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HOUSE BILL 1277

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Kenney, Cox, Jarrett, Chase, Voloria, Kessler and Upthegrove

Read first time 01/22/2003. Referred to Committee on Higher Education.

1 AN ACT Relating to gaining independence for students by  
2 establishing an educational assistance grant program for students with  
3 dependents; amending RCW 28B.10.801; adding a new section to chapter  
4 74.04 RCW; and adding a new chapter to Title 28B RCW.

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

6 NEW SECTION. **Sec. 1.** FINDING--INTENT. The legislature finds that  
7 financially needy students, especially those with dependents, are  
8 finding it increasingly difficult to stay in school due to the high  
9 costs of caring for their dependent children.

10 The legislature intends to establish an educational assistance  
11 grant program, funded through gifts, grants, or endowments from private  
12 sources, for students with dependents who have additional financial  
13 needs due to the care they provide for their dependents eighteen years  
14 of age or younger.

15 NEW SECTION. **Sec. 2.** PROGRAM CREATED. The educational assistance  
16 grant program for students with dependents is hereby created, subject  
17 to the availability of receipts of gifts, grants, or endowments from

1 private sources. The program is created to serve financially needy  
2 students with dependents eighteen years of age or younger, by assisting  
3 them directly through a grant program to pursue a degree or certificate  
4 at public or private institutions of higher education, as defined in  
5 RCW 28B.10.802, that participate in the state need grant program.

6 NEW SECTION. **Sec. 3.** DEFINITION--ELIGIBILITY. To be eligible for  
7 the educational assistance grant program for students with dependents,  
8 applicants shall: (1) Be residents of the state of Washington; (2) be  
9 needy students as defined in RCW 28B.10.802(3); (3) be eligible to  
10 participate in the state need grant program as set forth under RCW  
11 28B.10.810; and (4) have dependents eighteen years of age or younger  
12 who are under their care.

13 NEW SECTION. **Sec. 4.** ACCOUNT CREATION. (1) The students with  
14 dependents grant account is created in the custody of the state  
15 treasurer. All receipts from the program shall be deposited into the  
16 account. Only the higher education coordinating board, or its  
17 designee, may authorize expenditures from the account. The account is  
18 subject to allotment procedures under chapter 43.88 RCW, but no  
19 appropriation is required for expenditures.

20 (2) The board may solicit and receive gifts, grants, or endowments  
21 from private sources that are made from time to time, in trust or  
22 otherwise, for the use and benefit of the purposes of the educational  
23 assistance grant program. The executive director, or the executive  
24 director's designee, may spend gifts, grants, or endowments or income  
25 from the private sources according to their terms unless the receipt of  
26 the gifts, grants, or endowments violates RCW 42.17.710.

27 NEW SECTION. **Sec. 5.** ADMINISTRATION OF PROGRAM--PAYMENTS TO  
28 PARTICIPANTS. The higher education coordinating board shall develop  
29 and administer the educational assistance grant program for students  
30 with dependents. The higher education coordinating board shall adopt  
31 necessary rules and guidelines and develop criteria and procedures to  
32 identify eligible participants in the program.

33 NEW SECTION. **Sec. 6.** USE OF GRANTS. The educational assistance  
34 grant program for students with dependents grants may be used by

1 eligible participants to attend any public or private college or  
2 university in the state of Washington as defined in RCW 28B.10.802.  
3 The participant is not eligible for a grant if the grant will be used  
4 to pursue a degree in theology. Each participating student may receive  
5 an amount to be determined by the higher education coordinating board,  
6 with a minimum amount of one thousand dollars per academic year, not to  
7 exceed the student's documented financial need for the course of study  
8 as determined by the institution.

9 Educational assistance grants for students with dependents are not  
10 intended to supplant any grant scholarship or tax program related to  
11 postsecondary education. If the higher education coordinating board  
12 finds that the educational assistance grants for students with  
13 dependents supplant or reduce any grant, scholarship, or tax program  
14 for categories of students, then the higher education coordinating  
15 board shall adjust the financial eligibility criteria or the amount of  
16 the grant to the level necessary to avoid supplanting.

17 NEW SECTION. **Sec. 7.** This chapter may be known and cited as the  
18 gaining independence for students with dependents program.

19 NEW SECTION. **Sec. 8.** A new section is added to chapter 74.04 RCW  
20 to read as follows:

21 For purposes of RCW 74.04.005 (10) and (11), "resource" and  
22 "income" do not include educational assistance awarded under the  
23 gaining independence for students with dependents program as defined in  
24 this act for recipients of temporary assistance for needy families.

25 NEW SECTION. **Sec. 9.** Captions used in this act are not any part  
26 of the law.

27 NEW SECTION. **Sec. 10.** Sections 1 through 7 and 9 of this act  
28 constitute a new chapter in Title 28B RCW.

29 **Sec. 11.** RCW 28B.10.801 and 1999 c 345 s 1 are each amended to  
30 read as follows:

31 (1) The legislature finds that the higher education coordinating  
32 board, in consultation with the higher education community, has

1 completed a review of the state need grant program. It is the intent  
2 of the legislature to endorse the board's proposed changes to the state  
3 need grant program, including:

4 (a) Reaffirmation that the primary purpose of the state need grant  
5 program is to assist low-income, needy, and disadvantaged Washington  
6 residents attending institutions of higher education;

7 (b) A goal that the base state need grant amount over time be  
8 increased to be equivalent to the rate of tuition charged to resident  
9 undergraduate students attending Washington state public colleges and  
10 universities;

11 (c) State need grant recipients be required to contribute a portion  
12 of the total cost of their education through self-help;

13 (d) State need grant recipients be required to document their need  
14 for dependent care assistance after taking into account other public  
15 funds provided for like purposes; and

16 (e) Institutional aid administrators be allowed to determine  
17 whether a student eligible for a state need grant in a given academic  
18 year may remain eligible for the ensuing year if the student's family  
19 income increases by no more than a marginal amount except for funds  
20 provided through the educational assistance grant program for students  
21 with dependents.

22 (2) The legislature further finds that the higher education  
23 coordinating board, under its authority to implement the proposed  
24 changes in subsection (1) of this section, should do so in a timely  
25 manner.

26 (3) The legislature also finds that:

27 (a) In most circumstances, need grant eligibility should not extend  
28 beyond five years or one hundred twenty-five percent of the published  
29 length of the program in which the student is enrolled or the credit or  
30 clock-hour equivalent; and

31 (b) State financial aid programs should continue to adhere to the  
32 principle that funding follows resident students to their choice of  
33 institution of higher education.

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