

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 6371

Chapter 188, Laws of 2008

60th Legislature
2008 Regular Session

VETERANS' FAMILIES--TUITION WAIVERS

EFFECTIVE DATE: 06/12/08

Passed by the Senate March 12, 2008
YEAS 49 NAYS 0

BRAD OWEN

President of the Senate

Passed by the House March 11, 2008
YEAS 94 NAYS 0

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6371** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

Approved March 27, 2008, 10:46 a.m.

FILED

March 28, 2008

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 6371

AS AMENDED BY THE HOUSE

Passed Legislature - 2008 Regular Session

State of Washington 60th Legislature 2008 Regular Session

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

READ FIRST TIME 01/24/08.

1 AN ACT Relating to tuition and fee waivers for veterans' families;
2 amending RCW 28B.15.621 and 28B.15.385; and reenacting and amending RCW
3 28B.15.910.

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

5 **Sec. 1.** RCW 28B.15.621 and 2007 c 450 s 1 are each amended to read
6 as follows:

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

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

1 (3) The governing boards of the state universities, the regional
2 universities, The Evergreen State College, and the community colleges,
3 may waive all or a portion of tuition and fees for a military or naval
4 veteran who is a Washington domiciliary, but who did not serve on
5 foreign soil or in international waters or in another location in
6 support of those serving on foreign soil or in international waters and
7 who does not qualify as an eligible veteran or national guard member
8 under subsection (8) of this section. However, there shall be no state
9 general fund support for waivers granted under this subsection.

10 (4) Subject to the conditions in subsection (5) of this section and
11 the limitations in RCW 28B.15.910, the governing boards of the state
12 universities, the regional universities, The Evergreen State College,
13 and the community colleges, shall waive all tuition and fees for the
14 following persons:

15 (a) A child and the spouse or surviving spouse of an eligible
16 veteran or national guard member who became totally disabled, as
17 defined in RCW 28B.15.385 (~~((while engaged))~~), as a result of serving in
18 active federal military or naval service, or who is determined by the
19 federal government to be a prisoner of war or missing in action; and

20 (b) A child and the surviving spouse of an eligible veteran or
21 national guard member who lost his or her life (~~((while engaged))~~) as a
22 result of serving in active federal military or naval service.

23 (5) The conditions in this subsection (5) apply to waivers under
24 subsection (4) of this section.

25 (a) A child must be a Washington domiciliary between the age of
26 seventeen and twenty-six to be eligible for the tuition waiver. A
27 child's marital status does not affect eligibility.

28 (b)(i) A surviving spouse must be a Washington domiciliary.

29 (ii) Except as provided in (b)(iii) of this subsection, a surviving
30 spouse has ten years from the date of the death, total disability ((as
31 defined in RCW 28B.15.385)), or federal determination of prisoner of
32 war or missing in action status of the eligible veteran or national
33 guard member to receive ((the)) benefits under the waiver. Upon
34 remarriage, the surviving spouse is ineligible for the waiver of all
35 tuition and fees.

36 (iii) If a death results from total disability, the surviving
37 spouse has ten years from the date of death in which to receive
38 benefits under the waiver.

1 (c) Each recipient's continued participation is subject to the
2 school's satisfactory progress policy.

3 (d) Tuition waivers for graduate students are not required for
4 those who qualify under subsection (4) of this section but are
5 encouraged.

6 (e) Recipients who receive a waiver under subsection (4) of this
7 section may attend full-time or part-time. Total credits earned using
8 the waiver may not exceed two hundred quarter credits, or the
9 equivalent of semester credits.

10 (6) Required waivers of all tuition and fees under subsection (4)
11 of this section shall not affect permissive waivers of tuition and fees
12 under subsection (3) of this section.

13 (7) Private vocational schools and private higher education
14 institutions are encouraged to provide waivers consistent with the
15 terms in subsections (2) through (5) of this section.

16 (8) The definitions in this subsection apply throughout this
17 section.

18 (a) "Eligible veteran or national guard member" means a Washington
19 domiciliary who was an active or reserve member of the United States
20 military or naval forces, or a national guard member called to active
21 duty, who served in active federal service, under either Title 10 or
22 Title 32 of the United States Code, in a war or conflict fought on
23 foreign soil or in international waters or in another location in
24 support of those serving on foreign soil or in international waters,
25 and if discharged from service, has received an honorable discharge.

26 (b) "Totally disabled" means a person who has been determined to be
27 one hundred percent disabled by the federal department of veterans
28 affairs.

29 (c) "Washington domiciliary" means a person whose true, fixed, and
30 permanent house and place of habitation is the state of Washington.
31 "Washington domiciliary" includes a person who is residing in rental
32 housing or residing in base housing. In ascertaining whether a child
33 or surviving spouse is domiciled in the state of Washington, public
34 institutions of higher education shall, to the fullest extent possible,
35 rely upon the standards provided in RCW 28B.15.013.

36 (9) As used in subsection (4) of this section, "fees" includes all
37 assessments for costs incurred as a condition to a student's full

1 participation in coursework and related activities at an institution of
2 higher education.

3 (10) The governing boards of the state universities, the regional
4 universities, The Evergreen State College, and the community colleges
5 shall report to the higher education committees of the legislature by
6 November 15, 2010, and every two years thereafter, regarding the status
7 of implementation of the waivers under subsection (4) of this section.
8 The reports shall include the following data and information:

- 9 (a) Total number of waivers;
- 10 (b) Total amount of tuition waived;
- 11 (c) Total amount of fees waived;
- 12 (d) Average amount of tuition and fees waived per recipient;
- 13 (e) Recipient demographic data that is disaggregated by distinct
14 ethnic categories within racial subgroups; and
- 15 (f) Recipient income level, to the extent possible.

16 **Sec. 2.** RCW 28B.15.385 and 2007 c 450 s 3 are each amended to read
17 as follows:

18 For the purposes of RCW 28B.15.380(~~(7)~~) and 28B.15.520(~~(7) and~~
19 ~~28B.15.621~~)), the phrase "totally disabled" means a person who has
20 become totally and permanently disabled for life by bodily injury or
21 disease, and is thereby prevented from performing any occupation or
22 gainful pursuit.

23 **Sec. 3.** RCW 28B.15.910 and 2007 c 522 s 948 and 2007 c 450 s 2 are
24 each reenacted and amended to read as follows:

25 (1) For the purpose of providing state general fund support to
26 public institutions of higher education, except for revenue waived
27 under programs listed in subsections (3) and (4) of this section, and
28 unless otherwise expressly provided in the omnibus state appropriations
29 act, the total amount of operating fees revenue waived, exempted, or
30 reduced by a state university, a regional university, The Evergreen
31 State College, or the community colleges as a whole, shall not exceed
32 the percentage of total gross authorized operating fees revenue in this
33 subsection. As used in this section, "gross authorized operating fees
34 revenue" means the estimated gross operating fees revenue as estimated
35 under RCW 82.33.020 or as revised by the office of financial

1 management, before granting any waivers. This limitation applies to
2 all tuition waiver programs established before or after July 1, 1992.

- 3 (a) University of Washington 21 percent
- 4 (b) Washington State University 20 percent
- 5 (c) Eastern Washington University 11 percent
- 6 (d) Central Washington University 10 percent
- 7 (e) Western Washington University 10 percent
- 8 (f) The Evergreen State College 10 percent
- 9 (g) Community colleges as a whole 35 percent

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

- 13 (a) RCW 28B.15.014;
- 14 (b) RCW 28B.15.100;
- 15 (c) RCW 28B.15.225;
- 16 (d) RCW 28B.15.380;
- 17 (e) RCW 28B.15.520;
- 18 (f) RCW 28B.15.526;
- 19 (g) RCW 28B.15.527;
- 20 (h) RCW 28B.15.543;
- 21 (i) RCW 28B.15.545;
- 22 (j) RCW 28B.15.555;
- 23 (k) RCW 28B.15.556;
- 24 (l) RCW 28B.15.615;
- 25 (m) RCW 28B.15.621 (2) and (4);
- 26 (n) RCW 28B.15.730;
- 27 (o) RCW 28B.15.740;
- 28 (p) RCW 28B.15.750;
- 29 (q) RCW 28B.15.756;
- 30 (r) RCW 28B.50.259; and
- 31 (s) RCW 28B.70.050.

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

- 35 (a) RCW 28B.15.522;
- 36 (b) RCW 28B.15.540;
- 37 (c) RCW 28B.15.558; and
- 38 (d) RCW 28B.15.621(3) (~~and (4)~~).

1 (4) The total amount of operating fees revenue waived, exempted, or
2 reduced by institutions of higher education participating in the
3 western interstate commission for higher education western
4 undergraduate exchange program under RCW 28B.15.544 shall not exceed
5 the percentage of total gross authorized operating fees revenue in this
6 subsection.

- 7 (a) Washington State University 1 percent
- 8 (b) Eastern Washington University 3 percent
- 9 (c) Central Washington University 3 percent

10 (5) The institutions of higher education will participate in
11 outreach activities to increase the number of veterans who receive
12 tuition waivers. Colleges and universities shall revise the
13 application for admissions so that all applicants shall have the
14 opportunity to advise the institution that they are veterans who need
15 assistance. If a person indicates on the application for admissions
16 that the person is a veteran who is in need of assistance, then the
17 institution of higher education shall ask the person whether they have
18 any funds disbursed in accordance with the Montgomery GI Bill available
19 to them. Each institution shall encourage veterans to utilize funds
20 available to them in accordance with the Montgomery GI Bill prior to
21 providing the veteran a tuition waiver.

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