
SENATE BILL 5002

State of Washington 60th Legislature 2007 Regular Session

By Senators Hewitt, Pflug, Honeyford, Swecker, Morton, Stevens, Parlette, Delvin, McCaslin, Schoesler and Sheldon

Read first time 01/08/2007. Referred to Committee on Higher Education.

1 AN ACT Relating to tuition waivers for veterans' families; and
2 amending RCW 28B.15.621, 28B.15.910, and 28B.15.385.

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

4 **Sec. 1.** RCW 28B.15.621 and 2005 c 249 s 1 are each amended to read
5 as follows:

6 (1) The legislature finds that active military and naval veterans,
7 reserve military and naval veterans, and national guard members called
8 to active duty have served their country and have risked their lives to
9 defend the lives of all Americans and the freedoms that define and
10 distinguish our nation. The legislature intends to honor active
11 military and naval veterans, reserve military and naval veterans, and
12 national guard members who have served on active military or naval duty
13 for the public service they have provided to this country.

14 (2) Subject to the limitations in RCW 28B.15.910, the governing
15 boards of the state universities, the regional universities, The
16 Evergreen State College, and the community colleges, may waive all or
17 a portion of tuition and fees for (~~the following persons:~~
18 ~~(a)~~) an eligible veteran or national guard member(~~(+~~

1 ~~(b) A child and the spouse of an eligible veteran or national guard~~
2 ~~member who became totally disabled as defined in RCW 28B.15.385 while~~
3 ~~engaged in active federal military or naval service, or who is~~
4 ~~determined by the federal government to be a prisoner of war or missing~~
5 ~~in action;~~

6 ~~(c) A child and the surviving spouse of an eligible veteran or~~
7 ~~national guard member who lost his or her life while engaged in active~~
8 ~~federal military or naval service. However, upon remarriage, the~~
9 ~~surviving spouse of an eligible veteran or national guard member is~~
10 ~~ineligible for a waiver under this section)).~~

11 (3) The governing boards of the state universities, the regional
12 universities, The Evergreen State College, and the community colleges,
13 may waive all or a portion of tuition and fees for a military or naval
14 veteran who is a Washington domiciliary, but who did not serve on
15 foreign soil or in international waters or in another location in
16 support of those serving on foreign soil or in international waters and
17 who does not qualify as an eligible veteran or national guard member
18 under subsection ((+5+)) (7) of this section. However, there shall be
19 no state general fund support for waivers granted under this
20 subsection.

21 (4) Subject to the conditions in subsection (5) of this section,
22 the governing boards of the state universities, the regional
23 universities, The Evergreen State College, and the community colleges,
24 shall waive all tuition and fees for the following persons:

25 (a) A child and the spouse of an eligible veteran or national guard
26 member who became totally disabled as defined in RCW 28B.15.385 while
27 engaged in active federal military or naval service, or who is
28 determined by the federal government to be a prisoner of war or missing
29 in action; and

30 (b) A child and the surviving spouse of an eligible veteran or
31 national guard member who lost his or her life while engaged in active
32 federal military or naval service.

33 (5) The conditions in this subsection (5) apply to waivers under
34 subsection (4) of this section.

35 (a) A child must be a Washington domiciliary between the age of
36 seventeen and twenty-six to be eligible for the tuition waiver and a
37 child's marital status does not affect eligibility.

1 (b) A surviving spouse must be a Washington domiciliary, and has
2 ten years from the date of the death, total disability as defined in
3 RCW 28B.15.385, or federal determination of prisoner of war or missing
4 in action status of the eligible veteran or national guard member to
5 receive the benefit. Upon remarriage, the surviving spouse is
6 ineligible for the tuition waiver.

7 (c) Each recipient's continued participation is subject to the
8 school's satisfactory progress policy.

9 (6) Private vocational schools and private higher education
10 institutions are encouraged to provide waivers consistent with the
11 terms in subsections (2) (~~and (3)~~) through (5) of this section.

12 (~~(5) As used in~~) (7) The definitions in this subsection apply
13 throughout this section.

14 (a) "Eligible veteran or national guard member" means a Washington
15 domiciliary who was an active or reserve member of the United States
16 military or naval forces, or a national guard member called to active
17 duty, who served in active federal service, under either Title 10 or
18 Title 32 of the United States Code, in a war or conflict fought on
19 foreign soil or in international waters or in another location in
20 support of those serving on foreign soil or in international waters,
21 and if discharged from service, has received an honorable discharge.

22 (b) "Washington domiciliary" means a person whose true, fixed, and
23 permanent house and place of habitation is the state of Washington.

24 **Sec. 2.** RCW 28B.15.910 and 2006 c 229 s 2 are each amended to read
25 as follows:

26 (1) For the purpose of providing state general fund support to
27 public institutions of higher education, except for revenue waived
28 under programs listed in subsections (3) and (4) of this section, and
29 unless otherwise expressly provided in the omnibus state appropriations
30 act, the total amount of operating fees revenue waived, exempted, or
31 reduced by a state university, a regional university, The Evergreen
32 State College, or the community colleges as a whole, shall not exceed
33 the percentage of total gross authorized operating fees revenue in this
34 subsection. As used in this section, "gross authorized operating fees
35 revenue" means the estimated gross operating fees revenue as estimated
36 under RCW 82.33.020 or as revised by the office of financial

1 management, before granting any waivers. This limitation applies to
2 all tuition waiver programs established before or after July 1, 1992.

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

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

- 13 (a) RCW 28B.15.014;
- 14 (b) RCW 28B.15.100;
- 15 (c) RCW 28B.15.225;
- 16 (d) RCW 28B.15.380;
- 17 (e) RCW 28B.15.520;
- 18 (f) RCW 28B.15.526;
- 19 (g) RCW 28B.15.527;
- 20 (h) RCW 28B.15.543;
- 21 (i) RCW 28B.15.545;
- 22 (j) RCW 28B.15.555;
- 23 (k) RCW 28B.15.556;
- 24 (l) RCW 28B.15.615;
- 25 (m) RCW 28B.15.621(2);
- 26 (n) RCW 28B.15.730;
- 27 (o) RCW 28B.15.740;
- 28 (p) RCW 28B.15.750;
- 29 (q) RCW 28B.15.756;
- 30 (r) RCW 28B.50.259; and
- 31 (s) RCW 28B.70.050.

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

- 35 (a) RCW 28B.15.522;
- 36 (b) RCW 28B.15.540; (~~and~~)
- 37 (c) RCW 28B.15.558; and
- 38 (d) RCW 28B.15.621 (3) and (4).

1 (4) The total amount of operating fees revenue waived, exempted, or
2 reduced by institutions of higher education participating in the
3 western interstate commission for higher education western
4 undergraduate exchange program under RCW 28B.15.544 shall not exceed
5 the percentage of total gross authorized operating fees revenue in this
6 subsection.

- 7 (a) Washington State University 1 percent
- 8 (b) Eastern Washington University 3 percent
- 9 (c) Central Washington University 3 percent

10 (5) The institutions of higher education will participate in
11 outreach activities to increase the number of veterans who receive
12 tuition waivers. Colleges and universities shall revise the
13 application for admissions so that all applicants shall have the
14 opportunity to advise the institution that they are veterans who need
15 assistance. If a person indicates on the application for admissions
16 that the person is a veteran who is in need of assistance, then the
17 institution of higher education shall ask the person whether they have
18 any funds disbursed in accordance with the Montgomery GI Bill available
19 to them. Each institution shall encourage veterans to utilize funds
20 available to them in accordance with the Montgomery GI Bill prior to
21 providing the veteran a tuition waiver.

22 **Sec. 3.** RCW 28B.15.385 and 1973 1st ex.s. c 191 s 5 are each
23 amended to read as follows:

24 For the purposes of RCW 28B.15.380, (~~(28B.15.385)~~) 28B.15.520, and
25 (~~(28B.40.361)~~) 28B.15.621, the phrase "totally disabled" (~~(as used in~~
26 ~~RCW 28B.15.380, 28B.15.520 and 28B.40.361 shall)~~) means a person who
27 has become totally and permanently disabled for life by bodily injury
28 or disease, and is thereby prevented from performing any occupation or
29 gainful pursuit.

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