
SENATE BILL 5770

State of Washington

57th Legislature

2001 Regular Session

By Senators Kohl-Welles, Jacobsen and Horn; by request of Governor Locke

Read first time 02/01/2001. Referred to Committee on Higher Education.

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 establish a permanent tuition policy for the state's public
7 institutions of higher education. This policy recognizes that funding
8 higher education is a shared responsibility of the state, the
9 institutions of higher education, and the students and families served.
10 This policy should maintain affordable tuition levels and predictable
11 tuition rates so students and their families can plan and pay for
12 access to public higher education. This policy should also extend
13 tuition setting authority to institutions of higher education and the
14 state board for community and technical colleges so they can respond to
15 individual priority needs not addressed by the legislature. The
16 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 and each academic year
37 thereafter, the governing boards of the state universities, the
38 regional universities, The Evergreen State College, and the state board
39 for community and technical colleges may reduce or increase full-time

1 operating fees for resident undergraduate students. Increases for
2 resident undergraduate students may be in excess of the fiscal growth
3 factor but are limited to no more than ten percent a year and no more
4 than a total of forty percentage points over any consecutive six-year
5 period. Reductions or increases may be made for all or portions of an
6 institution's programs including but not limited to time of day, day of
7 the week, campus, program type, degree, and delivery method.

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

18 (3) Students receiving state need grants should not be deprived of
19 access to higher education due to increases in tuition rates. The
20 legislature shall retain the responsibility to appropriate funds to the
21 state need grant program to support changes in overall program
22 eligibility levels and increased enrollments. For academic year 2001-
23 02, institutions of higher education must dedicate a portion of their
24 revenues to support state need grants to need grant recipients. At a
25 minimum, each institution of higher education shall dedicate sufficient
26 revenues to need grants sufficient to maintain the ratio of total state
27 need grant awards to students at that institution of higher education
28 to total tuition charged those students receiving state need grants at
29 that institution of higher education for the prior academic year.
30 Revenues dedicated for institutional support of state need grant
31 recipients shall be retained by each institution of higher education
32 for support of students enrolled at that institution. Institutional
33 expenditures of tuition revenues for need grants under chapter . . . ,
34 Laws of 2001 (this act) shall be in addition to tuition revenues
35 contributed to the institutional financial aid fund required by RCW
36 28B.15.820 and in addition to tuition payments waived under RCW
37 28B.15.740. The institutions of higher education shall report to the
38 higher education coordinating board on the financial aid paid according

1 to this section in a manner determined by the board. This subsection
2 does not apply after June 30, 2002.

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

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

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

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

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

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

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

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

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

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

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

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

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

30 ~~((4))~~ (2) The governing boards of each institution of higher
31 education, except for the technical colleges, shall charge to and
32 collect from each student a services and activities fee. A governing
33 board may increase the existing fee annually, consistent with budgeting
34 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
35 the annual percentage increase in student tuition fees for the
36 applicable tuition category: PROVIDED, That such percentage increase
37 shall not apply to that portion of the services and activities fee
38 previously committed to the repayment of bonded debt. The services and

1 activities fee committee provided for in RCW 28B.15.045 may initiate a
2 request to the governing board for a fee increase.

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

8 ~~((+6+))~~ (4) Subject to the limitations of RCW 28B.15.910, each
9 governing board of a community college may charge such fees for
10 ungraded courses, noncredit courses, community services courses, and
11 self-supporting courses as it, in its discretion, may determine,
12 consistent with the rules of the state board for community and
13 technical colleges.

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

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

26 (2) Part-time students shall be charged tuition and services and
27 activities fees proportionate to full-time student rates established
28 for residents and nonresidents: PROVIDED, That except for students
29 registered at community colleges, students registered for fewer than
30 two credit hours shall be charged tuition and services and activities
31 fees at the rate established for two credit hours: PROVIDED FURTHER,
32 That, subject to the limitations of RCW 28B.15.910, residents of Idaho
33 or Oregon who are enrolled in community college district number twenty
34 for six or fewer credits during any quarter or semester may be exempted
35 from payment of all or a portion of the nonresident tuition fees
36 differential upon a declaration by the higher education coordinating
37 board that it finds Washington residents from the community college

1 district are afforded substantially equivalent treatment by such other
2 states.

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

13 NEW SECTION. **Sec. 7.** The office of financial management shall
14 convene representatives from the public baccalaureate institutions, the
15 state board for community and technical colleges, and the higher
16 education coordinating board to identify options to address increases
17 in the state need grant program related to operating fee increases and
18 to make agreed-upon recommendations by November 1, 2001, to appropriate
19 committees of the legislature.

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