

HOUSE BILL REPORT

HB 2377

As Reported By House Committee On:

Higher Education
Appropriations

Title: An act relating to the definition of resident student.

Brief Description: Changing the definition of resident for purposes of higher education tuition.

Sponsors: Representatives Dunn and Carlson.

Brief History:

Committee Activity:

Higher Education: 1/22/98, 1/29/98 [DPS];

Appropriations: 2/6/98, 2/7/98 [DP2S(w/o sub HE)].

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Carlson, Chairman; Radcliff, Vice Chairman; Mason, Ranking Minority Member; Kenney, Assistant Ranking Minority Member; Butler; Dunn; O'Brien and Sheahan.

Staff: Marilee Scarbrough (786-7196).

Background: Under current law, tuition rates are different for resident and nonresident students. Before a person is entitled to pay resident tuition rates, he or she must have established and maintained a permanent home or "domicile" in the state for at least one year before starting college. This permanent home must have been established for purposes other than paying resident tuition rates. In order to show an institution that he or she has established a permanent home in Washington, a person may have to present evidence to the institution. That evidence may include a Washington driver's license, voter registration card, rent receipts, car license, employment information, location of a checking account, and the like. Under current residency laws, a distinction is made between persons who are financially independent, and those who are still dependent on their parents for financial support. With some exceptions, a dependent student's status is based on the residency status of the student's parents or legal guardian.

With some exceptions, if a Washington resident moves out of state, he or she loses the right to pay resident tuition rates. If the parents of a dependent student move out of state while the student is enrolled in college, the student may continue to pay resident tuition rates for as long as the student remains continuously enrolled in school, except during summer sessions. If a student enrolls in a public college or university within six months of graduating from a Washington high school, he or she may pay resident tuition rates if his or her parents maintained Washington as their permanent residence for at least one year within the five-year period when their child enrolls in a Washington college. If a person moves out of state while he or she is a member of the civil or military service of the state or the country, the person does not automatically lose their domicile in Washington. However, to pay resident tuition rates, the person must, within one year of discharge from the service, return to Washington with the intention to remain in the state as a state resident.

In 1994, the Legislature amended the residency statutes to allow spouses and dependents of military personnel to pay residency tuition. The amendment did not specifically address payment of resident tuition by military personnel.

Summary of Substitute Bill: Community college students who establish a domicile in the state of Washington for 90 days are considered resident students for the purpose of tuition.

Substitute Bill Compared to Original Bill: The substitute bill deletes the language allowing independent students or dependent students to establish residency solely by purchasing and residing in a residence in the state. The provision related to active duty military personnel and their spouses is deleted.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: Ninety days after adjournment of session in which bill is passed.

Testimony For: Many individuals who move to Washington and purchase a home cannot understand why they must wait a year to be considered a resident for purposes of tuition. The one-year requirement presents a problem for the community colleges, because they want to serve people in their communities. The community colleges would like a 90 day residency requirement. Other states have different residency requirements for two- and four-year institutions.

Testimony Against: We realize the issue exists, but we need an opportunity to look at the issue. The community colleges should be allowed to proceed with a 90 day residency, but we need to do an interim study for the baccalaureate institutions.

Testified: Representative Jim Dunn, Sponsor; Rhonda Coats, State Board For Community and Technical Colleges; Susan Patrick, Higher Education Coordinating Board; and Terry Teale, Council of Presidents.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by 28 members: Representatives Huff, Chairman; Alexander, Vice Chairman; Clements, Vice Chairman; Wensman, Vice Chairman; H. Sommers, Ranking Minority Member; Doumit, Assistant Ranking Minority Member; Gombosky, Assistant Ranking Minority Member; Benson; Carlson; Chopp; Cody; Cooke; Crouse; Keiser; Kenney; Kessler; Lambert; Lisk; Mastin; McMorris; Parlette; Poulsen; Regala; D. Schmidt; Sehlin; Sheahan; Talcott and Tokuda.

Staff: Mary Alice Grobins (786-7118).

Summary of Recommendation of Committee on Appropriations Compared to Recommendation of Committee on Higher Education: The provision allowing a 90-day residency period in order to be considered a resident student for purposes of tuition at Washington community colleges is eliminated. The Higher Education Coordinating Board is directed to review state policies regarding student residency requirements and to make recommendations to the Governor and Legislature by October 1, 1998. Active duty military personnel stationed in the state, and reserve component military personnel in an active drilling status in a unit located in Washington are defined as residents for purposes of tuition at Washington public institutions of higher education.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: A large number of people move into Clark County, buy homes, pay taxes, and demonstrate residency, but still have to wait for a year in order to access higher education. An amendment to add active duty military personnel as residents would be acceptable. The state of Oregon has a 90-day residency requirement for community colleges. The mission of the community colleges is to serve students, and this bill would help people access community college education.

Testimony Against: There is concern about a court challenge that could force a single residency standard for all public institutions. A 90-day residency requirement would

represent a \$2.0 to \$2.2 million tuition loss for Central Washington University. This issue should be studied before it moves forward.

Testified: Rhonda Coats, State Board for Community and Technical Colleges (pro); and Martha Lindley, Central Washington University (concerns) .