

Chapter 28B.108 RCW
AMERICAN INDIAN ENDOWED SCHOLARSHIP PROGRAM

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RCW 28B.108.005 Findings. The legislature recognizes the benefit to our state and nation of providing equal educational opportunities for all races and nationalities. The legislature finds that American Indian students are underrepresented in Washington's colleges and universities. The legislature also finds that past discriminatory practices have resulted in this underrepresentation. Creating an endowed scholarship program to help American Indian students obtain a higher education will help to rectify past discrimination by providing a means and an incentive for American Indian students to pursue a higher education. The state will benefit from contributions made by American Indians who participate in a program of higher education. [1990 c 287 s 1.]

RCW 28B.108.010 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) "Eligible student" or "student" means an American Indian who is a student who demonstrates financial need, as defined in RCW 28B.92.030, who is a resident student, as defined by RCW 28B.15.012(2), who is a full-time student at an institution of higher education, and who promises to use his or her education to benefit other American Indians.

(2) "Institution of higher education" or "institution" means a college or university in the state of Washington which is accredited by an accrediting association recognized as such by rule of the council for higher education.

(3) "Office" means the office of student financial assistance. [2019 c 406 s 34. Prior: 2011 1st sp.s. c 11 s 191; 2004 c 275 s 69; 1991 c 228 s 10; 1990 c 287 s 2.]

Findings—Intent—2019 c 406: See note following RCW 43.79.195.

Findings—Short title—2019 c 406: See notes following RCW 28B.92.200.

Findings—2019 c 406: See note following RCW 28B.94.020.

Findings—Intent—2019 c 406: See note following RCW 28C.30.050.

Findings—Intent—2019 c 406: See note following RCW 43.216.135.

Effective date—2011 1st sp.s. c 11 ss 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

Part headings not law—2004 c 275: See note following RCW 28B.76.090.

RCW 28B.108.020 Program created—Duties of the office of student financial assistance—Screening committee. (1) The American Indian endowed scholarship program is created. The program shall be administered by the office. In administering the program, the office's powers and duties shall include but not be limited to:

(a) Selecting students to receive scholarships, with the assistance of a screening committee composed of persons involved in helping American Indian students to obtain a higher education. The 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;

(b) Publicizing the program;

(c) Accepting and depositing donations into the endowment fund created in RCW 28B.108.060;

(d) Requesting from the state investment board and accepting from the state treasurer moneys earned from the endowment fund created in RCW 28B.108.060;

(e) Soliciting and accepting grants and donations from public and private sources for the program; and

(f) Naming scholarships in honor of those American Indians from Washington who have acted as role models.

(2) The student achievement council shall adopt necessary rules and guidelines for the American Indian endowed scholarship program. [2012 c 229 s 608; 2011 1st sp.s. c 11 s 192; 2009 c 259 s 1; 1990 c 287 s 3.]

Effective date—2012 c 229 ss 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904: See note following RCW 28B.77.005.

Effective date—2011 1st sp.s. c 11 ss 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

RCW 28B.108.030 Advisory committee. The office shall establish an advisory committee to assist in program design and to develop criteria for the screening and selection of scholarship recipients. The committee shall be composed of representatives of the same groups as the screening committee described in RCW 28B.108.020. The criteria shall assess the student's social and cultural ties to an American Indian community within the state. The criteria shall include a priority for upper-division or graduate students. The criteria may include a priority for students who are majoring in program areas in

which expertise is needed by the state's American Indians. [2011 1st sp.s. c 11 s 193; 1991 c 228 s 11; 1990 c 287 s 4.]

Effective date—2011 1st sp.s. c 11 ss 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

RCW 28B.108.040 Award of scholarships—Amount—Duration. The office may award scholarships to eligible students from moneys earned from the endowment fund created in RCW 28B.108.060, or from funds appropriated to the council for this purpose, or from any private donations, or from any other funds given to the council for this program. For an undergraduate student, the amount of the scholarship shall not exceed the student's demonstrated financial need. For a graduate student, the amount of the scholarship shall not exceed the student's demonstrated need; or the stipend of a teaching assistant, including tuition, at the University of Washington; whichever is higher. In calculating a student's need, the office shall consider the student's costs for tuition, fees, books, supplies, transportation, room, board, personal expenses, and child care. The student's scholarship awarded under this chapter shall not exceed the amount received by a student attending a state research university. A student is eligible to receive a scholarship for a maximum of five years. However, the length of the scholarship shall be determined at the discretion of the office. [2012 c 229 s 564; 1990 c 287 s 5.]

Effective date—2012 c 229 ss 101, 117, 401, 402, 501 through 594, 601 through 609, 701 through 708, 801 through 821, 902, and 904: See note following RCW 28B.77.005.

RCW 28B.108.060 Scholarship endowment fund. The American Indian scholarship endowment fund is created in the custody of the state treasurer. Funds appropriated by the legislature for the endowment fund must be deposited into the fund.

(1) Moneys received from the office, private donations, state moneys, and funds received from any other source may be deposited into the endowment fund. Private moneys received as a gift subject to conditions may be deposited into the fund. The investment of private moneys in the fund shall be managed by the state investment board.

(2) At the request of the office, the state investment board shall release earnings from the private moneys invested by it to the state treasurer.

(3) When a condition attached to a gift of private moneys in the fund has failed, the office shall then release the moneys to the donors according to the terms of the conditional gift.

(4) The principal of the endowment fund shall not be invaded. The release of moneys under subsection (3) of this section shall not constitute an invasion of corpus.

(5) The earnings on the fund shall be used solely for the purposes set forth in RCW 28B.108.040, except when the terms of a conditional gift of private moneys in the fund require that a portion of earnings on such moneys be reinvested in the fund. An appropriation is not required for expenditures from the endowment fund. [2012 c 187

s 3; (2012 c 187 s 2 expired July 1, 2012); 2011 1st sp.s. c 11 s 194; 2009 c 259 s 2; 2007 c 73 s 2; 1993 c 372 s 1; 1991 sp.s. c 13 s 110; 1990 c 287 s 7.]

Effective date—2012 c 187 ss 3 and 5: "Sections 3 and 5 of this act take effect July 1, 2012." [2012 c 187 s 19.]

Expiration date—2012 c 187 ss 2 and 4: "Sections 2 and 4 of this act expire July 1, 2012." [2012 c 187 s 18.]

Effective date—2011 1st sp.s. c 11 ss 101-103, 106-202, 204-244, and 301: See note following RCW 28B.76.020.

Intent—2011 1st sp.s. c 11: See note following RCW 28B.76.020.

Effective dates—Severability—1991 sp.s. c 13: See notes following RCW 18.08.240.