
SENATE BILL 5561

State of Washington

64th Legislature

2015 Regular Session

By Senators Bailey, Kohl-Welles, Frockt, Honeyford, Hewitt, Rolfes, McAuliffe, and Angel

Read first time 01/23/15. Referred to Committee on Higher Education.

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 between the age of
27 seventeen and twenty-six to be eligible for the tuition waiver or
28 meet one of the exceptions provided in 38 U.S.C. Sec. 3512(a)(1)-(8)
29 as it exists on the effective date of this section. A child's marital
30 status does not affect eligibility.

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

33 (ii) Except as provided in (b)(iii) of this subsection, a
34 surviving spouse or surviving domestic partner has ten years from the
35 date of the death, total disability, or federal determination of
36 prisoner of war or missing in action status of the eligible veteran
37 or national guard member to receive benefits under the waiver. Upon
38 remarriage or registration in a subsequent domestic partnership, the
39 surviving spouse or surviving domestic partner is ineligible for the
40 waiver of all tuition and fees.

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

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

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

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

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

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

19 (8) The definitions in this subsection apply throughout this
20 section.

21 (a) "Child" means a biological child, adopted child, or
22 stepchild.

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

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

35 (d) "Washington domiciliary" means a person whose true, fixed,
36 and permanent house and place of habitation is the state of
37 Washington. "Washington domiciliary" includes a person who is
38 residing in rental housing or residing in base housing. In
39 ascertaining whether a child or surviving spouse or surviving
40 domestic partner is domiciled in the state of Washington, public

1 institutions of higher education shall, to the fullest extent
2 possible, rely upon the standards provided in RCW 28B.15.013.

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

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

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

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