

SENATE BILL REPORT

E2SHB 1825

As of March 19, 2015

Title: An act relating to modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014.

Brief Description: Modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Kilduff, Muri, Gregory, Haler, Riccelli, Walkinshaw, Zeiger and McBride; by request of Governor Inslee).

Brief History: Passed House: 3/09/15, 98-0.

Committee Activity: Higher Education: 3/19/15.

SENATE COMMITTEE ON HIGHER EDUCATION

Staff: Evan Klein (786-7483)

Background: Washington Resident Students. In 2014 Washington removed the one-year waiting period for veterans for purposes of receiving resident tuition rates at Washington higher education institutions. A Washington State resident student includes a student who has separated from the military under honorable conditions after at least two years of service, who enters an institution of higher education in Washington within one year of the date of separation, and who:

- at the time of separation designated Washington as the student's intended domicile;
- has Washington as the student's official home of record; or
- moves to Washington and establishes a domicile.

Students who are the spouse or a dependant of an individual who separated from the military under the aforementioned conditions, are also resident students.

Resident students are eligible for resident tuition rates at institutions of higher education in Washington. With some exceptions, resident students are charged tuition rates that are generally much lower than the tuition rates charged to nonresident students.

Veterans Choice Act. The Veterans Access, Choice and Accountability Act of 2014 (Choice Act) requires states to offer in-state tuition rates to all veterans living in that state who have

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enrolled at an in-state higher education institution within three years of departing the military. The Secretary of Veterans Affairs must disapprove a course of education for Post-9/11 GI Bill funds disbursement at institutions that do not provide resident tuition to all covered individuals under the Choice Act. A covered individual includes the following:

- a Veteran who lives in state and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more;
- a spouse or child using transferred benefits who lives in state and enrolls in the school within three years of the transferor's discharge from a period of active duty service of 90 days or more; or
- a spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in state and enrolls in the school within three years of the service member's death in the line of duty following a period of active duty service of 90 days or more.

Washington State does not currently provide resident tuition rates to all covered individuals under the Choice Act.

Summary of Bill: The definition of resident student is amended to include the following:

1. a student who:
 - a. has separated from the uniformed services with any period of honorable service after at least 90 days of active duty service;
 - b. is eligible for benefits under the all-volunteer force educational assistance program, the federal Post-9/11 Veterans Assistance Act, or any other federal law authorizing educational assistance benefits to veterans; and
 - c. who enters an institution of higher education in Washington within three years of separation;
2. a student who is a spouse, former spouse, or child and is entitled to Veterans Administration educational assistance benefits (Benefits) based on their relationship to an individual who has separated from the uniformed services with any period of honorable service after at least 90 days of active duty service, and who enters an institution in Washington within three years of separation; or
3. a student who is entitled to Benefits based on their relationship with a deceased member of the uniformed services who completed at least 90 days of active duty service and died in the line of duty, and the student enters an institution in Washington within three years of the service members' death.

A qualifying student who remains continuously enrolled at an institution retains resident student status.

These definitions of resident student do not apply to students who have a dishonorable discharge from the uniformed services, unless the student is receiving Benefits.

Active duty service means full-time duty, other than active duty for training, as a member of the uniformed service of the United States. Active duty as a National Guard member for the purpose of organizing, administering, recruiting, instructing, training, or responding to a national emergency is recognized as active duty service.

Uniformed services is defined by Title 10 U.S.C., consisting of the Army, Marine Corps, Navy, Air Force, Coast Guard, Public Health Service Commissioned Corps, and the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

Appropriation: None.

Fiscal Note: Requested on March 11, 2015.

Committee/Commission/Task Force Created: No.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2015.

Staff Summary of Public Testimony: PRO: This bill comes at a time when families are struggling with the dream of a college education. This bill expands access to higher education for veterans, active military members, and their families. This bill would bring Washington into alignment with federal law, avoid losing \$60 million in federal benefits, and avoid interrupting the education of veterans in Washington.

Persons Testifying: PRO: Representative Kilduff, prime sponsor; Scott Copeland, State Board for Community and Technical Colleges; Jim Baumgart, Legislative Affairs and Policy Office, Governor's Office; Jim West, WA Student Achievement Council; Garrett Havens, WA Student Assn.