
ENGROSSED SUBSTITUTE HOUSE BILL 2089

State of Washington

58th Legislature

2003 Regular Session

By House Committee on Higher Education (originally sponsored by Representatives McCoy, Wallace, Morrell, Kenney and Miloscia)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to tuition waivers at institutions of higher
2 education; amending RCW 28B.15.380 and 28B.15.910; adding new sections
3 to chapter 28B.15 RCW; and repealing RCW 28B.10.265, 28B.15.620,
4 28B.15.625, 28B.15.628, and 28B.15.629.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28B.15 RCW
7 to read as follows:

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

16 (2) Subject to the limitations in RCW 28B.15.910, the governing
17 boards of the state universities, the regional universities, The
18 Evergreen State College, and the community colleges, may waive all or
19 a portion of tuition and fees for the following persons:

1 (a) An eligible veteran or national guard member;

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

7 (c) A child and the surviving spouse of an eligible veteran or
8 national guard member who lost his or her life while engaged in active
9 federal military or naval service. However, upon remarriage, the
10 surviving spouse of an eligible veteran or national guard member is
11 ineligible for a waiver under this section.

12 (3) Subject to the limitations in RCW 28B.15.910, the governing
13 boards of the state universities, the regional universities, The
14 Evergreen State College, and the community colleges, may waive all or
15 a portion of tuition and fees increases that have occurred during the
16 academic years in which an eligible veteran or national guard member
17 was engaged in active federal military or naval service on foreign soil
18 or in another location in support of federal military or naval action
19 on foreign soil, if the eligible veteran or national guard member could
20 have qualified as a resident student under RCW 28B.15.012(2) had he or
21 she been enrolled as a student.

22 (4) The governing boards of the state universities, the regional
23 universities, The Evergreen State College, and the community colleges,
24 may waive all or a portion of tuition and fees for a military or naval
25 veteran who is a Washington domiciliary, but who did not serve on
26 foreign soil or in international waters or in another location in
27 support of those serving on foreign soil or in international waters and
28 who does not qualify as an eligible veteran or national guard member
29 under subsection (5) of this section. However, there shall be no state
30 general fund support for waivers granted under this subsection.

31 (5) Private vocational schools and private higher education
32 institutions are encouraged to provide waivers consistent with the
33 terms in subsections (2) through (4) of this section.

34 (6) As used in this section "eligible veteran or national guard
35 member" means a Washington domiciliary who was an active or reserve
36 member of the United States military or naval forces, or a national
37 guard member called to active duty, and who served in active federal
38 service in a war or conflict fought on foreign soil or in international

1 waters or in another location in support of those serving on foreign
2 soil or in international waters as a member of the armed military or
3 naval forces of the United States.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.15 RCW
5 to read as follows:

6 Institutions of higher education, as defined in RCW 28B.10.016,
7 shall provide an enrolled student who is called to active federal
8 service in United States military action initiated by an executive
9 order issued by the President of the United States, and who is unable
10 to complete the academic term in which the student is enrolled, with
11 the option of receiving a refund of the total tuition and fees paid by
12 the eligible student for the applicable academic term, or of being
13 readmitted for a comparable academic term under the following
14 conditions:

15 (1) The eligible student shall be exempt from the payment of
16 additional tuition and fees;

17 (2) No new course sections shall be created as a direct result of
18 students receiving the waivers; and

19 (3) Enrollment information on students receiving the waivers shall
20 be maintained separately from other enrollment information and shall
21 not be considered in any enrollment statistics that would affect
22 budgetary determinations.

23 **Sec. 3.** RCW 28B.15.380 and 1993 sp.s. c 18 s 10 are each amended
24 to read as follows:

25 Subject to the limitations of RCW 28B.15.910, the governing boards
26 of the state universities, the regional universities, and The Evergreen
27 State College may exempt the following students from the payment of all
28 or a portion of tuition fees and services and activities fees:

29 ~~((1) All veterans as defined in RCW 41.04.005: PROVIDED, That~~
30 ~~such persons are no longer entitled to federal vocational or~~
31 ~~educational benefits conferred by virtue of their military service:~~
32 ~~AND PROVIDED FURTHER, That if any such veterans have not resided in~~
33 ~~this state for one year prior to registration, the board may exempt the~~
34 ~~student from paying up to fifty percent of the nonresident tuition fees~~
35 ~~differential. Such exemptions may be provided only to those persons~~

1 otherwise covered who were enrolled in universities on or before
2 October 1, 1977.

3 (2)) Children of any law enforcement officer or fire fighter who
4 lost his or her life or became totally disabled in the line of duty
5 while employed by any public law enforcement agency or full time or
6 volunteer fire department in this state: PROVIDED, That such persons
7 may receive the exemption only if they begin their course of study at
8 a state-supported college or university within ten years of their
9 graduation from high school.

10 **Sec. 4.** RCW 28B.15.910 and 2000 c 152 s 3 are each amended to read
11 as follows:

12 (1) For the purpose of providing state general fund support to
13 public institutions of higher education, except for revenue waived
14 under programs listed in subsections (3) and (4) of this section, and
15 unless otherwise expressly provided in the omnibus state appropriations
16 act, the total amount of operating fees revenue waived, exempted, or
17 reduced by a state university, a regional university, The Evergreen
18 State College, or the community colleges as a whole, shall not exceed
19 the percentage of total gross authorized operating fees revenue in this
20 subsection. As used in this section, "gross authorized operating fees
21 revenue" means the estimated gross operating fees revenue as estimated
22 under RCW 82.33.020 or as revised by the office of financial
23 management, before granting any waivers. This limitation applies to
24 all tuition waiver programs established before or after July 1, 1992.

- 25 (a) University of Washington 21 percent
- 26 (b) Washington State University 20 percent
- 27 (c) Eastern Washington University 11 percent
- 28 (d) Central Washington University 8 percent
- 29 (e) Western Washington University 10 percent
- 30 (f) The Evergreen State College 6 percent
- 31 (g) Community colleges as a whole 35 percent

32 (2) The limitations in subsection (1) of this section apply to
33 waivers, exemptions, or reductions in operating fees contained in the
34 following:

- 35 (a) (~~RCW 28B.10.265;~~
- 36 ~~(b))~~ RCW 28B.15.014;
- 37 (~~(c))~~ (b) RCW 28B.15.100;

1 ~~((d))~~ (c) RCW 28B.15.225;
2 ~~((e))~~ (d) RCW 28B.15.380;
3 ~~((f))~~ (e) RCW 28B.15.520;
4 ~~((g))~~ (f) RCW 28B.15.526;
5 ~~((h))~~ (g) RCW 28B.15.527;
6 ~~((i))~~ (h) RCW 28B.15.543;
7 ~~((j))~~ (i) RCW 28B.15.545;
8 ~~((k))~~ (j) RCW 28B.15.555;
9 ~~((l))~~ (k) RCW 28B.15.556;
10 ~~((m))~~ (l) RCW 28B.15.615;

11 ~~((n) RCW 28B.15.620;~~
12 ~~(o) RCW 28B.15.628;~~

13 ~~(p))~~ (m) RCW 28B.15.730;
14 ~~((q))~~ (n) RCW 28B.15.740;
15 ~~((r))~~ (o) RCW 28B.15.750;
16 ~~((s))~~ (p) RCW 28B.15.756;
17 ~~((t))~~ (q) RCW 28B.50.259;
18 ~~((u))~~ (r) RCW 28B.70.050;
19 ~~((v) RCW 28B.80.580; and~~

20 ~~(w) During the 1997-99 fiscal biennium, the western interstate~~
21 ~~commission for higher education undergraduate exchange program for~~
22 ~~students attending Eastern Washington University)); and~~

23 (s) Section 1 (2) and (3) of this act.

24 (3) The limitations in subsection (1) of this section do not apply
25 to waivers, exemptions, or reductions in services and activities fees
26 contained in the following:

- 27 (a) RCW 28B.15.522;
28 (b) RCW 28B.15.540; and
29 (c) RCW 28B.15.558.

30 (4) The total amount of operating fees revenue waived, exempted, or
31 reduced by institutions of higher education participating in the
32 western interstate commission for higher education western
33 undergraduate exchange program under RCW 28B.15.544 shall not exceed
34 the percentage of total gross authorized operating fees revenue in this
35 subsection.

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| 36 | (a) Washington State University | 1 percent |
| 37 | (b) Eastern Washington University | 3 percent |
| 38 | (c) Central Washington University | 3 percent |

1 NEW SECTION. **Sec. 5.** The following acts or parts of acts are each
2 repealed:

3 (1) RCW 28B.10.265 (Waiver from fees--Children of certain citizens
4 missing in action or prisoners of war) and 1993 sp.s. c 18 s 1, 1992 c
5 231 s 2, 1985 c 390 s 1, 1973 c 63 s 2, & 1972 ex.s. c 17 s 2;

6 (2) RCW 28B.15.620 (Exemption from tuition and fees increase at
7 institutions of higher education--Vietnam veterans) and 1999 c 82 s 1,
8 1995 c 349 s 1, 1994 c 208 s 1, 1993 sp.s. c 18 s 24, 1992 c 231 s 22,
9 1989 c 306 s 4, 1983 c 307 s 1, 1979 ex.s. c 83 s 1, 1977 ex.s. c 322
10 s 9, 1972 ex.s. c 149 s 3, & 1971 ex.s. c 279 s 22;

11 (3) RCW 28B.15.625 (Persian Gulf veterans--Private higher education
12 institutions--Tuition refund encouraged) and 1991 c 164 s 10;

13 (4) RCW 28B.15.628 (Waiver of tuition and fees increases at
14 institutions of higher education--Persian Gulf veterans) and 1999 c 82
15 s 2, 1996 c 169 s 1, 1994 c 208 s 2, 1993 sp.s. c 18 s 25, 1992 c 231
16 s 23, & 1991 c 228 s 14; and

17 (5) RCW 28B.15.629 (Tuition waivers at technical colleges--Vietnam
18 veterans--Persian Gulf veterans) and 1999 c 82 s 3.

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