
SENATE BILL 5420

State of Washington

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2003 Regular Session

By Senators McAuliffe, Regala, Eide, Prentice, Franklin, B. Sheldon, Rasmussen, Kohl-Welles, Fairley, Fraser, Doumit, Shin, Jacobsen and Schmidt

Read first time 01/24/2003. Referred to Committee on Higher Education.

1 AN ACT Relating to a special education teachers' conditional
2 scholarship; 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.** INTENT--FINDINGS. The legislature finds
5 that encouraging outstanding students to enter the special education
6 teaching profession is of paramount importance to the state of
7 Washington. By creating the special education teachers' conditional
8 scholarship program, the legislature intends to assist in the effort to
9 recruit special education teachers students who have distinguished
10 themselves through outstanding academic achievement. The legislature
11 urges business, industry, and philanthropic community organizations to
12 join with state government in making this program successful.

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

16 (1) "Approved special education program" means a special education
17 program in the state of Washington for knowledge and skills generally

1 learned in preschool through twelfth grade. Approved special education
2 programs are:

3 (a) K-12 schools under Title 28A RCW; or

4 (b) An approved school under chapter 28A.195 RCW.

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

6 (3) "Conditional scholarship" means a loan that is forgiven in
7 whole or in part if the recipient renders service as a special
8 education teacher for five years in an approved education program in
9 this state.

10 (4) "Eligible student" means a student who is registered for at
11 least ten credit hours or the equivalent, demonstrates achievement of
12 at least a 3.30 grade point average for students entering an
13 institution of higher education directly from high school or maintains
14 at least a 3.00 grade point average or the equivalent for each academic
15 year in an institution of higher education, is a resident student as
16 defined by RCW 28B.15.012 and 28B.15.013, and has a declared intention
17 to complete an approved preparation program leading to initial special
18 education teacher certification or required for earning an additional
19 endorsement, or a college or university graduate who meets the same
20 credit hour requirements and is seeking an additional teaching
21 endorsement or initial teacher certification. Resident students
22 defined in RCW 28B.15.012(2)(f) are not eligible students under this
23 chapter.

24 (5) "Forgiven" or "to forgive" or "forgiveness" means to render
25 service as a special education teacher for five years in an approved
26 education program in the state of Washington in lieu of monetary
27 repayment.

28 (6) "Institution of higher education" or "institution" means a
29 college or university in the state of Washington that is accredited by
30 an accrediting association recognized as such by rule of the higher
31 education coordinating board.

32 (7) "Participant" means an eligible student who has received a
33 conditional scholarship under this chapter.

34 (8) "Public school" means an elementary school, a middle school,
35 junior high school, or high school within the public school system
36 referred to in Article IX of the state Constitution.

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

1 NEW SECTION. **Sec. 3.** PROGRAM CREATED--POWERS AND DUTIES OF BOARD.

2 The special education teachers conditional scholarship program is
3 established. The program shall be administered by the higher education
4 coordinating board. In administering the program, the board shall:

5 (1) Select students to receive conditional scholarships, with the
6 assistance of a screening committee composed of special education
7 teachers and leaders in government, business, and education;

8 (2) Adopt necessary rules and guidelines;

9 (3) Publicize the program;

10 (4) Collect and manage repayments from students who do not meet
11 their teaching obligations under this chapter; and

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

14 NEW SECTION. **Sec. 4.** PLANNING COMMITTEE--DEVELOPMENT OF CRITERIA
15 FOR SELECTING SCHOLARSHIP RECIPIENTS. The board shall establish a
16 planning committee to develop criteria for the screening and selection
17 of recipients of the conditional scholarships. These criteria also may
18 include, for approximately half of the recipients, requirements that
19 those recipients meet the definition of "needy student" under RCW
20 28B.10.802.

21 NEW SECTION. **Sec. 5.** WAIVERS OF GRADE POINT REQUIREMENTS. The
22 board may waive grade point requirements for an otherwise eligible
23 individual student under special circumstances.

24 NEW SECTION. **Sec. 6.** AWARD OF CONDITIONAL SCHOLARSHIPS. The
25 board may award conditional scholarships to eligible students from the
26 funds appropriated to the board for this purpose, or from any private
27 donations, or any other funds given to the board for this program. The
28 amount of the conditional scholarship awarded an individual shall not
29 exceed three thousand dollars per academic year. Students are eligible
30 to receive conditional scholarships for a maximum of five years.

31 NEW SECTION. **Sec. 7.** REPAYMENT OBLIGATION. (1) Participants in
32 the conditional scholarship program incur an obligation to repay the
33 conditional scholarship, with interest, unless they teach for five

1 years in an approved special education program, under rules adopted by
2 the board.

3 (2) The interest rate shall be eight percent for the first four
4 years of repayment and ten percent beginning with the fifth year of
5 repayment.

6 (3) The period for repayment shall be ten years, with payments of
7 principal and interest accruing quarterly commencing nine months from
8 the date the participant completes or discontinues the course of study.
9 Provisions for deferral of payment shall be determined by the board.

10 (4) The entire principal and interest of each payment shall be
11 forgiven for each payment period in which the participant teaches in an
12 approved special education program until the entire repayment
13 obligation is satisfied. Should the participant cease to teach in an
14 approved special education program in this state before the
15 participant's repayment obligation is completed, payments on the
16 unsatisfied portion of the principal and interest shall begin the next
17 payment period and continue until the remainder of the participant's
18 repayment obligation is satisfied.

19 (5) The board is responsible for collection of repayments made
20 under this section and shall exercise due diligence in such collection,
21 maintaining all necessary records to insure that maximum repayments are
22 made. Collection and servicing of repayments under this section shall
23 be pursued using the full extent of the law, including wage garnishment
24 if necessary. The board is responsible to forgive all or parts of such
25 repayments under the criteria established in this section and shall
26 maintain all necessary records of forgiven payments.

27 (6) Receipts from the payment of principal or interest or any other
28 subsidies to which the board as administrator is entitled, that are
29 paid by or on behalf of participants under this section, shall be
30 deposited with the higher education coordinating board and shall be
31 used to cover the costs of granting the conditional scholarships,
32 maintaining necessary records, and making collections under subsection
33 (5) of this section. The board shall maintain accurate records of
34 these costs, and all receipts beyond those necessary to pay such costs
35 shall be used to grant conditional scholarships to eligible students.

36 (7) The board shall temporarily or, in special circumstances,
37 permanently defer the requirements of this section for eligible
38 students as defined in RCW 28B.10.017.

1 (8) The board may cancel a recipient's repayment obligation due to
2 the recipient's total and permanent disability or death, subject to
3 documentation as required by the board.

4 NEW SECTION. **Sec. 8.** CAPTIONS NOT LAW. Captions used in this act
5 are not any part of the law.

6 NEW SECTION. **Sec. 9.** If any provision of this act or its
7 application to any person or circumstance is held invalid, the
8 remainder of the act or the application of the provision to other
9 persons or circumstances is not affected.

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

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