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**College & Workforce Development  
Committee**

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**HB 2548**

**Brief Description:** Concerning tribally controlled colleges and universities.

**Sponsors:** Representatives Lekanoff, Shewmake, Ramel, Leavitt, Davis, Pollet and Santos.

**Brief Summary of Bill**

- Requires the Washington Student Achievement Council (WSAC) to provide payments to a tribally-controlled college or university (TCU) for each full-time equivalent (FTE) nonbeneficiary student enrolled.
- Requires the Legislature to appropriate funding for the nonbeneficiary FTE payments to the TCU.
- Requires the WSAC to enter into a state-tribal compact with a TCU in order to facilitate payments and data sharing.

**Hearing Date:** 1/28/20

**Staff:** Megan Mulvihill (786-7304).

**Background:**

The Northwest Indian College (NWIC) is the only regionally accredited tribal college serving Washington, Oregon, and Idaho. The main campus is located on the Lummi Indian Reservation in Washington, with six extended campus sites located at Muckleshoot, Nisqually, Port Gamble S'Klallam, Swinomish, Tulalip, and Nez Perce in Idaho. The NWIC offers certificates, associate degree programs, and four bachelor degree programs, with specializations considered high need to tribal communities. The NWIC's primary focus is on recruiting Native American and First Nations students, but follows an "open doors" admission policy. Anyone 18 years of age or older with a high school diploma or GED may enroll. According to the Integrated Postsecondary Education Data System, fall 2018 enrollment at the NWIC was 535 students, with 84 percent of students identifying as American Indian or Alaska Native.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The Tribally Controlled Colleges and Universities Act (TCU Act) of 1978 established federal funding to tribally-controlled colleges or universities (TCU) to aid in the postsecondary education of Indian students. Under the TCU Act, grants are authorized up to \$8,000 per enrolled full-time equivalent Indian student, also referred to as beneficiary students, and paid to the TCU as institutional support for each academic year.

**Summary of Bill:**

The Washington Student Achievement Council (WSAC) must provide payments to a tribally-controlled college or university (TCU) for each full-time equivalent (FTE) nonbeneficiary student. A nonbeneficiary student is a resident student who is enrolled at a TCU, but is not an enrolled member of a federally recognized Indian tribe nor a biological child of a living or deceased member of an Indian tribe. The payments must be distributed during each year of the biennium and must be at least equivalent to the most recent per beneficiary payment provided in accordance with the TCU Act. The Legislature is required to appropriate funding for the payments, and allocations must be based on the number of estimated FTE nonbeneficiary students enrolled at the TCU.

The WSAC must enter into a state-tribal compact with the TCU in order to facilitate payments and data sharing. The TCU must provide the WSAC with an annual report consisting of the following:

- number of FTE nonbeneficiary students for whom the TCU is entitled payment;
- documentation of the enrollment status of each student for whom payment is sought;
- evidence that the college's enrollment of Indian students is at least 51 percent;
- the graduation rate for all students, including the rate for beneficiary and nonbeneficiary students;
- the ratio between the amount of funding received by the TCU from the state and the TCU's annual operating budget; and
- a copy of the TCU's latest financial audit report.

If the TCU fails to provide the annual report, the TCU is ineligible to receive future payments until it submits the required information.

**Appropriation:** None.

**Fiscal Note:** Requested on January 15, 2020.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.