

# Chapter 250-76 WAC

## AMERICAN INDIAN ENDOWED SCHOLARSHIP PROGRAM

### WAC

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**WAC 250-76-010 Purpose.** American Indians are the most under-represented ethnic minority group in higher education. The purpose of this program is to create an educational opportunity for American Indians who might not be able otherwise to attend and graduate from higher education institutions in the state of Washington. The program forms a partnership with the state's American Indian communities and recognizes that improving the quality of educational conditions supports Indian self-determination.

[Statutory Authority: Chapter 28.108 [28B.108] RCW. 92-04-018, § 250-76-010, filed 1/27/92, effective 2/27/92.]

**WAC 250-76-020 Program definitions.** (1) "Institution of higher education" or "institution" shall mean any public university, college, community college, or technical college operated by the state of Washington or any political subdivision thereof, or any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level which is a member institution of the Northwest Commission on Colleges and Universities, providing such institution agrees to participate in the program in accordance with all applicable rules and regulations. Any institution, branch, extension or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of the above named accrediting association.

(2) "Board" means the higher education coordinating board. When a duty or responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee.

(3) "Eligible student" or "student" means an American Indian student who meets the eligibility criteria as defined in WAC 250-76-030(1).

(4) "Full-time undergraduate student" is defined as a student who is enrolled for twelve quarter credits or the equivalent.

(5) "Full-time graduate student" is defined as one who is enrolled in at least the minimum credit course load required by the institution for disbursing financial aid to full-time graduate students.

(6) "Private cash donation," "private donation," or "donation" means moneys from nonstate sources that include, but are not limited to, federal moneys, tribal moneys, and assessments by commodity commissions authorized to

conduct research activities, including but not limited to, research studies authorized under RCW 15.66.030 and 15.65.040.

(7) "Conditional gift" means a private cash donation received as a gift and subject to conditions by the contributor.

[Statutory Authority: RCW 28B.108.060, 28B.108.020, 28B.108.050, 28B.108.070, and 2009 c 259 (SSB 5001). 09-23-040, § 250-76-020, filed 11/9/09, effective 12/10/09. Statutory Authority: Chapters 28B.80 and 28B.108 RCW. 93-19-025, § 250-76-020, filed 9/3/93, effective 10/4/93. Statutory Authority: Chapter 28.108 [28B.108] RCW. 92-04-018, § 250-76-020, filed 1/27/92, effective 2/27/92.]

**WAC 250-76-030 Eligibility criteria.** (1) Student eligibility. In order to be eligible to receive a scholarship under this program, the student must:

(a) Be a financially needy student, as defined in RCW 28B.10.802(3);

(b) Be a resident student, as defined by RCW 28B.15-012(2);

(c) Be enrolled as a full-time student at an institution of higher education;

(d) Promise to use his or her education to benefit other American Indians; and

(e) Not be involved in a program that includes any religious worship, exercise or instruction or the pursuit of any degree in religious, seminarian, or theological academic studies.

[Statutory Authority: Chapter 28.108 [28B.108] RCW. 92-04-018, § 250-76-030, filed 1/27/92, effective 2/27/92.]

**WAC 250-76-040 Selection criteria.** (1) Program advisory committee. The board will establish an advisory committee to assist in program design and to advise the board on matters of program administration including, but not limited to, application procedures, selection criteria, fund raising, and program publicity. The committee shall be comprised of persons involved in helping American Indian students to obtain a higher education. It is the intent of the board that the committee be comprised from members of the state's American Indian community. Membership of the committee may include, but is not limited to, representatives of: Indian tribes, urban Indians, the governor's office of Indian affairs, the Washington state Indian education association, and institutions of higher education.

(2) Screening committee. The board will establish a screening committee to assist the board in selecting the students to receive American Indian endowed scholarships. The committee shall be composed of representatives of the same groups as the advisory committee described in WAC 250-76-040(1) of these rules.

(3) Selection of recipients. The board, in consultation with the advisory committee, may annually consider and revise the criteria for selecting recipients. At the minimum,

assuming program eligibility criteria are met, selection criteria shall include:

(a) An assessment of the student's social and cultural ties to an American Indian community within the state. Significant social and cultural ties may be assessed through documentation of one, or a combination of several, of the following:

- (i) Enrollment in a federally recognized tribe; or
- (ii) References supplied by an American Indian organization or agency from within the state and the student's self-statement describing, and attesting to, his or her own social and cultural ties; and
- (iii) Additional forms of documentation as recommended each year by the advisory committee.

(b) Priority in awards to students in upper-division or graduate programs who are majoring in program areas in which expertise is needed by the state's American Indians.

[Statutory Authority: Chapter 28.108 [28B.108] RCW. 92-04-018, § 250-76-040, filed 1/27/92, effective 2/27/92.]

**WAC 250-76-050 Terms of award.** (1) Scholarship amounts.

(a) The amount of the scholarship for an undergraduate student shall be determined by the higher education coordinating board in consultation with the advisory committee, not to exceed the student's demonstrated financial need.

(b) The amount of the scholarship for a graduate student shall be determined by the higher education coordinating board in consultation with the advisory committee, not to exceed:

- (i) The student's demonstrated financial need, or
- (ii) The stipend of a teaching assistant, including tuition, at the University of Washington, whichever is higher.

(c) In calculating a student's need, the board shall consider the student's costs for tuition, fees, books, supplies, transportation, room, board, personal expenses, and child care.

(d) The maximum yearly scholarship for any student may not exceed the maximum possible scholarship received for a student attending the University of Washington.

(e) Monetary awards made from this endowment may not replace any other state or federal student financial aid grant which would otherwise be made available to the student. If the recipient of this award is also a recipient of other student aid, it is the intent of this program that the institution presume that the endowment award be used to fill an unmet financial need or replace loans.

(2) Term of scholarship award.

A student is eligible to receive a scholarship for a maximum of five years. In order to receive the scholarship award beyond the first year, the student must continue to meet eligibility and selection criteria as defined in WAC 250-76-020 (3)(4)(5), 250-76-030, and 250-76-040(3) of these rules. The following additional criteria may be employed by the board in determining renewal of a student's scholarship award: Amount of earnings by the American Indian scholarship endowment fund as managed by the state investment board.

(3) Number of scholarships awarded. The maximum number of scholarships awarded or renewed each year shall be limited by the amount of earnings received by the board from the American Indian scholarship endowment fund as

managed by the state investment board. Consideration for funding shall be given to those students eligible to renew their scholarship award.

[Statutory Authority: RCW 28B.108.060, 28B.108.020, 28B.108.050, 28B.108.070, and 2009 c 259 (SSB 5001). 09-23-040, § 250-76-050, filed 11/9/09, effective 12/10/09. Statutory Authority: Chapter 28.108 [28B.108] RCW. 92-04-018, § 250-76-050, filed 1/27/92, effective 2/27/92.]

**WAC 250-76-060 Administration.** (1) Administering agency. The higher education coordinating board shall administer the American Indian endowed scholarship program. The board shall have the following administrative responsibilities:

- (a) Publicize the program;
- (b) Adopt necessary program guidelines;
- (c) Accept and deposit donations into the endowment fund;

(d) Request from the state investment board, and accept from the state treasurer, moneys earned by the endowment fund for the disbursement of American Indian endowed scholarship awards;

(e) Solicit and accept grants and donations from public and private sources for the program;

(f) Name scholarships in honor of those American Indians from Washington who have acted as role models; and

(g) Select students to receive American Indian endowed scholarship awards, with the assistance of the selection committee created by WAC 250-76-040(2).

(2) Responsibility for soliciting contributions. The American Indian community will have primary responsibility for solicitation of contributions. The higher education coordinating board will work in support of individual tribes and organizations who are soliciting contributions.

[Statutory Authority: RCW 28B.108.060, 28B.108.020, 28B.108.050, 28B.108.070, and 2009 c 259 (SSB 5001). 09-23-040, § 250-76-060, filed 11/9/09, effective 12/10/09. Statutory Authority: Chapter 28.108 [28B.108] RCW. 92-04-018, § 250-76-060, filed 1/27/92, effective 2/27/92.]

**WAC 250-76-070 Management of funds.** (1) American Indian scholarship endowment fund. The American Indian scholarship endowment fund shall be in the custody of the state treasurer. The investment of the endowment fund shall be managed by the state investment board. Funds appropriated by the legislature for the American Indian endowed scholarship program shall be deposited into the endowment fund. Moneys received from the higher education coordinating board, private donations, and funds received from any other source may be deposited into the endowment fund.

(a) With the exception of conditional gifts, donated moneys may not be refunded, or otherwise returned, to the contributor after they have been deposited to the endowment fund.

Conditional gift moneys may be refunded, or otherwise returned, according to the terms of the conditional gift if the condition attached to the gift has failed. Moneys returned in this manner shall not constitute an invasion of corpus.

(b) A donation may not be accepted if such acceptance conditions the awarding of scholarships in a manner contrary to chapter 28B.108 RCW, or contrary to the guidance of the program's advisory committee.

(2) Scholarships shall be disbursed from the investment earnings of the endowment fund, with the exception of the portion of earnings reinvested in the fund according to the terms of a conditional gift. The principal of the endowment fund shall not be invaded. No scholarships shall be awarded until sufficient earnings from the endowment fund have accumulated.

(3) As sufficient earnings from the endowment fund have accumulated, the higher education coordinating board may request that the state investment board, through the state treasurer, release earnings from the endowment fund to the board for scholarships.

(4) The higher education coordinating board may award scholarships to eligible students from the moneys earned by the American Indian scholarship endowment fund, or from funds appropriated to the board for this purpose, or from any private donations, or from any other funds given to the board for this program.

[Statutory Authority: RCW 28B.108.060, 28B.108.020, 28B.108.050, 28B.108.070, and 2009 c 259 (SSB 5001). 09-23-040, § 250-76-070, filed 11/9/09, effective 12/10/09. Statutory Authority: Chapters 28B.80 and 28B.108 RCW. 93-19-025, § 250-76-070, filed 9/3/93, effective 10/4/93. Statutory Authority: Chapter 28.108 [28B.108] RCW. 92-04-018, § 250-76-070, filed 1/27/92, effective 2/27/92.]