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ENGROSSED SUBSTITUTE HOUSE BILL 1079

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State of Washington

59th Legislature

2005 Regular Session

**By** House Committee on Higher Education (originally sponsored by Representatives Kagi, Kenney, Chase, Dickerson and Schual-Berke; by request of Governor Locke)

READ FIRST TIME 03/01/05.

1 AN ACT Relating to postsecondary education and training support for  
2 former foster youth; amending RCW 74.13.570, 28B.92.060, and  
3 28B.12.060; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

6 (a) The majority of foster youth fail to thrive in our educational  
7 system and, relative to nonfoster youth, disproportionately few enroll  
8 in college or other postsecondary training programs. As a result,  
9 former foster youth generally have poor employment and life  
10 satisfaction outcomes; and

11 (b) Low expectations, lack of information, fragmented support  
12 services, and financial hardship are the most frequently cited reasons  
13 for failure of foster youth to pursue postsecondary education or  
14 training. Initiatives have been undertaken at both the state and  
15 community levels in Washington to improve outcomes for foster youth in  
16 transition to independence; however, these initiatives are often not  
17 coordinated to complement one another.

18 (2) The legislature intends to encourage and support foster youth  
19 to pursue postsecondary education or training opportunities. A

1 coordination committee that provides statewide planning and oversight  
2 of related efforts will improve the effectiveness of both current and  
3 future initiatives to improve postsecondary educational outcomes for  
4 foster youth. In addition, the state can provide financial support to  
5 former foster youth pursuing higher education or training by setting  
6 aside portions of the state need grant and the state work study  
7 programs specifically for foster youth.

8 **Sec. 2.** RCW 74.13.570 and 2003 c 112 s 4 are each amended to read  
9 as follows:

10 (1) The department shall establish an oversight committee composed  
11 of staff from the children's administration of the department, the  
12 office of the superintendent of public instruction, the higher  
13 education coordinating board, foster youth, former foster youth, foster  
14 parents, and advocacy agencies to develop strategies for maintaining  
15 foster children in the schools they were attending at the time they  
16 entered foster care and to promote opportunities for foster youth to  
17 participate in postsecondary education or training.

18 (2) The duties of the oversight committee shall include, but are  
19 not limited to:

20 (a) Developing strategies for school-based recruitment of foster  
21 homes;

22 (b) Monitoring the progress of current pilot projects that assist  
23 foster children to continue attending the schools they were attending  
24 at the time they entered foster care;

25 (c) Overseeing the expansion of the number of pilot projects;

26 (d) Promoting the use of best practices, throughout the state,  
27 demonstrated by the pilot projects and other programs relating to  
28 maintaining foster children in the schools they were attending at the  
29 time they entered foster care; (~~and~~)

30 (e) Informing the legislature of the status of efforts to maintain  
31 foster children in the schools they were attending at the time they  
32 entered foster care;

33 (f) Assessing the scope and nature of statewide need among current  
34 and former foster youth for assistance to pursue and participate in  
35 postsecondary education or training opportunities;

36 (g) Identifying available sources of funding available in the state

1 for services to former foster youth to pursue and participate in  
2 postsecondary education or training opportunities;

3 (h) Reviewing the effectiveness of activities in the state to  
4 support former foster youth to pursue and participate in postsecondary  
5 education or training opportunities;

6 (i) Identifying new activities, or existing activities that should  
7 be modified or expanded, to best meet statewide needs; and

8 (j) Reviewing on an ongoing basis the progress toward improving  
9 educational and vocational outcomes for foster youth.

10 **Sec. 3.** RCW 28B.92.060 and 2004 c 275 s 37 are each amended to  
11 read as follows:

12 In awarding need grants, the board shall proceed substantially as  
13 follows: PROVIDED, That nothing contained herein shall be construed to  
14 prevent the board, in the exercise of its sound discretion, from  
15 following another procedure when the best interest of the program so  
16 dictates:

17 (1) The board shall annually select the financial aid award  
18 recipients from among Washington residents applying for student  
19 financial aid who have been ranked according to:

20 (a) Financial need as determined by the amount of the family  
21 contribution; and

22 (b) Other considerations ((brought to the board's attention)), such  
23 as whether the student is a former foster youth.

24 (2) The financial need of the highest ranked students shall be met  
25 by grants depending upon the evaluation of financial need until the  
26 total allocation has been disbursed. Funds from grants which are  
27 declined, forfeited or otherwise unused shall be reawarded until  
28 ((dispersed)) disbursed, except that eligible former foster youth shall  
29 be assured receipt of a grant.

30 (3) A student shall be eligible to receive a state need grant for  
31 up to five years, or the credit or clock hour equivalent of five years,  
32 or up to one hundred twenty-five percent of the published length of  
33 time of the student's program. A student may not start a new associate  
34 degree program as a state need grant recipient until at least five  
35 years have elapsed since earning an associate degree as a need grant  
36 recipient, except that a student may earn two associate degrees  
37 concurrently. Qualifications for renewal will include maintaining

1 satisfactory academic progress toward completion of an eligible program  
2 as determined by the board. Should the recipient terminate his or her  
3 enrollment for any reason during the academic year, the unused portion  
4 of the grant shall be returned to the state educational grant fund by  
5 the institution according to the institution's own policy for issuing  
6 refunds, except as provided in RCW 28B.92.070.

7 (4) In computing financial need, the board shall determine a  
8 maximum student expense budget allowance, not to exceed an amount equal  
9 to the total maximum student expense budget at the public institutions  
10 plus the current average state appropriation per student for operating  
11 expense in the public institutions.

12 (5) As used in this section, "former foster youth" means a person  
13 who is at least eighteen years of age, but not more than twenty-four  
14 years of age, who was a dependent of the department of social and  
15 health services at the time he or she attained the age of eighteen.

16 **Sec. 4.** RCW 28B.12.060 and 2002 c 354 s 224 are each amended to  
17 read as follows:

18 The higher education coordinating board shall adopt rules as may be  
19 necessary or appropriate for effecting the provisions of this chapter,  
20 and not in conflict with this chapter, in accordance with the  
21 provisions of chapter 34.05 RCW, the state higher education  
22 administrative procedure act. Such rules shall include provisions  
23 designed to make employment under the work-study program reasonably  
24 available, to the extent of available funds, to all eligible students  
25 in eligible post-secondary institutions in need thereof. The rules  
26 shall include:

27 (1) Providing work under the state work-study program that will not  
28 result in the displacement of employed workers or impair existing  
29 contracts for services;

30 (2) Furnishing work only to a student who:

31 (a) Is capable, in the opinion of the eligible institution, of  
32 maintaining good standing in such course of study while employed under  
33 the program covered by the agreement; and

34 (b) Has been accepted for enrollment as at least a half-time  
35 student at the eligible institution or, in the case of a student  
36 already enrolled in and attending the eligible institution, is in good

1 standing and in at least half-time attendance there either as an  
2 undergraduate, graduate or professional student; and  
3 (c) Is not pursuing a degree in theology;  
4 (3) Placing priority on providing:  
5 (a) Work opportunities for students who are residents of the state  
6 of Washington as defined in RCW 28B.15.012 and 28B.15.013, particularly  
7 former foster youth as defined in RCW 28B.92.060, except resident  
8 students defined in RCW 28B.15.012(2)((+f+)) (g);  
9 (b) Job placements in fields related to each student's academic or  
10 vocational pursuits, with an emphasis on off-campus job placements  
11 whenever appropriate; and  
12 (c) Off-campus community service placements;  
13 (4) Provisions to assure that in the state institutions of higher  
14 education, utilization of this work-study program:  
15 (a) Shall only supplement and not supplant classified positions  
16 under jurisdiction of chapter 41.06 RCW;  
17 (b) That all positions established which are comparable shall be  
18 identified to a job classification under the director of personnel's  
19 classification plan and shall receive equal compensation;  
20 (c) Shall not take place in any manner that would replace  
21 classified positions reduced due to lack of funds or work; and  
22 (d) That work study positions shall only be established at entry  
23 level positions of the classified service unless the overall scope and  
24 responsibilities of the position indicate a higher level; and  
25 (5) Provisions to encourage job placements in occupations that meet  
26 Washington's economic development goals, especially those in  
27 international trade and international relations. The board shall  
28 permit appropriate job placements in other states and other countries.

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