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SENATE BILL 6371

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State of Washington

60th Legislature

2008 Regular Session

By Senators Hewitt, Hobbs, Shin, Parlette, King, Rockefeller, Swecker, Brandland, McCaslin, Haugen, Kohl-Welles, Rasmussen, Kilmer, and Sheldon

Read first time 01/16/08. Referred to Committee on Higher Education.

1 AN ACT Relating to tuition and fee waivers for veterans' families;  
2 amending RCW 28B.15.621 and 28B.15.385; and reenacting and amending RCW  
3 28B.15.910.

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

5 **Sec. 1.** RCW 28B.15.621 and 2007 c 450 s 1 are each amended to read  
6 as follows:

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

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

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

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

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

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

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

28 (b)(i) A surviving spouse must be a Washington domiciliary.

29 (ii) Except as provided in (b)(iii) of this subsection, a surviving  
30 spouse has ten years from the date of the death, total disability ((as  
31 defined in RCW 28B.15.385)), or federal determination of prisoner of  
32 war or missing in action status of the eligible veteran or national  
33 guard member to receive ((the)) benefits under the waiver. Upon  
34 remarriage, the surviving spouse is ineligible for the waiver of all  
35 tuition and fees.

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

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

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

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

10 (6) Required waivers of all tuition and fees under subsection (4)  
11 of this section shall not affect permissive waivers of tuition and fees  
12 under subsection (3) of this section.

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

16 (8) The definitions in this subsection apply throughout this  
17 section.

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

26 (b) "Totally disabled" means a person who has been determined to be  
27 one hundred percent disabled by the federal department of veterans  
28 affairs.

29 (c) "Washington domiciliary" means a person whose true, fixed, and  
30 permanent house and place of habitation is the state of Washington.  
31 "Washington domiciliary" includes a person who is residing in rental  
32 housing or residing in base housing. In ascertaining whether a child  
33 or surviving spouse is domiciled in the state of Washington, public  
34 institutions of higher education shall, to the fullest extent possible,  
35 rely upon the standards provided in RCW 28B.15.013.

36 (9) As used in subsection (4) of this section, "fees" includes all  
37 assessments for costs incurred as a condition to a student's full

1 participation in coursework and related activities at an institution of  
2 higher education.

3 **Sec. 2.** RCW 28B.15.385 and 2007 c 450 s 3 are each amended to read  
4 as follows:

5 For the purposes of RCW 28B.15.380(~~(7)~~) and 28B.15.520(~~(7) and~~  
6 ~~28B.15.621~~)), the phrase "totally disabled" means a person who has  
7 become totally and permanently disabled for life by bodily injury or  
8 disease, and is thereby prevented from performing any occupation or  
9 gainful pursuit.

10 **Sec. 3.** RCW 28B.15.910 and 2007 c 522 s 948 and 2007 c 450 s 2 are  
11 each reenacted and amended to read as follows:

12 (1) For the purpose of providing state general fund support to  
13 public institutions of higher education, except for revenue waived  
14 under programs listed in subsections (3) and (4) of this section, and  
15 unless otherwise expressly provided in the omnibus state appropriations  
16 act, the total amount of operating fees revenue waived, exempted, or  
17 reduced by a state university, a regional university, The Evergreen  
18 State College, or the community colleges as a whole, shall not exceed  
19 the percentage of total gross authorized operating fees revenue in this  
20 subsection. As used in this section, "gross authorized operating fees  
21 revenue" means the estimated gross operating fees revenue as estimated  
22 under RCW 82.33.020 or as revised by the office of financial  
23 management, before granting any waivers. This limitation applies to  
24 all tuition waiver programs established before or after July 1, 1992.

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|----|-----------------------------------|------------|
| 25 | (a) University of Washington      | 21 percent |
| 26 | (b) Washington State University   | 20 percent |
| 27 | (c) Eastern Washington University | 11 percent |
| 28 | (d) Central Washington University | 10 percent |
| 29 | (e) Western Washington University | 10 percent |
| 30 | (f) The Evergreen State College   | 10 percent |
| 31 | (g) Community colleges as a whole | 35 percent |

32 (2) The limitations in subsection (1) of this section apply to  
33 waivers, exemptions, or reductions in operating fees contained in the  
34 following:

- 35 (a) RCW 28B.15.014;  
36 (b) RCW 28B.15.100;

- 1 (c) RCW 28B.15.225;
- 2 (d) RCW 28B.15.380;
- 3 (e) RCW 28B.15.520;
- 4 (f) RCW 28B.15.526;
- 5 (g) RCW 28B.15.527;
- 6 (h) RCW 28B.15.543;
- 7 (i) RCW 28B.15.545;
- 8 (j) RCW 28B.15.555;
- 9 (k) RCW 28B.15.556;
- 10 (l) RCW 28B.15.615;
- 11 (m) RCW 28B.15.621 (2) and (3);
- 12 (n) RCW 28B.15.730;
- 13 (o) RCW 28B.15.740;
- 14 (p) RCW 28B.15.750;
- 15 (q) RCW 28B.15.756;
- 16 (r) RCW 28B.50.259; and
- 17 (s) RCW 28B.70.050.

18 (3) The limitations in subsection (1) of this section do not apply  
19 to waivers, exemptions, or reductions in services and activities fees  
20 contained in the following:

- 21 (a) RCW 28B.15.522;
- 22 (b) RCW 28B.15.540;
- 23 (c) RCW 28B.15.558; and
- 24 (d) RCW 28B.15.621(3) (~~and (4)~~).

25 (4) The total amount of operating fees revenue waived, exempted, or  
26 reduced by institutions of higher education participating in the  
27 western interstate commission for higher education western  
28 undergraduate exchange program under RCW 28B.15.544 shall not exceed  
29 the percentage of total gross authorized operating fees revenue in this  
30 subsection.

- 31 (a) Washington State University 1 percent
- 32 (b) Eastern Washington University 3 percent
- 33 (c) Central Washington University 3 percent

34 (5) The institutions of higher education will participate in  
35 outreach activities to increase the number of veterans who receive  
36 tuition waivers. Colleges and universities shall revise the  
37 application for admissions so that all applicants shall have the  
38 opportunity to advise the institution that they are veterans who need

1 assistance. If a person indicates on the application for admissions  
2 that the person is a veteran who is in need of assistance, then the  
3 institution of higher education shall ask the person whether they have  
4 any funds disbursed in accordance with the Montgomery GI Bill available  
5 to them. Each institution shall encourage veterans to utilize funds  
6 available to them in accordance with the Montgomery GI Bill prior to  
7 providing the veteran a tuition waiver.

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