

WSR 24-02-073

PROPOSED RULES

EASTERN WASHINGTON UNIVERSITY

[Filed January 2, 2024, 9:52 a.m.]

Original Notice.

Preproposal statement of inquiry was filed as WSR 23-17-010.

Title of Rule and Other Identifying Information: Waivers of tuition.

Hearing Location(s): On February 8, 2024, at 8:00 a.m., at 215A Tawanka Commons, Cheney, WA 99004.

Date of Intended Adoption: February 23, 2024.

Submit Written Comments to: Annika Scharosch, 211 Tawanka [Commons], Cheney, WA 99004, email ascharosch@ewu.edu, website <https://inside.ewu.edu/policies>, by February 8, 2024.

Assistance for Persons with Disabilities: Contact Annika Scharosch, phone 509-359-6724, email ascharosch@ewu.edu, by February 6, 2024.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: Add a cross-reference to an Eastern Washington University (EWU) policy offering a partial tuition waiver for EWU employees' dependents and spouses.

Reasons Supporting Proposal: See above.

Statutory Authority for Adoption: RCW 28B.35.120(12).

Statute Being Implemented: RCW 28B.15.740.

Rule is not necessitated by federal law, federal or state court decision.

Name of Proponent: EWU, governmental.

Name of Agency Personnel Responsible for Drafting: Annika Scharosch, 211 Tawanka Commons, Cheney, WA 99004, 509-359-6724; Implementation and Enforcement: Dr. Shari McMahan, 214 Showalter Hall, Cheney, WA 99004, 509-359-6200.

A school district fiscal impact statement is not required under RCW 28A.305.135.

A cost-benefit analysis is not required under RCW 34.05.328. Not subject to RCW 34.05.328(5).

This rule proposal, or portions of the proposal, is exempt from requirements of the Regulatory Fairness Act because the proposal:

Is exempt under RCW 19.85.025(3) as the rules adopt, amend, or repeal a procedure, practice, or requirement relating to agency hearings; or a filing or related process requirement for applying to an agency for a license or permit.

Is exempt under RCW 19.85.025(4).

Scope of exemption for rule proposal:

Is fully exempt.

January 2, 2024

Annika Scharosch

Associate Vice President for Civil Rights
Compliance and Enterprise Risk Management

OTS-5106.1

AMENDATORY SECTION (Amending WSR 21-07-010, filed 3/4/21, effective 4/4/21)

WAC 172-11-040 Waiver of tuition. (1) The board of trustees is authorized to grant tuition waivers to students pursuant to RCW 28B.15.910 and the laws identified therein. A number of these statutes authorize, but do not require, the board of trustees to grant waivers for different categories of students and provide waivers of different fees. For waivers that are authorized but not required by state law, the board of trustees delegates to the president or designee the authority to implement voluntary tuition waivers. The permissive waivers that EWU has implemented are identified below in subsection (3) of this section. A full list of permissive waivers and mandatory waivers is available from EWU's financial aid and scholarships office. These waivers may be modified at any time. Eligibility is based on the term for which the student is seeking a waiver and both the waiver and eligibility criteria may be subsequently modified or revoked with or without notice to a student. Awarding of a waiver for one term is not a guarantee that the waiver will be awarded in a subsequent term.

(2) Even if EWU has implemented a permissive waiver, the university, for specific reasons and a general need for flexibility in the management of its resources, may choose not to award waivers to all students who may be eligible under the terms of the laws due to funding limitations and enrollment strategies. The university may modify its restrictions or requirements pursuant to changes in state or federal law, changes in programmatic requirements, or in response to financial or other considerations, which may include, but are not limited to, the need to adopt fiscally responsible budgets, the management of the overall levels and mix of enrollments, management initiatives to modify enrollment demand for specific programs, and management decisions regarding the array of academic programs offered. The university may choose not to exercise the full funding authority granted under RCW 28B.15.910 and may limit the total funding available under RCW 28B.15.915.

(3) Pursuant to RCW 28B.15.910, EWU adopts the following tuition waivers with the following limitations. These limitations are in addition to any limitations set forth in state or federal law.

(a) RCW 28B.15.014(1);

(b) RCW 28B.15.014(2). Waivers under this subsection for the non-resident tuition fee differential shall be restricted to three quarters within the first year from the employee's initial date of employment with EWU. The employee must be employed on or before the first day of the quarter for which the waiver is requested;

(c) RCW 28B.15.544. Applicants must meet initial enrollment and academic eligibility requirements available on the financial aid office's website;

(d) RCW 28B.15.556. Limitations are included in specific student exchange agreements;

(e) RCW 28B.15.558. All waivers authorized by RCW 28B.15.558 shall be subject to additional limitations as determined by the university. The details of EWU's program of tuition waivers for state, teachers and other certificated instructional staff, and K-12 classified staff are set forth in EWU Policy 409-04. As authorized by RCW 28B.15.558(5), waivers may be awarded to eligible EWU employees before considering waivers for eligible persons who are not employed by EWU. These waivers are not available for self-support courses or individualized instruction;

(f) RCW 28B.15.615;

(g) RCW 28B.15.621(2). This waiver is limited to Washington residents who are enrolled full-time and pursuing their first undergraduate degree and is only a partial waiver. Information about eligibility for this waiver is available on the financial aid office's website. To qualify as an eligible veteran or National Guard member, the person seeking the waiver must provide proof of domicile in Washington state and either a DD Form 214 or other documentation establishing they meet the criteria in RCW 28B.15.621(8);

(h) RCW 28B.15.740 (1) and (2); (~~and~~)

(i) RCW 28B.70.050; and

(j) Pursuant to the general authority granted in RCW 28B.15.740(1), an employee dependent children and spouses' tuition waiver as detailed in EWU Policy 405-01.

(4) Any waivers identified in subsection (3) of this section only apply to the operating portion of tuition for state supported courses or programs, unless otherwise required by law. They do not apply to self-support courses or programs.

(5) Additional procedures and requirements for the waivers identified in subsection (3) of this section may be included in EWU policies. EWU may offer additional waivers at its discretion under RCW 28B.15.915.

(6) Information about fee waivers is available from (~~Student Financial Services~~) Financial Aid & Scholarships Office, ((202)) 102 Sutton Hall, Cheney, WA 99004, phone ((509-359-6372)) 509-359-2314.