

HOUSE BILL REPORT

ESSB 6371

As Passed House - Amended:

March 11, 2008

Title: An act relating to tuition and fee waivers for veterans' families.

Brief Description: Regarding tuition and fee waivers for veterans' families.

Sponsors: By Senate Committee on Higher Education (originally sponsored by Senators Hewitt, Hobbs, Shin, Parlette, King, Rockefeller, Swecker, Brandland, McCaslin, Haugen, Kohl-Welles, Rasmussen, Kilmer and Sheldon).

Brief History:

Committee Activity:

Higher Education: 2/20/08, 2/27/08 [DPA].

Floor Activity:

Passed House - Amended: 3/5/08, 96-0.

Senate Refused to Concur.

Passed House - Amended: 3/11/08, 94-0.

Brief Summary of Engrossed Substitute Bill (As Amended by House)

- Clarifies eligibility requirements and other terms for purposes of tuition waivers for families of eligible veterans and National Guard members.
- Provides that tuition waivers for families of eligible veterans and National Guard members apply to the statutory waiver limits of institutions of higher education.
- Requires institutions of higher education to report to the Legislature regarding implementation of the waivers.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: Do pass as amended. Signed by 9 members: Representatives Wallace, Chair; Sells, Vice Chair; Anderson, Ranking Minority Member; Hankins, Hasegawa, McIntire, Roberts, Schmick and Sommers.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Cece Clynch (786-7195).

Background:

Permissive Waivers Subject to Statutory Limits

Within certain statutory limits, institutions of higher education may waive all or a portion of tuition and fees for eligible students. 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;
- 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, each institution decides how to apportion its waiver authority among the various categories of permissive waivers. Examples of permissive waiver recipients include 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.

These permissive waivers may be partial rather than full and, with respect to several categories of recipients, take the form of a reduction from nonresident tuition rates. For instance, residents of Idaho may receive a nonresident tuition waiver to the extent permitted by an agreement between the Higher Education Coordinating Board and its Idaho counterpart which permits similar waivers for Washington residents attending Idaho schools.

Permissive Waivers Not Subject to Limits

There are other permissive waivers which are not subject to the limitations. 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 on a space available basis.

Mandatory Total Waivers For Families of Eligible Veterans and National Guard Members Not Subject to Limits

In 2007 the Legislature passed SSB 5002 which provides that institutions must waive all tuition and fees for the children and spouses of eligible veterans or National Guard members who died or became permanently and totally disabled while engaged in active service or who

are missing in action or prisoners of war. Tuition and fees waived for these family members do not apply to the waiver limits placed on institutions.

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.

Summary of Amended Bill:

Waivers granted families of veterans are subject to the statutory state-supported waiver limits.

New definitions are added and certain terms are clarified for purposes of mandatory total tuition waivers for families of eligible veterans and National Guard members:

- The qualifying disability or loss of life must have occurred as a result of serving in active service, and not just have occurred while engaged in active service.
- If a death results from the total disability, the 10-year eligibility period is measured from the date of death.
- Tuition waivers for graduate students are not required but are encouraged.
- Waiver recipients may attend part-time or full-time. Total credits earned pursuant to the waiver may not exceed 200 quarter credits or the equivalent of semester credits.
- "Totally disabled" means a person who has been determined to be 100 percent disabled by the federal Department of Veterans Affairs.
- "Fees" includes all assessments for costs incurred as a condition to a student's full participation in coursework and related activities.

The institutions must report to the higher education committees of the Legislature regarding waivers for families of eligible veterans and National Guard members.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) This bill provides needed clarification to ensure consistency among the institutions. There is a lot of confusion and inconsistency now. Some schools means test, and require the family member to provide tax returns. Others refuse to waive fees. There have

been situations where siblings attending different schools are treated differently with respect to waivers. Upon the death or disability of a member of the military, the spouse must frequently become the primary breadwinner. In order to do that, the spouse may need to first further his or her education. The change to the definition, providing that the death or disability must be "as a result of" is redundant and may add to the confusion.

(Opposed) None.

Persons Testifying: Chuck Greenough, State Board for Community and Technical Colleges; and David Zurfluh and Skip Dreps, Northwest Paralyzed Veterans of America.

Persons Signed In To Testify But Not Testifying: None.