
Higher Education Committee

HB 1644

Brief Description: Concerning veteran survivor tuition waiver eligibility.

Sponsors: Representatives Gregory, Zeiger, Pollet, Kilduff, Tharinger, Goodman, Riccelli and Jinkins.

Brief Summary of Bill

- Adds federal exceptions for children of eligible veterans or National Guard members who became totally disabled, became a prisoner of war, went missing in action, or who lost his or her life as a result of serving in active military or naval service to the qualifications for required tuition and fee waivers.

Hearing Date: 2/6/15

Staff: Megan Mulvihill (786-7304).

Background:

There are two kinds of tuition waivers: state supported and discretionary waivers. State supported waivers are those that require the institutions to waive tuition and fees for a certain category of people. Some of these groups of people include those persons and their children who were wrongly convicted of a crime, recipients of the Washington Scholars Award, or children and surviving spouses of law enforcement officers, firefighters, or Washington state patrol officers who lost their lives or became totally disabled in the line of duty.

Some tuition and fee waivers are allowed under statute, but not required. For example, the institutions may waive a portion or all of tuition and fees for eligible veterans and National Guard members, students of foreign nations, or for Washington residents sixty years of age or older. However, the institutions are limited in their tuition and fee waiver authority in that the total amount of tuition and fee revenue waived, exempted, or reduced may not exceed a percentage of their estimated gross operating fee revenue. The institutions are allowed to waive

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up to a certain portion of their total operating fee revenue, but they are not required to. The institutions' percentage caps are as follows:

- University of Washington 21 percent;
- Washington State University is 20 percent;
- Eastern Washington University is 11 percent;
- Central Washington University is 10 percent;
- Western Washington University is 10 percent;
- The Evergreen State College is 10 percent; and
- community colleges as a whole are 35 percent.

Discretionary waivers allow the institutions to waive all or a portion of tuition and fees for any reason outside of those authorized by the state. These discretionary waivers are not covered under the waiver percentage caps, but they are also not state supported. This means that the institutions cannot expect additional state money to backfill forgone tuition revenue.

Another required state supported tuition and fee waiver is for children and spouses of eligible veterans or National Guard members who became totally disabled, a prisoner of war, went missing in action, or who lost his or her life in active military or naval service. The children must be between the ages of 17 and 26 and reside in Washington in order to qualify for the tuition waiver.

Summary of Bill:

Those children of eligible veterans or National Guard members who became totally disabled, a prisoner of war, went missing in action, or who lost his or her life in active military or naval service that are eligible for tuition and fee waivers at the public institutions of higher education in the state is expanded to include those that qualify under the federal exceptions for periods of eligibility in 38 United States Code Section 3512(a)(1)-(8). These federal exceptions include the following situations:

- The person is above the age of required school attendance, but the Secretary determines that the person's best interests will be served, the eligibility period can begin before the person's eighteenth birthday.
- If the person has a mental or physical handicap, and the United States Secretary of Veteran Affairs (Secretary) determines that the person's best interests will be served by pursuing a program of special restorative training or a specialized course of vocational training, the eligibility period may begin before the person's eighteenth birthday.
- If the parent's service connected disability or death occurs after the person's eighteenth birthday, but before their twenty-sixth birthday, the eligibility period shall end eight years from the date that is elected by the person to be the beginning date of entitlement if:
 - it is approved by the Secretary;
 - the eligible person elects the starting date no later than 60-days beginning on the date they were noticed of the opportunity; and
 - the beginning date is the date of the rating or the date in which the parent from whom eligibility is derived was notified that their service-connected disability was permanent in nature, or the beginning date is between the parent's service-connected death and the date the Secretary determined the death was service-connected.

- If the eligible person fails to elect a beginning date of entitlement, the beginning date shall be the date that the Secretary determined that the parent has a service-connected total disability permanent in nature or that the death was service related.
- If the eligible person serves on duty with the Armed Forces after their eighteenth birthday, but before their twenty-sixth, then their period of entitlement will end eight years after the person's first discharge or release from duty, but under no circumstances will the period of entitlement extend beyond the person's thirty-first birthday.
- If the person becomes eligible after their eighteenth birthday, but before their twenty-sixth birthday, then the period of entitlement shall end eight years after the person becomes eligible, but under no circumstances will the period of entitlement extend beyond the person's thirty-first birthday. If a person is enrolled in an institution of higher education and their period of entitlement ends before their quarter, semester, or course is completed, the period of eligibility will be extended to allow the person to finish that quarter, semester, or course.
- The period of entitlement may begin on the date that an eligible person pursues a preparatory course, even if that date is before the person's eighteenth birthday.

Appropriation: None.

Fiscal Note: Available.

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