
SENATE BILL 5660

State of Washington 58th Legislature 2003 Regular Session

By Senators Kohl-Welles, Carlson, B. Sheldon, Schmidt, Shin,
Mulliken, Horn, Kline, Prentice and Winsley

Read first time 02/05/2003. 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
18 private sources. The program is created to serve financially needy

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

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

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

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

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

32 NEW SECTION. **Sec. 6.** USE OF GRANTS. The educational assistance
33 grant program for students with dependents grants may be used by
34 eligible participants to attend any public or private college or

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

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

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

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

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

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

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

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

30 (1) The legislature finds that the higher education coordinating
31 board, in consultation with the higher education community, has
32 completed a review of the state need grant program. It is the intent

1 of the legislature to endorse the board's proposed changes to the state
2 need grant program, including:

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

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

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

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

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

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

25 (3) The legislature also finds that:

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

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

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