

# HOUSE BILL REPORT

## SHB 1047

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### As Passed House

March 7, 1997

**Title:** An act relating to tuition waivers.

**Brief Description:** Changing tuition waivers for employees of institutions of higher education.

**Sponsors:** By House Committee on Higher Education (originally sponsored by Representatives Carlson, Radcliff, Dunn and O'Brien).

### Brief History:

#### Committee Activity:

Higher Education: 1/30/97, 2/7/97 [DPS].

#### Floor Activity:

Passed House: 3/7/97, 95-0.

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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 9 members: Representatives Carlson, Chairman; Radcliff, Vice Chairman; Mason, Ranking Minority Member; Kenney, Assistant Ranking Minority Member; Butler; Dunn; O'Brien; Sheahan and Van Luven.

**Staff:** Suzi Morrissey (786-7120).

**Background:** The governing boards of the public baccalaureate institutions and the community colleges may waive all or a portion of tuition and services and activities fees for some people who enroll in classes on a space-available basis. Until 1996, these space-available waivers were limited to permanent full-time institutional employees, senior citizens, and certain permanent full-time classified state employees. In addition, community colleges could waive tuition for eligible unemployed and underemployed persons. Students receiving these waivers do not count in official enrollment reports, and the institutions do not receive any state funding for them. Institutions were required to charge a fee of \$5 or more to cover the costs associated with enrolling these students.

In the 1996 legislative session, the Legislature enacted two bills that expanded the types of persons eligible to receive space-available waivers.

The law that permitted institutions to waive tuition and fees for permanent full-time classified state employees was revised to include a number of additional state employees. These included permanent employees who are employed half-time or more: (1) in classified service under state civil service law; (2) through the Public Employees' Collective Bargaining Act; and (3) in technical colleges as classified employees and exempt paraprofessionals. Nonacademic employees and members of the faculties or instructional staffs employed half-time or more at public colleges and universities were also included. People enrolled under this law must pay a registration fee of \$5 or more.

The second bill amended a different statute. The law that permitted baccalaureate institutions and community colleges to waive tuition and fees for the institutions' own permanent full-time employees was amended to include members of the Washington National Guard. People enrolled under this law are required to pay a registration fee that fully covers the costs of enrollment.

During the summer of 1996, the Office of the Attorney General advised the institutions that these two statutes conflict. The office advised the colleges that, if they wished to grant space-available waivers to their own employees, the waivers must be limited to permanent full-time employees. If the colleges choose to grant waivers to other eligible state employees, the waivers could be granted to people employed half-time or more.

**Summary of Bill:** Public baccalaureate institutions and community colleges may continue to waive all or a portion of tuition and fees for members of the Washington National Guard and eligible state employees who are enrolled on a space-available basis. Eligible state employees are those employed half-time or more in the employee classifications described in the legislation. Eligible state employees include faculty, counselors, librarians, and exempt professional and administrative employees at public colleges and universities. References to instructional staff are removed.

If an institution of higher education grants any waivers under this program, it shall include all eligible state employees and members of the Washington National Guard in the pool of persons eligible to receive waivers. In granting waivers, an institution may not discriminate between full-time and part-time employees, but it may award waivers to eligible institutional employees before considering waivers for other eligible persons.

The statute is repealed that permits public baccalaureate institutions and community colleges to waive all or a portion of tuition for the institutions' own employees and members of the Washington National Guard who are enrolled on a space-available basis.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Legislation is necessary to correct a problem that occurred when two bills with conflicting requirements both passed the Legislature in 1996. This legislation corrects that problem. However, the issue of space-available waivers is a thorny one for colleges. Many institutions have difficulty meeting the demand for space-available tuition waivers. As new groups of persons become eligible for a very limited number of available slots, institutions have a challenging task in deciding how to choose among eligible groups. Institutions wish to continue their historical practice of allowing their own employees to register for these slots before opening enrollment for other eligible persons. When institutions establish the pool of those eligible to participate in this program, part-time faculty should have the same status as full-time faculty, and state employees should have a realistic opportunity to participate in the program.

**Testimony Against:** None.

**Testified:** Wendy Radar-Konofalski, Washington Federation of Teachers (pro); Corinne Baker, Washington Federation of Teachers (pro); Randy Parr, Washington Federation of State Employees (pro); Lynn McKinnon, Washington Public Employees Association (pro); Sherry Appleton, Classified Staff Association #95 (pro); Linda Shieber, part-time community college faculty (pro); Terry Fitzpatrick, Washington Education Association (pro); Terry Teale, Council of Presidents (pro); Larry Ganders, Washington State University (pro); and Larry Lael, State Board for Community and Technical Colleges (pro).