

2 **ESSB 5982** - S AMD - 001054

3 By Senator Rinehart

4 ADOPTED 5/5/93

5 Strike everything after the enacting clause and insert the
6 following:

7 "**Sec. 1.** RCW 28B.10.265 and 1992 c 231 s 2 are each amended to
8 read as follows:

9 Subject to the limitations of RCW 28B.15.910, the governing boards
10 of the state universities, the regional universities, The Evergreen
11 State College, and the community colleges may waive all or a portion of
12 the tuition, operating, and services and activities fees for children
13 of any person who was a Washington domiciliary and who within the past
14 eleven years has been determined by the federal government to be a
15 prisoner of war or missing in action in Southeast Asia, including
16 Korea, or who shall become so hereafter, if the children meet such
17 other educational qualifications as such institution of higher
18 education shall deem reasonable and necessary under the circumstances.
19 Applicants for free or reduced tuition shall provide institutional
20 administrative personnel with documentation of their rights under this
21 section.

22 ~~((Before June 30, 1995, no individual waiver program under this
23 section may be reduced by more than twice the percentage reduction
24 required in operating fee foregone revenue from tuition waivers in the
25 biennial state appropriations act.))~~

26 **Sec. 2.** RCW 28B.10.800 and 1969 ex.s. c 222 s 7 are each amended
27 to read as follows:

28 The sole purpose of RCW 28B.10.800 through 28B.10.824 is to
29 establish a state of Washington student financial aid program, thus
30 assisting financially needy or disadvantaged students domiciled in
31 Washington to obtain the opportunity of attending an accredited
32 institution of higher education, as defined in RCW 28B.10.802(1).
33 Financial aid under RCW 28B.10.800 through 28B.10.824 is available only
34 to students who are resident students as defined in RCW 28B.15.012(2)
35 (a) through (d).

1 **Sec. 3.** RCW 28B.12.060 and 1987 c 330 s 202 are each amended to
2 read as follows:

3 The higher education coordinating board shall adopt rules and
4 regulations as may be necessary or appropriate for effecting the
5 provisions of this chapter, and not in conflict with this chapter, in
6 accordance with the provisions of chapter 34.05 RCW, the state higher
7 education administrative procedure act. Such rules and regulations
8 shall include provisions designed to make employment under such work-
9 study program reasonably available, to the extent of available funds,
10 to all eligible students in eligible post-secondary institutions in
11 need thereof. Such rules and regulations shall include:

12 (1) Providing work under the college work-study program which will
13 not result in the displacement of employed workers or impair existing
14 contracts for services.

15 (2) Furnishing work only to a student who:

16 (a) Is capable, in the opinion of the eligible institution, of
17 maintaining good standing in such course of study while employed under
18 the program covered by the agreement; and

19 (b) Has been accepted for enrollment as at least a half-time
20 student at the eligible institution or, in the case of a student
21 already enrolled in and attending the eligible institution, is in good
22 standing and in at least half-time attendance there either as an
23 undergraduate, graduate or professional student; and

24 (c) Is not pursuing a degree in theology.

25 (3) Placing priority on the securing of work opportunities for
26 students who are residents of the state of Washington as defined in RCW
27 (~~((28B.15.011 through 28B.15.014))~~) 28B.15.012 and 28B.15.013 except
28 resident students defined in RCW 28B.15.012(2)(e).

29 (4) Provisions to assure that in the state institutions of higher
30 education utilization of this student work-study program:

31 (a) Shall only supplement and not supplant classified positions
32 under jurisdiction of chapter 28B.16 RCW;

33 (b) That all positions established which are comparable shall be
34 identified to a job classification under the higher education personnel
35 board's classification plan and shall receive equal compensation;

36 (c) Shall not take place in any manner that would replace
37 classified positions reduced due to lack of funds or work; and

38 (d) That work study positions shall only be established at entry
39 level positions of the classified service.

1 **Sec. 4.** RCW 28B.15.012 and 1987 c 137 s 1 and 1987 c 96 s 1 are
2 each reenacted and amended to read as follows:

3 Whenever used in chapter 28B.15 RCW:

4 (1) The term "institution" shall mean a public university, college,
5 or community college within the state of Washington.

6 (2) The term "resident student" shall mean: (a) A financially
7 independent student who has had a domicile in the state of Washington
8 for the period of one year immediately prior to the time of
9 commencement of the first day of the semester or quarter for which the
10 student has registered at any institution and has in fact established
11 a bona fide domicile in this state primarily for purposes other than
12 educational; (b) a dependent student, if one or both of the student's
13 parents or legal guardians have maintained a bona fide domicile in the
14 state of Washington for at least one year immediately prior to
15 commencement of the semester or quarter for which the student has
16 registered at any institution; (c) a student classified as a resident
17 based upon domicile by an institution on or before May 31, 1982, who
18 was enrolled at a state institution during any term of the 1982-1983
19 academic year, so long as such student's enrollment (excepting summer
20 sessions) at an institution in this state is continuous; ~~((or))~~ (d) any
21 student who has spent at least seventy-five percent of both his or her
22 junior and senior years in high schools in this state, whose parents or
23 legal guardians have been domiciled in the state for a period of at
24 least one year within the five-year period before the student graduates
25 from high school, and who enrolls in a public institution of higher
26 education within six months of leaving high school, for as long as the
27 student remains continuously enrolled for three quarters or two
28 semesters in any calendar year; or (e) a student who is the spouse or
29 a dependent of a person who is on active military duty stationed in the
30 state: PROVIDED, That a nonresident student enrolled for more than six
31 hours per semester or quarter shall be considered as attending for
32 primarily educational purposes, and for tuition and fee paying purposes
33 only such period of enrollment shall not be counted toward the
34 establishment of a bona fide domicile of one year in this state unless
35 such student proves that the student has in fact established a bona
36 fide domicile in this state primarily for purposes other than
37 educational.

38 (3) The term "nonresident student" shall mean any student who does
39 not qualify as a "resident student" under the provisions of RCW

1 ((28B.15.011 through 28B.15.014 and 28B.15.015, each as now or
2 hereafter amended)) 28B.15.012 and 28B.15.013. A nonresident student
3 shall include:

4 (a) A student attending an institution with the aid of financial
5 assistance provided by another state or governmental unit or agency
6 thereof, such nonresidency continuing for one year after the completion
7 of such semester or quarter.

8 (b) A person who is not a citizen of the United States of America
9 who does not have permanent or temporary resident status or does not
10 hold "Refugee-Parolee" or "Conditional Entrant" status with the United
11 States immigration and naturalization service or is not otherwise
12 permanently residing in the United States under color of law and who
13 does not also meet and comply with all the applicable requirements in
14 RCW ((28B.15.011 through 28B.15.014 and 28B.15.015, each as now or
15 hereafter amended)) 28B.15.012 and 28B.15.013.

16 (4) The term "domicile" shall denote a person's true, fixed and
17 permanent home and place of habitation. It is the place where the
18 student intends to remain, and to which the student expects to return
19 when the student leaves without intending to establish a new domicile
20 elsewhere. The burden of proof that a student, parent or guardian has
21 established a domicile in the state of Washington primarily for
22 purposes other than educational lies with the student.

23 (5) The term "dependent" shall mean a person who is not financially
24 independent. Factors to be considered in determining whether a person
25 is financially independent shall be set forth in rules and regulations
26 adopted by the higher education coordinating board and shall include,
27 but not be limited to, the state and federal income tax returns of the
28 person and/or the student's parents or legal guardian filed for the
29 calendar year prior to the year in which application is made and such
30 other evidence as the board may require.

31 **Sec. 5.** RCW 28B.15.014 and 1992 c 231 s 3 are each amended to read
32 as follows:

33 Subject to the limitations of RCW 28B.15.910, the governing boards
34 of the state universities, the regional universities, The Evergreen
35 State College, and the community colleges may exempt the following
36 nonresidents from paying all or a portion of the nonresident tuition
37 fees differential:

1 (1) Any person who resides in the state of Washington and who holds
2 a graduate service appointment designated as such by a public
3 institution of higher education or is employed for an academic
4 department in support of the instructional or research programs
5 involving not less than twenty hours per week during the term such
6 person shall hold such appointment.

7 (2) Any faculty member, classified staff member or administratively
8 exempt employee holding not less than a half time appointment at an
9 institution who resides in the state of Washington, and the dependent
10 children and spouse of such persons.

11 (3) Active-duty military personnel stationed in the state of
12 Washington ~~((and the spouses and dependents of such military
13 personnel))~~.

14 (4) Any immigrant refugee and the spouse and dependent children of
15 such refugee, if the refugee (a) is on parole status, or (b) has
16 received an immigrant visa, or (c) has applied for United States
17 citizenship.

18 (5) Domestic exchange students participating in the program created
19 under RCW 28B.15.725.

20 (6) Any dependent of a member of the United States congress
21 representing the state of Washington.

22 ~~((Before June 30, 1995, no individual waiver program under this
23 section may be reduced by more than twice the percentage reduction
24 required in operating fee foregone revenue from tuition waivers in the
25 biennial state appropriations act.))~~

26 **Sec. 6.** RCW 28B.15.031 and 1987 c 15 s 2 are each amended to read
27 as follows:

28 The term "operating fees" as used in this chapter shall include the
29 fees, other than building fees, charged all students registering at the
30 state's colleges and universities but shall not include fees for short
31 courses, self-supporting degree credit programs and courses, marine
32 station work, experimental station work, correspondence or extension
33 courses, and individual instruction and student deposits or rentals,
34 disciplinary and library fines, which colleges and universities shall
35 have the right to impose, laboratory, gymnasium, health, and student
36 activity fees, or fees, charges, rentals, and other income derived from
37 any or all revenue producing lands, buildings and facilities of the
38 colleges or universities heretofore or hereafter acquired, constructed

1 or installed, including but not limited to income from rooms,
2 dormitories, dining rooms, hospitals, infirmaries, housing or student
3 activity buildings, vehicular parking facilities, land, or the
4 appurtenances thereon, or such other special fees as may be established
5 by any college or university board of trustees or regents from time to
6 time. All moneys received as operating fees at any institution of
7 higher education shall be ~~((transmitted to the state treasurer within
8 thirty five days of receipt to be deposited in the state general fund))~~
9 deposited in a local account containing only operating fees revenue and
10 related interest: PROVIDED, That two and one-half percent of ~~((moneys
11 received as))~~ operating fees ~~((be exempt from such deposit and))~~ shall
12 be retained by the institutions, except the technical colleges, for the
13 purposes of RCW 28B.15.820~~((: PROVIDED FURTHER, That money received by
14 institutions of higher education from the periodic payment plan
15 authorized by RCW 28B.15.411 shall be transmitted to the state
16 treasurer within five days following the close of registration of the
17 appropriate quarter or semester))~~. Local operating fee accounts shall
18 not be subject to appropriation by the legislature or allotment
19 procedures under chapter 43.88 RCW.

20 **Sec. 7.** RCW 28B.15.100 and 1992 c 231 s 6 are each amended to read
21 as follows:

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

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

1 may be exempted from payment of all or a portion of the nonresident
2 tuition fees differential upon a declaration by the higher education
3 coordinating board that it finds Washington residents from the
4 community college district are afforded substantially equivalent
5 treatment by such other 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, or law, or who are registered exclusively in required courses
15 in vocational preparatory programs.

16 (~~((4) Before June 30, 1995, no individual waiver program under this
17 section may be reduced by more than twice the percentage reduction
18 required in operating fee foregone revenue from tuition waivers in the
19 biennial state appropriations act.))~~)

20 **Sec. 8.** RCW 28B.15.202 and 1992 c 231 s 7 are each amended to read
21 as follows:

22 Tuition fees and maximum services and activities fees at the
23 University of Washington and at Washington State University for other
24 than the summer term shall be as follows:

25 (1) For full time resident undergraduate students and all other
26 full time resident students not in graduate study programs or enrolled
27 in programs leading to the degrees of doctor of medicine, doctor of
28 dental surgery, and doctor of veterinary medicine, the total tuition
29 fees for the 1993-94 academic year shall be ((thirty-three)) thirty-six
30 and three-tenths percent and thereafter total tuition fees shall be
31 forty-one and one-tenth percent of the per student undergraduate
32 educational costs at the state universities computed as provided in RCW
33 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each
34 academic year shall be one hundred and twenty dollars. Beginning with
35 the 1995-96 academic year the building fee for each academic year shall
36 be a percentage of total tuition fees. This percentage shall be
37 calculated by the higher education coordinating board and be based on

1 the actual percentage the building fee is of total tuition in the 1994-
2 95 academic year, rounded up to the nearest half percent.

3 (2) For full time resident graduate and law students not enrolled
4 in programs leading to the degrees of doctor of medicine, doctor of
5 dental surgery, and doctor of veterinary medicine, the total tuition
6 fees for the 1993-94 academic year shall be ((twenty-three)) twenty-
7 five and two-tenths percent and thereafter total tuition fees shall be
8 twenty-eight and four-tenths percent of the per student graduate
9 educational costs at the state universities computed as provided in RCW
10 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for each
11 academic year shall be one hundred and twenty dollars. Beginning with
12 the 1995-96 academic year the building fee for each academic year shall
13 be a percentage of total tuition fees. This percentage shall be
14 calculated by the higher education coordinating board and be based on
15 the actual percentage the building fee is of total tuition in the 1994-
16 95 academic year, rounded up to the nearest half percent.

17 (3) For full time resident students enrolled in programs leading to
18 the degrees of doctor of medicine, doctor of dental surgery, and doctor
19 of veterinary medicine, the total tuition fees shall be one hundred
20 sixty-seven percent of such fees charged in subsection (2) of this
21 section: PROVIDED, That the building fees for each academic year shall
22 be three hundred and forty-two dollars. Beginning with the 1995-96
23 academic year the building fee for each academic year shall be a
24 percentage of total tuition fees. This percentage shall be calculated
25 by the higher education coordinating board and be based on the actual
26 percentage the building fee is of total tuition in the 1994-95 academic
27 year, rounded up to the nearest half percent.

28 (4) For full time nonresident undergraduate students and such other
29 full time nonresident students not in graduate study programs or
30 enrolled in programs leading to the degrees of doctor of medicine,
31 doctor of dental surgery, or doctor of veterinary medicine, the total
32 tuition fees for the 1993-94 academic year shall be one hundred nine
33 and three-tenths percent and thereafter total tuition fees shall be one
34 hundred twenty-two and nine-tenths percent of the per student
35 undergraduate educational costs at the state universities computed as
36 provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building
37 fees for each academic year shall be three hundred and fifty-four
38 dollars. Beginning with the 1995-96 academic year the building fee for
39 each academic year shall be a percentage of total tuition fees. This

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

5 (5) For full time nonresident graduate and law students not
6 enrolled in programs leading to the degrees of doctor of medicine,
7 doctor of dental surgery, and doctor of veterinary medicine, the total
8 tuition fees for the 1993-94 academic year shall be sixty-five and six-
9 tenths percent and thereafter total tuition fees shall be seventy-three
10 and six-tenths percent of the per student graduate educational costs at
11 the state universities computed as provided in RCW 28B.15.067 and
12 28B.15.070: PROVIDED, That the building fees for each academic year
13 shall be three hundred and fifty-four dollars. Beginning with the
14 1995-96 academic year the building fee for each academic year shall be
15 a percentage of total tuition fees. This percentage shall be
16 calculated by the higher education coordinating board and be based on
17 the actual percentage the building fee is of total tuition in the 1994-
18 95 academic year, rounded up to the nearest half percent.

19 (6) For full time nonresident students enrolled in programs leading
20 to the degrees of doctor of medicine, doctor of dental surgery, and
21 doctor of veterinary medicine, the total tuition fees shall be one
22 hundred sixty-seven percent of such fees charged in subsection (5) of
23 this section: PROVIDED, That the building fees for each academic year
24 shall be five hundred and fifty-five dollars. Beginning with the 1995-
25 96 academic year the building fee for each academic year shall be a
26 percentage of total tuition fees. This percentage shall be calculated
27 by the higher education coordinating board and be based on the actual
28 percentage the building fee is of total tuition in the 1994-95 academic
29 year, rounded up to the nearest half percent.

30 (7) The governing boards of the state universities shall charge to
31 and collect from each student, a services and activities fee. The
32 governing board may increase the existing fee annually, consistent with
33 budgeting procedures set forth in RCW 28B.15.045, by a percentage not
34 to exceed the annual percentage increase in resident undergraduate
35 tuition fees: PROVIDED, That such percentage increase shall not apply
36 to that portion of the services and activities fee previously committed
37 to the repayment of bonded debt. For the 1993-94 academic year,
38 services and activities fees shall not exceed two hundred forty-three
39 dollars per student. For the 1994-95 academic year, services and

1 activities fees shall not exceed two hundred forty-nine dollars per
2 student. The services and activities fee committee provided for in RCW
3 28B.15.045 may initiate a request to the governing board for a fee
4 increase.

5 **Sec. 9.** RCW 28B.15.225 and 1992 c 231 s 8 are each amended to read
6 as follows:

7 Subject to the limitations of RCW 28B.15.910, the governing board
8 of the University of Washington may exempt the following students from
9 the payment of all or a portion of the nonresident tuition fees
10 differential: Students admitted to the university's school of medicine
11 pursuant to contracts with the states of Alaska, Montana, or Idaho, or
12 agencies thereof, providing for a program of regionalized medical
13 education conducted by the school of medicine; or students admitted to
14 the university's school of dentistry pursuant to contracts with the
15 states of Utah, Idaho, or any other western state which does not have
16 a school of dentistry, or agencies thereof, providing for a program of
17 regionalized dental education conducted by the school of dentistry.
18 The proportional cost of the program, in excess of resident student
19 tuition and fees, will be reimbursed to the university by or on behalf
20 of participating states or agencies. Subject to the limitations of RCW
21 28B.15.910, the governing board of Washington State University may
22 exempt from payment all or a portion of the nonresident tuition
23 ~~((fee{s}))~~ fees differential for any student admitted to the University
24 of Washington's school of medicine and attending Washington State
25 University as a participant in the Washington, Alaska, Montana, or
26 Idaho program in this section. Washington State University may reduce
27 the professional student tuition for students enrolled in this program
28 by the amount the student pays the University of Washington as a
29 registration fee.

30 ~~((Before June 30, 1995, no individual waiver program under this
31 section may be reduced by more than twice the percentage reduction
32 required in operating fee foregone revenue from tuition waivers in the
33 biennial state appropriations act.))~~

34 **Sec. 10.** RCW 28B.15.380 and 1992 c 231 s 9 are each amended to
35 read as follows:

36 Subject to the limitations of RCW 28B.15.910, the governing boards
37 of the state universities, the regional universities, and The Evergreen

1 State College may exempt the following students from the payment of all
2 or a portion of tuition fees and services and activities fees:

3 (1) All veterans as defined in RCW 41.04.005: PROVIDED, That such
4 persons are no longer entitled to federal vocational or educational
5 benefits conferred by virtue of their military service: AND PROVIDED
6 FURTHER, That if any such veterans have not resided in this state for
7 one year prior to registration, the board may exempt the student from
8 paying up to fifty percent of the nonresident tuition fees
9 differential. Such exemptions may be provided only to those persons
10 otherwise covered who were enrolled in universities on or before
11 October 1, 1977.

12 (2) Children of any law enforcement officer or fire fighter who
13 lost his or her life or became totally disabled in the line of duty
14 while employed by any public law enforcement agency or full time or
15 volunteer fire department in this state: PROVIDED, That such persons
16 may receive the exemption only if they begin their course of study at
17 a state-supported college or university within ten years of their
18 graduation from high school.

19 ~~((Before June 30, 1995, no individual waiver program under this
20 section may be reduced by more than twice the percentage reduction
21 required in operating fee foregone revenue from tuition waivers in the
22 biennial state appropriations act.))~~

23 **Sec. 11.** RCW 28B.15.402 and 1992 c 231 s 10 are each amended to
24 read as follows:

25 Tuition fees and maximum services and activities fees at the
26 regional universities and The Evergreen State College for other than
27 the summer term shall be as follows:

28 (1) For full time resident undergraduate students and all other
29 full time resident students not in graduate study programs, the total
30 tuition fees for the 1993-94 academic year shall be ((twenty-five))
31 twenty-seven and seven-tenths percent and thereafter total tuition fees
32 shall be thirty-one and five-tenths percent of the per student
33 undergraduate educational costs at the regional universities computed
34 as provided in RCW 28B.15.067 and 28B.15.070: PROVIDED, That the
35 building fees for each academic year shall be seventy-six dollars and
36 fifty cents. Beginning with the 1995-96 academic year the building fee
37 for each academic year shall be a percentage of total tuition fees.
38 This percentage shall be calculated by the higher education

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

4 (2) For full time resident graduate students, the total tuition
5 fees for the 1993-94 academic year shall be ((~~twenty-three~~)) ~~twenty-~~
6 five and three-tenths percent and thereafter total tuition fees shall
7 be twenty-eight and six-tenths percent of the per student graduate
8 educational costs at the regional universities computed as provided in
9 RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for
10 each academic year shall be seventy-six dollars and fifty cents.
11 Beginning with the 1995-96 academic year the building fee for each
12 academic year shall be a percentage of total tuition fees. This
13 percentage shall be calculated by the higher education coordinating
14 board and be based on the actual percentage the building fee is of
15 total tuition in the 1994-95 academic year, rounded up to the nearest
16 half percent.

17 (3) For full time nonresident undergraduate students and all other
18 full time nonresident students not in graduate study programs, the
19 total tuition fees for the 1993-94 academic year shall be one hundred
20 nine and four-tenths percent and thereafter total tuition fees shall be
21 one hundred twenty-three percent of the per student undergraduate
22 educational costs at the regional universities computed as provided in
23 RCW 28B.15.067 and 28B.15.070: PROVIDED, That the building fees for
24 each academic year shall be two hundred and ninety-five dollars and
25 fifty cents. Beginning with the 1995-96 academic year the building fee
26 for each academic year shall be a percentage of total tuition fees.
27 This percentage shall be calculated by the higher education
28 coordinating board and be based on the actual percentage the building
29 fee is of total tuition in the 1994-95 academic year, rounded up to the
30 nearest half percent.

31 (4) For full time nonresident graduate students, the total tuition
32 fees for the 1993-94 academic year shall be ((~~seventy-five~~)) ~~eighty-two~~
33 percent and thereafter total tuition fees shall be ninety-two percent
34 of the per student graduate educational costs at the regional
35 universities computed as provided in RCW 28B.15.067 and 28B.15.070:
36 PROVIDED, That the building fees for each academic year shall be two
37 hundred and ninety-five dollars and fifty cents. Beginning with the
38 1995-96 academic year the building fee for each academic year shall be
39 a percentage of total tuition fees. This percentage shall be

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

4 (5) The governing boards of each of the regional universities and
5 The Evergreen State College shall charge to and collect from each
6 student, a services and activities fee. The governing board may
7 increase the existing fee annually, consistent with budgeting
8 procedures set forth in RCW 28B.15.045, by a percentage not to exceed
9 the annual percentage increase in resident undergraduate tuition fees:
10 PROVIDED, That such percentage increase shall not apply to that portion
11 of the services and activities fee previously committed to the
12 repayment of bonded debt. For the 1993-94 academic year, services and
13 activities fees shall not exceed two hundred eight-four dollars per
14 student. For the 1994-95 academic year, services and activities fees
15 shall not exceed two hundred ninety dollars per student. The services
16 and activities fee committee provided for in RCW 28B.15.045 may
17 initiate a request to the governing board for a fee increase.

18 **Sec. 12.** RCW 28B.15.502 and 1992 c 231 s 11 are each amended to
19 read as follows:

20 Tuition fees and maximum services and activities fees at each
21 community college for other than the summer term shall be set by the
22 state board for community and technical colleges as follows:

23 (1) For full time resident students, the total tuition fees for the
24 1993-94 academic year shall be ((~~twenty-three~~)) twenty-five and four-
25 tenths percent and thereafter total tuition fees shall be twenty-eight
26 and eight-tenths percent of the per student educational costs at the
27 community colleges computed as provided in RCW 28B.15.067 and
28 28B.15.070: PROVIDED, That the building fees for each academic year
29 shall be one hundred and twenty-seven dollars and fifty cents.
30 Beginning with the 1995-96 academic year the building fee for each
31 academic year shall be a percentage of total tuition fees. This
32 percentage shall be calculated by the higher education coordinating
33 board and be based on the actual percentage the building fee is of
34 total tuition in the 1994-95 academic year, rounded up to the nearest
35 half percent.

36 (2) For full time nonresident students, the total tuition fees for
37 the 1993-94 academic year shall be one hundred nine and three-tenths
38 percent and thereafter total tuition fees shall be one hundred twenty-

1 two and seven-tenths percent of the per student educational costs at
2 the community colleges computed as provided in RCW 28B.15.067 and
3 28B.15.070: PROVIDED, That the building fees for each academic year
4 shall be four hundred and three dollars and fifty cents. Beginning
5 with the 1995-96 academic year the building fee for each academic year
6 shall be a percentage of total tuition fees. This percentage shall be
7 calculated by the higher education coordinating board and be based on
8 the actual percentage the building fee is of total tuition in the 1994-
9 95 academic year, rounded up to the nearest half percent.

10 (3) The governing boards of each of the state community colleges
11 shall charge to and collect from each student a services and activities
12 fee. Each governing board may increase the existing fee annually,
13 consistent with budgeting procedures set forth in RCW 28B.15.045, by a
14 percentage not to exceed the annual percentage increase in resident
15 student tuition fees: PROVIDED, That such percentage increase shall
16 not apply to that portion of the services and activities fee previously
17 committed to the repayment of bonded debt. For the 1993-94 academic
18 year, services and activities fees shall not exceed one hundred twenty-
19 eight dollars per student. For the 1994-95 academic year, services and
20 activities fees shall not exceed one hundred thirty-one dollars per
21 student. The services and activities fee committee provided for in RCW
22 28B.15.045 may initiate a request to the governing board for a fee
23 increase.

24 (4) Tuition and services and activities fees consistent with
25 subsection (3) of this section shall be set by the state board for
26 community and technical colleges for summer school students unless the
27 community college charges fees in accordance with RCW 28B.15.515.

28 Subject to the limitations of RCW 28B.15.910, each governing board
29 may charge such fees for ungraded courses, noncredit courses, community
30 services courses, and self-supporting courses as it, in its discretion,
31 may determine, consistent with the rules and regulations of the state
32 board for community and technical colleges.

33 ~~((Before June 30, 1995, no individual waiver program under this~~
34 ~~section may be reduced by more than twice the percentage reduction~~
35 ~~required in operating fee foregone revenue from tuition waivers in the~~
36 ~~biennial state appropriations act.))~~

37 **Sec. 13.** RCW 28B.15.515 and 1991 c 353 s 1 are each amended to
38 read as follows:

1 (1) The boards of trustees of the community college districts may
2 operate summer schools on either a self-supporting or a state-funded
3 basis.

4 If summer school is operated on a self-supporting basis, the fees
5 charged shall be retained by the colleges, and shall be sufficient to
6 cover the direct costs, which are instructional salaries and related
7 benefits, supplies, publications, and records.

8 Community colleges that have self-supporting summer schools shall
9 continue to receive general fund state support for vocational programs
10 that require that students enroll in a four quarter sequence of courses
11 that includes summer quarter due to clinical or laboratory requirements
12 and for ungraded courses limited to adult basic education, vocational
13 apprenticeship, aging and retirement, small business management,
14 industrial first aid, and parent education.

15 (2)((+a)) The board of trustees of a community college district
16 may permit the district's state-funded, full-time equivalent enrollment
17 level, as provided in the ((operating—budget)) omnibus state
18 appropriations act, to vary ((by plus or minus two percent each fiscal
19 year unless otherwise authorized in the operating budget appropriations
20 act)). If the variance is above the state-funded level, the district
21 may charge those students above the state-funded level a fee equivalent
22 to the amount of tuition and fees that are charged students enrolled in
23 state-funded courses. These fees shall be retained by the colleges.

24 ((b) Any community college that in 1990-91 has an enrollment above
25 the state-funded level but below the authorized variance may increase
26 its excess enrollments to within the variance.

27 (c) Community colleges that currently have excess enrollments more
28 than the authorized variance, by means of enrollments that would have
29 otherwise been eligible for state funding, shall reduce those excess
30 enrollments to within the authorized variance by September 1, 1995, in
31 at least equal annual reductions, commencing with the 1991-92 fiscal
32 year.

33 (d) Except as permitted by (c) of this subsection, should the
34 number of student supported, full-time equivalent enrollments in any
35 fiscal year fall outside the authorized variance, the college shall
36 return by September 1st to the state general fund, an amount equal to
37 the college's full average state appropriations per full-time
38 equivalent student for such student-funded full-time equivalent outside

1 the variance, unless otherwise provided in the operating budget
2 appropriations act.))

3 (3) The state board for community and technical colleges
4 ((education)) shall ensure compliance with this section.

5 NEW SECTION. **Sec. 14.** The following acts or parts of acts are
6 each repealed:

7 (1) RCW 28B.15.824 and 1992 c 231 s 36;

8 (2) RCW 28B.35.361 and 1990 c 154 s 3, 1985 c 390 s 46, 1977 ex.s.
9 c 322 s 12, & 1977 ex.s. c 169 s 59; and

10 (3) RCW 28B.40.361 and 1990 c 154 s 4, 1985 c 390 s 53, 1977 ex.s.
11 c 322 s 11, 1977 ex.s. c 169 s 78, 1973 1st ex.s. c 191 s 3, 1971 ex.s.
12 c 279 s 16, & 1969 ex.s. c 269 s 9.

13 NEW SECTION. **Sec. 15.** All moneys in the accounts established
14 under RCW 28B.15.824 on the effective date of this section are hereby
15 appropriated to the respective institutions of higher education for
16 deposit in the institution's local account established under RCW
17 28B.15.031.

18 **Sec. 16.** RCW 28B.15.520 and 1992 c 231 s 12 are each amended to
19 read as follows:

20 Subject to the limitations of RCW 28B.15.910, the governing boards
21 of the community colleges may:

22 (1) Waive all or a portion of tuition fees and services and
23 activities fees for:

24 (a) Students nineteen years of age or older who are eligible for
25 resident tuition and fee rates as defined in RCW 28B.15.012 through
26 28B.15.015 and who enroll in a course of study or program which will
27 enable them to finish their high school education and obtain a high
28 school diploma or certificate; and

29 (b) Children of any law enforcement officer or fire fighter who
30 lost his or her life or became totally disabled in the line of duty
31 while employed by any public law enforcement agency or full time or
32 volunteer fire department in this state: PROVIDED, That such persons
33 may receive the waiver only if they begin their course of study at a
34 community college within ten years of their graduation from high
35 school;

1 (2) Waive all or a portion of the nonresident tuition fees
2 differential for:

3 (a) Nonresident students enrolled in a community college course of
4 study or program which will enable them to finish their high school
5 education and obtain a high school diploma or certificate. The waiver
6 shall be in effect only for those courses which lead to a high school
7 diploma or certificate; and

8 (b) Up to forty percent of the students enrolled in the regional
9 education program for deaf students, subject to federal funding of such
10 program.

11 ~~((3) Before June 30, 1995, no individual waiver program under this
12 section may be reduced by more than twice the percentage reduction
13 required in operating fee foregone revenue from tuition waivers in the
14 biennial state appropriations act.))~~

15 **Sec. 17.** RCW 28B.15.522 and 1992 c 231 s 13 are each amended to
16 read as follows:

17 (1) The governing boards of the community colleges may waive all or
18 a portion of the tuition and services and activities fees for persons
19 under subsection (2) of this section pursuant to the following
20 conditions:

21 (a) Such persons shall register for and be enrolled in courses on
22 a space available basis and new course sections shall not be created as
23 a result of the registration;

24 (b) Enrollment information on persons registered pursuant to this
25 section shall be maintained separately from other enrollment
26 information and shall not be included in official enrollment reports,
27 nor shall such persons be considered in any enrollment statistics which
28 would affect budgetary determinations; and

29 (c) Persons who enroll under this section shall have the same
30 access to support services as do all other students and shall be
31 subject to all course prerequisite requirements.

32 (2) A person is eligible for the waiver under subsection (1) of
33 this section if the person:

34 (a) Meets the requirements for a resident student under RCW
35 28B.15.011 through 28B.15.015;

36 (b) Is twenty-one years of age or older;

1 (c) At the time of initial enrollment under subsection (1) of this
2 section, has not attended an institution of higher education for the
3 previous six months;

4 (d) Is not receiving or is not entitled to receive unemployment
5 compensation of any nature under Title 50 RCW; and

6 (e) Has an income at or below the need standard established under
7 chapter 74.04 RCW by the department of social and health services.

8 (3) The state board for community and technical colleges shall
9 adopt rules to carry out this section.

10 ~~((4) Before June 30, 1995, no individual waiver program under this
11 section may be reduced by more than twice the percentage reduction
12 required in operating fee foregone revenue from tuition waivers in the
13 biennial state appropriations act.))~~

14 **Sec. 18.** RCW 28B.15.527 and 1992 c 231 s 14 are each amended to
15 read as follows:

16 Subject to the limitations of RCW 28B.15.910, the governing boards
17 of the community colleges may waive all or a portion of the nonresident
18 tuition fees differential for undergraduate students of foreign nations
19 as follows:

20 (1) Priority in the awarding of waivers shall be given to students
21 on academic exchanges and students participating in special programs
22 recognized through formal agreements between states, cities, or
23 institutions;

24 (2) The waiver programs under this section shall promote reciprocal
25 placements and waivers in foreign nations for Washington residents.
26 The number of foreign students granted waivers through this program
27 shall not exceed the number of that institution's own students enrolled
28 in approved study programs abroad during the same period;

29 (3) No reciprocal placements shall be required for up to thirty
30 students participating in the Georgetown University scholarship program
31 funded by the United States agency for international development;

32 (4) Participation shall be limited to one hundred full-time foreign
33 students each year.

34 ~~((5) Before June 30, 1995, no individual waiver program under this
35 section may be reduced by more than twice the percentage reduction
36 required in operating fee foregone revenue from tuition waivers in the
37 biennial state appropriations act.))~~

1 **Sec. 19.** RCW 28B.15.543 and 1992 c 231 s 17 are each amended to
2 read as follows:

3 Subject to the limitations of RCW 28B.15.910, the governing boards
4 of the state universities, the regional universities, The Evergreen
5 State College, and the community colleges shall waive tuition and
6 service and activities fees for recipients of the Washington scholars
7 award under RCW 28A.600.100 through 28A.600.150 who received their
8 awards before June 30, (~~(1992)~~) 1994. The governing boards may waive
9 all or a portion of tuition and services and activities fees for those
10 recipients of the Washington scholars award who received their awards
11 after June 30, (~~(1992)~~) 1994. The waivers shall be used only for
12 undergraduate studies. To qualify for the waiver, recipients shall
13 enter the college or university within three years of high school
14 graduation and maintain a minimum grade point average at the college or
15 university equivalent to 3.30. Students shall be eligible for waivers
16 for a maximum of twelve quarters or eight semesters and may transfer
17 among state-supported institutions of higher education during that
18 period and continue to have the tuition and services and activities
19 fees waived by the state-supported institution of higher education that
20 the student attends. Should the student's cumulative grade point
21 average fall below 3.30 during the first three quarters or two
22 semesters, that student may petition the higher education coordinating
23 board which shall have the authority to establish a probationary period
24 until such time as the student's grade point average meets required
25 standards.

26 (~~(Before June 30, 1995, no individual waiver program under this~~
27 ~~section may be reduced by more than twice the percentage reduction~~
28 ~~required in operating fee foregone revenue from tuition waivers in the~~
29 ~~biennial state appropriations act.))~~)

30 **Sec. 20.** RCW 28B.15.545 and 1992 c 231 s 18 are each amended to
31 read as follows:

32 Subject to the limitations of RCW 28B.15.910, the governing boards
33 of the state universities, the regional universities, The Evergreen
34 State College, and the community colleges shall waive tuition and
35 services and activities fees for those recipients of the Washington
36 award for vocational excellence established under RCW 28C.04.520
37 through 28C.04.540 who received their awards before June 30, (~~(1992)~~)
38 1994. The governing boards may waive all or a portion of tuition and

1 services and activities fees for those recipients of the Washington
2 award for vocational excellence who received their awards after June
3 30, (~~(1992)~~) 1994. Each recipient shall not receive a waiver for more
4 than six quarters or four semesters. To qualify for the waiver,
5 recipients shall enter the college or university within three years of
6 receiving the award. A minimum grade point average at the college or
7 university equivalent to 3.00, or an above-average rating at a
8 technical college, shall be required in the first year to qualify for
9 the second-year waiver. The tuition waiver shall be granted for
10 undergraduate studies only.

11 (~~(Before June 30, 1995, no individual waiver program under this~~
12 ~~section may be reduced by more than twice the percentage reduction~~
13 ~~required in operating fee foregone revenue from tuition waivers in the~~
14 ~~biennial state appropriations act.))~~)

15 **Sec. 21.** RCW 28B.15.556 and 1992 c 231 s 19 are each amended to
16 read as follows:

17 Subject to the limitations of RCW 28B.15.910, the governing boards
18 of the state universities, the regional universities, and The Evergreen
19 State College may waive all or a portion of the tuition, and services
20 and activities fees for undergraduate or graduate students of foreign
21 nations subject to the following limitations:

22 (1) No more than the equivalent of one hundred waivers may be
23 awarded to undergraduate or graduate students of foreign nations at
24 each of the two state universities;

25 (2) No more than the equivalent of twenty waivers may be awarded to
26 undergraduate or graduate students of foreign nations at each of the
27 regional universities and The Evergreen State College;

28 (3) Priority in the awarding of waivers shall be given to students
29 on academic exchanges or academic special programs sponsored by
30 recognized international educational organizations; and

31 (4) An undergraduate or graduate student of a foreign nation
32 receiving a waiver under this section is not eligible for any other
33 waiver.

34 The waiver programs under this section, to the greatest extent
35 possible, shall promote reciprocal placements and waivers in foreign
36 nations for Washington residents. The number of waivers awarded by
37 each institution shall not exceed the number of that institution's own

1 students enrolled in approved study programs abroad during the same
2 period.

3 ~~((5) Before June 30, 1995, no individual waiver program under this
4 section may be reduced by more than twice the percentage reduction
5 required in operating fee foregone revenue from tuition waivers in the
6 biennial state appropriations act.))~~

7 **Sec. 22.** RCW 28B.15.600 and 1991 c 164 s 5 are each amended to
8 read as follows:

9 The ~~((boards of regents))~~ governing boards of the ~~((state's))~~ state
10 universities ~~((and the boards of trustees of))~~, the regional
11 universities ~~((and))~~, The Evergreen State College, and the community
12 colleges may refund or cancel in full the tuition and services and
13 activities fees if the student withdraws from a university or college
14 course or program prior to the sixth day of instruction of the quarter
15 or semester for which ~~((said))~~ the fees have been paid or are due. If
16 the student withdraws on or after the sixth day of instruction,
17 ~~((said))~~ the governing boards ~~((of regents and trustees))~~ may refund or
18 cancel up to one-half of ~~((said))~~ the fees, provided such withdrawal
19 occurs within the first thirty calendar days following the beginning of
20 instruction. However, if a different policy is required by federal law
21 in order for the institution of higher education to maintain
22 eligibility for federal funding of programs, the governing board may
23 adopt a refund policy that meets the minimum requirements of the
24 federal law, and the policy may treat all students attending the
25 institution in the same manner.

26 The ~~((regents or trustees))~~ governing boards of the respective
27 universities and colleges may adopt rules for the refund of tuition and
28 fees for courses or programs that begin after the start of the regular
29 quarter or semester. ~~((Said))~~ The governing boards ~~((of regents and~~
30 ~~trustees))~~ may adopt rules to comply with RCW 28B.15.623 and may extend
31 the refund or cancellation period for students who withdraw for medical
32 reasons or who are called into the military service of the United
33 States((-

34 ~~Said boards of regents and trustees))~~ and may refund other fees
35 pursuant to such rules as they may prescribe.

36 **Sec. 23.** RCW 28B.15.615 and 1992 c 231 s 21 are each amended to
37 read as follows:

1 Subject to the limitations of RCW 28B.15.910, the governing boards
2 of the state universities and the regional universities may exempt the
3 following students from paying all or a portion of the resident
4 operating fee: Students granted a graduate service appointment,
5 designated as such by the institution, involving not less than twenty
6 hours of work per week. The exemption shall be for the term of the
7 appointment. The stipend paid to persons holding graduate student
8 appointments from nonstate funds shall be reduced and the institution
9 reimbursed from such funds in an amount equal to the resident operating
10 fee which funds shall be transmitted to the general fund.

11 ~~((Before June 30, 1995, no individual waiver program under this
12 section may be reduced by more than twice the percentage reduction
13 required in operating fee foregone revenue from tuition waivers in the
14 biennial state appropriations act.))~~

15 **Sec. 24.** RCW 28B.15.620 and 1992 c 231 s 22 are each amended to
16 read as follows:

17 Subject to the limitations of RCW 28B.15.910, the governing boards
18 of the state universities, the regional universities, The Evergreen
19 State College, and the community colleges may exempt veterans of the
20 Vietnam conflict who have served in the southeast Asia theater of
21 operations from the payment of any increase in tuition and fees
22 otherwise applicable to any other resident or nonresident student. In
23 such cases, the veteran shall not be required to pay more than the
24 total amount of tuition and fees paid by veterans of the Vietnam
25 conflict on October 1, 1977: PROVIDED, That for the purposes of this
26 exemption, "veterans of the Vietnam conflict" shall be those persons
27 who have been on active federal service as a member of the armed
28 military or naval forces of the United States between a period
29 commencing August 5, 1964, and ending on May 7, 1975, and who qualify
30 as a resident student under RCW 28B.15.012, and who enrolled in state
31 institutions of higher education on or before May 7, 1990. This
32 section shall expire June 30, 1995.

33 ~~((Before June 30, 1995, no individual waiver program under this
34 section may be reduced by more than twice the percentage reduction
35 required in operating fee foregone revenue from tuition waivers in the
36 biennial state appropriations act.))~~

1 **Sec. 25.** RCW 28B.15.628 and 1992 c 231 s 23 are each amended to
2 read as follows:

3 Subject to the limitations of RCW 28B.15.910, the governing boards
4 of the state universities, the regional universities, The Evergreen
5 State College, and the community colleges may exempt veterans of the
6 Persian Gulf combat zone from increases in tuition and fees that occur
7 during and after their period of service. In such cases, the veteran
8 shall not be required to pay more than the total amount of tuition and
9 fees established for the 1990-91 academic year, if the veteran could
10 have qualified as a Washington resident student under RCW
11 28B.15.012(2), had he or she been enrolled as a student on August 1,
12 1990, and if the veteran's adjusted gross family income as most
13 recently reported to the internal revenue service does not exceed
14 Washington state's median family income as established by the federal
15 bureau of the census. For the purposes of this section, "a veteran of
16 the Persian Gulf combat zone" means a person who during any portion of
17 calendar year 1991, served in active federal service as a member of the
18 armed military or naval forces of the United States in a combat zone as
19 designated by the president of the United States by executive order.

20 (~~Before June 30, 1995, no individual waiver program under this~~
21 ~~section may be reduced by more than twice the percentage reduction~~
22 ~~required in operating fee foregone revenue from tuition waivers in the~~
23 ~~biennial state appropriations act.))~~

24 **Sec. 26.** RCW 28B.15.725 and 1992 c 231 s 24 are each amended to
25 read as follows:

26 Subject to the limitations of RCW 28B.15.910, the governing boards
27 of the state universities, the regional universities, and The Evergreen
28 State College may enter into undergraduate upper division student
29 exchange agreements with comparable public four-year institutions of
30 higher education of other states and agree to exempt participating
31 undergraduate upper division students from payment of all or a portion
32 of the nonresident tuition fees differential subject to the following
33 restrictions:

34 (1) In any given academic year, the number of students receiving a
35 waiver at a state institution shall not exceed the number of that
36 institution's students receiving nonresident tuition waivers at
37 participating out-of-state institutions. Waiver imbalances that may
38 occur in one year shall be off-set in the year immediately following.

1 (2) Undergraduate upper division student participation in an
2 exchange program authorized by this section is limited to one academic
3 year.

4 ~~((Before June 30, 1995, no individual waiver program under this
5 section may be reduced by more than twice the percentage reduction
6 required in operating fee foregone revenue from tuition waivers in the
7 biennial state appropriations act.))~~

8 **Sec. 27.** RCW 28B.15.730 and 1992 c 231 s 25 are each amended to
9 read as follows:

10 Subject to the limitations of RCW 28B.15.910, the state board for
11 community and technical colleges and the governing boards of the state
12 universities, the regional universities, the community colleges, and
13 The Evergreen State College may waive all or a portion of the
14 nonresident tuition fees differential for residents of Oregon, upon
15 completion of and to the extent permitted by an agreement between the
16 higher education coordinating board and appropriate officials and
17 agencies in Oregon granting similar waivers for residents of the state
18 of Washington.

19 ~~((Before June 30, 1995, no individual waiver program under this
20 section may be reduced by more than twice the percentage reduction
21 required in operating fee foregone revenue from tuition waivers in the
22 biennial state appropriations act.))~~

23 **Sec. 28.** RCW 28B.15.740 and 1992 c 231 s 26 are each amended to
24 read as follows:

25 Subject to the limitations of RCW 28B.15.910, the governing boards
26 of the state universities, the regional universities, The Evergreen
27 State College, and the community colleges may waive all or a portion of
28 tuition and fees subject to the following restrictions:

29 (1) Except as provided in subsection (2) of this section, the total
30 dollar amount of tuition and fee waivers awarded by the governing
31 boards shall not exceed four percent, except for the community colleges
32 considered as a whole, such amount shall not exceed three percent of an
33 amount determined by estimating the total collections from tuition and
34 services and activities fees had no such waivers been made, and
35 deducting the portion of that total amount that is attributable to the
36 difference between resident and nonresident fees: PROVIDED, That at
37 least three-fourths of the dollars waived shall be for needy students

1 who are eligible for resident tuition and fee rates pursuant to RCW
2 28B.15.012 (~~((through 28B.15.015))~~) and 28B.15.013: PROVIDED FURTHER,
3 That the remainder of the dollars waived, not to exceed one-fourth of
4 the total, may be applied to other students at the discretion of the
5 governing boards, except on the basis of participation in
6 intercollegiate athletic programs: PROVIDED FURTHER, That the waivers
7 for undergraduate and graduate students of foreign nations under RCW
8 28B.15.556 are not subject to the limitation under this section.

9 (2) In addition to the tuition and fee waivers provided in
10 subsection (1) of this section and subject to the provisions of RCW
11 28B.15.455 and 28B.15.460, a total dollar amount of tuition and fee
12 waivers awarded by any state university, regional university, or state
13 college under this chapter, not to exceed one percent, as calculated in
14 subsection (1) of this section, may be used for the purpose of
15 achieving or maintaining gender equity in intercollegiate athletic
16 programs. At any institution that has an underrepresented gender class
17 in intercollegiate athletics, any such waivers shall be awarded:

18 (a) First, to members of the underrepresented gender class who
19 participate in intercollegiate athletics, where such waivers result in
20 saved or displaced money that can be used for athletic programs for the
21 underrepresented gender class. Such saved or displaced money shall be
22 used for programs for the underrepresented gender class; and

23 (b) Second, (i) to nonmembers of the underrepresented gender class
24 who participate in intercollegiate athletics, where such waivers result
25 in saved or displaced money that can be used for athletic programs for
26 members of the underrepresented gender class. Such saved or displaced
27 money shall be used for programs for the underrepresented gender class;
28 or (ii) to members of the underrepresented gender class who participate
29 in intercollegiate athletics, where such waivers do not result in any
30 saved or displaced money that can be used for athletic programs for
31 members of the underrepresented gender class.

32 (~~((3) Before June 30, 1995, no individual waiver program under this
33 section may be reduced by more than twice the percentage reduction
34 required in operating fee foregone revenue from tuition waivers in the
35 biennial state appropriations act.))~~)

36 **Sec. 29.** RCW 28B.15.750 and 1992 c 231 s 27 are each amended to
37 read as follows:

1 Subject to the limitations of RCW 28B.15.910, the governing boards
2 of the state universities, the regional universities, and The Evergreen
3 State College and the state board for community and technical colleges
4 may waive all or a portion of the nonresident tuition fees differential
5 for residents of Idaho, upon completion of and to the extent permitted
6 by an agreement between the higher education coordinating board and
7 appropriate officials and agencies in Idaho granting similar waivers
8 for residents of the state of Washington.

9 ~~((Before June 30, 1995, no individual waiver program under this
10 section may be reduced by more than twice the percentage reduction
11 required in operating fee foregone revenue from tuition waivers in the
12 biennial state appropriations act.))~~

13 **Sec. 30.** RCW 28B.15.756 and 1992 c 231 s 28 are each amended to
14 read as follows:

15 Subject to the limitations of RCW 28B.15.910, the governing boards
16 of the state universities, the regional universities, and The Evergreen
17 State College and the state board for community and technical colleges
18 may waive all or a portion of the nonresident tuition fees differential
19 for residents of the Canadian province of British Columbia, upon
20 completion of and to the extent permitted by an agreement between the
21 higher education coordinating board and appropriate officials and
22 agencies in the Canadian province of British Columbia providing for
23 enrollment opportunities for residents of the state of Washington
24 without payment of tuition or fees in excess of those charged to
25 residents of British Columbia.

26 ~~((Before June 30, 1995, no individual waiver program under this
27 section may be reduced by more than twice the percentage reduction
28 required in operating fee foregone revenue from tuition waivers in the
29 biennial state appropriations act.))~~

30 **Sec. 31.** RCW 28B.15.910 and 1992 c 231 s 33 are each amended to
31 read as follows:

32 (1) Except for revenue waived under programs listed in subsection
33 (3) of this section, and unless otherwise expressly provided in the
34 omnibus state appropriations act, the total amount of operating fees
35 revenue waived, exempted, or reduced by a state university, a regional
36 university, The Evergreen State College, or the community colleges as
37 a whole, shall not exceed the percentage of total ((net)) gross

1 authorized operating fees revenue set forth below. As used in this
2 section, "~~((net))~~ gross authorized operating fees revenue" means the
3 estimated gross operating fees revenue as estimated under RCW 82.33.020
4 or as revised by the office of financial management, before granting
5 any waivers(~~(, minus obligations under RCW 28B.15.820)~~). This
6 limitation applies to all tuition waiver programs established before or
7 after July 1, 1992.

8	(a) University of Washington	21 percent
9	(b) Washington State University	20 percent
10	(c) Eastern Washington University	11 percent
11	(d) Central Washington University	8 percent
12	(e) Western Washington University	10 percent
13	(f) The Evergreen State College	6 percent
14	(g) Community colleges as a whole	35 percent

15 (2) The limitations in subsection (1) of this section apply to
16 waivers, exemptions, or reductions in operating fees contained in the
17 following:

- 18 (a) RCW 28B.10.265;
- 19 (b) RCW 28B.15.014;
- 20 (c) RCW 28B.15.100;
- 21 (d) RCW 28B.15.225;
- 22 (e) RCW 28B.15.380;
- 23 (f) Ungraded courses under RCW 28B.15.502(4);
- 24 (g) RCW 28B.15.520;
- 25 (h) RCW 28B.15.526;
- 26 (i) RCW 28B.15.527;
- 27 (j) RCW 28B.15.543;
- 28 (k) RCW 28B.15.545;
- 29 (l) RCW 28B.15.555;
- 30 (m) RCW 28B.15.556;
- 31 (n) RCW 28B.15.615;
- 32 (o) RCW 28B.15.620;
- 33 (p) RCW 28B.15.628;
- 34 (q) RCW 28B.15.725;
- 35 (r) RCW 28B.15.730;
- 36 (s) RCW 28B.15.740;
- 37 (t) RCW 28B.15.750;
- 38 (u) RCW 28B.15.756;
- 39 (v) RCW 28B.50.259;

1 (w) RCW 28B.70.050; and

2 (x) RCW 28B.80.580.

3 (3) The limitations in subsection (1) of this section do not apply
4 to waivers, exemptions, or reductions in services and activities fees
5 contained in the following:

6 (a) RCW 28B.15.522;

7 (b) RCW 28B.15.535;

8 (c) RCW 28B.15.540; and

9 (d) RCW 28B.15.558.

10 **Sec. 32.** RCW 28B.50.259 and 1992 c 231 s 29 are each amended to
11 read as follows:

12 (1) The state board for community and technical colleges shall
13 administer a program designed to provide higher education opportunities
14 to dislocated forest products workers and their unemployed spouses who
15 are enrolled in a community or technical college for ten or more credit
16 hours per quarter. In administering the program, the college board
17 shall have the following powers and duties:

18 (a) With the assistance of an advisory committee, design a
19 procedure for selecting dislocated forest products workers to
20 participate in the program;

21 (b) Allocate funding to community and technical colleges attended
22 by participants;

23 (c) Monitor the program and report on participants' progress and
24 outcomes; and

25 (d) Report to the legislature by December 1, 1993, on the status of
26 the program.

27 (2) Unemployed spouses of eligible dislocated forest products
28 workers may participate in the program, but tuition and fees may be
29 waived under the program only for the worker or the spouse and not
30 both.

31 (3) Subject to the limitations of RCW 28B.15.910, the governing
32 boards of the community and technical colleges may waive all or a
33 portion of tuition and fees for program participants, for a maximum of
34 six quarters within a two-year period.

35 (4) During any biennium, the number of full-time equivalent
36 students to be served in this program shall be determined by the
37 applicable omnibus appropriations act, and shall be in addition to the

1 community college enrollment level funded by the applicable omnibus
2 appropriations act.

3 ~~((5) Before June 30, 1995, no individual waiver program under this
4 section may be reduced by more than twice the percentage reduction
5 required in operating fee foregone revenue from tuition waivers in the
6 biennial state appropriations act.))~~

7 **Sec. 33.** RCW 28B.70.050 and 1992 c 231 s 30 are each amended to
8 read as follows:

9 When said compact becomes operative the governing board of each
10 institution of higher education in this state, to the extent necessary
11 to conform with the terms of the contractual agreement, subject to the
12 limitations of RCW 28B.15.910, may exempt from payment all or a portion
13 of the nonresident tuition fees differential, any student admitted to
14 such institution under the terms of a contractual agreement entered
15 into with the commission in accord with the provisions of Article
16 VIII(a) of the compact.

17 ~~((Before June 30, 1995, no individual waiver program under this
18 section may be reduced by more than twice the percentage reduction
19 required in operating fee foregone revenue from tuition waivers in the
20 biennial state appropriations act.))~~

21 **Sec. 34.** RCW 28B.80.580 and 1992 c 231 s 31 are each amended to
22 read as follows:

23 (1) The board shall contract with institutions of higher education
24 to provide upper division classes to serve additional placebound
25 students in the timber impact areas meeting the following criteria, as
26 determined by the employment security department: (a) A lumber and
27 wood products employment location quotient at or above the state
28 average; (b) a direct lumber and wood products job loss of one hundred
29 positions or more; and (c) an annual unemployment rate twenty percent
30 above the state average; and which are not served by an existing state-
31 funded upper division degree program. The number of full-time
32 equivalent students served in this manner shall be determined by the
33 applicable omnibus appropriations act. The board may direct that all
34 the full-time equivalent enrollments be served in one of the eligible
35 timber impact areas if it should determine that this would be the most
36 viable manner of establishing the program and using available
37 resources. The institutions shall utilize telecommunication

1 technology, if available, to carry out the purposes of this section.
2 Subject to the limitations of RCW 28B.15.910, the institutions
3 providing the service may waive all or a portion of the tuition,
4 (~~{and}~~) and service and activities fees for dislocated forest
5 products workers or their unemployed spouses enrolled as one of the
6 full-time equivalent students allocated to the college under this
7 section.

8 (2) Unemployed spouses of eligible dislocated forest products
9 workers may participate in the program, but tuition and fees may be
10 waived under the program only for the worker or the spouse and not
11 both.

12 (3) Subject to the limitations of RCW 28B.15.910, for any eligible
13 participant, all or a portion of tuition may be waived for a maximum of
14 four semesters or six quarters within a two-year time period. The
15 participant must be enrolled for a minimum of ten credits per semester
16 or quarter.

17 (~~(Before June 30, 1995, no individual waiver program under this
18 section may be reduced by more than twice the percentage reduction
19 required in operating fee foregone revenue from tuition waivers in the
20 biennial state appropriations act.)~~)

21 **Sec. 35.** RCW 28B.101.040 and 1990 c 288 s 6 are each amended to
22 read as follows:

23 Grants may be used by eligible participants to attend any public or
24 private college or university in the state of Washington that has an
25 existing unused capacity. Grants shall not be used to attend any
26 branch campus or educational program established under chapter 28B.45
27 RCW. The participant shall not be eligible for a grant if it will be
28 used for any programs that include religious worship, exercise, or
29 instruction or to pursue a degree in theology. Each participating
30 student may receive up to two thousand five hundred dollars per
31 academic year, not to exceed the student's demonstrated financial need
32 for the course of study. Resident students as defined in RCW
33 28B.15.012(2)(e) are not eligible for grants under this chapter.

34 **Sec. 36.** RCW 28B.102.020 and 1987 c 437 s 2 are each amended to
35 read as follows:

36 Unless the context clearly requires otherwise, the definitions in
37 this section apply throughout this chapter.

1 (1) "Conditional scholarship" means a loan that is forgiven in
2 whole or in part if the recipient renders service as a teacher in the
3 public schools of this state.

4 (2) "Institution of higher education" or "institution" means a
5 college or university in the state of Washington which is accredited by
6 an accrediting association recognized as such by rule of the higher
7 education coordinating board.

8 (3) "Board" means the higher education coordinating board.

9 (4) "Eligible student" means a student who is registered for at
10 least ten credit hours or the equivalent, demonstrates achievement of
11 at least a 3.30 grade point average for students entering an
12 institution of higher education directly from high school or maintains
13 at least a 3.00 grade point average or the equivalent for each academic
14 year in an institution of higher education, is a resident student as
15 defined by RCW 28B.15.012 (~~((through 28B.15.015))~~) and 28B.15.013, and
16 has a declared intention to complete an approved preparation program
17 leading to initial teacher certification or required for earning an
18 additional endorsement, or a college or university graduate who meets
19 the same credit hour requirements and is seeking an additional teaching
20 endorsement or initial teacher certification. Resident students
21 defined in RCW 28B.15.012(2)(e) are not eligible students under this
22 chapter.

23 (5) "Public school" means an elementary school, a middle school,
24 junior high school, or high school within the public school system
25 referred to in Article IX of the state Constitution.

26 (6) "Forgiven" or "to forgive" or "forgiveness" means to render
27 service as a teacher at a public school in the state of Washington in
28 lieu of monetary repayment.

29 (7) "Satisfied" means paid-in-full.

30 (8) "Participant" means an eligible student who has received a
31 conditional scholarship under this chapter.

32 (9) "Targeted ethnic minority" means a group of Americans with a
33 common ethnic or racial heritage selected by the board for program
34 consideration due to societal concerns such as high dropout rates or
35 low rates of college participation by members of the group.

36 **Sec. 37.** RCW 82.04.170 and 1992 c 206 s 1 are each amended to read
37 as follows:

1 "Tuition fee" includes library, laboratory, health service and
2 other special fees, and amounts charged for room and board by an
3 educational institution when the property or service for which such
4 charges are made is furnished exclusively to the students or faculty of
5 such institution. "Educational institution," as used in this section,
6 means only those institutions created or generally accredited as such
7 by the state and includes educational programs that such educational
8 institution cosponsors with a nonprofit organization, as defined by the
9 internal revenue code Sec. 501(c)(3), if such educational institution
10 grants college credit for coursework successfully completed through the
11 educational program, or defined as a degree granting institution under
12 RCW 28B.85.010(3) and accredited by an accrediting association
13 recognized by the United States secretary of education, and offering to
14 students an educational program of a general academic nature or those
15 institutions which are not operated for profit and which are privately
16 endowed under a deed of trust to offer instruction in trade, industry,
17 and agriculture, but not including specialty schools, business
18 colleges, other trade schools, or similar institutions.

19 NEW SECTION. **Sec. 38.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and shall take
22 effect July 1, 1993."

23 **ESSB 5982** - S AMD - 001054
24 By Senator Rinehart

25 ADOPTED 5/5/93

26 On page 1, line 1 of the title, after "tuition;" strike the
27 remainder of the title and insert "amending RCW 28B.10.265, 28B.10.800,
28 28B.12.060, 28B.15.014, 28B.15.031, 28B.15.100, 28B.15.202, 28B.15.225,
29 28B.15.380, 28B.15.402, 28B.15.502, 28B.15.515, 28B.15.520, 28B.15.522,
30 28B.15.527, 28B.15.543, 28B.15.545, 28B.15.556, 28B.15.600, 28B.15.615,
31 28B.15.620, 28B.15.628, 28B.15.725, 28B.15.730, 28B.15.740, 28B.15.750,
32 28B.15.756, 28B.15.910, 28B.50.259, 28B.70.050, 28B.80.580,
33 28B.101.040, 28B.102.020, and 82.04.170; reenacting and amending RCW
34 28B.15.012; creating a new section; repealing RCW 28B.15.824,

1 28B.35.361, and 28B.40.361; providing an effective date; and declaring
2 an emergency."

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