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**SUBSTITUTE HOUSE BILL 1976**

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**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** House Committee on Higher Education (originally sponsored by Representatives Ebersole, Wang, Jacobsen, Ludwig, Franklin, Holland, Leonard and Anderson).

Read first time March 6, 1991.

1            AN ACT Relating to educational opportunities for minority criminal  
2 justice professionals; adding a new chapter to Title 28B RCW; and  
3 making appropriations.

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

5            NEW SECTION.    **Sec. 1.**            The legislature finds that although  
6 racial and ethnic minorities comprise approximately twelve percent of  
7 the total state population, their representation in criminal justice  
8 professions in the state is only seventy percent of that number, or  
9 approximately eight and one-half percent of all persons employed in  
10 criminal justice professions in the state. The legislature finds that  
11 this underrepresentation is the result of past discrimination in public  
12 employment that is not yet rectified, and that requires a remedy.

13            The legislature finds that creating a conditional student loan  
14 program to help minorities obtain access to education is essential to  
15 their employment in criminal justice professions and that providing

1 incentives for minority graduates to embark upon criminal justice  
2 professions will improve the quality of the criminal justice system and  
3 increase the respect in which the program is held by all citizens.

4 It is therefore the purpose of this chapter to: (1) Provide  
5 substantial loan assistance to minority individuals to ensure their  
6 access to the educational prerequisites of criminal justice  
7 professions; (2) provide criminal justice agencies with trained  
8 minority professionals of the quality and quantity required by public  
9 policy; and (3) encourage service in jurisdictions within the state  
10 where minorities are substantially underrepresented in criminal justice  
11 professions.

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

15 (1) "Conditional scholarship" means a loan that is forgiven in  
16 whole or in part if the recipient renders service as a criminal justice  
17 professional in this state.

18 (2) "Criminal justice profession" means an occupation primarily  
19 involved in enforcement of criminal laws, including but not limited to  
20 (a) prosecutors, (b) public defenders, (c) commissioned law enforcement  
21 personnel, and (d) criminal justice administrators.

22 (3) "Institution of higher education" or "institution" means a  
23 college or university in the state of Washington that is accredited by  
24 an accrediting association recognized by rule of the higher education  
25 coordinating board.

26 (4) "Board" means the higher education coordinating board.

27 (5) "Eligible student" means a student, who is an ethnic minority,  
28 is financially needy as defined in RCW 28B.10.802, who is registered  
29 for at least ten credit hours or the equivalent, is a resident student

1 as defined by RCW 28B.15.012 through 28B.15.015, and has a declared  
2 intention to complete an approved program leading to service in a  
3 criminal justice profession.

4 (6) "Forgiven" or "to forgive" or "forgiveness" means to render  
5 service as a criminal justice professional in the state of Washington  
6 in lieu of monetary repayment.

7 (7) "Ethnic minority" means an individual of African-American,  
8 Asian, Hispanic, or American Indian descent.

9 (8) "Satisfied" means paid-in-full.

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

12 NEW SECTION. **Sec. 3.** The conditional scholarship program for  
13 minorities entering the criminal justice profession is established.  
14 The program is administered by the board. In administering the  
15 program, the board has the following powers and duties:

16 (1) Select students to receive conditional scholarships, with the  
17 assistance of a screening committee composed of criminal justice  
18 professionals, leaders in bar associations, members of criminal justice  
19 groups, and representatives from law enforcement;

20 (2) Adopt necessary rules and guidelines;

21 (3) Publicize the program;

22 (4) Collect and manage repayments from students who do not meet  
23 their obligation to serve in a criminal justice profession under this  
24 chapter; and

25 (5) Solicit and accept grants and donations from public and private  
26 sources for the program.

27 NEW SECTION. **Sec. 4.** The board shall establish a planning  
28 committee to develop criteria for the screening and selection of

1 recipients of the conditional scholarships. The committee shall be  
2 composed of representatives of the same groups as the screening  
3 committee described in section 3 of this act. The criteria shall assess  
4 the student's social and cultural ties to one of the ethnic minority  
5 groups identified in section 2 of this act and the ability of the  
6 student to act as a role model for ethnic minority children.

7 NEW SECTION. **Sec. 5.** The board may award conditional  
8 scholarships to eligible students from the funds appropriated to the  
9 board for this purpose, or from private donations, or other funds given  
10 to the board for this program. The amount of the conditional  
11 scholarship awarded an individual shall not exceed four thousand  
12 dollars per academic year for undergraduate students or eight thousand  
13 dollars per year for graduate students. The maximum amount a student  
14 may receive under this program is twenty-four thousand dollars.

15 NEW SECTION. **Sec. 6.** (1) Participants in the conditional  
16 scholarship program incur an obligation to repay the conditional  
17 scholarship, with interest, unless they are employed, on a full-time  
18 basis, in a criminal justice profession, for a period of not less than  
19 two years for each year of scholarship assistance received.

20 (2) The terms of the repayment, including deferral of the interest,  
21 are consistent with the terms of the federal guaranteed student loan  
22 program.

23 (3) The period for repayment is five years, with payments accruing  
24 quarterly commencing nine months from the date the participant  
25 completes or discontinues the course of study.

26 (4) The entire principal and interest of each payment are forgiven  
27 for each payment period the participant is employed on a full-time  
28 basis in a criminal justice profession until the entire repayment

1 obligation is satisfied or the borrower ceases to so serve. Should the  
2 participant cease to be employed in a criminal justice profession  
3 before the participant's repayment obligation is completed, payments on  
4 the unsatisfied portion of the principal and interest shall begin the  
5 next payment period and continue until the remainder of the  
6 participant's repayment obligation is satisfied.

7 (5) The board is responsible for collection of repayments made  
8 under this section and shall exercise due diligence in collection,  
9 maintaining all necessary records to ensure that maximum repayments are  
10 made. Collection and servicing of repayments under this section are  
11 pursued using the full extent of the law, including wage garnishment if  
12 necessary, and are performed by entities approved for servicing by the  
13 Washington student loan guaranty association or its successor agency.  
14 The board is responsible to forgive all or parts of repayments under  
15 the criteria established in this section and shall maintain all  
16 necessary records of forgiven payments.

17 (6) Receipts from the payment of principal or interest or other  
18 subsidies to which the board as administrator is entitled, that are  
19 paid by or on behalf of participants under this section, are deposited  
20 with the board and used to cover the costs of granting the conditional  
21 scholarships, maintaining necessary records, and making collections  
22 under subsection (5) of this section. The board shall maintain  
23 accurate records of these costs, and all receipts beyond those  
24 necessary to pay the costs are used to grant conditional scholarships  
25 to eligible students.

26 NEW SECTION. **Sec. 7.** After consulting with the board, the  
27 governor may transfer the administration of this program to another  
28 agency with an appropriate educational mission.

1        NEW SECTION.    **Sec. 8.**        The minority criminal justice education  
2 endowment fund is established. Moneys received from the board, private  
3 donations, and funds received from another source are deposited into  
4 the endowment fund. All moneys deposited in the endowment fund are  
5 invested by the state treasurer. Notwithstanding RCW 43.84.090, all  
6 earnings from investments of balances of the endowment fund are  
7 credited to the endowment fund. At the request of the board, the  
8 treasurer shall release earnings from the endowment fund to the board  
9 for loans pursuant to the program. No appropriation is required for  
10 expenditures from the endowment fund. The principal of the endowment  
11 fund shall not be invaded. The earnings of the fund are used solely  
12 for loans authorized under this chapter.

13        NEW SECTION.    **Sec. 9.**        No conditional scholarships shall be  
14 granted after June 30, 1997, until the program is reviewed by the  
15 legislative budget committee and is reenacted by the legislature.

16        NEW SECTION.    **Sec. 10.**        (1) The sum of two million dollars, or  
17 as much thereof as may be necessary, is appropriated for the biennium  
18 ending June 30, 1993, from the general fund to the higher education  
19 coordinating board for the purpose of the minority criminal justice  
20 education endowment fund.

21        (2) The sum of one hundred thousand dollars, or as much thereof as  
22 may be necessary, is appropriated for the biennium ending June 30,  
23 1993, from the general fund to the higher education coordinating board  
24 for the purpose of expenditures by the board for loans authorized by  
25 this act in the first year following enactment.

26        (3) The sum of forty-one thousand five hundred forty-eight dollars,  
27 or as much thereof as may be necessary, is appropriated for the  
28 biennium ending June 30, 1993, from the general fund to the higher

1 education coordinating board for the purposes of administration  
2 expenditures by the board authorized by this act.

3 NEW SECTION. **Sec. 11.** If any provision of this act or its  
4 application to any person or circumstance is held invalid, the  
5 remainder of the act or the application of the provision to other  
6 persons or circumstances is not affected.

7 NEW SECTION. **Sec. 12.** Sections 1 through 9 of this act shall  
8 constitute a new chapter in Title 28B RCW.