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SENATE BILL 6625

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State of Washington

61st Legislature

2010 Regular Session

By Senators Zarelli, Hewitt, and Parlette

Read first time 01/19/10. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to tuition and financial aid at institutions of  
2 higher education; amending RCW 28B.15.067, 28B.15.100, and 28B.15.031;  
3 adding new sections to chapter 28B.15 RCW; and adding a new section to  
4 chapter 28B.92 RCW.

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

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

8 (1) For the purposes of this section, "cost of instruction" means  
9 the average instructional support in state funds and operating fees per  
10 full-time equivalent undergraduate, at each respective institution of  
11 higher education for the prior academic year, as disclosed by the  
12 higher education coordinating board under RCW 28B.76.300.

13 (2) Credits earned through advanced placement programs shall not be  
14 applied to the total accumulated for the purposes of this section.

15 (3) For resident undergraduate students who have accumulated more  
16 than one hundred twenty-five percent of the number of credits required  
17 to complete their respective baccalaureate degree at a state  
18 university, regional university, or The Evergreen State College,  
19 tuition fees shall equal a sum not less than the cost of instruction.

1 (4) For nonresident undergraduate students who have accumulated  
2 more than one hundred twenty-five percent of the number of credits  
3 required to complete their respective baccalaureate degree at a state  
4 university, regional university, or The Evergreen State College,  
5 tuition fees shall equal a sum not less than twice the cost of  
6 instruction.

7 (5) It is presumed that increased tuition fees will apply to all  
8 students described in subsections (3) and (4) of this section unless  
9 the student presents to his or her registrar evidence that one or more  
10 of the following conditions apply:

11 (a) The student is a dislocated worker as defined in RCW 50.04.075  
12 or a person engaging in a job training program under the purview of the  
13 work force training and education coordinating board;

14 (b) The student participates in the border county higher education  
15 opportunity project under RCW 28B.76.685;

16 (c) The student is a certificated teacher pursuing continuing  
17 education credits according to certification requirements; or

18 (d) The student has not been enrolled in an institution of higher  
19 education during the preceding five years.

20 (6) Students who believe they are under extraordinary or unforeseen  
21 academic or personal circumstances or were unable to complete their  
22 baccalaureate degree program within the number of credits specified due  
23 to institutional constraints may petition the higher education  
24 coordinating board for a special waiver from the tuition provisions of  
25 subsections (3) and (4) of this section. The board shall create a  
26 process through which student petitions may be fairly processed, heard,  
27 and determined. The process shall include a one hundred dollar  
28 administrative fee. The entire amount of the fee shall be refunded for  
29 those students who make a successful petition.

30 (7) For students unable to enroll in a class required for the  
31 student's major due to the sequencing of courses, if the student  
32 enrolls in the class the next time it is offered, the institution of  
33 higher education must waive the tuition and fees for that class.

34 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.15 RCW  
35 to read as follows:

36 (1) The definitions in this subsection apply throughout this  
37 section unless the context clearly requires otherwise.

1 (a) "Guaranteed tuition rate" means the full-time tuition rate paid  
2 by resident undergraduate students that in fall 2011 or later are  
3 enrolled for the first time as new students or transfer students at a  
4 state university, regional university, or The Evergreen State College.  
5 The guaranteed tuition rate shall be held constant for each new student  
6 or transfer student for a period of time described in subsection (2) of  
7 this section.

8 (b) "New students" means resident undergraduate students enrolled  
9 at a state university, regional university, or The Evergreen State  
10 College for the first time in fall 2011 or later and who have not  
11 previously earned academic credits at an institution of higher  
12 education except as students jointly enrolled in a Washington high  
13 school and an institution of higher education or through advanced  
14 placement credit.

15 (c) "Transfer students" means resident undergraduate students  
16 enrolled at a state university, regional university, or The Evergreen  
17 State College in fall 2011 or later who were previously enrolled at  
18 another institution of higher education and have earned academic  
19 credits.

20 (2)(a) The governing board of each state university, regional  
21 university, and The Evergreen State College shall annually approve  
22 guaranteed tuition rates.

23 (b) New students shall be charged the approved guaranteed tuition  
24 rate, which shall be fixed for a period of four continuous academic  
25 years.

26 (c) The guaranteed tuition rate for transfer students is the rate  
27 in existence at the time the student enrolls in the institution of  
28 higher education to which the student is transferring. This rate is  
29 guaranteed for four academic years, beginning when the student first  
30 enrolls at an institution of higher education, not from the time of  
31 transferring.

32 (d) The guaranteed tuition rate may be extended for a period not  
33 exceeding one academic year, at the respective governing boards'  
34 discretion, for students enrolled in programs that require more than  
35 four academic years to complete.

36 (e) A student eligible to receive the guaranteed tuition rate who  
37 is called to active military duty shall receive an extension of the  
38 guarantee equal to the time of active military service.

1 (f) The guaranteed tuition rate for new and transfer students  
2 expires at the end of the periods described in this section. Students  
3 whose initial guaranteed tuition rate expires shall thereafter pay the  
4 guaranteed tuition rate established for the current academic year by  
5 the institution's governing board, if section 1 of this act does not  
6 apply.

7 (g) Each institution of higher education shall establish a process  
8 to allow students to appeal their eligibility for the guaranteed  
9 tuition rate based upon extenuating circumstances. Each institution of  
10 higher education shall have the final decision on any appeal.

11 **Sec. 3.** RCW 28B.15.067 and 2009 c 574 s 1 are each amended to read  
12 as follows:

13 (1) Tuition fees shall be established under the provisions of this  
14 chapter.

15 (2) Beginning with the 2003-04 academic year (~~and ending with the~~  
16 ~~2012-13 academic year~~), reductions or increases in full-time tuition  
17 fees for resident undergraduates at a community or technical college  
18 shall be as provided in the omnibus appropriations act.

19 (3)(a) Beginning with the (~~2003-04~~) 2011-12 academic year (~~and~~  
20 ~~ending with the 2012-13 academic year~~), the governing boards of the  
21 state universities, the regional universities, The Evergreen State  
22 College, and the state board for community and technical colleges may  
23 reduce or increase full-time tuition fees for all students other than  
24 resident undergraduates at community and technical colleges, including  
25 summer school students and students in other self-supporting degree  
26 programs. Percentage increases in full-time tuition fees may exceed  
27 the fiscal growth factor. Reductions or increases may be made for all  
28 or portions of an institution's programs, campuses, courses, or  
29 students.

30 (~~(b) Prior to reducing or increasing tuition for each academic~~  
31 ~~year, the governing boards of the state universities, the regional~~  
32 ~~universities, and The Evergreen State College shall consult with~~  
33 ~~existing student associations or organizations with student~~  
34 ~~undergraduate and graduate representatives regarding the impacts of~~  
35 ~~potential tuition increases. Governing boards shall be required to~~  
36 ~~provide data regarding the percentage of students receiving financial~~

1 aid, the sources of aid, and the percentage of total costs of  
2 attendance paid for by aid.

3 ~~(c) Prior to reducing or increasing tuition for each academic year,~~  
4 ~~each college in the state board for community and technical college~~  
5 ~~system shall consult with existing student associations or~~  
6 ~~organizations with undergraduate student representation regarding the~~  
7 ~~impacts of potential tuition increases. Colleges shall provide data~~  
8 ~~regarding the percentage of students receiving financial aid, the~~  
9 ~~sources of aid, and the percentage of total costs of attendance paid~~  
10 ~~for by aid.~~

11 ~~(4) Academic year tuition for full-time students at the state's~~  
12 ~~institutions of higher education beginning with 2015-16, other than~~  
13 ~~summer term, shall be as charged during the 2014-15 academic year~~  
14 ~~unless different rates are adopted by the legislature.~~

15 ~~(5))~~ (4) The tuition fees established under this chapter shall not  
16 apply to high school students enrolling in participating institutions  
17 of higher education under RCW 28A.600.300 through 28A.600.400.

18 ~~((6) The tuition fees established under this chapter shall not~~  
19 ~~apply to eligible students enrolling in a community or technical~~  
20 ~~college under RCW 28C.04.610.~~

21 ~~(7))~~ (5) The tuition fees established under this chapter shall not  
22 apply to eligible students enrolling in a community or technical  
23 college participating in the pilot program under RCW 28B.50.534 for the  
24 purpose of obtaining a high school diploma.

25 ~~((8))~~ (6) For the academic years 2003-04 through 2008-09, the  
26 University of Washington shall use an amount equivalent to ten percent  
27 of all revenues received as a result of law school tuition increases  
28 beginning in academic year 2000-01 through academic year 2008-09 to  
29 assist needy low and middle-income resident law students.

30 ~~((9))~~ (7) For the academic years 2003-04 through 2008-09,  
31 institutions of higher education shall use an amount equivalent to ten  
32 percent of all revenues received as a result of graduate academic  
33 school tuition increases beginning in academic year 2003-04 through  
34 academic year 2008-09 to assist needy low and middle-income resident  
35 graduate academic students.

36 ~~((10))~~ (8) Any tuition increases above seven percent shall fund  
37 costs of instruction, library and student services, utilities and  
38 maintenance, other costs related to instruction as well as

1 institutional financial aid. Through 2010-11, any funding reductions  
2 to instruction, library and student services, utilities and maintenance  
3 and other costs related to instruction shall be proportionally less  
4 than other program areas including administration.

5 **Sec. 4.** RCW 28B.15.100 and 2003 c 232 s 6 are each amended to read  
6 as follows:

7 (1) The governing boards of the state universities, the regional  
8 universities, The Evergreen State College, and the community colleges  
9 shall charge to and collect from each of the students registering at  
10 the particular institution for any quarter or semester such tuition  
11 fees and services and activities fees, and other fees as such board  
12 shall in its discretion determine. The total of all fees shall be  
13 rounded to the nearest whole dollar amount: PROVIDED, That such  
14 tuition fees shall be established in accordance with sections 1 and 2  
15 of this act and RCW 28B.15.067.

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

30 (3) Full-time students registered for more than eighteen credit  
31 hours shall be charged an additional operating fee for each credit hour  
32 in excess of eighteen hours at the applicable established per credit  
33 hour tuition fee rate for part-time students: PROVIDED, That, subject  
34 to the limitations of RCW 28B.15.910, the governing boards of the state  
35 universities and the community colleges may exempt all or a portion of  
36 the additional charge, for students who are registered exclusively in

1 first professional programs in medicine, dental medicine, veterinary  
2 medicine, doctor of pharmacy, or law, or who are registered exclusively  
3 in required courses in vocational preparatory programs.

4 NEW SECTION. **Sec. 5.** A new section is added to chapter 28B.92 RCW  
5 to read as follows:

6 (1) Pursuant to subsection (2) of this section, a state university,  
7 regional university, or The Evergreen State College shall waive full-  
8 time tuition fees for resident undergraduate students as follows:

9 (a) Students whose family incomes are at or below fifty percent of  
10 the state's median family income shall receive a waiver equal to one  
11 hundred percent of full-time tuition fees;

12 (b) Students whose family incomes are greater than fifty percent  
13 and less than seventy-five percent of the state's median family income  
14 shall receive a waiver equal to seventy-five percent of full-time  
15 tuition fees;

16 (c) Students whose family incomes are at or exceed seventy-five  
17 percent and are less than one hundred percent of the state's median  
18 family income shall receive a waiver equal to fifty percent of full-  
19 time tuition fees; and

20 (d) Students whose family incomes are at or exceed one hundred one  
21 percent and are less than one hundred twenty-five percent of the  
22 state's median family income shall receive a waiver equal to twenty-  
23 five percent of full-time tuition fees.

24 (2)(a) If an institution's full-time tuition fees for resident  
25 undergraduate students exceed five percent of the state's median family  
26 income for a family of four, then subsection (1)(a) of this section  
27 applies.

28 (b) If an institution's full-time tuition fees for resident  
29 undergraduate students exceed ten percent of the state's median family  
30 income for a family of four, then subsection (1)(b) of this section  
31 also applies.

32 (c) If an institution's full-time tuition fees for resident  
33 undergraduate students exceed fifteen percent of the state's median  
34 family income for a family of four, then subsection (1)(c) of this  
35 section also applies.

36 (d) If an institution's full-time tuition fees for resident

1 undergraduate students exceed twenty percent of the state's median  
2 family income for a family of four, then subsection (1)(d) of this  
3 section also applies.

4 (3) The waivers required in subsection (1) of this section shall be  
5 reduced by the amount of any state need grant and other financial aid  
6 awards.

7 (4) Waivers shall be made under this section only to the extent  
8 that the student has not exceeded the credits identified in section 1  
9 of this act.

10 (5) This section applies beginning with the 2011-12 academic year.

11 **Sec. 6.** RCW 28B.15.031 and 2003 c 232 s 2 are each amended to read  
12 as follows:

13 The term "operating fees" as used in this chapter shall include the  
14 fees, other than building fees, charged all students registering at the  
15 state's colleges and universities but shall not include fees for short  
16 courses, self-supporting degree credit programs and courses, marine  
17 station work, experimental station work, correspondence or extension  
18 courses, and individual instruction and student deposits or rentals,  
19 disciplinary and library fines, which colleges and universities shall  
20 have the right to impose, laboratory, gymnasium, health, technology and  
21 student activity fees, or fees, charges, rentals, and other income  
22 derived from any or all revenue producing lands, buildings and  
23 facilities of the colleges or universities heretofore or hereafter  
24 acquired, constructed or installed, including but not limited to income  
25 from rooms, dormitories, dining rooms, hospitals, infirmaries, housing  
26 or student activity buildings, vehicular parking facilities, land, or  
27 the appurtenances thereon, or such other special fees as may be  
28 established by any college or university board of trustees or regents  
29 from time to time. All moneys received as operating fees at any  
30 institution of higher education shall be deposited in a local account  
31 containing only operating fees revenue and related interest(~~(+~~  
32 ~~PROVIDED, That a minimum of three and one-half percent of operating~~  
33 ~~fees shall be retained by the institutions for the purposes of RCW~~  
34 ~~28B.15.820))~~). Local tuition operating fee accounts shall ((~~not~~)) be  
35 subject to appropriation by the legislature ((~~or~~)) and to allotment



1 procedures under chapter 43.88 RCW.

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