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SENATE BILL 5719

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State of Washington

62nd Legislature

2011 Regular Session

By Senator Shin

Read first time 02/08/11. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to tuition for qualified individuals with  
2 disabilities; amending RCW 28B.15.067; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that educational  
5 opportunity is a human right that is often denied to individuals with  
6 disabilities as they encounter significant financial obstacles while  
7 attempting to gain access to the postsecondary educational  
8 opportunities available at Washington's institutions of higher  
9 education. The legislature further finds that, when given equal  
10 educational opportunities, individuals with disabilities make  
11 significant contributions to the state's social fiber and economic  
12 well-being. The legislature intends to mitigate the financial burden  
13 encountered by individuals with disabilities as they progress through  
14 the state's educational system.

15 **Sec. 2.** RCW 28B.15.067 and 2010 c 20 s 7 are each amended to read  
16 as follows:

17 (1) Tuition fees shall be established under the provisions of this  
18 chapter.

1 (2) Beginning with the 2003-04 academic year and ending with the  
2 2012-13 academic year, reductions or increases in full-time tuition  
3 fees for resident undergraduates shall be as provided in the omnibus  
4 appropriations act.

5 (3)(a) Beginning with the 2003-04 academic year and ending with the  
6 2012-13 academic year, the governing boards of the state universities,  
7 the regional universities, The Evergreen State College, and the state  
8 board for community and technical colleges may reduce or increase full-  
9 time tuition fees for all students other than resident undergraduates,  
10 including summer school students and students in other self-supporting  
11 degree programs. Percentage increases in full-time tuition fees may  
12 exceed the fiscal growth factor. Reductions or increases may be made  
13 for all or portions of an institution's programs, campuses, courses, or  
14 students.

15 (b) Prior to reducing or increasing tuition for each academic year,  
16 the governing boards of the state universities, the regional  
17 universities, and The Evergreen State College shall consult with  
18 existing student associations or organizations with student  
19 undergraduate and graduate representatives regarding the impacts of  
20 potential tuition increases. Governing boards shall be required to  
21 provide data regarding the percentage of students receiving financial  
22 aid, the sources of aid, and the percentage of total costs of  
23 attendance paid for by aid.

24 (c) Prior to reducing or increasing tuition for each academic year,  
25 each college in the state board for community and technical college  
26 system shall consult with existing student associations or  
27 organizations with undergraduate student representation regarding the  
28 impacts of potential tuition increases. Colleges shall provide data  
29 regarding the percentage of students receiving financial aid, the  
30 sources of aid, and the percentage of total costs of attendance paid  
31 for by aid.

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

36 (5) The tuition fees established under this chapter shall not apply  
37 to high school students enrolling in participating institutions of  
38 higher education under RCW 28A.600.300 through 28A.600.400.

1 (6) The tuition fees established under this chapter shall not apply  
2 to eligible students enrolling in a dropout reengagement program  
3 through an interlocal agreement between a school district and a  
4 community or technical college under RCW 28A.175.100 through  
5 28A.175.110.

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

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

15 (9) For the academic years 2003-04 through 2008-09, institutions of  
16 higher education shall use an amount equivalent to ten percent of all  
17 revenues received as a result of graduate academic school tuition  
18 increases beginning in academic year 2003-04 through academic year  
19 2008-09 to assist needy low and middle-income resident graduate  
20 academic students.

21 (10) Any tuition increases above seven percent shall fund costs of  
22 instruction, library and student services, utilities and maintenance,  
23 other costs related to instruction as well as institutional financial  
24 aid. Through 2010-11, any funding reductions to instruction, library  
25 and student services, utilities and maintenance and other costs related  
26 to instruction shall be proportionally less than other program areas  
27 including administration.

28 (11)(a) Beginning with the 2010-11 academic year, for the duration  
29 of each qualified student's enrollment and full-time attendance at a  
30 college or university, tuition fees for each qualified student shall  
31 remain fixed at the rate in effect on the first day of the first  
32 academic term in which that student is enrolled. Colleges and  
33 universities may only make annual inflation adjustments to tuition fees  
34 charged to each qualified student.

35 (b) For qualified students who have attended colleges or  
36 universities before the 2010-11 academic year, tuition fees for each  
37 qualified student shall remain fixed at the rate in effect on the first

1 day of the first academic term of the 2010-11 academic year. Colleges  
2 and universities may only make annual inflation adjustments to tuition  
3 fees charged to each qualified student.

4 (12)(a) Subsection (11) of this section does not apply when a  
5 qualified student withdraws from a college or university, or transfers  
6 to a different college or university. When a former qualified student  
7 later reenrolls, tuition fees shall remain fixed at the rate in effect  
8 on the first day of the first academic term of reenrollment. When a  
9 qualified student transfers to a different college or university,  
10 tuition fees shall remain fixed at the rate in effect on the first day  
11 of the first academic term that the student is enrolled at that college  
12 or university.

13 (b) However, (a) of this subsection does not apply if a qualified  
14 student withdraws from a college or university because of serious  
15 medical illness or personal injury. Upon later reenrollment, the  
16 qualified student's tuition fees under this subsection (12)(b) shall  
17 remain fixed at the rate in effect on the first day of the first  
18 academic term following the 2010-11 academic year that the student was  
19 enrolled at that college or university, pursuant to subsection (11) of  
20 this section.

21 (13) Subsection (11) of this section does not apply when a  
22 qualified student who has received an undergraduate degree at a college  
23 or university is immediately enrolled as a student in a graduate degree  
24 program at the same college or university. When a qualified student  
25 who has received an undergraduate degree at a college or university is  
26 immediately enrolled as a student in a graduate degree program at the  
27 same college or university, tuition fees shall remain fixed at the rate  
28 in effect on the first day of the first academic term that the student  
29 is enrolled in any graduate program at that college or university.  
30 Colleges and universities may only make annual inflation adjustments to  
31 tuition fees charged to each qualified student.

32 (14) The definitions in this subsection apply throughout this  
33 section.

34 (a) "Qualified student" means a student who is identified as a  
35 qualified individual with a disability under the federal Americans with  
36 disability act of 1990 as amended.

37 (b) "Inflation" means the percentage change in the implicit price

1 deflator for the United States for each fiscal year as published by the  
2 federal bureau of labor statistics.

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