

HOUSE BILL REPORT

HB 2548

As Reported by House Committee On:
College & Workforce Development

Title: An act relating to the tribally controlled colleges and universities in the state of Washington.

Brief Description: Concerning tribally controlled colleges and universities.

Sponsors: Representatives Lekanoff, Shewmake, Ramel, Leavitt, Davis, Pollet and Santos.

Brief History:

Committee Activity:

College & Workforce Development: 1/28/20, 2/5/20 [DPS].

Brief Summary of Substitute Bill

- Requires the Washington Student Achievement Council (WSAC) to provide payments to a tribally controlled college or university (TCU) for each full-time equivalent (FTE) nonbeneficiary student enrolled.
- Requires the Legislature to appropriate funding for the nonbeneficiary FTE payments to the TCU.
- Requires the WSAC to enter into a state-tribal compact with a TCU in order to facilitate payments and data sharing.

HOUSE COMMITTEE ON COLLEGE & WORKFORCE DEVELOPMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Hansen, Chair; Entenman, Vice Chair; Leavitt, Vice Chair; Van Werven, Ranking Minority Member; Gildon, Assistant Ranking Minority Member; Graham, Assistant Ranking Minority Member; Bergquist, Mead, Paul, Pollet, Ramos, Rude, Sells, Slatter and Young.

Minority Report: Do not pass. Signed by 1 member: Representative Kraft.

Minority Report: Without recommendation. Signed by 1 member: Representative Sutherland.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Staff: Megan Mulvihill (786-7304).

Background:

The Northwest Indian College (NWIC) is the only regionally accredited tribal college serving Washington, Oregon, and Idaho. The main campus is located on the Lummi Indian Reservation in Washington, with six extended campus sites located at Muckleshoot, Nisqually, Port Gamble S'Klallam, Swinomish, Tulalip, and Nez Perce in Idaho. The NWIC offers certificates, associate degree programs, and four bachelor degree programs, with specializations considered high-need to tribal communities. The NWIC's primary focus is on recruiting Native American and First Nations students, but follows an "open doors" admission policy. Anyone 18 years of age or older with a high school diploma or a high school equivalency diploma may enroll. According to the Integrated Postsecondary Education Data System, fall 2018 enrollment at the NWIC was 535 students, with 84 percent of students identifying as American Indian or Alaska Native.

The Tribally Controlled Colleges and Universities Act (TCU Act) of 1978 established federal funding to tribally controlled colleges or universities (TCU) to aid in the postsecondary education of Indian students. Under the TCU Act, grants are authorized up to \$8,000 per enrolled full-time equivalent Indian student, also referred to as beneficiary students, and paid to the TCU as institutional support for each academic year.

Summary of Substitute Bill:

The Washington Student Achievement Council (WSAC) must provide payments to a tribally controlled college or university (TCU) for each full-time equivalent (FTE) nonbeneficiary student. A nonbeneficiary student is a resident student who is enrolled at a TCU and charged resident tuition rates, but is not an enrolled member of a federally recognized Indian tribe nor a biological child of a living or deceased member of an Indian tribe. The payments must be distributed during each year of the biennium and must be at least equivalent to the most recent per beneficiary payment provided in accordance with the TCU Act. The Legislature is required to appropriate funding for the payments, and allocations must be based on the number of estimated FTE nonbeneficiary students enrolled at the TCU.

The WSAC must enter into a state-tribal compact with the TCU in order to facilitate payments and data sharing. The TCU must provide the WSAC with an annual report consisting of the following:

- the number of FTE nonbeneficiary students for whom the TCU is entitled payment;
- documentation of the enrollment status of each student for whom payment is sought;
- evidence that the college's enrollment of Indian students is at least 51 percent;
- the graduation rate for all students, including the rate for beneficiary and nonbeneficiary students;
- the ratio between the amount of funding received by the TCU from the state and the TCU's annual operating budget; and
- a copy of the TCU's latest financial audit report.

If the TCU fails to provide the annual report, the TCU is ineligible to receive future payments until it submits the required information.

Substitute Bill Compared to Original Bill:

The substitute bill modified the definition of "nonbeneficiary student" to add that the student must be charged resident tuition rates.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The NWIC is uniquely located and has six satellite campuses in the Pacific Northwest. It is one of 37 tribal colleges nationwide, and the only regionally accredited one. It brings together native and nonnative youth. Seventy percent of the students are female, 30 percent are male, and 85 percent are Pell eligible. The college intertwines culture and teachings, and is a small college that is making a difference in Washington. This bill provides the same kind of funding that the college gets for native students under the TCU Act. The NWIC does not receive any funding for nonbeneficiary students. This would provide critical funding to help hire and recruit trained faculty and staff while supporting nonbeneficiary students who are Washington citizens.

(Opposed) None.

Persons Testifying: Representative Lekanoff, prime sponsor; and Justin Guillory, Northwest Indian College.

Persons Signed In To Testify But Not Testifying: None.