

# HOUSE BILL REPORT

## SHB 1174

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**As Passed House:**

March 4, 2005

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

**Brief Description:** Changing veterans' tuition waiver provisions.

**Sponsors:** By 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:**

**Committee Activity:**

Higher Education: 2/3/05, 2/11/05 [DPS].

**Floor Activity:**

Passed House: 3/4/05, 96-0.

**Brief Summary of Substitute Bill**

- Creates a comprehensive veterans' waiver statute and repeals certain other statutes.
- Creates a definition of an eligible veteran or National Guard member.
- Creates permissive tuition waivers for eligible veterans and National Guard members.
- Creates permissive tuition waivers for the children, spouse, and surviving children and spouse of eligible veterans and National Guard members.

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**HOUSE COMMITTEE ON HIGHER EDUCATION**

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Kenney, Chair; Sells, Vice Chair; Cox, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Buri, Dunn, Fromhold, Hasegawa, Jarrett, Ormsby, Priest, Roberts and Sommers.

**Staff:** Sydney Forrester (786-7120).

**Background:**

Within certain limits, institutions may waive all or a portion of tuition and fees for eligible students. For these waivers, known as state-supported waivers, it is assumed moneys 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 of the total tuition revenue the institution collects. Within their respective percentage caps, each institution decides how to apportion its waiver authority among the various categories of state-supported permissive waivers. Institutions also have authority to waive tuition on a space-available basis for certain eligible persons. Student attendance under space-available waivers is not counted for budgetary purposes. In addition to state-supported waivers and space-available waivers, institutions also have authority to waive all or a portion of the tuition operating fee (not the building fee) for any student.

Veteran-Related State-Supported Waiver Authority: State-supported permissive waiver authority includes the authority to waive all or a portion of tuition and fees for certain veterans. Three separate statutes currently provide permissive state-supported tuition waiver authority for veterans. One statute provides a waiver for children of veterans listed as missing in action or a prisoner of war.

- *A veteran enrolled on or prior to October 1977* is eligible for a full or partial tuition waiver if he/she no longer is eligible for federal educational or vocational benefits. The Higher Education Coordinating Board reports no veterans currently qualify under this category.
- *A veteran of the Vietnam conflict* is eligible for a waiver of tuition increases that have occurred since October 1977, if he/she qualifies as a resident student for tuition purposes. For purposes of the waiver, a Vietnam veteran means anyone on active federal service in the armed forces during the period August 5, 1964 through May 7, 1975.
- *A veteran of the Persian Gulf combat zone* is eligible for a waiver of tuition increases that have occurred after the 1990-91 academic year, if he/she could have qualified as a resident student as of August 1990. For purposes of the waiver, a Persian Gulf veteran means anyone serving on active duty in the armed forces during any portion of 1991 in the Persian Gulf combat zone.
- *Children of veterans listed as missing in action or a prisoner of war* are eligible for a waiver of all or a portion of tuition and fees.

Veteran-Related Space-Available Waiver Authority: A veteran of the Korean Conflict is eligible for a waiver of all or a portion of tuition and fees. For purposes of the waiver, a veteran of the Korean Conflict means anyone who served on active duty in the armed forces of the United States during any portion of the period beginning June 27, 1950, and ending January 31, 1955.

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### **Summary of Substitute Bill:**

Tuition waiver authority for all veterans is incorporated into one chapter and the various separate statutes are repealed. 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: Eligible veterans and National Guard members include Washington residents who are or were active duty or reserve military members or National Guard members called to active federal service 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.

Permissive Waivers: 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 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 also may 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.

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**Appropriation:** None.

**Fiscal Note:** Available.

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

**Testimony For:** (In support) This bill honors all our military personnel. Those who are in the National Guard have no choice but to serve in active duty when ordered to do so. We should honor all members of the military when they return. We all remember what happened after the Vietnam War and I don't want to see that happen again.

We can't send the message that our veterans are collateral damage. Reserve military and National Guard are taken from high-paying jobs to serve in low-paying jobs and their families suffer economically as well. This bill consolidates all the veterans' waivers in one place and

includes merchant mariners and submariners where those groups have been previously left out of other statutes. There will be a friendly amendment which I support.

(In support with changes) There are four or five different statutes that apply to different veteran categories and various tuition waivers are applied. This bill provides the higher education institution the opportunity to take a single look at veterans and apply a waiver standard to all veterans regardless of when or where they served. We have some suggestions for changes that would improve the bill and have communicated them with the sponsor and staff. The institutions are deeply committed to our veterans even when it comes out of our base budget, but it is important to understand that when the waiver cap was created back in 1992, these waivers were never indexed to tuition. We have more than doubled tuition since then, and as a result we are waiving significantly more tuition dollars today.

**Testimony Against:** None.

**Persons Testifying:** (In support) Representative McCoy, prime sponsor.

(In support with changes) Chris Reykdal, State Board for Community and Technical Colleges.

**Persons Signed In To Testify But Not Testifying:** None.