

FINAL BILL REPORT

ESSB 5355

C 8 L 15 E 3

Synopsis as Enacted

Brief Description: Modifying the definition of resident student to comply with federal requirements established by the veterans access, choice, and accountability act of 2014.

Sponsors: Senate Committee on Higher Education (originally sponsored by Senators Bailey, Kohl-Welles, Roach, Conway, Braun, Baumgartner, Rolfes, O'Ban, McAuliffe and Chase; by request of Governor Inslee).

Senate Committee on Higher Education
Senate Committee on Ways & Means
House Committee on Higher Education
House Committee on Appropriations

Background: Washington Resident Students. In 2014 Washington removed the one-year waiting period for veterans for purposes of receiving resident tuition rates at Washington higher education institutions. A Washington state resident student includes a student who has separated from the military under honorable conditions after at least two years of service, and who enters an institution of higher education in Washington within one year of the date of separation who:

- at the time of separation designated Washington as the student's intended domicile;
- has Washington as the student's official home of record; or
- moves to Washington and establishes a domicile.

Students who are the spouse or a dependant of an individual who separated from the military under the aforementioned conditions, are also resident students.

Resident students are eligible for resident tuition rates at institutions of higher education in Washington. With some exceptions, resident students are charged tuition rates that are generally much lower than the tuition rates charged to non-resident students.

Veterans Choice Act. The Veterans Access, Choice and Accountability Act of 2014 (Choice Act) requires states to offer in-state tuition rates to all veterans living in that state who have enrolled at an in-state higher education institution within three years of departing the military. The Secretary of Veterans Affairs must disapprove a course of education for Post-9/11 GI Bill funds disbursement at institutions that do not provide resident tuition to all covered individuals under the Choice Act. A covered individual includes the following:

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- a Veteran who lives in state and enrolls in the school within three years of discharge from a period of active duty service of 90 days or more;
- a spouse or child using transferred benefits who lives in state and enrolls in the school within three years of the transferor's discharge from a period of active duty service of 90 days or more; or
- a spouse or child using benefits under the Marine Gunnery Sergeant John David Fry Scholarship who lives in state and enrolls in the school within three years of the service member's death in the line of duty following a period of active duty service of 90 days or more.

Washington State does not currently provide resident tuition rates to all covered individuals under the Choice Act.

Summary: The definition of resident student is amended to include the following:

- a student who has separated from the uniformed services with any period of honorable service after at least 90 days of active duty service, is eligible for federal veterans education assistance benefits, and who enters an institution of higher education in Washington within three years of separation;
- a student who is a spouse, former spouse, or child and is entitled to veterans administration educational assistance benefits (Benefits) based on their relationship to an individual who has separated from the uniformed services with any period of honorable service after at least 90 days of active duty service, and who enters an institution in Washington within three years of separation; or
- a student who is entitled to Benefits based on their relationship with a deceased member of the uniformed services who completed at least 90 days of active duty service and died in the line of duty, and the student enters an institution in Washington within three years of the service members' death.

A qualifying student who remains continuously enrolled at an institution retains resident student status.

These definitions of resident student do not apply to students who have a dishonorable discharge from the uniformed services, unless the student is receiving Benefits.

Active duty service means full-time duty, other than active duty for training, as a member of the uniformed service of the United States. Active duty as a National Guard member for the purpose of organizing, administering, recruiting, instructing, training, or responding to a national emergency is recognized as active duty service.

Uniformed services is defined by Title 10 U.S.C., consisting of the Army, Marine Corps, Navy, Air Force, Coast Guard, Public Health Service Commissioned Corps, and the National Oceanic and Atmospheric Administration Commissioned Officer Corps.

Votes on Final Passage:

Senate 49 0

First Special Session

Senate 44 0

Second Special Session

Senate 44 0

Third Special Session

Senate 45 0

House 98 0

Effective: July 24, 2015