

---

SENATE BILL 5720

---

State of Washington

61st Legislature

2009 Regular Session

By Senators Hewitt, Hobbs, Brandland, and Shin

Read first time 01/29/09. Referred to Committee on Higher Education & Workforce Development.

1 AN ACT Relating to tuition waivers for stepchildren of veterans and  
2 national guard members; and reenacting and amending RCW 28B.15.621.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 28B.15.621 and 2008 c 188 s 1 and 2008 c 6 s 501 are  
5 each reenacted and amended to read as follows:

6 (1) The legislature finds that active military and naval veterans,  
7 reserve military and naval veterans, and national guard members called  
8 to active duty have served their country and have risked their lives to  
9 defend the lives of all Americans and the freedoms that define and  
10 distinguish our nation. The legislature intends to honor active  
11 military and naval veterans, reserve military and naval veterans, and  
12 national guard members who have served on active military or naval duty  
13 for the public service they have provided to this country.

14 (2) Subject to the limitations in RCW 28B.15.910, the governing  
15 boards of the state universities, the regional universities, The  
16 Evergreen State College, and the community colleges, may waive all or  
17 a portion of tuition and fees for an eligible veteran or national guard  
18 member.

19 (3) The governing boards of the state universities, the regional

1 universities, The Evergreen State College, and the community colleges,  
2 may waive all or a portion of tuition and fees for a military or naval  
3 veteran who is a Washington domiciliary, but who did not serve on  
4 foreign soil or in international waters or in another location in  
5 support of those serving on foreign soil or in international waters and  
6 who does not qualify as an eligible veteran or national guard member  
7 under subsection (8) of this section. However, there shall be no state  
8 general fund support for waivers granted under this subsection.

9 (4) Subject to the conditions in subsection (5) of this section and  
10 the limitations in RCW 28B.15.910, the governing boards of the state  
11 universities, the regional universities, The Evergreen State College,  
12 and the community colleges, shall waive all tuition and fees for the  
13 following persons:

14 (a) A child and the spouse or the domestic partner or surviving  
15 spouse or surviving domestic partner of an eligible veteran or national  
16 guard member who became totally disabled, as defined in RCW 28B.15.385,  
17 as a result of serving in active federal military or naval service, or  
18 who is determined by the federal government to be a prisoner of war or  
19 missing in action; and

20 (b) A child and the surviving spouse or surviving domestic partner  
21 of an eligible veteran or national guard member who lost his or her  
22 life as a result of serving in active federal military or naval  
23 service.

24 (5) The conditions in this subsection (5) apply to waivers under  
25 subsection (4) of this section.

26 (a) A child must be a Washington domiciliary between the age of  
27 seventeen and twenty-six to be eligible for the tuition waiver. A  
28 child's marital status does not affect eligibility.

29 (b)(i) A surviving spouse or surviving domestic partner must be a  
30 Washington domiciliary.

31 (ii) Except as provided in (b)(iii) of this subsection, a surviving  
32 spouse or surviving domestic partner has ten years from the date of the  
33 death, total disability, or federal determination of prisoner of war or  
34 missing in action status of the eligible veteran or national guard  
35 member to receive benefits under the waiver. Upon remarriage or  
36 registration in a subsequent domestic partnership, the surviving spouse  
37 or surviving domestic partner is ineligible for the waiver of all  
38 tuition and fees.

1 (iii) If a death results from total disability, the surviving  
2 spouse has ten years from the date of death in which to receive  
3 benefits under the waiver.

4 (c) Each recipient's continued participation is subject to the  
5 school's satisfactory progress policy.

6 (d) Tuition waivers for graduate students are not required for  
7 those who qualify under subsection (4) of this section but are  
8 encouraged.

9 (e) Recipients who receive a waiver under subsection (4) of this  
10 section may attend full-time or part-time. Total credits earned using  
11 the waiver may not exceed two hundred quarter credits, or the  
12 equivalent of semester credits.

13 (6) Required waivers of all tuition and fees under subsection (4)  
14 of this section shall not affect permissive waivers of tuition and fees  
15 under subsection (3) of this section.

16 (7) Private vocational schools and private higher education  
17 institutions are encouraged to provide waivers consistent with the  
18 terms in subsections (2) through (5) of this section.

19 (8) The definitions in this subsection apply throughout this  
20 section.

21 (a) "Child" means a biological child, adopted child, or stepchild.

22 (b) "Eligible veteran or national guard member" means a Washington  
23 domiciliary who was an active or reserve member of the United States  
24 military or naval forces, or a national guard member called to active  
25 duty, who served in active federal service, under either Title 10 or  
26 Title 32 of the United States Code, in a war or conflict fought on  
27 foreign soil or in international waters or in another location in  
28 support of those serving on foreign soil or in international waters,  
29 and if discharged from service, has received an honorable discharge.

30 ~~((b))~~ (c) "Totally disabled" means a person who has been  
31 determined to be one hundred percent disabled by the federal department  
32 of veterans affairs.

33 ~~((e))~~ (d) "Washington domiciliary" means a person whose true,  
34 fixed, and permanent house and place of habitation is the state of  
35 Washington. "Washington domiciliary" includes a person who is residing  
36 in rental housing or residing in base housing. In ascertaining whether  
37 a child or surviving spouse or surviving domestic partner is domiciled

1 in the state of Washington, public institutions of higher education  
2 shall, to the fullest extent possible, rely upon the standards provided  
3 in RCW 28B.15.013.

4 (9) As used in subsection (4) of this section, "fees" includes all  
5 assessments for costs incurred as a condition to a student's full  
6 participation in coursework and related activities at an institution of  
7 higher education.

8 (10) The governing boards of the state universities, the regional  
9 universities, The Evergreen State College, and the community colleges  
10 shall report to the higher education committees of the legislature by  
11 November 15, 2010, and every two years thereafter, regarding the status  
12 of implementation of the waivers under subsection (4) of this section.  
13 The reports shall include the following data and information:

- 14 (a) Total number of waivers;
- 15 (b) Total amount of tuition waived;
- 16 (c) Total amount of fees waived;
- 17 (d) Average amount of tuition and fees waived per recipient;
- 18 (e) Recipient demographic data that is disaggregated by distinct  
19 ethnic categories within racial subgroups; and
- 20 (f) Recipient income level, to the extent possible.

--- END ---