



Tuition Reimbursement

Preliminary Report  
November 28, 2012

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### Discussion Points

- Issue
- Background
- Other States
- Options



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### Issue

- Mandatory tuition waiver may not apply to technical colleges



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## Background

- Laws prior to passage of duty-related death benefits of 2010
  - Tuition waiver is at the option of the institution
- Laws after passage of duty-related death benefits of 2010
  - Tuition waiver is made mandatory for most institutions



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## Background

- Each technical college has passed a policy that offers tuition and fee waivers



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## Other States

- Most states have some form of tuition waiver program



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## Options

- **Option 1: Take No Action**
  - Under this option, the Board would take no further action and the technical colleges would continue to waive tuition and fees under their current policy and procedures
  
- **Option 2: Introduce Legislation that Specifically Includes Technical Colleges**
  - Under this option, the Board would introduce specific language in the statutes that clearly include technical colleges in the mandatory tuition and fee waivers. This option would not change current practice by the technical colleges under their current policy and procedures

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## Any Questions?

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November 28, 2012

## TUITION REIMBURSEMENT

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### PRELIMINARY REPORT

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### ISSUE

The mandatory tuition waiver for spouses, registered domestic partners, and eligible children of members who are killed or become totally disabled in the line of duty that was passed in the 2010 legislation (EHB 2519) may not apply to technical colleges.

### MEMBERS IMPACTED

This issue could affect any of the active members of LEOFF Plan 2. There are 16,805 active members as of June 30, 2011 according to the *2011 Actuarial Valuation Report* as provided by the Office of the State Actuary (OSA).

### CURRENT SITUATION

As of June 10, 2010 any spouse, registered domestic partner or eligible child of a LEOFF Plan 2 member who dies or becomes totally disabled in the line of duty are eligible to have their tuition fees and service and activities fees mandatorily waived at state universities, regional universities, The Evergreen State College (TESC), and community colleges.

### BACKGROUND INFORMATION

Higher education is broken out into five distinct categories; state universities which include the University of Washington and Washington State University; regional universities which include Central Washington University, Eastern Washington University and Western Washington University; state colleges, which includes The Evergreen State College; community colleges which have 29 institutions; and technical colleges which have five institutions.

There are specific statutes for governing these different higher education institutions in regards to fee waivers. The statutes governing state universities, regional universities and TESC can be found under RCW 28B.15.380, for community colleges it is under RCW 28B.15.520. The higher education tuition waivers RCWs do not specifically address technical colleges.

Initial research indicated that some technical colleges do not have fee waiver programs at all, while others use the same fee waiver language as found in RCW 28B.15.520 from the 2010 legislation (EHB 2519). However, the State Board for Community and Technical Colleges contacted each of the five

technical colleges and determined they all have adopted policies and procedures that fully comply with the intent of EHB 2519 legislation of 2010 that ensures any eligible spouse or child would have their tuition and fees waived. In other words, no matter which public higher education institution an eligible spouse or child attends, their tuition fees would be waived.

In reviewing two reports, one from the Western Interstate Commission for Higher Education<sup>1</sup> (WICHE) and the other from the National Volunteer Fire Council<sup>2</sup>, most states provide some financial assistance for spouses and children of fire fighters or law enforcement officers killed or totally disabled in the line of duty. Assistance can be in the form of tuition and fee waivers, specific scholarships or financial aid. In many instances, like Washington, technical colleges are not specifically named, but may be included. A review of the materials indicates only a handful of states do not offer some sort of relief at all.

## POLICY OPTIONS

### **Option 1: Take No Action**

Under this option, the Board would take no further action and the technical colleges would continue to waive tuition and fees under their current policy and procedures.

### **Option 2: Introduce Legislation that Specifically Includes Technical Colleges**

Under this option, the Board would introduce specific language in the statutes that clearly include technical colleges in the mandatory tuition and fee waivers. This option would not change current practice by the technical colleges under their current policy and procedures.

## SUPPORTING INFORMATION

Appendix A: EHB 2519 from 2010 – Sections 4 and 5

Appendix B: RCW 28B.50.030 Definitions (Community and Technical Colleges)

Appendix C: RCW 28B.50.020 Purpose (Community and Technical Colleges)

Appendix D: List of Public Higher Education Institutions in Washington

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<sup>1</sup> "Tuition and Fees, State Summaries". *Western Interstate Commission for Higher Education, State Higher Education Policy Database*. 2011. Web. 8/3/2012.

<http://higheredpolicies.wiche.edu/content/policy/state/summaries/53>

<sup>2</sup> "Death – Child Education". *National Volunteer Fire Council*. Web. 8/3/2012.

<http://www.nvfc.org/resources/rr/statebenefits/state-pages/death-childs-education>

## APPENDIX A

## EHB 2519 OF 2010 – SECTIONS 4 &amp; 5

**Sec. 4.** RCW 28B.15.380 and 2005 c 249 s 2 are each amended to read as follows:

Subject to the limitations of RCW 28B.15.910, the governing boards of the state universities, the regional universities, and The Evergreen State College (~~may~~) shall exempt the following students from the payment of all (~~or a portion of~~) tuition fees and services and activities fees:

(1) Children of any law enforcement officer (~~or~~) as defined in chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or Washington state patrol officer who lost his or her life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state: PROVIDED, That such persons may receive the exemption only if they begin their course of study at a state-supported college or university within ten years of their graduation from high school; and

(2) Surviving spouses of any law enforcement officer as defined in chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or Washington state patrol officer who lost his or her life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

(3) The governing boards of the state universities, the regional universities, and The Evergreen State College shall report to the higher education coordinating board on the annual cost of tuition fees and services and activities fees waived for surviving spouses and children under this section. The higher education coordinating board shall consolidate the reports of the waived fees and annually report to the appropriate fiscal and policy committees of the legislature.

**Sec. 5.** RCW 28B.15.520 and 2007 c 355 s 6 are each amended to read as follows:

Subject to the limitations of RCW 28B.15.910, the governing boards of the community colleges may:

(1)(a) Waive all or a portion of tuition fees and services and activities fees for:

~~((a))~~ (i) Students nineteen years of age or older who are eligible for resident tuition and fee rates as defined in RCW 28B.15.012 through 28B.15.015, who enroll in a course of study or program which will enable them to finish their high school

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education and obtain a high school diploma or certificate, but who are not eligible students as defined by RCW 28A.600.405; and shall waive all of tuition fees and services and activities fees for:

~~((b))~~ (ii) Children of any law enforcement officer (~~(or)~~) as defined in chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or Washington state patrol officer who lost his or her life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state: PROVIDED, That such persons may receive the waiver only if they begin their course of study at a community college within ten years of their graduation from high school; and

(iii) Surviving spouses of any law enforcement officer as defined in chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or Washington state patrol officer who lost his or her life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

(b) The governing boards of the community colleges shall report to the state board for community and technical colleges on the annual cost of tuition fees and services and activities fees waived for surviving spouses and children under parts (a)(ii) and (iii) of this subsection. The state board for community and technical colleges shall consolidate the reports of the waived fees and annually report to the appropriate fiscal and policy committees of the legislature;

(2) Waive all or a portion of the nonresident tuition fees differential for:

(a) Nonresident students enrolled in a community college course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate but who are not eligible students as defined by RCW 28A.600.405. The waiver shall be in effect only for those courses which lead to a high school diploma or certificate; and

(b) Up to forty percent of the students enrolled in the regional education program for deaf students, subject to federal funding of such program.

## APPENDIX B

### RCW 28B.50.030 DEFINITIONS

#### RCW 28B.50.030 Definitions

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Adult education" means all education or instruction, including academic, vocational education or training, basic skills and literacy training, and "occupational education" provided by public educational institutions, including common school districts for persons who are eighteen years of age and over or who hold a high school diploma or certificate. However, "adult education" shall not include academic education or instruction for persons under twenty-one years of age who do not hold a high school degree or diploma and who are attending a public high school for the sole purpose of obtaining a high school diploma or certificate, nor shall "adult education" include education or instruction provided by any four-year public institution of higher education.

(2) "Applied baccalaureate degree" means a baccalaureate degree awarded by a college under RCW [28B.50.810](#) for successful completion of a program of study that is:

(a) Specifically designed for individuals who hold an associate of applied science degree, or its equivalent, in order to maximize application of their technical course credits toward the baccalaureate degree; and

(b) Based on a curriculum that incorporates both theoretical and applied knowledge and skills in a specific technical field.

(3) "Board" means the workforce training and education coordinating board.

(4) "Board of trustees" means the local community and technical college board of trustees established for each college district within the state.

(5) "Center of excellence" means a community or technical college designated by the college board as a statewide leader in industry-specific, community and technical college workforce education and training.

(6) "College board" means the state board for community and technical colleges created by this chapter.

(7) "Common school board" means a public school district board of directors.

(8) "Community college" includes those higher education institutions that conduct education programs under RCW [28B.50.020](#).

(9) "Director" means the administrative director for the state system of community and technical colleges.

(10) "Dislocated forest product worker" means a forest products worker who: (a)(i) Has been terminated or received notice of termination from employment and is unlikely to return to employment in the individual's principal occupation or previous industry because of a diminishing demand for his or her skills in that occupation or industry; or (ii) is self-employed and has been displaced from his or her business because of the diminishing demand for the business' services or goods; and (b) at the time of last separation from employment, resided in or was employed in a rural natural resources impact area.

(11) "Dislocated salmon fishing worker" means a finfish products worker who: (a)(i) Has been terminated or received notice of termination from employment and is unlikely to return to employment in the individual's principal occupation or previous industry because of a diminishing demand for his or her skills in that occupation or industry; or (ii) is self-employed and has been displaced from his or her business because of the diminishing demand for the business's services or goods; and (b) at the time of last separation from employment, resided in or was employed in a rural natural resources impact area.

(12) "District" means any one of the community and technical college districts created by this chapter.



(13) "Forest products worker" means a worker in the forest products industries affected by the reduction of forest fiber enhancement, transportation, or production. The workers included within this definition shall be determined by the employment security department, but shall include workers employed in the industries assigned the major group standard industrial classification codes "24" and "26" and the industries involved in the harvesting and management of logs, transportation of logs and wood products, processing of wood products, and the manufacturing and distribution of wood processing and logging equipment. The commissioner may adopt rules further interpreting these definitions. For the purposes of this subsection, "standard industrial classification code" means the code identified in [\\*RCW 50.29.025\(3\)](#).

(14) "High employer demand program of study" means an apprenticeship, or an undergraduate or graduate certificate or degree program in which the number of students prepared for employment per year from in-state institutions is substantially less than the number of projected job openings per year in that field, statewide or in a substate region.

(15) "K-12 system" means the public school program including kindergarten through the twelfth grade.

(16) "Occupational education" means education or training that will prepare a student for employment that does not require a baccalaureate degree, and education and training that will prepare a student for transfer to bachelor's degrees in professional fields, subject to rules adopted by the college board.

(17) "Qualified institutions of higher education" means:

(a) Washington public community and technical colleges;

(b) Private career schools that are members of an accrediting association recognized by rule of the student achievement council for the purposes of chapter [28B.92](#) RCW; and

(c) Washington state apprenticeship and training council-approved apprenticeship programs.

(18) "Rural natural resources impact area" means:

(a) A nonmetropolitan county, as defined by the 1990 decennial census, that meets three of the five criteria set forth in subsection (19) of this section;

(b) A nonmetropolitan county with a population of less than forty thousand in the 1990 decennial census, that meets two of the five criteria as set forth in subsection (19) of this section; or

(c) A nonurbanized area, as defined by the 1990 decennial census, that is located in a metropolitan county that meets three of the five criteria set forth in subsection (19) of this section.

(19) For the purposes of designating rural natural resources impact areas, the following criteria shall be considered:

(a) A lumber and wood products employment location quotient at or above the state average;

(b) A commercial salmon fishing employment location quotient at or above the state average;

(c) Projected or actual direct lumber and wood products job losses of one hundred positions or more;

(d) Projected or actual direct commercial salmon fishing job losses of one hundred positions or more; and

(e) An unemployment rate twenty percent or more above the state average. The counties that meet these criteria shall be determined by the employment security department for the most recent year for which data is available. For the purposes of administration of programs under this chapter, the United States post office five-digit zip code delivery areas will be used to determine residence status for eligibility purposes. For the purpose of this definition, a zip code delivery area of which any part is ten miles or more from an urbanized area is considered nonurbanized. A zip code totally surrounded by zip codes qualifying as nonurbanized under this definition is also considered nonurbanized. The office of financial management shall make available a zip code listing of the areas to all agencies

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and organizations providing services under this chapter.

(20) "Salmon fishing worker" means a worker in the finfish industry affected by 1994 or future salmon disasters. The workers included within this definition shall be determined by the employment security department, but shall include workers employed in the industries involved in the commercial and recreational harvesting of finfish including buying and processing finfish. The commissioner may adopt rules further interpreting these definitions.

(21) "System" means the state system of community and technical colleges, which shall be a system of higher education.

(22) "Technical college" includes those higher education institutions with the mission of conducting occupational education, basic skills, literacy programs, and offering on short notice, when appropriate, programs that meet specific industry needs. For purposes of this chapter, technical colleges shall include Lake Washington Vocational-Technical Institute, Renton Vocational-Technical Institute, Bates Vocational-Technical Institute, Clover Park Vocational Institute, and Bellingham Vocational-Technical Institute.

[2012 c 229 § 536. Prior: 2009 c 353 § 1; 2009 c 151 § 3; 2009 c 64 § 3; 2007 c 277 § 301; 2005 c 258 § 8; 2003 2nd sp.s. c 4 § 33; 1997 c 367 § 13; 1995 c 226 § 17; 1992 c 21 § 5; prior: 1991 c 315 § 15; 1991 c 238 § 22; 1985 c 461 § 14; 1982 1st ex.s. c 53 § 24; 1973 c 62 § 12; 1969 ex.s. c 261 § 18; 1969 ex.s. c 223 § [28B.50.030](#); prior: 1967 ex.s. c 8 § 3.]

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## APPENDIX C

### RCW 28B.50.020 PURPOSE

#### RCW 28B.50.020 Purpose

The purpose of this chapter is to provide for the dramatically increasing number of students requiring high standards of education either as a part of the continuing higher education program or for occupational education and training, or for adult basic skills and literacy education, by creating a new, independent system of community and technical colleges which will:

(1) Offer an open door to every citizen, regardless of his or her academic background or experience, at a cost normally within his or her economic means;

(2) Ensure that each college district, in coordination with adjacent college districts, shall offer thoroughly comprehensive educational, training, and service programs to meet the needs of both the communities and students served by combining high standards of excellence in academic transfer courses; realistic and practical courses in occupational education, both graded and ungraded; community services of an educational, cultural, and recreational nature; and adult education, including basic skills and general, family, and workforce literacy programs and services;

(3) Provide for basic skills and literacy education, and occupational education and technical training in order to prepare students for careers in a competitive workforce;

(4) Provide or coordinate related and supplemental instruction for apprentices at community and technical colleges;

(5) Provide administration by state and local boards which will avoid unnecessary duplication of facilities, programs, student services, or administrative functions; and which will encourage efficiency in operation and creativity and imagination in education, training, and service to meet the needs of the community and students;

(6) Allow for the growth, improvement, flexibility and modification of the community colleges and their education, training, and service programs as future needs occur; and

(7) Establish firmly that as provided under RCW [28B.50.810](#), community colleges are, for purposes of academic training, two year institutions, and are an independent, unique, and vital section of our state's higher education system, separate from both the common school system and other institutions of higher learning.

[2010 c 246 § 2; 2010 c 245 § 2; 2009 c 64 § 2; 2005 c 258 § 7; 1991 c 238 § 21; 1969 ex.s. c 261 § 17; 1969 ex.s. c 223 § [28B.50.020](#). Prior: 1967 ex.s. c 8 § 2.]

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## APPENDIX D

### LIST OF PUBLIC HIGHER EDUCATION INSTITUTIONS IN WASHINGTON

- A. State Universities:
  - 1. University of Washington
  - 2. Washington State University
  
- B. Regional Universities:
  - 1. Central Washington University
  - 2. Eastern Washington University
  - 3. Western Washington University
  
- C. State Colleges:
  - 1. The Evergreen State College
  
- D. Community Colleges:
  - 1. Bellevue College
  - 2. Big Bend Community College
  - 3. Cascadia Community College
  - 4. Centralia College
  - 5. Clark College
  - 6. Columbian Basin College
  - 7. Edmonds Community College
  - 8. Everett Community College
  - 9. Grays Harbor College
  - 10. Green River Community College
  - 11. Highline Community College
  - 12. Lower Columbia College
  - 13. North Seattle Community College
  - 14. Northwest Indian College
  - 15. Olympia College
  - 16. Peninsula College
  - 17. Pierce College – Fort Steilacoom/Puyallup
  - 18. Seattle Central Community College
  - 19. Shoreline Community College
  - 20. Skagit Valley College
  - 21. South Puget Sound Community College
  - 22. South Seattle Community College
  - 23. Spokane Community College

24. Spokane Falls Community College
  25. Tacoma Community College
  26. Walla Walla Community College
  27. Wenatchee Valley College
  28. Whatcom Community College
  29. Yakima Community College
- E. Technical Colleges:
1. Bates Technical College
  2. Bellingham Technical College
  3. Clover Park Technical College
  4. Lake Washington Institute of Technology
  5. Renton Technical College