

Chapter 250-78 WAC

WASHINGTON AWARD FOR EXCELLENCE IN EDUCATION ACADEMIC GRANT

WAC

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WAC 250-78-010 Purpose. The Washington award for excellence in education program, also known as the Washington state Christa McAuliffe award program, was established to recognize teachers, principals, administrators, classified employees, school district superintendents, and school boards for their leadership, contributions, and commitment to education. The purpose of this chapter is to establish administrative procedures for disbursing academic grants and recognition awards provided to recipients through this program.

[Statutory Authority: Chapters 28B.80 and 28A.625 RCW and 1994 c 279. 94-14-008, § 250-78-010, filed 6/23/94, effective 6/23/94. Statutory Authority: 1992 c 83, 1992 c 50 and chapters 28B.80 and 28A.625 RCW. 92-16-037, § 250-78-010, filed 7/30/92, effective 7/30/92. Statutory Authority: Chapter 28B.80 RCW and 1991 c 255. 91-20-070, § 250-78-010, filed 9/26/91, effective 10/27/91.]

WAC 250-78-020 Authority to administer. The authority for this chapter is chapter 28B.80 RCW which authorizes the higher education coordinating board to adopt rules relating to the administration of programs assigned to the board, and chapter 28A.625 RCW, which assigns to the board the administration of the academic grants awarded through the Washington award for excellence in education (Christa McAuliffe) academic grant award program. The 1991 legislation corrected inequities inherent in the related preceding tuition waiver program by creating an academic cash grant in lieu of a tuition and fee waiver. Not all institutions awarded the waiver; thus, some recipients received a benefit while others did not. Legislation enacted in 1994 created the recognition award to replace all other award options available under this program for recipients of the Washington award for excellence in education named by the office of the superintendent of public instruction after January 1, 1994. For academic grant recipients named by the office of the superintendent of public instruction prior to January 1, 1994, the 1994 legislation further provides for the conversion of the academic grant benefit to the recognition award, at the discretion of the recipient and contingent upon funds availability. These regulations are intended not only to implement the new legislative changes but also to provide continued benefits to those previously granted the award.

[Statutory Authority: Chapters 28B.80 and 28A.625 RCW and 1994 c 279. 94-14-008, § 250-78-020, filed 6/23/94, effective 6/23/94. Statutory Authority: 1992 c 83, 1992 c 50 and chapters 28B.80 and 28A.625 RCW. 92-16-037, § 250-78-020, filed 7/30/92, effective 7/30/92. Statutory Authority: Chapter 28B.80 RCW and 1991 c 255. 91-20-070, § 250-78-020, filed 9/26/91, effective 10/27/91.]

(6/23/94)

WAC 250-78-030 Definitions. (1) "Institution of higher education" or "institution" shall mean:

(a) Any public university, college, community college, or technical college operated by the state of Washington or any political subdivision thereof; or any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level which is a member institution of the northwest association of schools and colleges; and providing such institution agrees to participate in the program in accordance with all applicable rules and regulations. Any institution, branch, extension, or facility operating within the state of Washington which is affiliated with an institution operating in another state must be a separately accredited member institution of the northwest association of schools and colleges or another regional accrediting association.

(b) Any other university, college, school, or institute located in another state offering instruction beyond the high school level which is a member institution of a regional accrediting association or otherwise approved by the board in accordance with WAC 250-78-050 (6)(a) or (b); or

(c) Any other university, college, school, or institute located in another country outside of the United States of America offering instruction beyond the high school level which in the judgment of the board meets academic standards comparable to those established by a regional accrediting association.

(2) "Academic grant" shall mean the monetary award which shall be used to take courses at an institution of higher education. The academic grant shall be used to pay for actual costs incurred for tuition and fees only, up to the maximum value of the award as defined in WAC 250-78-050. The academic grant award option is available only to individuals named by the office of the superintendent of public instruction as recipients of the Washington award for excellence in education prior to January 1, 1994.

(3) "Board" means the higher education coordinating board. When a duty or responsibility of the board is referenced in these regulations, the authority needed to discharge that responsibility lies with the executive director or his or her designee.

(4) "Recipient" means an individual who has been designated to receive the Washington award for excellence in education by the superintendent of public instruction prior to January 1, 1994 and who has elected to receive his or her award in the form of the academic grant, or an individual or school board designated by the office of the superintendent of public instruction after January 1, 1994 to receive the recognition award.

(5) "Academic year" shall mean two semesters or three quarters of full-time graduate coursework.

(6) "Stipend" shall mean an amount not to exceed one thousand dollars, payable only to cover costs incurred in taking courses for which a tuition and fee waiver was authorized under preexisting law (RCW 28A.625.020 (3)(a)). Award recipients named after May 17, 1991 shall be entitled to receive a stipend for costs incurred in taking courses covered by the academic grant only if funds are specifically appropriated for stipends under this program.

(7) "Recognition award" shall mean the cash award provided to teachers, classified employees, principals, administrators, school district superintendents, and school boards named by the office of the superintendent of public instruction as recipients of the Washington award for excellence in education after January 1, 1994. An academic grant recipient named prior to January 1, 1994 may receive the recognition award by electing to convert the remaining value of his or her academic grant and related stipend benefit, if any, to the recognition award according to rules defined under WAC 250-78-050.

[Statutory Authority: Chapters 28B.80 and 28A.625 RCW and 1994 c 279. 94-14-008, § 250-78-030, filed 6/23/94, effective 6/23/94. Statutory Authority: 1992 c 83, 1992 c 50 and chapters 28B.80 and 28A.625 RCW. 92-16-037, § 250-78-030, filed 7/30/92, effective 7/30/92. Statutory Authority: Chapter 28B.80 RCW and 1991 c 255. 91-20-070, § 250-78-030, filed 9/26/91, effective 10/27/91.]

WAC 250-78-040 Eligibility to participate. (1) Each year, the higher education coordinating board shall receive from the superintendent of public instruction, or his or her designee, an official list of the names of the Washington award for excellence in education (Christa McAuliffe) recipients who have been designated for the current year.

(2) The superintendent of public instruction, or his or her designee, shall provide the higher education coordinating board with an official list of the names of Washington award for excellence in education (Christa McAuliffe) recipients who were awarded the waiver of forty-five quarter or thirty semester credits of tuition and fees under RCW 28B.15.547 prior to May 17, 1991.

(3) Academic grant recipients may not use the academic grant for any courses that include any religious worship or exercise, or for any degree in religious, seminarian, or theological academic studies.

(4) On and after May 17, 1991, individual benefits under this program for the academic grant and related stipend, if applicable, must be fully utilized and courses completed within four years of the date of official notification of the award recipient's selection and receipt of the academic grant, as provided by the superintendent of public instruction, or his or her designee, to the higher education coordinating board.

(5) Recipients must agree to comply with all conditions of the award and provide documentation to the board as necessary for proper administration of the program.

[Statutory Authority: Chapters 28B.80 and 28A.625 RCW and 1994 c 279. 94-14-008, § 250-78-040, filed 6/23/94, effective 6/23/94. Statutory Authority: Chapter 28B.80 RCW and 1991 c 255. 91-20-070, § 250-78-040, filed 9/26/91, effective 10/27/91.]

WAC 250-78-050 Award amount. (1) Recipients of the Washington award for excellence in education named by

the office of the superintendent of public instruction prior to January 1, 1994 may elect to receive their award in the form of the academic grant. The academic grant shall be used to reimburse recipients for actual costs of tuition and fees up to a maximum of forty-five quarter or thirty semester credit hours. The rate of reimbursement per credit hour shall not exceed the resident, graduate, part-time cost per credit hour at the University of Washington in the year the recipient takes the credit.

(2) Recipients who were awarded the tuition/fee waiver benefit for forty-five quarter or thirty semester credits prior to May 17, 1991 shall receive the remaining value of the tuition/fee waiver in the form of the academic grant. Conversion of the tuition/fee waiver to the value of individual recipient academic grants shall be calculated as a ratio of available (unused) credits remaining in the tuition/fee waiver benefit to the total credits originally awarded.

(3) Consistent with terms of prior law, academic grant recipients who received notification of their award by the office of the superintendent of public instruction prior to May 17, 1991 may be eligible to receive a stipend not to exceed one thousand dollars for costs incurred in taking courses covered by the academic grant.

(4) Academic grant recipients who received notification of their award by the office of the superintendent of public instruction after May 17, 1991 and before January 1, 1994 may be eligible to receive a stipend not to exceed one thousand dollars for costs incurred in taking courses covered by the academic grant only if funds are [specially] [specifically] appropriated for stipends under this program.

(5) Washington private colleges and universities may elect to participate in the program.

(a) Academic grant recipients attending Washington private colleges and universities may receive the grant, provided the following additional criteria are met:

(i) The institution elects to participate in the program; and

(ii) The institution matches the amount of the academic grant received by the recipient from the state on at least a dollar-for-dollar basis, either with actual money or by waiver of fees. If the institution chooses to match the academic grant with actual cash rather than by waiver of tuition/fees, the institutional match shall consist of dollars derived from institutional grant aid funds.

(b) The maximum reimbursement payable per credit by the state to a recipient attending a Washington private institution under the academic grant shall be calculated as the lesser of one of the following amounts:

(i) One-half of the recipient's cost of tuition/fees for that academic term; or[,]

(ii) The resident, graduate, part-time cost per credit hour for tuition/fees at the University of Washington for an equivalent number of allowable credits in the year the recipient takes the credit; and[,]

(iii) Not to exceed the maximum value of credits remaining in the recipient's academic grant award; and[,]

(iv) Not to exceed the dollar value provided by the institution to match the state portion of the academic grant.

(c) Any academic grant recipient who received notification of his or her award by the office of the superintendent of public instruction prior to May 17, 1991 has a vested right to

the one thousand dollar stipend, including those recipients who elect to attend a private institution. Academic grant recipients named by the office of the superintendent of public instruction after May 17, 1991 shall be entitled to receive payment of the stipend only if funds are specifically appropriated for stipends under this program. However, private institutions are not required to match the amount of the stipend.

(6) Academic grant recipients who elect to use the grant for courses at a public or private higher education institution in another state or country may receive the grant, provided the following additional criteria are met:

(a) The institution has an exchange program with a public or private higher education institution in Washington and the exchange program is approved or recognized by the higher education coordinating board; or

(b) The institution is approved or recognized by the higher education coordinating board; and

(c) The recipient of the Washington award for excellence in education (Christa McAuliffe) academic grant has submitted in writing to the higher education coordinating board an explanation of why the preferred course or courses are not available at a public or private institution in Washington.

(7) Teachers, principals, administrators, superintendents employed by second class school districts, and classified employees who are designated to receive the Washington award for excellence in education by the office of the superintendent of public instruction after January 1, 1994 shall receive a recognition award with a value of at least two thousand five hundred dollars.

(8) Superintendents employed by first class school districts who are designated to receive the Washington award for excellence in education by the office of the superintendent of public instruction after January 1, 1994 shall receive a recognition award with a value of at least one thousand dollars.

(9) School boards which are designated to receive a Washington award for excellence in education by the office of the superintendent of public instruction after January 1, 1994 shall receive a recognition award not to exceed two thousand five hundred dollars. The school board must use its recognition award for an educational purpose.

(10) Recipients of the Washington award for excellence in education named by the office of the superintendent of public instruction prior to January 1, 1994, who elected to receive the award in the form of the academic grant, may convert the remaining value of the academic grant to the recognition award, at their discretion and contingent upon funds availability. In addition, recipients named prior to May 17, 1991 may have the remaining value of the stipend for related educational expenses added to their converted academic grant.

(a) At a minimum, conversion of the academic grant to the recognition award shall be calculated as a ratio of available (unused) credits remaining in the academic grant benefit to the maximum number of credit hours originally awarded in the academic grant (forty-five quarter or thirty semester credit hours). This ratio shall be multiplied by the full value of the recognition award in the fiscal year the conversion option is exercised to determine the dollar value of the recipient's converted academic grant award.

(b) The converted award value of the academic grant shall not exceed the value of the current year's recognition award plus the converted value of any remaining stipend for related educational expenses that the recipient is eligible to receive.

(c) Stipend benefits for related educational expenses may be converted only in conjunction with the academic grant, unless the recipient's remaining award value resides solely in the stipend benefit. In that event, the stipend value may be separately converted to the recognition award.

(d) Academic grant recipients who have fully utilized the value of the academic grant (forty-five quarter or thirty semester credits) and the related stipend, if applicable, or whose four year eligibility period for use of the academic grant as defined in WAC 250-78-040(4) has expired, are not eligible to retroactively convert the academic grant to a recognition award.

[Statutory Authority: Chapters 28B.80 and 28A.625 RCW and 1994 c 279. 94-14-008, § 250-78-050, filed 6/23/94, effective 6/23/94. Statutory Authority: Chapters 28B.80 and 28A.625 RCW. 93-19-015, § 250-78-050, filed 9/2/93, effective 10/3/93. Statutory Authority: 1992 c 83, 1992 c 50 and chapters 28B.80 and 28A.625 RCW. 92-16-037, § 250-78-050, filed 7/30/92, effective 7/30/92. Statutory Authority: Chapter 28B.80 RCW and 1991 c 255. 91-20-070, § 250-78-050, filed 9/26/91, effective 10/27/91.]

Reviser's note: RCW 34.05.395 requires the use of underlining and deletion marks to indicate amendments to existing rules, and deems ineffectual changes not filed by the agency in this manner. The bracketed material in the above section does not appear to conform to the statutory requirement.

WAC 250-78-060 Management of funds. (1) Disbursements of all academic grant, stipend, and recognition award funds are contingent upon appropriations. In the event that funds are insufficient to pay all eligible claims submitted, disbursements will be issued to recipients on the following basis:

(a) Claims for payment of the recognition award, or reimbursement of eligible educational costs through the academic grant or stipend, shall be paid in order of receipt by the board and to the extent of available funds, up to the value remaining in the recipient's award benefit.

(b) Claims for payment of a recipient's eligible award benefits which have not been paid in full shall become first priority for payment, in order of receipt by the board, up to the value remaining in the recipient's award benefit, as funds become available to the program through:

(i) Supplemental moneys appropriated to the program for the current fiscal year; or[,]

(ii) Funds appropriated to the program for the next fiscal year; or[,]

(iii) Funds appropriated to the program for subsequent biennia.

(2) At the option of the board, the academic grant may be disbursed as a lump sum award or in incremental amounts on a term-by-term basis.

(3) Recipients who have not fully utilized their academic grant award benefit (and related stipend benefit, if any) within the four year eligibility period shall forfeit the remaining value of their academic grant and stipend award.

[Statutory Authority: Chapters 28B.80 and 28A.625 RCW and 1994 c 279. 94-14-008, § 250-78-060, filed 6/23/94, effective 6/23/94. Statutory Authority: Chapters 28B.80 and 28A.625 RCW. 93-19-015, § 250-78-060, filed 9/2/93, effective 10/3/93. Statutory Authority: 1992 c 83, 1992 c 50 and

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