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HOUSE BILL 2189

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State of Washington

52nd Legislature

1991 Regular Session

By Representatives Miller, Jacobsen, May, Ogden, Wood, Holland, Franklin, Van Luven, Ferguson, Winsley, Mitchell, Fuhrman, Horn, Forner, P. Johnson, Tate, Prentice and Anderson.

Read first time April 1, 1991. Referred to Committee on Higher Education/Appropriations.

1 AN ACT Relating to the students with disabilities endowed  
2 scholarship program; and adding a new chapter to Title 28B RCW.

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

4 NEW SECTION. **Sec. 1.** The legislature recognizes the benefit  
5 to our state and nation of providing equal educational opportunities  
6 for everyone who seeks higher education. The legislature finds that  
7 students with disabilities are under represented in Washington's  
8 colleges, universities, and vocational-technical institutes. The  
9 legislature also finds that past barriers to accessibility and failure  
10 to meet the special needs of these students has resulted in this  
11 underrepresentation. Creating an endowed scholarship program to help  
12 students with disabilities obtain a higher education will help to  
13 rectify past inequities by providing a means and an incentive for  
14 students with disabilities to pursue a higher education. The state

1 will benefit from contributions made by students with disabilities who  
2 participate in a program of higher education.

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

6 (1) "Institution of higher education" or "institution" means a  
7 college, university, or vocational-technical institute in the state of  
8 Washington which is accredited by an accrediting association recognized  
9 as such by rule of the higher education coordinating board.

10 (2) "Board" means the higher education coordinating board.

11 (3) "Eligible student" or "student" means a student with a  
12 disability as defined by the board in consultation with the advisory  
13 committee described in section 4 of this act, who is a financially  
14 needy student, as defined by the board, who is a resident student, as  
15 defined by RCW 28B.15.012(2), who is a full-time student at an  
16 institution of higher education, or who is making satisfactory progress  
17 toward a degree or certificate.

18 (4) "Full-time student" means a student who is making satisfactory  
19 progress toward a degree or certificate at the optimum rate allowed by  
20 the student's particular disability. This rate shall be determined, on  
21 an individual basis, by the advisory committee described in section 4  
22 of this act.

23 NEW SECTION. **Sec. 3.** The students with disabilities endowed  
24 scholarship fund is created. The program shall be administered by the  
25 board. In administering the program, the board's powers and duties  
26 shall include but not be limited to:

1 (1) Selecting students to receive scholarships with the assistance  
2 of a screening committee composed of persons involved in helping  
3 students with disabilities obtain a higher education;

4 (2) Adopting necessary rules and guidelines;

5 (3) Publicizing the program;

6 (4) Accepting and depositing donations into the endowment fund  
7 created in section 7 of this act;

8 (5) Requesting and accepting from the state treasurer moneys earned  
9 from the trust fund and the endowment fund created in sections 6 and 7  
10 of this act;

11 (6) Soliciting and accepting grants and donations from public and  
12 private sources for the program; and

13 (7) Naming scholarships in honor of disabled citizens who have been  
14 role models.

15 NEW SECTION. **Sec. 4.** The board shall establish an advisory  
16 committee to assist in program design and to develop criteria for the  
17 screening and selection of scholarship recipients. The committee shall  
18 be composed of persons involved in helping students with disabilities  
19 obtain a higher education. The criteria may include a priority for  
20 students who are majoring in program areas that could benefit other  
21 Americans with disabilities.

22 NEW SECTION. **Sec. 5.** The board may award scholarships to  
23 eligible students from moneys earned from the endowment fund created in  
24 section 7 of this act, or from funds appropriated to the board for this  
25 purpose, from any private donations, or from any other funds given to  
26 the board for this program. For an undergraduate student, the amount  
27 of the scholarship shall not exceed the student's demonstrated  
28 financial need. For a graduate student, the amount of the scholarship

1 shall not exceed the student's demonstrated need or the stipend of a  
2 teaching assistant, including tuition, at the University of Washington,  
3 whichever is higher. In calculating a student's need, the board shall  
4 consider the student's costs for tuition, fees, books, supplies,  
5 transportation, room, board, personal expenses, child care, and unique  
6 costs associated with the student's particular disability. The  
7 student's scholarship awarded under this chapter shall not exceed the  
8 amount received by a student attending a state research university plus  
9 the expenses attributable to the student's disability. These funds  
10 shall not be used to relieve institutions of higher education or other  
11 agencies from the responsibility for providing necessary reasonable  
12 accommodations. A student is eligible to receive a scholarship for a  
13 maximum of five years, unless the board determines that accommodation  
14 of a particular disability includes more time to complete the degree  
15 program.

16 NEW SECTION. **Sec. 6.** The students with disabilities endowed  
17 scholarship trust fund is established. The trust fund shall be  
18 administered by the state treasurer. Funds appropriated by the  
19 legislature for the trust fund shall be deposited into the fund. All  
20 moneys deposited in the fund shall be invested by the state treasurer.  
21 Notwithstanding RCW 43.84.090, all earnings of investments of balances  
22 of the trust fund shall be credited to the fund. At the request of the  
23 board, and when conditions set forth in section 8 of this act are met,  
24 the treasurer shall transfer state matching moneys and any earned  
25 interest from the trust fund to the students with disabilities  
26 scholarship endowment fund. No appropriation is required for  
27 expenditures from the trust fund.

1        NEW SECTION.    **Sec. 7.**        The students with disabilities  
2 scholarship endowment fund is established. The endowment fund shall be  
3 administered by the state treasurer. Moneys received from the board,  
4 private donations, state matching moneys and any earned interest, and  
5 funds received from any other source may be deposited into the  
6 endowment fund. All moneys deposited in the endowment fund shall be  
7 invested by the state treasurer. Notwithstanding RCW 43.84.090, all  
8 earnings of investments of balances of the endowment fund shall be  
9 credited to the endowment fund. At the request of the board, the  
10 treasurer shall release earnings from the endowment fund to the board  
11 for scholarships. No appropriation is required for expenditures from  
12 the endowment fund.

13        The principal of the endowment fund shall not be invaded. The  
14 earnings on the fund shall be used solely for the purposes set forth in  
15 section 5 of this act.

16        NEW SECTION.    **Sec. 8.**        The board may request that the treasurer  
17 deposit fifty thousand dollars of state matching funds and any earned  
18 interest into the students with disabilities scholarship endowment fund  
19 when the board can match the state funds with an equal amount of  
20 private cash donations. Private cash donations means moneys from  
21 nonstate sources that include, but are not limited to, federal moneys,  
22 and assessments by commodity commissions authorized to conduct research  
23 activities, including but not limited to research studies authorized  
24 under RCW 15.66.030 and 15.65.040.

25        NEW SECTION.    **Sec. 9.**        Sections 1 through 8 of this act shall  
26 constitute a new chapter in Title 28B RCW.