing board for a fee increase.

7 ~~((+5))~~ (3) Tuition and services and activities fees consistent
8 with subsection ~~((+4))~~ (2) of this section shall be set by the state
9 board for community and technical colleges for community college summer
10 school students unless the community college charges fees in accordance
11 with RCW 28B.15.515.

12 ~~((+6))~~ (4) Subject to the limitations of RCW 28B.15.910, each
13 governing board of a community college may charge such fees for
14 ungraded courses, noncredit courses, community services courses, and
15 self-supporting courses as it, in its discretion, may determine,
16 consistent with the rules of the state board for community and
17 technical colleges.

18 **Sec. 6.** RCW 28B.15.100 and 1999 c 321 s 2 are each amended to read
19 as follows:

20 (1) The governing boards of the state universities, the regional
21 universities, The Evergreen State College, and the community colleges
22 shall charge to and collect from each of the students registering at
23 the particular institution for any quarter or semester such tuition
24 fees and services and activities fees, and other fees as such board
25 shall in its discretion determine. The total of all fees shall be
26 rounded to the nearest whole dollar amount: PROVIDED, That such
27 tuition fees ~~((for other than the summer term))~~ shall be ~~((in the
28 amounts for the respective institutions as otherwise set forth in))~~
29 established in accordance with RCW 28B.15.067.

30 (2) Part-time students shall be charged tuition and services and
31 activities fees proportionate to full-time student rates established
32 for residents and nonresidents: PROVIDED, That except for students
33 registered at community colleges, students registered for fewer than
34 two credit hours shall be charged tuition and services and activities
35 fees at the rate established for two credit hours: PROVIDED FURTHER,
36 That, subject to the limitations of RCW 28B.15.910, residents of Idaho
37 or Oregon who are enrolled in community college district number twenty
38 for six or fewer credits during any quarter or semester may be exempted

1 from payment of all or a portion of the nonresident tuition fees
2 differential upon a declaration by the higher education coordinating
3 board that it finds Washington residents from the community college
4 district are afforded substantially equivalent treatment by such other
5 states.

6 (3) Full-time students registered for more than eighteen credit
7 hours shall be charged an additional operating fee for each credit hour
8 in excess of eighteen hours at the applicable established per credit
9 hour tuition fee rate for part-time students: PROVIDED, That, subject
10 to the limitations of RCW 28B.15.910, the governing boards of the state
11 universities and the community colleges may exempt all or a portion of
12 the additional charge, for students who are registered exclusively in
13 first professional programs in medicine, dental medicine, veterinary
14 medicine, doctor of pharmacy, or law, or who are registered exclusively
15 in required courses in vocational preparatory programs.

16 NEW SECTION. **Sec. 7.** The senate higher education committee and
17 the house of representatives higher education committee shall convene
18 a task force that includes but is not limited to representatives from
19 the public four-year institutions of higher education, the state board
20 for community and technical colleges, the office of financial
21 management, and the higher education coordinating board to identify
22 options for long-term funding of public higher education, including
23 options to address increases in the state need grant program related to
24 operating fee increases, and to make agreed upon recommendations by
25 November 1, 2001, to the 2002 legislature.

--- END ---