

**Washington Metropolitan Area Transportation Authority
Board Action/Information Summary**

Action
 Information

MEAD Number:

Resolution:
 Yes No

PURPOSE

To request Board approval to amend the rules of the Metro Memorial Scholarship Fund governing an "Eligible Individual" to more accurately reflect the goals of the Fund.

DESCRIPTION

As a proper and fitting way to remember the contributions of Authority employees who have lost their lives in the line of duty and to assist with the education of their dependent children, the Board of Directors adopted resolution 2006-36 on July 20, 2006. This resolution approved the creation of a memorial to these employees and created the Metro Memorial Scholarship Fund (the "Fund").

On December 21, 2006, the Board adopted resolution 2006-67 establishing the rules for the Fund.

In response to a Board request, staff has reviewed the eligibility portion of these rules and determined that the rules are too stringent to meet the goals of the Fund. Therefore, staff is now requesting that the Board amend Rules #1 and 2 governing an "Eligible Individual" to more accurately reflect the goals.

FUNDING IMPACT

None

RECOMMENDATION

That the Board of Directors approves the resolution to amend the rules of the Metro Memorial Scholarship Fund governing an "Eligible Individual" to more accurately reflect the goals of the Fund.

PRESENTED AND ADOPTED:

SUBJECT: AMENDMENT OF RULES FOR METRO MEMORIAL SCHOLARSHIP FUND

PROPOSED
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, In Board Resolution 2006-67, the Board of Directors (the "Board") established rules for the Metro Memorial Scholarship Fund (the "Fund"); and

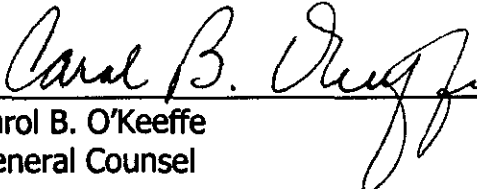
WHEREAS, At the request of a Board Member, staff has reviewed the eligibility portion of those rules and found them to be too stringent to meet the goals of the Fund; and

WHEREAS, Staff now requests the Board to amend the rules governing an "Eligible Individual" to more accurately reflect the goals of the Fund; now, therefore be it

RESOLVED, That the Board of Directors hereby amends Rules #1 and 2 of the Rules of the Metro Memorial Scholarship Fund to read as shown on Attachment A to this Resolution; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Carol B. O'Keeffe
General Counsel

Attachment A

1. An "Eligible Individual" is a person who, at the time of the death of a qualifying Washington Metropolitan Area Transit Authority employee, was both under the age of ~~eighteen (18)~~ twenty-two (22) years and financially dependent on the deceased employee; provided, however, that if the Eligible Individual was accepted to or attending an Eligible Institution at the time of the death of a Qualifying Washington Metropolitan Area Transit Authority Employee, such person may still be considered to be an Eligible Individual so long as that person was under the age of twenty-three (23) years and meets the financial dependency requirements as set forth in Paragraph 2.

2. Financial dependency will be determined by inclusion of the person seeking to be an Eligible Individual as a child or qualifying relative for personal exemption purposes on the federal tax return of the Qualifying Washington Metropolitan Area Transit Authority Employee or as established by a judicially approved Divorce Decree or Property Settlement Agreement incident to a divorce. If the familial connection of the proposed Eligible Individual and the Qualifying Washington Metropolitan Area Transit Authority Employee is established solely by paternity proceeding and no one else is eligible to claim the child as a dependent then proof of dependency will consist of a certified copy of the court order establishing paternity and such other documentation as the Metro Memorial Scholarship Fund will, in its unchallengeable discretion, deem appropriate. A child who is in the process of adoption may be considered to be an Eligible Individual if: 1) the Qualifying Washington Metropolitan Area Transit Authority Employee has either filed a Petition for Adoption or has received a letter from a licensed child placement agency that the child was placed with the Qualifying Washington Metropolitan Area Transit Authority Employee with the intent of adoption by the Qualifying Washington Metropolitan Area Transit Authority Employee; and 2) the child was financially dependent on the Qualifying Washington Metropolitan Area Transit Authority Employee. A person who is both a relative and in the household of the Qualifying Washington Metropolitan Area Transit Authority Employee under an existing court ordered legal guardianship shall, for the purposes of the Metro Memorial Scholarship Fund, be considered to be the child of the Qualifying Washington Metropolitan Area Transit Authority Employee upon presentation of a certified copy of the court order establishing the legal guardianship.

* Deletions shown as delete. New language is underlined.