
SENATE BILL 5040

State of Washington 60th Legislature 2007 Regular Session

By Senators Eide, Franklin, Fairley, Shin, Rockefeller, Weinstein, Marr, Oemig, Hobbs, Haugen, Kilmer, Murray, Keiser, Rasmussen, Jacobsen, Kauffman and Kohl-Welles

Read first time 01/08/2007. Referred to Committee on Higher Education.

1 AN ACT Relating to the creation of a survivors' endowed scholarship
2 program; amending RCW 28B.76.540; and adding a new chapter to Title 28B
3 RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature intends to honor those who
6 lost their lives in service-connected activities while engaged in
7 military service in combat zones. The legislature further intends to
8 assist the families of such veterans by providing an endowed
9 scholarship for postsecondary education to the veterans' surviving
10 children and spouses.

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

- 14 (1) "Board" means the higher education coordinating board.
15 (2) "Cost of attendance" means the cost associated with obtaining
16 a postsecondary education as determined by the board, which may
17 include, but is not limited to, tuition, room, board, and books, as
18 appropriate for each student.

1 (3) "Deceased military veteran" means a veteran or national guard
2 member who:

3 (a) Was a Washington state resident at the time he or she was
4 deployed to a combat zone and died as a result of that deployment; or

5 (b) Served on a military base in Washington state at the time he or
6 she was deployed to a combat zone and died as a result of that
7 deployment.

8 (4) "Eligible scholarship recipient" means a person who:

9 (a) Is a child of a deceased military veteran and who:

10 (i) Is between the ages of sixteen and twenty-six;

11 (ii) Was a resident of Washington state at the time of his or her
12 parent's deployment to a combat zone or death resulting from that
13 deployment;

14 (iii) Has graduated from high school or has successfully completed
15 his or her GED;

16 (iv) Is not pursuing a degree in theology; and

17 (v) Makes satisfactory progress towards the completion of a degree
18 or certificate program and maintains at least a 2.00 grade point
19 average; or

20 (b) Is a surviving spouse of a deceased military veteran and who:

21 (i) Was a Washington resident at the time of the spouse's
22 deployment to a combat zone or death resulting from that deployment;

23 (ii) Applies for the scholarship within ten years of the date of
24 the death of the veteran;

25 (iii) Has graduated from high school or has successfully completed
26 his or her GED;

27 (iv) Is not pursuing a degree in theology; and

28 (v) Makes satisfactory progress towards the completion of a degree
29 or certificate program and maintains at least a 2.00 grade point
30 average.

31 (5) "Postsecondary education" means:

32 (a) A degree program at a public or private college or university
33 in the state of Washington;

34 (b) A certificate program at a public or private college or
35 university or at a private vocational school licensed by the work force
36 training and education coordinating board;

37 (c) An apprenticeship approved by the Washington state
38 apprenticeship and training council.

1 NEW SECTION. **Sec. 3.** The survivors' endowed scholarship program
2 is created. The purpose of the program is to help the surviving
3 children and spouse of a deceased military veteran obtain a
4 postsecondary education in the state of Washington. The survivors'
5 endowed scholarship program shall be administered by the board. In
6 administering the program, the board's powers and duties shall include,
7 but not be limited to:

8 (1) Selecting students to receive scholarships, with the assistance
9 of a screening committee composed of persons involved in helping
10 survivors' students to obtain a higher education. The membership of
11 the committee may include, but is not limited to:

12 (a) One representative of the governor's office;

13 (b) Two representatives of institutions of higher education,
14 appointed by the governor;

15 (c) Two surviving spouses of deceased military veterans, appointed
16 by the governor; and

17 (d) One representative each, from the Washington national guard,
18 the Washington air national guard, and the Washington state guard,
19 appointed by the governor;

20 (2) Adopting necessary rules and guidelines;

21 (3) Administering the survivors' endowed scholarship trust fund and
22 the survivors' scholarship endowment fund;

23 (4) Publicizing the program;

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

26 (6) Requesting and accepting from the state investment board moneys
27 earned from the trust fund and the endowment fund created in sections
28 6 and 7 of this act; and

29 (7) Soliciting and accepting grants and donations from public and
30 private sources for the program.

31 NEW SECTION. **Sec. 4.** The higher education coordinating board
32 shall establish an advisory committee to assist in program design and
33 to develop criteria for the screening and selection of scholarship
34 recipients. The committee shall be composed of representatives of the
35 same groups as the screening committee described in section 3 of this
36 act.

1 NEW SECTION. **Sec. 5.** (1) The board may award scholarships to
2 eligible scholarship recipients from the survivors' scholarship
3 endowment fund in section 7 of this act, from funds appropriated to the
4 board for this purpose, from any private donations, or from any other
5 funds given to the board for the program.

6 (2) The board may award scholarships to eligible scholarship
7 recipients from moneys earned from the survivors' scholarship endowment
8 fund created in section 7 of this act, or from funds appropriated to
9 the board for this purpose, or from any private donations, or from any
10 other funds given to the board for this program. The amount of the
11 scholarship shall not exceed the student's demonstrated financial need.
12 In calculating a student's need, the board shall consider the costs for
13 tuition, fees, books, supplies, transportation, room, board, personal
14 expenses, and child care. The scholarship awarded under this chapter
15 shall not exceed the amount received by a student attending a state
16 research university. A student is eligible to receive a scholarship
17 for a maximum of four years. However, the length of the scholarship
18 shall be determined at the discretion of the board.

19 (3) Grants under this chapter shall not affect eligibility for the
20 state student financial aid program.

21 (4) The board may adopt rules to implement this chapter.

22 NEW SECTION. **Sec. 6.** (1) The survivors' endowed scholarship trust
23 fund is created in the custody of the state treasurer.

24 (2) Funds appropriated by the legislature for the survivors'
25 endowed scholarship trust fund shall be deposited in the survivors'
26 endowed scholarship trust fund. When conditions in section 8 of this
27 act are met, the board shall deposit state matching moneys from the
28 trust fund into the survivors' scholarship endowment fund.

29 (3) No appropriation is required for expenditures from the trust
30 fund.

31 NEW SECTION. **Sec. 7.** The survivors' scholarship endowment fund is
32 created in the custody of the state treasurer.

33 (1) Moneys received from the board, private donations, state
34 matching moneys, and funds received from any other source may be
35 deposited into the survivors' scholarship endowment fund. Private

1 moneys received as a gift subject to conditions may be deposited into
2 the endowment fund if the conditions do not violate state or federal
3 law.

4 (2) The board may disburse grants to eligible scholarship
5 recipients from the survivors' scholarship endowment fund. No
6 appropriation is required for expenditures from the endowment fund.

7 (3) When notified by court order that a condition attached to a
8 gift of private moneys from the survivors' scholarship endowment fund
9 has failed, the board shall release those moneys to the donors
10 according to the terms of the conditional gift.

11 (4) The principal of the survivors' scholarship endowment fund
12 shall not be invaded. For the purposes of this section, only the first
13 twenty-five thousand dollars deposited into the survivors' scholarship
14 endowment fund shall be considered the principal. The release of
15 moneys under subsection (3) of this section shall not constitute an
16 invasion of the corpus.

17 (5) The survivors' scholarship endowment fund shall be used solely
18 for the purposes in this chapter, except when the conditional gift of
19 private moneys in the endowment fund require a portion of the earnings
20 on such moneys be reinvested in the endowment fund.

21 NEW SECTION. **Sec. 8.** (1) The board may deposit twenty-five
22 thousand dollars of state matching funds into the survivors'
23 scholarship endowment fund when the board can match state funds with an
24 equal amount of private cash donations.

25 (2) After the initial match of twenty-five thousand dollars, state
26 matching funds from the survivors' endowed scholarship trust fund shall
27 be released to the survivors' scholarship endowment fund semiannually
28 so long as there are funds available in the survivors' endowed
29 scholarship trust fund.

30 **Sec. 9.** RCW 28B.76.540 and 2004 c 275 s 18 are each amended to
31 read as follows:

32 In addition to administrative responsibilities assigned in this
33 chapter, the board shall administer the programs set forth in the
34 following statutes: RCW 28A.600.100 through 28A.600.150 (Washington
35 scholars); chapter 28B.85 RCW (degree-granting institutions); chapter
36 28B.92 RCW (state need grant); chapter 28B.12 RCW (work study); RCW

1 28B.15.543 (tuition waivers for Washington scholars); RCW 28B.15.760
2 through 28B.15.766 (math and science loans); RCW 28B.15.100
3 (reciprocity agreement); RCW 28B.15.730 through 28B.15.736 (Oregon
4 reciprocity); RCW 28B.15.750 through 28B.15.754 (Idaho reciprocity);
5 RCW 28B.15.756 and 28B.15.758 (British Columbia reciprocity); chapter
6 28B.101 RCW (educational opportunity grant); chapter 28B.102 RCW
7 (future teachers conditional scholarship); chapter 28B.108 RCW
8 (American Indian endowed scholarship); chapter 28B.109 RCW (Washington
9 international exchange scholarship); chapter 28B.115 RCW (health
10 professional conditional scholarship); chapter 28B.119 RCW (Washington
11 promise scholarship); ~~((and))~~ chapter 28B.133 RCW (gaining independence
12 for students with dependents); and chapter 28B.-- RCW (sections 1
13 through 8 of this act) (survivors' endowed scholarship).

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

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