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**SUBSTITUTE HOUSE BILL 1424**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** House Committee on Higher Education (originally sponsored by Representatives Franklin, Wineberry, Jacobsen, Cole, Heavey, Paris, Ogden, Moyer, Zellinsky, Nelson, Ferguson, Edmondson, Wood, Wynne, R. Meyers, Locke, Dellwo, R. Fisher, Van Luven, O'Brien, Betrozoff and Anderson).

Read first time February 21, 1991.

1       AN ACT Relating to the African American endowed scholarship  
2 program; and adding a new chapter to Title 28B RCW.

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

4       NEW SECTION.   **Sec. 1.**       The legislature recognizes the benefit  
5 to our state and nation of providing equal educational opportunities  
6 for all races and nationalities. The legislature finds that African  
7 American students are underrepresented in Washington's colleges and  
8 universities. The legislature also finds that past discriminatory  
9 practices have resulted in this underrepresentation. Creating an  
10 endowed scholarship program to help African American students obtain a  
11 higher education will help to rectify past discrimination by providing  
12 a means and an incentive for African American students to pursue a  
13 higher education. The state will benefit from contributions made by  
14 African Americans who participate in a program of higher education.

1        NEW SECTION.    **Sec. 2.**        Unless the context clearly requires  
2 otherwise, the definitions in this section apply throughout this  
3 chapter.

4        (1) "Institution of higher education" or "institution" means a  
5 college or university in the state of Washington which is accredited by  
6 an accrediting association recognized as such by rule of the higher  
7 education coordinating board.

8        (2) "Board" means the higher education coordinating board.

9        (3) "Eligible student" or "student" means an African American who  
10 is a financially needy student, as defined in RCW 28B.10.802, who is a  
11 resident student, as defined by RCW 28B.15.012(2), who is a full-time  
12 student at an institution of higher education, and who promises to use  
13 his or her education to benefit other African Americans.

14       NEW SECTION.    **Sec. 3.**        The African American endowed scholarship  
15 program is created. The program shall be administered by the board.  
16 In administering the program, the board's powers and duties shall  
17 include but not be limited to:

18        (1) Selecting students to receive scholarships, with the assistance  
19 of a screening committee composed of persons involved in helping  
20 African American students obtain a higher education;

21        (2) Adopting necessary rules and guidelines;

22        (3) Publicizing the program;

23        (4) Accepting and depositing donations into the endowment fund  
24 created in section 7 of this act;

25        (5) Requesting and accepting from the state treasurer moneys earned  
26 from the trust fund and the endowment fund created in sections 6 and 7  
27 of this act;

28        (6) Soliciting and accepting grants and donations from public and  
29 private sources for the program; and

1 (7) Naming scholarships in honor of African Americans who have  
2 acted as role models.

3 NEW SECTION. **Sec. 4.** The board shall establish an advisory  
4 committee to assist in program design and to develop criteria for the  
5 screening and selection of scholarship recipients. The committee shall  
6 be composed of persons involved in helping African American students  
7 obtain higher education. The criteria shall assess the student's  
8 social and cultural ties to the African American community within the  
9 state. The criteria shall include a priority for upper-division or  
10 graduate students. The criteria may include a priority for students  
11 who are majoring in program areas in which expertise is needed by the  
12 state's African Americans.

13 NEW SECTION. **Sec. 5.** The board may award scholarships to  
14 eligible students from moneys earned from the endowment fund created in  
15 section 7 of this act, or from funds appropriated to the board for this  
16 purpose, or from any private donations, or from any other funds given  
17 to the board for this program. For an undergraduate student, the  
18 amount of the scholarship shall not exceed the student's demonstrated  
19 financial need. For a graduate student, the amount of the scholarship  
20 shall not exceed the student's demonstrated need or the stipend of a  
21 teaching assistant, including tuition, at the University of Washington,  
22 whichever is higher. In calculating a student's need, the board shall  
23 consider the student's costs for tuition, fees, books, supplies,  
24 transportation, room, board, personal expenses, and child care. The  
25 student's scholarship awarded under this chapter shall not exceed the  
26 amount received by a student attending a state research university. A  
27 student is eligible to receive a scholarship for a maximum of five

1 years. However, the length of the scholarship shall be determined at  
2 the discretion of the board.

3 NEW SECTION. **Sec. 6.** The African American endowed scholarship  
4 trust fund is established. The trust fund shall be administered by the  
5 state treasurer. Funds appropriated by the legislature for the trust  
6 fund shall be deposited into the fund. All moneys deposited in the  
7 fund shall be invested by the state treasurer. Notwithstanding RCW  
8 43.84.090, all earnings of investments of balances of the trust fund  
9 shall be credited to the fund. At the request of the board, and when  
10 conditions set forth in section 8 of this act are met, the treasurer  
11 shall transfer state matching moneys and any earned interest from the  
12 trust fund to the African American scholarship endowment fund. No  
13 appropriation is required for expenditures from the trust fund.

14 NEW SECTION. **Sec. 7.** The African American scholarship  
15 endowment fund is established. The endowment fund shall be  
16 administered by the state treasurer. Moneys received from the board,  
17 private donations, state matching moneys and any earned interest, and  
18 funds received from any other source may be deposited into the  
19 endowment fund. All moneys deposited in the endowment fund shall be  
20 invested by the state treasurer. Notwithstanding RCW 43.84.090, all  
21 earnings of investments of balances of the endowment fund shall be  
22 credited to the endowment fund. At the request of the board, the  
23 treasurer shall release earnings from the endowment fund to the board  
24 for scholarships. No appropriation is required for expenditures from  
25 the endowment fund.

26 The principal of the endowment fund shall not be invaded. The  
27 earnings on the fund shall be used solely for the purposes set forth in  
28 section 5 of this act.

1        NEW SECTION.    **Sec. 8.**        The board may request that the treasurer  
2 deposit fifty thousand dollars of state matching funds and any earned  
3 interest into the African American scholarship endowment fund when the  
4 board can match the state funds with an equal amount of private cash  
5 donations. Private cash donations means moneys from nonstate sources  
6 that include, but are not limited to, federal moneys, and assessments  
7 by commodity commissions authorized to conduct research activities,  
8 including but not limited to research studies authorized under RCW  
9 15.66.030 and 15.65.040.

10       NEW SECTION.    **Sec. 9.**        Sections 1 through 8 of this act shall  
11 constitute a new chapter in Title 28B RCW.