

SENATE BILL REPORT

HB 1221

As of February 15, 2012

Title: An act relating to rights of higher education students involved in military service.

Brief Description: Regarding the rights of certain higher education students involved in military service.

Sponsors: Representatives Finn, Rodne, Eddy, Shea, Klippert and Kelley; by request of Washington State Bar Association.

Brief History: Passed House: 2/14/11, 93-0; 1/16/12, 80-0.

Committee Activity: Higher Education & Workforce Development: 3/11/11, 3/18/11 [DP]; 2/15/12.

SENATE COMMITTEE ON HIGHER EDUCATION & WORKFORCE DEVELOPMENT

Majority Report: Do pass.

Signed by Senators Tom, Chair; Shin, Vice Chair; Hill, Ranking Minority Member; Becker, Ericksen, Kastama, Kilmer and White.

Staff: Katherine Taylor (786-7434)

Background: A member of the Washington National Guard or any other military reserve component who is a student at an institution of higher education and who is ordered for a period exceeding 30 days to either active state service or to federal active military service has the right to:

- withdraw from one or more courses for which tuition and fees have been paid that are attributable to the courses;
- be given a grade of incomplete and be allowed to complete the course upon release from active duty under the institution's standard practice for completion of incompletes; or
- continue and complete the course for full credit.

If the student chooses to withdraw, the student has the right to be readmitted and enrolled as a student at the institution, without penalty or redetermination of admission eligibility, within one year following release from the state or federal active military service.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill: A member of the Washington National Guard or any other military reserve component who is a student at an institution of higher education and who is ordered for a period of 30 days or less to either active or inactive state or federal service and who, as a result of that service or follow-up medical treatment for injury incurred during that service, misses any class, test, examination, laboratory, or other event upon which a course grade or evaluation is based, is entitled to make up the class, test, examination, laboratory, or event without prejudice to the final course grade or evaluation.

If the faculty member teaching the course determines that the student has completed sufficient work and has demonstrated sufficient progress toward meeting course requirements to justify the grade without making up the class, test, examination, or other event, the grade may be awarded without the make-up work; the missed class, test, examination, laboratory, or other event must not be used in any way to adversely impact the student's grade or standing in the class.

Appropriation: None.

Fiscal Note: Requested on February 10, 2012.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: This is identical to the Senate bill version but the Senate version died in rules. It is a shame that we need this bill, but we need it. The mechanisms are already in place; it just closes loopholes. We support it. We need need to support GI students.

Persons Testifying: PRO: Kathryn Leathers, WA State Bar Assn.; Scott Copeland, SBCTC; Eric Lint, Associated Students of UW Tacoma.