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**HOUSE BILL 2548**

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**State of Washington**

**66th Legislature**

**2020 Regular Session**

**By** Representatives Lekanoff, Shewmake, Ramel, Leavitt, Davis, Pollet, and Santos

Read first time 01/15/20. Referred to Committee on College & Workforce Development.

1 AN ACT Relating to the tribally controlled colleges and  
2 universities in the state of Washington; and adding a new chapter to  
3 Title 28B RCW.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the Northwest  
6 Indian College is the only regionally accredited tribal college  
7 serving the states of Washington, Oregon, and Idaho. The Northwest  
8 Indian College, which received designation as a land grant college in  
9 1994, offers bachelor's, associate's, and certificate programs and  
10 provides a valuable culturally based postsecondary experience for  
11 tribal and nontribal students alike in and around tribal communities  
12 where other postsecondary educational opportunities may be limited.  
13 The legislature further finds that the Northwest Indian College is in  
14 a unique situation where it receives federal primary operating  
15 funding for tribal students; however, there is no state or federal  
16 funding provided for nontribal students. As a result, the Northwest  
17 Indian College is underfunded, impacting its ability to retain, hire,  
18 and pay faculty at competitive wages. Therefore, the legislature  
19 intends to recognize the valuable contribution Northwest Indian  
20 College provides to the state's postsecondary system, economy, and

1 rural and tribal communities by providing foundational support for  
2 nontribal students.

3 NEW SECTION. **Sec. 2.** The definitions in this section apply  
4 throughout this chapter unless the context clearly requires  
5 otherwise.

6 (1) "Full-time equivalent" means forty-five credit hours for an  
7 academic year, which includes fall, winter, and spring terms.

8 (2) "Nonbeneficiary student" means a resident student as defined  
9 under RCW 28B.15.012 who is enrolled as a student at a tribally  
10 controlled college or university, but is not an enrolled member of a  
11 federally recognized Indian tribe nor a biological child of a living  
12 or deceased member of an Indian tribe.

13 (3) "Tribally controlled college or university" means a  
14 regionally accredited higher education institution in Washington  
15 which is formally controlled by an Indian tribe, or any combination  
16 of federally recognized Indian tribes, and is eligible for federal  
17 funding under the tribally controlled colleges and universities  
18 assistance act of 1978 (25 U.S.C. Chapter 20).

19 NEW SECTION. **Sec. 3.** The legislature shall appropriate funding  
20 for the payments to a tribally controlled college or university as  
21 required under this chapter. Allocations must be made on the basis of  
22 estimated full-time equivalent nonbeneficiary students enrolled at a  
23 tribally controlled college or university.

24 NEW SECTION. **Sec. 4.** (1) The student achievement council shall  
25 provide payments to a tribally controlled college or university for  
26 each full-time equivalent nonbeneficiary student.

27 (2) The payments must be distributed during each year of the  
28 biennium.

29 (3) The annual payments must be calculated for an amount at least  
30 equivalent to the most recent per beneficiary payment provided in  
31 accordance with the tribally controlled colleges and universities  
32 assistance act of 1978 (25 U.S.C. Chapter 20) for each full-time  
33 equivalent nonbeneficiary student enrolled at the tribally controlled  
34 college or university.

35 NEW SECTION. **Sec. 5.** (1) The student achievement council shall  
36 enter into a state-tribal compact with a tribally controlled college

1 or university in order to facilitate payments and data sharing,  
2 including providing the student achievement council with an annual  
3 report consisting of the following:

4 (a) The number of full-time equivalent nonbeneficiary students  
5 for whom the tribally controlled college or university is entitled  
6 payment;

7 (b) Documentation of the enrollment status of each student for  
8 who payment under this chapter is sought;

9 (c) Evidence that the college or university's enrollment of  
10 Indian students is at least fifty-one percent;

11 (d) The graduation rate for all students, including the rate for  
12 beneficiary and nonbeneficiary students;

13 (e) The ratio between the amount of funding received by the  
14 tribally controlled college or university under this section and the  
15 college or university's annual operating budget; and

16 (f) A copy of the tribally controlled college or university's  
17 latest financial audit report.

18 (2) A tribally controlled college or university that fails to  
19 meet the requirements of this section is ineligible to receive future  
20 payments under this chapter until the institution submits the  
21 required information.

22 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act  
23 constitute a new chapter in Title 28B RCW.

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