
SUBSTITUTE HOUSE BILL 1437

State of Washington

58th Legislature

2003 Regular Session

By House Committee on Higher Education (originally sponsored by Representatives Kenney, Cox, Fromhold and Wallace; by request of Governor Locke)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to tuition-setting authority at institutions of
2 higher education; amending RCW 28B.15.031, 28B.15.066, 28B.15.067,
3 28B.15.069, and 28B.15.100; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** Public higher education funding is a shared
6 responsibility between the state, students, and the public colleges and
7 universities. Periodic increases in state funding, state financial
8 aid, and tuition must be authorized to provide quality higher education
9 for the citizens of Washington. It is the intent of the legislature to
10 authorize the governing boards to establish tuition rates for all
11 students other than resident undergraduates.

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

14 The term "operating fees" as used in this chapter shall include the
15 fees, other than building fees, charged all students registering at the
16 state's colleges and universities but shall not include fees for short
17 courses, self-supporting degree credit programs and courses, marine
18 station work, experimental station work, correspondence or extension

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

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

22 It is the intent of the legislature that:

23 In making appropriations from the state's general fund to
24 institutions of higher education, each appropriation shall conform to
25 the following:

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

30 (2) The appropriation shall not be reduced by the amount of
31 operating fees revenue collected from students enrolled above the
32 state-funded level(~~(, but within the over enrollment limitations,)~~)
33 specified in the omnibus biennial operating appropriations act; and

34 (3) The general fund state appropriation shall not be reduced by
35 the amount of operating fees revenue collected as a result of waiving
36 less operating fees revenue than the amounts authorized under RCW

1 28B.15.910. State general fund appropriations shall not be provided
2 for revenue foregone as a result of or for waivers granted under RCW
3 28B.15.915.

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

6 (1) Tuition fees shall be established under the provisions of this
7 chapter.

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

11 ~~(a) At the University of Washington and Washington State
12 University:~~

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

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

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

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

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

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

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

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

32 ~~(viii) For nonresident first professional students, twenty one
33 thousand twenty-four dollars.~~

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

35 ~~(i) For resident undergraduate and all other resident students not
36 in graduate programs, two thousand two hundred eleven dollars;~~

1 ~~(ii) For nonresident undergraduate and all other nonresident~~
2 ~~students not in graduate programs, eight thousand six hundred forty six~~
3 ~~dollars;~~

4 ~~(iii) For resident graduate students, three thousand seven hundred~~
5 ~~twenty six dollars; and~~

6 ~~(iv) For nonresident graduate students, eleven thousand nine~~
7 ~~hundred seventy six dollars.~~

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

9 ~~(i) For resident students, one thousand three hundred eleven~~
10 ~~dollars; and~~

11 ~~(ii) For nonresident students, five thousand five hundred eighty~~
12 ~~six dollars.~~

13 ~~(3) Academic year tuition for full-time students at the state's~~
14 ~~institutions of higher education beginning with the 1998-99 academic~~
15 ~~year, other than the summer term, shall be as provided in this~~
16 ~~subsection unless different rates are adopted in the omnibus~~
17 ~~appropriations act.~~

18 ~~(a) At the University of Washington and Washington State~~
19 ~~University:~~

20 ~~(i) For resident undergraduate students and other resident students~~
21 ~~not in graduate, law, or first professional programs, three thousand~~
22 ~~one hundred eight dollars;~~

23 ~~(ii)(A) For nonresident undergraduate students and other~~
24 ~~nonresident students at the University of Washington not in graduate,~~
25 ~~law, or first professional programs, eleven thousand one hundred thirty~~
26 ~~dollars;~~

27 ~~(B) For nonresident undergraduate students and other nonresident~~
28 ~~students at Washington State University not in graduate or first~~
29 ~~professional programs, ten thousand two hundred sixty six dollars;~~

30 ~~(iii) For resident graduate students, five thousand forty six~~
31 ~~dollars;~~

32 ~~(iv) For nonresident graduate students, thirteen thousand ninety~~
33 ~~two dollars;~~

34 ~~(v) For resident law students, five thousand three hundred seventy~~
35 ~~six dollars;~~

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

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

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

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

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

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

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

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

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

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

18 ~~(ii) For nonresident students, five thousand eight hundred eight~~
19 ~~dollars.~~

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

34 (5)) For the 2003-04 academic year and each academic year
35 thereafter, reductions or increases in full-time tuition fees for
36 resident undergraduates shall be as provided in the omnibus
37 appropriations act.

1 (3) Beginning with the 2003-04 academic year and ending with the
2 2008-09 academic year, the governing boards of the state universities,
3 the regional universities, The Evergreen State College, and the state
4 board for community and technical colleges may reduce or increase full-
5 time tuition fees for all students other than resident undergraduates,
6 including summer school students and students in other self-supporting
7 degree programs. Percentage increases in full-time tuition fees may
8 exceed the fiscal growth factor. Reductions or increases may be made
9 for all or portions of an institution's programs, campuses, courses, or
10 students. It is the legislature's intent that governing boards make
11 every effort to make additional institutional or external financial aid
12 available to financially needy resident students to mitigate the impact
13 of tuition increases authorized under this section.

14 (4) The tuition fees established under this chapter shall not apply
15 to high school students enrolling in participating institutions of
16 higher education under RCW 28A.600.300 through ((28A.600.395))
17 28A.600.400.

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

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

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

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

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

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

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

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

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

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

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

36 (3)) The building fee for each academic year shall be a percentage
37 of total tuition fees. This percentage shall be calculated by the

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

5 ~~((+4))~~ (2) The governing boards of each institution of higher
6 education, except for the technical colleges, shall charge to and
7 collect from each student a services and activities fee. A governing
8 board may increase the existing fee annually, consistent with budgeting
9 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
10 the annual percentage increase in student tuition fees for ~~((the~~
11 ~~applicable tuition category))~~ resident undergraduate students, as
12 provided in the omnibus appropriations act: PROVIDED, That such
13 percentage increase shall not apply to that portion of the services and
14 activities fee previously committed to the repayment of bonded debt.
15 These rate adjustments may exceed the fiscal growth factor. The
16 services and activities fee committee provided for in RCW 28B.15.045
17 may initiate a request to the governing board for a fee increase.

18 ~~((+5))~~ (3) Tuition and services and activities fees consistent
19 with subsection ~~((+4))~~ (2) of this section shall be set by the state
20 board for community and technical colleges for community college summer
21 school students unless the community college charges fees in accordance
22 with RCW 28B.15.515.

23 ~~((+6))~~ (4) Subject to the limitations of RCW 28B.15.910, each
24 governing board of a community college may charge such fees for
25 ungraded courses, noncredit courses, community services courses, and
26 self-supporting courses as it, in its discretion, may determine,
27 consistent with the rules of the state board for community and
28 technical colleges.

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

31 (1) The governing boards of the state universities, the regional
32 universities, The Evergreen State College, and the community colleges
33 shall charge to and collect from each of the students registering at
34 the particular institution for any quarter or semester such tuition
35 fees and services and activities fees, and other fees as such board
36 shall in its discretion determine. The total of all fees shall be
37 rounded to the nearest whole dollar amount: PROVIDED, That such

1 tuition fees (~~for other than the summer term~~) shall be (~~in the~~
2 ~~amounts for the respective institutions as otherwise set forth in~~)
3 established in accordance with RCW 28B.15.067.

4 (2) Part-time students shall be charged tuition and services and
5 activities fees proportionate to full-time student rates established
6 for residents and nonresidents: PROVIDED, That except for students
7 registered at community colleges, students registered for fewer than
8 two credit hours shall be charged tuition and services and activities
9 fees at the rate established for two credit hours: PROVIDED FURTHER,
10 That, subject to the limitations of RCW 28B.15.910, residents of Idaho
11 or Oregon who are enrolled in community college district number twenty
12 for six or fewer credits during any quarter or semester may be exempted
13 from payment of all or a portion of the nonresident tuition fees
14 differential upon a declaration by the higher education coordinating
15 board that it finds Washington residents from the community college
16 district are afforded substantially equivalent treatment by such other
17 states.

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

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