

SB 5720 - H COMM AMD

By Committee on Higher Education

ADOPTED 04/01/2009

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 28B.15.621 and 2008 c 188 s 1 and 2008 c 6 s 501 are  
4 each reenacted and amended to read as follows:

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

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

18 (3) The governing boards of the state universities, the regional  
19 universities, The Evergreen State College, and the community colleges,  
20 may waive all or a portion of tuition and fees for a military or naval  
21 veteran who is a Washington domiciliary, but who did not serve on  
22 foreign soil or in international waters or in another location in  
23 support of those serving on foreign soil or in international waters and  
24 who does not qualify as an eligible veteran or national guard member  
25 under subsection (8) of this section. However, there shall be no state  
26 general fund support for waivers granted under this subsection.

27 (4) Subject to the conditions in subsection (5) of this section and  
28 the limitations in RCW 28B.15.910, the governing boards of the state  
29 universities, the regional universities, The Evergreen State College,

1 and the community colleges, shall waive all tuition and fees for the  
2 following persons:

3 (a) A child and the spouse or the domestic partner or surviving  
4 spouse or surviving domestic partner of an eligible veteran or national  
5 guard member who became totally disabled(~~(, as defined in RCW~~  
6 ~~28B.15.385,)~~) as a result of serving in active federal military or  
7 naval service, or who is determined by the federal government to be a  
8 prisoner of war or missing in action; and

9 (b) A child and the surviving spouse or surviving domestic partner  
10 of an eligible veteran or national guard member who lost his or her  
11 life as a result of serving in active federal military or naval  
12 service.

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

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

18 (b)(i) A surviving spouse or surviving domestic partner must be a  
19 Washington domiciliary.

20 (ii) Except as provided in (b)(iii) of this subsection, a surviving  
21 spouse or surviving domestic partner has ten years from the date of the  
22 death, total disability, or federal determination of prisoner of war or  
23 missing in action status of the eligible veteran or national guard  
24 member to receive benefits under the waiver. Upon remarriage or  
25 registration in a subsequent domestic partnership, the surviving spouse  
26 or surviving domestic partner is ineligible for the waiver of all  
27 tuition and fees.

28 (iii) If a death results from total disability, the surviving  
29 spouse has ten years from the date of death in which to receive  
30 benefits under the waiver.

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

33 (d) Tuition waivers for graduate students are not required for  
34 those who qualify under subsection (4) of this section but are  
35 encouraged.

36 (e) Recipients who receive a waiver under subsection (4) of this  
37 section may attend full-time or part-time. Total credits earned using

1 the waiver may not exceed two hundred quarter credits, or the  
2 equivalent of semester credits.

3 (6) Required waivers of all tuition and fees under subsection (4)  
4 of this section shall not affect permissive waivers of tuition and fees  
5 under subsection (3) of this section.

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

9 (8) The definitions in this subsection apply throughout this  
10 section.

11 (a) "Child" means a biological child, adopted child, or stepchild.

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

20 ((+b)) (c) "Totally disabled" means a person who has been  
21 determined to be one hundred percent disabled by the federal department  
22 of veterans affairs.

23 ((+e)) (d) "Washington domiciliary" means a person whose true,  
24 fixed, and permanent house and place of habitation is the state of  
25 Washington. "Washington domiciliary" includes a person who is residing  
26 in rental housing or residing in base housing. In ascertaining whether  
27 a child or surviving spouse or surviving domestic partner is domiciled  
28 in the state of Washington, public institutions of higher education  
29 shall, to the fullest extent possible, rely upon the standards provided  
30 in RCW 28B.15.013.

31 (9) As used in subsection (4) of this section, "fees" includes all  
32 assessments for costs incurred as a condition to a student's full  
33 participation in coursework and related activities at an institution of  
34 higher education.

35 (10) The governing boards of the state universities, the regional  
36 universities, The Evergreen State College, and the community colleges  
37 shall report to the higher education committees of the legislature by

1 November 15, 2010, and every two years thereafter, regarding the status  
2 of implementation of the waivers under subsection (4) of this section.  
3 The reports shall include the following data and information:  
4 (a) Total number of waivers;  
5 (b) Total amount of tuition waived;  
6 (c) Total amount of fees waived;  
7 (d) Average amount of tuition and fees waived per recipient;  
8 (e) Recipient demographic data that is disaggregated by distinct  
9 ethnic categories within racial subgroups; and  
10 (f) Recipient income level, to the extent possible."

11 Correct the title.

EFFECT: Retains all provisions in the underlying bill except that  
it removes the statutory reference to the definition of "totally  
disabled."

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