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## Higher Education Committee

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### HB 2092

**Brief Description:** Providing tuition options for students on active military duty in the Persian Gulf geographic region.

**Sponsors:** Representatives Condotta, Bailey, Buck, Talcott, Orcutt, Sehlin, Clements, Boldt, Cox, Jarrett, Priest, Skinner, McMahan and Schindler.

#### Brief Summary of Bill

- Expands the definition of eligible student for the purpose of exemptions from financial aid repayment upon military deployment.
- Expands the definition of Persian Gulf veteran for the purpose of permissive tuition waivers.
- Requires institutions of higher education to provide a full refund or attendance at no charge for a comparable term when an enrolled student is deployed to active duty.

**Hearing Date:** 3/5/03

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

#### Background:

When an enrolled student is called to active military duty, certain financial aspects of college attendance potentially are implicated. Significant among these are tuition refunds, financial aid repayment, and tuition upon reenrollment.

Tuition Refunds and Financial Aid Repayment Exemptions: For the purposes of tuition refunds and exemptions from financial aid repayment requirements during the Persian Gulf conflict, an *eligible student* was a student who:

- Was enrolled in a higher education institution on or after August 1990;
- Was unable to complete the academic term due to being deployed to the Persian Gulf combat zone, as designated by executive order.

During the period 1991 through 1995, institutions of higher education were required to

provide an eligible student with the choice of a full tuition refund or attendance without charge for a comparable academic term upon the student's reenrollment. The statutory requirement to provide a tuition refund or attendance without charge for an academic term was repealed in 1995, but almost all the higher education institutions recently reported that it is their policy to provide tuition refunds for students activated into military service. The financial aid repayment exemptions still are in effect for anyone qualifying as an eligible student.

Tuition Increases: State-supported permissive waiver authority includes the authority to waive all or a portion of tuition and fees for certain veterans. Two separate statutes authorize an institution to waive all or a portion of tuition increases that occurred during specified time frames for Vietnam veterans and for Persian Gulf veterans. To be eligible for one of these waivers, a veteran must have served on active federal service during the time specified.

- *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 on active duty in the armed forces during any portion of 1991 in the Persian Gulf combat zone.

Students who may be activated or deployed to the Persian Gulf region during the current or next academic year may be ineligible for a financial aid repayment exemption or a tuition waiver upon return under existing Persian Gulf veterans' provisions.

### **Summary of Bill:**

The definition of "eligible student" is expanded for the purpose of exemptions from financial aid repayment requirements. The existing definition is preserved, and in addition a student is an eligible student if the student is deployed in the Persian Gulf combat region in support of United States military action by executive order issued during 2003 or 2004.

The definition of Persian Gulf veteran is expanded for purposes of permitting waivers of tuition increases. Institutions are permitted to waive increases in tuition that occur during the academic year or years the veteran served on active military duty by executive order issued during 2003 or 2004.

The tuition refund requirements implemented in 1991 and repealed in 1995 are reinstated. Institutions are required to provide a student who is deployed during enrollment with the option of a full tuition refund or attendance at no charge for a comparable academic term upon reenrollment. These enrollments are not included in official figures for budgetary purposes, but institutions may apply to the Legislature for funding to cover the cost of serving students who elect reenrollment at no charge rather than a tuition refund. Institutions

also are permitted to adjust their tuition refund policies to comply with the refund requirement. Private institutions are encouraged to provide similar waivers.

**Appropriation:** None.

**Fiscal Note:** Requested on February 28, 2003.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.