
Higher Education Committee

HB 2089

Brief Description: Changing veterans' tuition waiver provisions.

Sponsors: Representatives McCoy, Wallace, Morrell, Kenney and Miloscia.

Brief Summary of Bill

- Creates a comprehensive veterans' waiver statute and repeals certain other statutes.
- Creates a definition for an eligible veteran for mandatory waiver purposes.
- Changes existing veterans' waivers from permissive to mandatory.
- Creates mandatory waivers for the children and surviving spouse of eligible veterans.
- Creates permissive waiver authority for certain veterans.

Hearing Date: 2/28/03

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 institutions receive 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.

Summary of Bill:

Tuition waiver authority for all veterans is incorporated into one chapter and the various separate statutes are repealed. Existing permissive waivers are made mandatory and 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. New permissive waivers also are created. The mandatory waivers are created within the state-supported waiver percentage caps. Permissive waiver authority is not state-supported.

An eligible veteran for purposes of a mandatory tuition waiver created by the bill 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 who served in support of those serving on foreign soil.

Mandatory Waivers: Within state-supported waiver authority, institutions of higher education must 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 must waive all or a portion of tuition and fee increases that have occurred during the academic years in which an eligible veteran or national guard member was engaged in active federal service, if the veteran could

have qualified as a resident student for tuition purposes had he/she been enrolled.

Permissive Waiver: Institutions of higher education also are permitted to waive all or a portion of tuition and fees for a military or naval veteran who is a Washington resident, but who did not serve during a time of conflict or war and who does not qualify as an eligible veteran. These waivers, however, are not within the state-supported waiver authority and therefore no state general fund support is provided.

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

Appropriation: None.

Fiscal Note: Requested on February 25, 2003.

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