

HOUSE BILL REPORT

HB 2330

As Reported by House Committee On:
Higher Education

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

Brief Description: Providing for the expansion of the definition of resident tuition for the purpose of tuition at institutions of higher education.

Sponsors: Representatives Kenney, Cox, Fromhold, Chase, Quall, Gombosky, Kessler, Lantz, Hurst, Jarrett and McIntire.

Brief History:

Committee Activity:

Higher Education: 1/25/02, 1/30/02 [DPS].

Brief Summary of Substitute Bill

- Expands the definition of "resident student" under the tuition statute.

HOUSE COMMITTEE ON HIGHER EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 7 members: Representatives Kenney, Chair; Fromhold, Vice Chair; Cox, Ranking Minority Member; Chase, Dunn, Jarrett and Lantz.

Staff: Sydney Forrester (786-7120).

Background:

Federal law prohibits a state from offering a post-secondary education benefit to an alien not lawfully in the United States, unless a citizen student also is eligible for the same benefit, regardless of whether the citizen is a resident of that state or not.

The Washington tuition statute contains a variety of criteria by which a student may qualify as a "resident student" based on: 1) domicile of the student; 2) domicile of the student's parents or guardians; 3) the student's status as dependent or financially independent; and 4) the student's military duty status. Certain other statutes rely on the definition of "resident student" in the tuition statute.

Summary of Substitute Bill:

Proposed substitute HB 2330 allows a student to qualify as a "resident student" if the student has:

- (1) graduated from high school or received the equivalent of a high school diploma in Washington;
- (2) registered in a Washington institution of higher education;
- (3) lived in Washington for the period of one year immediately prior to the start of the first day of the semester or quarter for which the student has been accepted and has established a bona fide domicile in this state primarily for purposes other than educational; and
- (4) provided an affidavit to the institution stating he/she will file an application for legal residency in the United States as soon as he/she is eligible to do so.

Substitute Bill Compared to Original Bill:

The substitute bill amends existing statute by creating another set of criteria by which a student may qualify as a resident student, and requiring the student be domiciled in Washington for one full year prior to the start of the semester.

The original bill added a new section to the existing chapter by exempting an undocumented student from paying nonresident tuition, and requiring the student to have lived in Washington for three years.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date of Substitute Bill: The bill takes effect on June 30, 2002.

Testimony For: The community and technical colleges provide access to many people in Washington, and the bill would make college attendance affordable to many more. In the Walla Walla area, the local school district is comprised of 28.5 percent Hispanic students, including both documented and undocumented students. These families have been in the community for years and this is a smart investment. College attendance is linked with increased earnings. Research shows that with completion of 45 college credits, the average hourly wage increases from \$6.93 per hour to \$10.11 per hour. Education is a means of allowing individuals to break out of poverty. Undocumented workers in the U.S. pay taxes and consume services. In the Clark College area, there is a big increase in Hispanic and Russian population. These individuals contribute to diversity of the college system and can become community contributors in a variety of family wage jobs. The problem of over enrollment coexists with the state's commitment

to serve all populations. By not investing in education, the state raises the prospect of having to pay by way of social services later on.

The bill addresses an educational ill that has long been ignored. It allows children in this state, who have been here with their parents for years, the opportunity for an affordable education. Some of these children have been here since infancy and have adopted America and want to pursue their dream. Many youth in high school right now are ready to attend college and just need the opportunity to do so.

Providing education is one of the state's paramount duties. The notable historic leaders who gave rise to the concept of the importance of a K-12 education would probably agree that today a college education is the equivalent of a high school diploma of that day. Sending a message that college is important does not fit with the practice of charging non-resident tuition. The bill removes that obstacle and allows all Washington students the opportunity to compete on the basis of academic potential. This bill will open the door to future generations.

The bill would increase diversity and the quality of higher education by broadening the ideas shared. Immigration laws are a barrier to students getting documented. Immigration is a volatile issue in America, but many undocumented persons are here because of a demand for their labor. Each of the children of these workers who is college-educated will ripple through their community.

This bill does not provide a free education; it just makes it more affordable. The average annual cost of resident tuition at Washington four-year institutions is \$4,000, as compared to nonresident tuition at an average cost of \$12,000. The state community college annual resident tuition averages approximately \$1,700, as compared to \$7,000 for nonresident tuition. The bill represents a long-term commitment to higher education and offers resident tuition eligibility to undocumented students who have done what other resident students have done.

Testimony Against: None.

Testified: (In support) Representative Kenney, prime sponsor; Rhonda Coats, State Board for Community and Technical Colleges; Steve VanAusdle, President, Walla Walla Community College; Tana Hasart, President, Clark College; Dr. Lydia Ledesma-Reese, President, Skagit Valley College, and Latino Education Achievement Project; Ricardo Sanchez and Sandra Linde, Latino Education Achievement Project; Ed Davila and Leo Gaeta, Commission on Hispanic Affairs; Delfino Munoz, Carrie Schonweld, and Maria Ivarra, Projecto Saber (Seattle Schools); Ruth Windohner, Washington Education Association; Stacey Valentin and Russ Carver, Washington Student Lobby; Danica You and Alexandra Narvaez, Associated Students, University of Washington; David Lara, University of Washington Student Ambassador Program; Rogelio Riojas, Sea-Mar Community Health Center; Bruce Botka, Higher Education Coordinating Board; and

JaneYung Dennie, Washington State University.