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SENATE BILL 5197

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State of Washington

66th Legislature

2019 Regular Session

By Senators Hobbs, Zeiger, Wagoner, Short, Bailey, and Hunt; by request of Military Department

1 AN ACT Relating to the Washington national guard postsecondary  
2 education grant program; and amending RCW 28B.103.010, 28B.103.020,  
3 and 28B.103.030.

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

5 **Sec. 1.** RCW 28B.103.010 and 2006 c 71 s 1 are each amended to  
6 read as follows:

7 Unless the context clearly requires otherwise, the definitions in  
8 this section apply throughout this section and RCW 28B.103.020 and  
9 28B.103.030.

10 (1) "Eligible student" means (~~an enlisted~~) a member (~~or an~~  
11 ~~officer~~) of (~~the rank of captain or below in~~) the Washington  
12 national guard who attends an institution of higher education that is  
13 located in this state and accredited by the Northwest Association of  
14 Schools and Colleges, or (~~beginning September 1, 2006,~~) an  
15 institution that is located in this state that provides approved  
16 training under the Montgomery GI Bill, and who meets any additional  
17 selection criteria adopted by the office and all of the following  
18 participation requirements:

19 (a) Has not achieved a baccalaureate or higher degree from any  
20 postsecondary institution;

1 (b) Is an active drilling member in good standing in the  
2 Washington national guard as specified in rules adopted by the office  
3 for implementation of the Washington national guard postsecondary  
4 education grant;

5 (c) Has completed and submitted an application for student aid  
6 approved by the office;

7 (d) Is a resident student as defined in RCW 28B.15.012; and

8 (e) Agrees to fulfill his or her service obligation.

9 ~~(2) ("Conditional scholarship" means a loan that is forgiven in~~  
10 ~~whole or in part if the recipient renders service as a member of the~~  
11 ~~Washington national guard under rules adopted by the office.~~

12 ~~(3)) "Forgiven" or "to forgive" or "forgiveness" means either to~~  
13 ~~render service in the Washington national guard in lieu of monetary~~  
14 ~~repayment, or to be relieved of the service obligation under rules~~  
15 ~~adopted by the office.~~

16 (3) "Grant" means the Washington national guard postsecondary  
17 education grant as established in RCW 28B.103.020.

18 (4) "Office" means the office of ((the adjutant general of the  
19 state military department)) student financial assistance created in  
20 RCW 28B.76.090.

21 (5) "Participant" means an eligible student who has received a  
22 ((conditional scholarship)) Washington national guard postsecondary  
23 education grant under this chapter.

24 (6) "Service obligation" means serving in the Washington national  
25 guard for a time period of at least one ((additional)) year of  
26 service in the Washington national guard for each year ((of  
27 conditional scholarship received under this program)) the student  
28 receives a Washington national guard postsecondary education grant.

29 **Sec. 2.** RCW 28B.103.020 and 2006 c 71 s 2 are each amended to  
30 read as follows:

31 Subject to amounts appropriated for this specific purpose, the  
32 Washington ((state)) national guard ((conditional scholarship))  
33 postsecondary education grant program is established. The program  
34 shall be administered by the office. In administering the program,  
35 the powers and duties of the office shall include, but need not be  
36 limited to:

37 (1) With the assistance of the Washington military department,  
38 the selection of eligible students to receive ((conditional

1 scholarships)) the Washington national guard postsecondary education  
2 grant as follows:

3 (a) An eligible student may receive a grant under this section to  
4 help pay for postsecondary education program costs as approved by the  
5 office. Awards shall be valued as follows:

6 (i) The difference between the student's tuition and required  
7 fees, less the value of any federal and state funded grant,  
8 scholarship, or waiver assistance the students receives; and

9 (ii) Five hundred dollars for books and materials.

10 (b) The Washington military department shall ensure that data  
11 needed to identify eligible recipients are promptly transmitted to  
12 the office.

13 (c) The annual amount of each Washington national guard  
14 postsecondary education grant may vary, but may not exceed the annual  
15 cost of undergraduate tuition fees and services and activities fees  
16 at the University of Washington, plus an allowance for books and  
17 supplies.

18 (d) Washington national guard postsecondary grant eligibility may  
19 not extend beyond five years or one hundred twenty-five percent of  
20 the published length of the program in which the student is enrolled  
21 or the credit or clock-hour equivalent;

22 (2) The award of ((conditional scholarships)) grants funded by  
23 federal and state funds, private donations, or repayments from any  
24 participant who does not complete the participant's service  
25 obligation((. Use of state funds is subject to available funds. The  
26 annual amount of each conditional scholarship may vary, but shall not  
27 exceed the annual cost of undergraduate tuition fees and services and  
28 activities fees at the University of Washington, plus an allowance  
29 for books and supplies));

30 (3) The adoption of necessary rules and ((guidelines)) policies,  
31 including establishing a priority for eligible students attending an  
32 institution of higher education located in this state that is  
33 accredited by the Northwest Association of Schools and Colleges;

34 (4) The adoption of participant selection criteria. The criteria  
35 may include but need not be limited to requirements for: Satisfactory  
36 academic progress, ((minimum grade point averages,)) enrollment in  
37 courses or programs that lead to a baccalaureate degree or an  
38 associate degree or a certificate, and satisfactory participation as  
39 a member of the Washington national guard;

1       (5) With the assistance of the Washington military department,  
2 the notification of participants of their additional service  
3 obligation or required repayment of the ((conditional scholarship))  
4 Washington national guard postsecondary education grant; and

5       (6) The collection of repayments from participants who do not  
6 meet the ((eligibility criteria or)) service obligations.

7       **Sec. 3.** RCW 28B.103.030 and 2012 c 229 s 607 are each amended to  
8 read as follows:

9       (1) Participants in the ((conditional scholarship)) Washington  
10 national guard postsecondary education grant program incur an  
11 obligation to repay the ((conditional scholarship)) grant, with  
12 interest, unless they serve in the Washington national guard for one  
13 ((additional)) year for each year ((of conditional scholarship)) they  
14 received the grant, under rules adopted by the office.

15       (2) ((The entire principal and interest of each yearly)) The  
16 office shall adopt rules addressing the terms for repayment ((shall  
17 be forgiven for each additional year in which)), including applicable  
18 interest rates, fees, and deferments, by a participant ((serves in))  
19 who does not render service as a member of the Washington national  
20 guard((, under rules adopted by the office)) necessary to satisfy his  
21 or her service obligation.

22       (3) ((If a participant elects to repay the conditional

23 ~~scholarship, the period of repayment shall be four years, with~~

24 ~~payments accruing quarterly commencing nine months from the date that~~

25 ~~the participant leaves the Washington national guard or withdraws~~

26 ~~from the institution of higher education, whichever comes first. The~~

27 ~~interest rate on the repayments shall be eight percent per year.~~

28 ~~Provisions for deferral and forgiveness shall be determined by the~~

29 ~~office.~~

30       (4)) The office is responsible for collection of repayments made  
31 under this section. The office shall exercise due diligence in such  
32 collection, maintaining all necessary records to ensure that maximum  
33 repayments are made. Collection and servicing of repayments under  
34 this section shall be pursued using the full extent of law, including  
35 wage garnishment if necessary. The office is responsible to forgive  
36 all or parts of such repayments under the criteria established in  
37 this section, and shall maintain all necessary records of forgiven  
38 payments. ((The office may contract with the office of student  
39 financial assistance for collection of repayments under this section.

1        ~~(5))~~ (4) Receipts from the payment of principal or interest paid  
2 by or on behalf of participants shall be deposited with the office  
3 and shall be used to cover the costs of (~~(granting)~~) administration  
4 of the (~~(conditional—scholarships)~~) grant, maintaining necessary  
5 records, and making collections under subsection (~~(+4))~~ (3) of this  
6 section. The office shall maintain accurate records of these costs,  
7 and all receipts beyond those necessary to pay such costs shall be  
8 used to make grant (~~(conditional—scholarships)~~) awards to eligible  
9 students.

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