

# HOUSE BILL REPORT

## ESHB 2089

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**As Passed House:**

February 6, 2004

**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, Wallace, Morrell, Kenney and Miloscia).

**Brief History:**

**Committee Activity:**

Higher Education: 2/28/03, 3/5/03 [DPS].

**Floor Activity:**

Passed House: 3/17/03, 98-0.

**Floor Activity:**

Passed House: 2/6/04, 97-0.

**Brief Summary of Engrossed Substitute Bill**

- Creates a comprehensive veterans' waiver statute and repeals certain other statutes.
- Creates permissive tuition waivers for eligible veterans.
- Creates a definition for an eligible veteran.
- Creates permissive tuition waivers for the children, spouse, and surviving children and spouse of eligible veterans.
- Creates a college tuition refund option for enrolled students activated to military duty.

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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 15 members: Representatives Kenney, Chair; Fromhold, Vice Chair; Cox, Ranking Minority Member; Priest, Assistant Ranking Minority Member; Berkey, Boldt, Buck, Chase, Clements, Condotta, Gombosky, Jarrett, Lantz, McCoy and Morrell.

**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, institutions receive general fund support to 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. In addition to these state-supported waivers, institutions also have authority to waive all or a portion of the tuition operating fee (not the building fee) for any student. These waivers are unsupported discretionary waivers for which the institution receives no state funding to make up for the foregone revenue.

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 addresses 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.

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**Summary of Engrossed Substitute Bill:**

Tuition waiver authority for all veterans is incorporated into one chapter and the various separate statutes are repealed. Existing permissive waivers are expanded to include the children and spouse, or surviving spouse, of veterans killed or totally disabled in action, or

listed as missing in action, or a prisoner of war. The permissive waivers are created within the state-supported waiver percentage caps.

Definition of Eligible Veteran: For purposes of permissive tuition waivers created by the bill, an eligible veteran means an active duty or reserve military member or a national guard member called to active duty, whose permanent home state is Washington, and who served in active federal service in a war or conflict fought on foreign soil, or in international waters, or who served in support of those serving on foreign soil or in international waters.

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 totally disabled in the line of duty;
- The children and spouse of an eligible veteran totally disabled in the line of duty; and
- The children and surviving spouse of an eligible veteran killed in the line of duty, or who is listed as missing in action or a prisoner of war. Upon remarriage the surviving spouse is not eligible.

Also within state-supported waiver authority, institutions may waive all or a portion of tuition and fee increases that occur during the academic years in which an eligible veteran or national guard member is engaged in active federal service, if the veteran could have qualified as a resident student for tuition purposes had he/she been enrolled.

Private vocational schools and institutions of higher education are encouraged to provide waivers consistent with those provided by the public institutions.

Tuition Refund Options: Institutions of higher education must provide enrolled students activated to federal military service who are unable to complete the semester or quarter with the option of a full tuition refund or attendance at no charge for a comparable academic term upon re-enrollment.

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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:** The current international situation raises questions about how we can support our troops. Society sometimes tends to let veterans go after they've served their time, but when a service member is disabled or killed in the line of duty, society should take care of serving the spouse and children surviving. The intent of the bill is to consolidate existing statutes and provide for those who serve in future conflicts. We need to honor and respect those who have served our country.

**Testimony Against:** None.

**Testified:** Representative McCoy, prime sponsor.