

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2605

Chapter 234, Laws of 1994

53rd Legislature
1994 Regular Session

HIGHER EDUCATION--NONRESIDENT TUITION--EXCEPTIONAL FACULTY
AWARD FUNDS TRANSFER--NATIONAL GUARD CONDITIONAL
SCHOLARSHIP PROGRAM

EFFECTIVE DATE: 6/9/94

Passed by the House March 9, 1994
Yeas 95 Nays 1

BRIAN EBERSOLE

**Speaker of the
House of Representatives**

Passed by the Senate March 9, 1994
Yeas 41 Nays 4

JOEL PRITCHARD

President of the Senate

Approved April 1, 1994

MIKE LOWRY

Governor of the State of Washington

CERTIFICATE

I, Marilyn Showalter, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2605** as passed by the House of Representatives and the Senate on the dates hereon set forth.

MARILYN SHOWALTER

Chief Clerk

FILED

April 1, 1994 - 10:29 a.m.

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2605

AS RECOMMENDED BY THE CONFERENCE COMMITTEE

Passed Legislature - 1994 Regular Session

State of Washington 53rd Legislature 1994 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Jacobsen, Brumsickle, Dorn, Bray, Ogden, Dunshee, Pruitt and J. Kohl)

Read first time 02/08/94.

1 AN ACT Relating to higher education; amending RCW 28B.15.725,
2 28B.50.839, and 28A.600.110; amending 1989 c 290 s 1 (uncodified); and
3 adding a new chapter to Title 28B RCW.

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

5 **Sec. 1.** RCW 28B.15.725 and 1993 sp.s. c 18 s 26 are each amended
6 to read as follows:

7 Subject to the limitations of RCW 28B.15.910, the governing boards
8 of the state universities, the regional universities, and The Evergreen
9 State College may enter into undergraduate (~~upper division~~) student
10 exchange agreements with (~~comparable public four-year~~) institutions
11 of higher education of other states and agree to exempt participating
12 undergraduate (~~upper division~~) students from payment of all or a
13 portion of the nonresident tuition fees differential subject to the
14 following restrictions:

15 (1) In any given academic year, the number of students receiving a
16 waiver at a state institution shall not exceed the number of that
17 institution's students receiving nonresident tuition waivers at
18 participating out-of-state institutions. Waiver imbalances that may
19 occur in one year shall be off-set in the year immediately following.

1 (2) Undergraduate (~~upper division~~) student participation in an
2 exchange program authorized by this section is limited to one academic
3 year.

4 **Sec. 2.** 1989 c 290 s 1 (uncodified) is amended to read as follows:

5 The legislature recognizes that a unique educational experience can
6 result from an undergraduate (~~upper division~~) student attending an
7 out-of-state institution. It also recognizes that some Washington
8 residents may be unable to pursue such out-of-state enrollment owing to
9 their limited financial resources and the higher cost of nonresident
10 tuition. The legislature intends to facilitate expanded nonresident
11 undergraduate (~~upper division~~) enrollment opportunities for residents
12 of the state by authorizing the governing boards of the four-year
13 institutions of higher education to enter into exchange programs with
14 other states' (~~comparable public four-year~~) institutions with
15 comparable programs wherein the participating institutions agree that
16 visiting undergraduate (~~upper division~~) students will pay resident
17 tuition rates of the host institutions.

18 **Sec. 3.** RCW 28B.50.839 and 1993 c 87 s 2 are each amended to read
19 as follows:

20 (1) In consultation with eligible community and technical colleges,
21 the college board shall set priorities and guidelines for the program.

22 (2) Under this section, a college shall not receive more than four
23 faculty grants in twenty-five thousand dollar increments, with a
24 maximum total of one hundred thousand dollars per campus in any
25 biennium.

26 (3) All community and technical colleges and foundations shall be
27 eligible for matching trust funds. Institutions and foundations may
28 apply to the college board for grants from the fund in twenty-five
29 thousand dollar increments up to a maximum of one hundred thousand
30 dollars when they can match the state funds with equal cash donations
31 from private sources, except that in the initial year of the program,
32 no college or foundation may receive more than one grant until every
33 college or its foundation has received one grant. These donations
34 shall be made specifically to the exceptional faculty awards program
35 and deposited by the institution or foundation in a local endowment
36 fund or a foundation's fund. Otherwise unrestricted gifts may be
37 deposited in the endowment fund by the institution or foundation.

1 (4) Once sufficient private donations are received by the
2 institution or foundation, the institution shall inform the college
3 board and request state matching funds. The college board shall
4 evaluate the request for state matching funds based on program
5 priorities and guidelines. The college board may ask the state
6 treasurer to release the state matching funds to a local endowment fund
7 established by the institution or a foundation's fund established by a
8 foundation for each faculty award created.

9 (5) A college, by action of its board of trustees, may transfer
10 those exceptional faculty award funds accumulated in its local
11 endowment fund between July 1, 1991, and July 25, 1993, to its
12 foundation's local endowment fund established as provided in subsection
13 (3) of this section.

14 **Sec. 4.** RCW 28A.600.110 and 1988 c 210 s 4 are each amended to
15 read as follows:

16 There is established by the legislature of the state of Washington
17 the Washington state scholars program. The purposes of this program
18 annually are to:

19 (1) Provide for the selection of three seniors residing in each
20 legislative district in the state graduating from high schools ((~~in~~
21 ~~each legislative district~~)) who have distinguished themselves
22 academically among their peers.

23 (2) Maximize public awareness of the academic achievement,
24 leadership ability, and community contribution of Washington state
25 public and private high school seniors through appropriate recognition
26 ceremonies and events at both the local and state level.

27 (3) Provide a listing of the Washington scholars to all Washington
28 state public and private colleges and universities to facilitate
29 communication regarding academic programs and scholarship availability.

30 (4) Make available a state level mechanism for utilization of
31 private funds for scholarship awards to outstanding high school
32 seniors.

33 (5) Provide, on written request and with student permission, a
34 listing of the Washington scholars to private scholarship selection
35 committees for notification of scholarship availability.

36 (6) Permit a waiver of tuition and services and activities fees as
37 provided for in RCW 28B.15.543 and grants under RCW 28B.80.245.

1 NEW SECTION. **Sec. 5.** Unless the context clearly requires
2 otherwise, the definitions in this section apply throughout this
3 section and sections 6 and 7 of this act.

4 (1) "Eligible student" means an enlisted member or an officer of
5 the rank of captain or below in the Washington national guard who is a
6 resident student as defined in RCW 28B.15.012 and 28B.15.013, who
7 attends an institution of higher education that is located in this
8 state and accredited by the Northwest Association of Schools and
9 Colleges, and who meets any additional selection criteria adopted by
10 the office.

11 (2) "Conditional scholarship" means a loan that is forgiven in
12 whole or in part if the recipient renders service as a member of the
13 Washington national guard under rules adopted by the office.

14 (3) "Forgiven" or "to forgive" or "forgiveness" means either to
15 render service in the Washington national guard in lieu of monetary
16 repayment, or to be relieved of the service obligation under rules
17 adopted by the office.

18 (4) "Office" means the office of the adjutant general of the state
19 military department.

20 (5) "Participant" means an eligible student who has received a
21 conditional scholarship under this chapter.

22 (6) "Service obligation" means serving in the Washington national
23 guard for one additional year for each year of conditional scholarship
24 received under this program.

25 NEW SECTION. **Sec. 6.** The Washington state national guard
26 conditional scholarship program is established. The program shall be
27 administered by the office. In administering the program, the powers
28 and duties of the office shall include, but need not be limited to:

29 (1) The selection of eligible students to receive conditional
30 scholarships;

31 (2) The award of conditional scholarships funded by federal and
32 state funds, private donations, or repayments from any participant who
33 does not complete the participant's service obligation. Use of state
34 funds is subject to available funds. The annual amount of each
35 conditional scholarship may vary, but shall not exceed the annual cost
36 of undergraduate tuition fees and services and activities fees at the
37 University of Washington, plus an allowance for books and supplies;

38 (3) The adoption of necessary rules and guidelines;

1 (4) The adoption of participant selection criteria. The criteria
2 may include but need not be limited to requirements for: Satisfactory
3 progress, minimum grade point averages, enrollment in courses or
4 programs that lead to a baccalaureate degree or an associate degree or
5 a certificate, and satisfactory participation as a member of the
6 Washington national guard;

7 (5) The notification of participants of their additional service
8 obligation or required repayment of the conditional scholarship; and

9 (6) The collection of repayments from participants who do not meet
10 the eligibility criteria or service obligations.

11 NEW SECTION. **Sec. 7.** (1) Participants in the conditional
12 scholarship program incur an obligation to repay the conditional
13 scholarship, with interest, unless they serve in the Washington
14 national guard for one additional year for each year of conditional
15 scholarship received, under rules adopted by the office.

16 (2) The entire principal and interest of each yearly repayment
17 shall be forgiven for each additional year in which a participant
18 serves in the Washington national guard, under rules adopted by the
19 office.

20 (3) If a participant elects to repay the conditional scholarship,
21 the period of repayment shall be four years, with payments accruing
22 quarterly commencing nine months from the date that the participant
23 leaves the Washington national guard or withdraws from the institution
24 of higher education, whichever comes first. The interest rate on the
25 repayments shall be eight percent per year. Provisions for deferral
26 and forgiveness shall be determined by the office.

27 (4) The office is responsible for collection of repayments made
28 under this section. The office shall exercise due diligence in such
29 collection, maintaining all necessary records to ensure that maximum
30 repayments are made. Collection and servicing of repayments under this
31 section shall be pursued using the full extent of law, including wage
32 garnishment if necessary. The office is responsible to forgive all or
33 parts of such repayments under the criteria established in this
34 section, and shall maintain all necessary records of forgiven payments.
35 The office may contract with the higher education coordinating board
36 for collection of repayments under this section.

37 (5) Receipts from the payment of principal or interest paid by or
38 on behalf of participants shall be deposited with the office and shall

1 be used to cover the costs of granting the conditional scholarships,
2 maintaining necessary records, and making collections under subsection
3 (4) of this section. The office shall maintain accurate records of
4 these costs, and all receipts beyond those necessary to pay such costs
5 shall be used to grant conditional scholarships to eligible students.

6 NEW SECTION. **Sec. 8.** Sections 5 through 7 of this act shall
7 constitute a new chapter in Title 28B RCW.

Passed the House March 9, 1994.

Passed the Senate March 9, 1994.

Approved by the Governor April 1, 1994.

Filed in Office of Secretary of State April 1, 1994.