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

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

Approved April 1, 1994

FILED

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

MIKE LOWRY
Governor of the State of Washington

SECRETARY OF STATE
State of Washington
AN ACT Relating to higher education; amending RCW 28B.15.725, 28B.50.839, and 28A.600.110; amending 1989 c 290 s 1 (uncodified); and adding a new chapter to Title 28B RCW.

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

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

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

(1) In any given academic year, the number of students receiving a waiver at a state institution shall not exceed the number of that institution’s students receiving nonresident tuition waivers at participating out-of-state institutions. Waiver imbalances that may occur in one year shall be off-set in the year immediately following.
(2) Undergraduate (upper division) student participation in an exchange program authorized by this section is limited to one academic year.

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

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

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

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

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

(3) All community and technical colleges and foundations shall be eligible for matching trust funds. Institutions and foundations may apply to the college board for grants from the fund in twenty-five thousand dollar increments up to a maximum of one hundred thousand dollars when they can match the state funds with equal cash donations from private sources, except that in the initial year of the program, no college or foundation may receive more than one grant until every college or its foundation has received one grant. These donations shall be made specifically to the exceptional faculty awards program and deposited by the institution or foundation in a local endowment fund or a foundation’s fund. Otherwise unrestricted gifts may be deposited in the endowment fund by the institution or foundation.
Once sufficient private donations are received by the institution or foundation, the institution shall inform the college board and request state matching funds. The college board shall evaluate the request for state matching funds based on program priorities and guidelines. The college board may ask the state treasurer to release the state matching funds to a local endowment fund established by the institution or a foundation’s fund established by a foundation for each faculty award created.

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

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

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

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

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

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

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

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

(6) Permit a waiver of tuition and services and activities fees as provided for in RCW 28B.15.543 and grants under RCW 28B.80.245.
NEW SECTION. Sec. 5. Unless the context clearly requires otherwise, the definitions in this section apply throughout this section and sections 6 and 7 of this act.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(5) Receipts from the payment of principal or interest paid by or on behalf of participants shall be deposited with the office and shall
be used to cover the costs of granting the conditional scholarships, maintaining necessary records, and making collections under subsection (4) of this section. The office shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to grant conditional scholarships to eligible students.

NEW SECTION. Sec. 8. Sections 5 through 7 of this act shall 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.