
Higher Education Committee

HB 2479

Brief Description: Exempting payment of fees at institutions of higher learning for children of certain law enforcement officers or firefighters.

Sponsors: Representative Kelley.

Brief Summary of Bill

- Makes mandatory the tuition and fee waivers for children of any law enforcement officer or firefighter who lost his or her life or became totally disabled in the line of duty while employed by any public law enforcement agency or full-time or volunteer fire department in this state.
- Defines the terms and extent of the waivers.
- Requires biennial reports to the Legislature regarding implementation of the waivers.

Hearing Date: 1/12/10

Staff: Cece Clynch (786-7195).

Background:

Waivers

Set forth in statute are a myriad of provisions which permit state institutions of higher education to waive all or a portion of tuition and fees for various defined categories of eligible students. Most of these waivers are permissive rather than mandatory and may be partial or full, at the discretion of the institution.

Most are subject to waiver limits found in statute. For these waivers, known as state-supported waivers, it is assumed that state monies in the institutions' budgets will offset the tuition not collected from students granted waivers. The authority to grant state-supported waivers is capped for each institution at a certain percentage of the total tuition revenue the institution collects:

- University of Washington 21 percent;

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- Washington State University 20 percent;
- Eastern Washington University 11 percent;
- Central Washington University 10 percent;
- Western Washington University 10 percent;
- The Evergreen State College 10 percent; and
- Community colleges as a whole 35 percent.

Within its respective percentage cap, and taking into account any mandatory waivers subject to the cap, each institution decides how to apportion its permissive waiver authority among the various categories of eligible recipients.

Permissive Waivers Subject to Statutory Limits

Permissive waiver categories currently in statute, and subject to the institutional caps, include:

- needy resident students;
- eligible veterans or National Guard members;
- children of law enforcement officers and firefighters who died or became totally disabled in the line of duty; and
- graduate assistants working not less than 20 hours per week.

Permissive Waivers Not Subject to Limits

There are other permissive waivers which are not subject to the statutory caps. With respect to these, enrollment information must be maintained separately from other enrollment information and cannot be considered in enrollment statistics that affect budgetary determinations. These include waivers for the long-term unemployed, persons 60 or older, state employees, and members of the military who do not qualify as eligible veterans or National Guard members. Enrollment in classes by most of these recipients is allowed only if space is available.

Mandatory Total Waivers For Families of Eligible Veterans and National Guard Members Subject to Limits

Pursuant to 2007 legislation, institutions must waive all undergraduate tuition and fees for the children and spouses of eligible veterans or National Guard members who died or became totally disabled as a result of serving or who are missing in action or prisoners of war. Originally, tuition and fees waived for these family members were not subject to the waiver limits placed on institutions but this was changed in 2008 and these mandatory waivers are now subject to those limits.

To qualify for the waiver, a child must be a Washington resident between 17 and 26 years old. A spouse must also be a Washington resident and may not have remarried. With respect to a spouse, there is a 10-year limitation which runs from the date of the veteran's death, disability, or federal determination of Prisoner Of War/Missing In Action status.

Waivers for graduate students are not required but are encouraged.

Summary of Bill:

Waivers for children of law enforcement officers and firefighters who lost their lives or became totally disabled in the line of duty while employed by any public law enforcement agency or full-time or volunteer fire department in the state are made mandatory rather than permissive. All tuition and fees must be waived. These waivers remain subject to the statutory waiver authority limits.

As with the former permissive waiver for the children of law enforcement officers and firefighters, recipients must begin their course of study at a state-supported college or university within ten years of their graduation from high school. New definitions and terms are added or clarified as follows:

- "Children" means biological children, adopted children, or stepchildren.
- "Fees" means all assessments for costs incurred as a condition to a student's full participation in coursework and related activities at an institution of higher education.
- A recipient's continued participation is subject to the school's satisfactory progress policy.
- A recipient may attend full time or part time. Total credits earned using the waiver may not exceed two hundred quarter credits, or the equivalent of semester credits.
- Tuition waivers for graduate students are not required but are encouraged.
- Private vocational schools and private higher education institutions are encouraged to provide similar waivers.

The definition of "totally disabled" remains the same as it was but what was a stand-alone definition is repealed and the definition incorporated into the statutory waiver provision. The statutory waiver authority for both the four-year institutions and the community colleges is incorporated into a single statute rather than set forth in two separate statutes.

A biennial reporting requirement is added. Except that the first report is not due until November 15, 2012, the reporting dates and requirements are the same as for the mandatory total waivers for families of eligible veterans and National Guard members. The following information must be included:

- total number of waivers;
- total amount of tuition waived;
- total amount of fees waived;
- average amount of tuition and fees waived per recipient;
- recipient demographic data that is disaggregated by distinct ethnic categories within racial subgroups; and
- recipient income level, to the extent possible.

Appropriation: None.

Fiscal Note: Requested on January 6, 2010.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.