

SENATE BILL REPORT

SHB 1174

As Reported By Senate Committee On:
Early Learning, K-12 & Higher Education, March 30, 2005

Title: An act relating to tuition waivers at institutions of higher education.

Brief Description: Changing veterans' tuition waiver provisions.

Sponsors: House Committee on Higher Education (originally sponsored by Representatives McCoy, Campbell, Morrell, Chase, Condotta, Hunt, Appleton, Hudgins, Armstrong, Hinkle, Conway, Lantz, Ormsby, Haigh and Upthegrove).

Brief History: Passed House: 3/04/05, 96-0.

Committee Activity: Early Learning, K-12 & Higher Education: 3/28/05, 3/30/05 [DPA].

SENATE COMMITTEE ON EARLY LEARNING, K-12 & HIGHER EDUCATION

Majority Report: Do pass as amended.

Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair; Weinstein, Vice Chair; Schmidt, Ranking Minority Member; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Mulliken, Pflug, Rasmussen, Rockefeller, Schoesler and Shin.

Staff: Heather Lewis-Lechner (786-7448)

Background: The state higher education institutions are granted the authority by the legislature to waive all or a portion of tuition and fees for eligible students. All waiver programs are permissive for the institutions and for some waivers, known as state-supported waivers, it is assumed that money in the institutions' budgets will offset the tuition not collected from students as a result of granting the waivers. This authority to grant state-supported waivers is capped for each institution at a certain percentage in statute. Each institution decides how to apportion its waiver authority among the different waiver categories. A second type of waiver is a space-available waiver. Student's receiving space-available waivers may not be included in official enrollment reports and the institutions receive no state funding for these waivers.

Under current law veterans are eligible for tuition and fee waivers from the public baccalaureate institutions and community colleges under both state-supported waivers and space-available waivers. Currently, there are multiple statutes that provide tuition waiver authority for veterans or their children or spouses.

Veterans of the first Persian Gulf war may be exempted from any increase in student tuition or fees that occurred after the 1990-91 academic year. To qualify for the exemption the veteran must be a resident student and must have served in the Persian Gulf combat zone as designated by executive order of the President of the United States during 1991. This waiver is a state-supported tuition waiver.

Veterans of the Vietnam conflict are eligible for a waiver of tuition increases that have occurred since October 1977. To qualify for the waiver the veteran must be a resident student and must have been on active federal service in the armed forces during the period August 5, 1964 through May 7, 1975. This waiver is a state-supported waiver.

Veterans enrolled in an institution on or before 1977, including veterans of both World Wars and the Korean conflict, are also eligible under statute for a full or partial tuition waiver if he or she is no longer eligible for federal education or vocational benefits. This is a state-supported waiver. Veterans of the Korean Conflict are also eligible for a waiver of all or a portion of tuition and fees under a separate statute on a space-available basis.

Children of veterans listed as missing action or as a prisoner of war are also eligible for a waiver of all or a portion of tuition and fees. These waivers are state-supported waivers.

Summary of Amended Bill: Tuition waiver authority for all veterans is incorporated into one chapter and the various separate statutes are repealed or amended as necessary. State-supported waiver authority is expanded to include the children and spouse, or surviving children and spouse, of eligible veterans and National Guard members.

Eligible veterans and National Guard members are defined within the bill to include Washington residents who are or were active duty or reserve military members or National Guard members called to active federal service under Title 32 or Title 10 of the United State Code, in a war or conflict fought on foreign soil or in international waters or in support of those serving on foreign soil or in international waters. Veterans and National Guard members who have been discharged from service must have received an honorable discharge in order to be eligible for a waiver.

Within state-supported waiver authority, institutions of higher education may waive all or a portion of tuition and fees for:

- an eligible veteran or National Guard member;
- the children and spouse of an eligible veteran or National Guard member who was totally disabled in the line of duty, or who is listed as missing in action or as a prisoner of war; and
- the surviving children and spouse of an eligible veteran or National Guard member killed in the line of duty. Upon remarriage, however, the surviving spouse no longer is eligible.

Institutions of higher education may also waive all or a portion of tuition and fees for a military or naval veteran who did not serve in active federal service abroad or in support of those serving abroad and who does not qualify as an eligible veteran or National Guard member. For these waivers, however, no State General Fund support is assumed.

Private vocational schools and institutions of higher education are encouraged to provide waivers consistent with those provided by the public institutions.

Amended Bill Compared to Original Bill: Technical amendment made to remove a statute from the repealer section that should not have been repealed. The current statute dealing with space-available waivers is included and amended to remove reference to veterans or national

guard members so as to avoid conflict with the language of the bill. Specific reference to active service as established under Title 32 or Title 10 of the United States Code is added.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

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

Testimony For: This bill consolidates all the veteran waiver provisions into a single provision that covers veterans in all prior and all future wars and conflicts. In this way people do not get left out. The two year college system embraces this bill and the consolidation of the veteran waiver statutes. There are a few technical changes needed in the bill.

Testimony Against: None.

Who Testified: PRO: Representative McCoy, prime sponsor; Chris Reykdal, SBCTC.