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**SUBSTITUTE SENATE BILL 5561**

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**State of Washington**

**64th Legislature**

**2015 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Bailey, Kohl-Welles, Frockt, Honeyford, Hewitt, Rolfes, McAuliffe, and Angel)

READ FIRST TIME 02/27/15.

1 AN ACT Relating to veteran survivor tuition waiver eligibility;  
2 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 2009 c 316 s 1 are each amended to  
5 read as follows:

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

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

20 (3) The governing boards of the state universities, the regional  
21 universities, The Evergreen State College, and the community

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

9 (4) Subject to the conditions in subsection (5) of this section  
10 and the limitations in RCW 28B.15.910, the governing boards of the  
11 state universities, the regional universities, The Evergreen State  
12 College, and the community colleges, shall waive all tuition and fees  
13 for the 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  
16 national guard member who became totally disabled as a result of  
17 serving in active federal military or naval service, or who is  
18 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  
21 partner of an eligible veteran or national guard member who lost his  
22 or her life as a result of serving in active federal military or  
23 naval 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 and:

27 (i) Be between the age of seventeen and twenty-six to be eligible  
28 for the tuition waiver; or

29 (ii) Meet one of the exceptions provided in 38 U.S.C. Sec.  
30 3512(a)(1)-(8) as it exists on the effective date of this section.

31 (b) A child's marital status does not affect eligibility.

32 ~~((b))~~ (c)(i) A surviving spouse or surviving domestic partner  
33 must be a Washington domiciliary.

34 ~~((b))~~ (c)(iii) of this subsection, a  
35 surviving spouse or surviving domestic partner has ten years from the  
36 date of the death, total disability, or federal determination of  
37 prisoner of war or missing in action status of the eligible veteran  
38 or national guard member to receive benefits under the waiver. Upon  
39 remarriage or registration in a subsequent domestic partnership, the

1 surviving spouse or surviving domestic partner is ineligible for the  
2 waiver of all tuition and fees.

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

6 ~~((e))~~ (d) Each recipient's continued participation is subject  
7 to the school's satisfactory progress policy.

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

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

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

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

21 (8) The definitions in this subsection apply throughout this  
22 section.

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

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

34 (c) "Totally disabled" means a person who has been determined to  
35 be one hundred percent disabled by the federal department of veterans  
36 affairs.

37 (d) "Washington domiciliary" means a person whose true, fixed,  
38 and permanent house and place of habitation is the state of  
39 Washington. "Washington domiciliary" includes a person who is  
40 residing in rental housing or residing in base housing. In

1 ascertaining whether a child or surviving spouse or surviving  
2 domestic partner is domiciled in the state of Washington, public  
3 institutions of higher education shall, to the fullest extent  
4 possible, rely upon the standards provided in RCW 28B.15.013.

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

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

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

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