
SUBSTITUTE HOUSE BILL 2548

State of Washington

66th Legislature

2020 Regular Session

By House College & Workforce Development (originally sponsored by Representatives Lekanoff, Shewmake, Ramel, Leavitt, Davis, Pollet, and Santos)

READ FIRST TIME 02/07/20.

1 AN ACT Relating to the tribally controlled colleges and
2 universities in the state of Washington; and adding a new chapter to
3 Title 28B RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the Northwest
6 Indian College is the only regionally accredited tribal college
7 serving the states of Washington, Oregon, and Idaho. The Northwest
8 Indian College, which received designation as a land grant college in
9 1994, offers bachelor's, associate's, and certificate programs and
10 provides a valuable culturally based postsecondary experience for
11 tribal and nontribal students alike in and around tribal communities
12 where other postsecondary educational opportunities may be limited.
13 The legislature further finds that the Northwest Indian College is in
14 a unique situation where it receives federal primary operating
15 funding for tribal students; however, there is no state or federal
16 funding provided for nontribal students. As a result, the Northwest
17 Indian College is underfunded, impacting its ability to retain, hire,
18 and pay faculty at competitive wages. Therefore, the legislature
19 intends to recognize the valuable contribution Northwest Indian
20 College provides to the state's postsecondary system, economy, and

1 rural and tribal communities by providing foundational support for
2 nontribal students.

3 NEW SECTION. **Sec. 2.** The definitions in this section apply
4 throughout this chapter unless the context clearly requires
5 otherwise.

6 (1) "Full-time equivalent" means forty-five credit hours for an
7 academic year, which includes fall, winter, and spring terms.

8 (2) "Nonbeneficiary student" means a resident student as defined
9 under RCW 28B.15.012 who is:

10 (a) Enrolled at a tribally controlled college or university;

11 (b) Not an enrolled member of a federally recognized Indian tribe
12 nor a biological child of a living or deceased member of an Indian
13 tribe; and

14 (c) Charged resident tuition rates.

15 (3) "Tribally controlled college or university" means a
16 regionally accredited higher education institution in Washington
17 which is formally controlled by an Indian tribe, or any combination
18 of federally recognized Indian tribes, and is eligible for federal
19 funding under the tribally controlled colleges and universities
20 assistance act of 1978 (25 U.S.C. Chapter 20).

21 NEW SECTION. **Sec. 3.** The legislature shall appropriate funding
22 for the payments to a tribally controlled college or university as
23 required under this chapter. Allocations must be made on the basis of
24 estimated full-time equivalent nonbeneficiary students enrolled at a
25 tribally controlled college or university.

26 NEW SECTION. **Sec. 4.** (1) The student achievement council shall
27 provide payments to a tribally controlled college or university for
28 each full-time equivalent nonbeneficiary student.

29 (2) The payments must be distributed during each year of the
30 biennium.

31 (3) The annual payments must be calculated for an amount at least
32 equivalent to the most recent per beneficiary payment provided in
33 accordance with the tribally controlled colleges and universities
34 assistance act of 1978 (25 U.S.C. Chapter 20) for each full-time
35 equivalent nonbeneficiary student enrolled at the tribally controlled
36 college or university.

1 NEW SECTION. **Sec. 5.** (1) The student achievement council shall
2 enter into a state-tribal compact with a tribally controlled college
3 or university in order to facilitate payments and data sharing,
4 including providing the student achievement council with an annual
5 report consisting of the following:

6 (a) The number of full-time equivalent nonbeneficiary students
7 for whom the tribally controlled college or university is entitled
8 payment;

9 (b) Documentation of the enrollment status of each student for
10 who payment under this chapter is sought;

11 (c) Evidence that the college or university's enrollment of
12 Indian students is at least fifty-one percent;

13 (d) The graduation rate for all students, including the rate for
14 beneficiary and nonbeneficiary students;

15 (e) The ratio between the amount of funding received by the
16 tribally controlled college or university under this section and the
17 college or university's annual operating budget; and

18 (f) A copy of the tribally controlled college or university's
19 latest financial audit report.

20 (2) A tribally controlled college or university that fails to
21 meet the requirements of this section is ineligible to receive future
22 payments under this chapter until the college or university submits
23 the required information.

24 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act
25 constitute a new chapter in Title 28B RCW.

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