

ESHB 1131 - S COMM AMD
By Committee on Higher Education

OUT OF ORDER 04/11/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** (1)(a) The legislature finds that in
4 Washington, there are more than seven thousand three hundred children
5 in foster family or group care. These children face unique obstacles
6 and burdens as they transition to adulthood, including lacking
7 continuity in their elementary and high school educations. As compared
8 to the general population of students, twice as many foster care youth
9 change schools at least once during their elementary and secondary
10 school careers, and three times as many change schools at least three
11 times. Only thirty-four percent of foster care youth graduate from
12 high school within four years, compared to seventy percent for the
13 general population. Of the former foster care youth who earn a high
14 school diploma, more than twenty-eight percent earn a GED instead of a
15 traditional high school diploma. This is almost six times the rate of
16 the general population. Research indicates that GED holders tend not
17 to be as economically successful as the holders of traditional high
18 school diplomas. Only twenty percent of former foster care youth who
19 earn a high school degree enroll in college, compared to over sixty
20 percent of the population generally. Of the former foster care youth
21 who do enroll in college, very few go on to earn a degree. Less than
22 two percent of former foster care youth hold bachelor's degrees,
23 compared to twenty-eight percent of Washington's population generally.

24 (b) Former foster care youth face two critical hurdles to enrolling
25 in college. The first is a lack of information regarding preparation
26 for higher education and their options for enrolling in higher
27 education. The second is finding the financial resources to fund their
28 education. As a result of the unique hurdles and challenges that face
29 former foster care youth, a disproportionate number of them are part of

1 society's large group of marginalized youth and are at increased risk
2 of continuing the cycle of poverty and violence that frequently plagues
3 their families.

4 (c) Former foster care youth suffer from mental health problems at
5 a rate greater than that of the general population. For example, one
6 in four former foster care youth report having suffered from
7 posttraumatic stress disorder within the previous twelve months,
8 compared to only four percent of the general population. Similarly,
9 the incidence of major depression among former foster care youth is
10 twice that of the general population, twenty percent versus ten
11 percent.

12 (d) There are other barriers for former foster care youth to
13 achieving successful adulthood. One-third of former foster care youth
14 live in households that are at or below the poverty level. This is
15 three times the rate for the general population. The percentage of
16 former foster care youth who report being homeless within one year of
17 leaving foster care varies from over ten percent to almost twenty-five
18 percent. By comparison, only one percent of the general population
19 reports having been homeless at sometime during the past year. One in
20 three former foster care youth lack health insurance, compared to less
21 than one in five people in the general population. One in six former
22 foster care youth receive cash public assistance. This is five times
23 the rate of the general population.

24 (e) Approximately twenty-five percent of former foster care youth
25 are incarcerated at sometime after leaving foster care. This is four
26 times the rate of incarceration for the general population. Of the
27 former foster care youth who "age out" of foster care, twenty-seven
28 percent of the males and ten percent of the females are incarcerated
29 within twelve to eighteen months of leaving foster care.

30 (f) Female former foster care youth become sexually active more
31 than seven months earlier than their nonfoster care counterparts, have
32 more sexual partners, and have a mean age of first pregnancy of almost
33 two years earlier than their peers who were not in foster care.

34 (2) The legislature further finds that a court may order a
35 noncustodial parent to pay for some or all of their children's
36 reasonable higher education costs. With respect to youth who have been
37 in the foster care system during their adolescent years, and

1 particularly with respect to youth who age out of the foster care
2 system, the state has a duty to these youth that is not less than that
3 of a noncustodial parent.

4 (3) The legislature intends to create the passport to college
5 promise program that will have two primary components, as follows:

6 (a) Significantly increasing outreach to foster care youth between
7 the ages of fourteen and eighteen regarding the higher education
8 opportunities available to them, how to apply to college, and how to
9 apply for and obtain financial aid; and

10 (b) Providing financial aid to former foster care youth to assist
11 with the costs of their public undergraduate college education.

12 NEW SECTION. **Sec. 2.** The definitions in this section apply
13 throughout this chapter unless the context clearly requires otherwise.

14 (1) "Cost of attendance" means the cost associated with attending
15 a particular institution of higher education as determined by the
16 higher education coordinating board, including but not limited to
17 tuition, fees, room, board, books, personal expenses, and
18 transportation, plus the cost of reasonable additional expenses
19 incurred by an eligible student and approved by a financial aid
20 administrator at the student's school of attendance. For the purposes
21 of calculating an award under this program, the amount provided for
22 reasonable additional expenses shall not exceed one thousand dollars
23 for a student enrolled during a regular three quarter academic year or
24 its equivalent. This provision is not intended to limit the school's
25 authority under federal student aid programs to recognize greater
26 additional expenses or to meet those needs with other resources.

27 (2) "Eligible student" means a student who:

28 (a) Is between the ages of sixteen and twenty-six;

29 (b) Has been in foster care in the state of Washington for a
30 minimum of one year since his or her fourteenth birthday. The higher
31 education coordinating board and the state board for community and
32 technical colleges may expand the definition of "eligible student" to
33 include a student who has been in foster care in the state of
34 Washington for a minimum of six months since his or her fourteenth
35 birthday if the boards jointly find that the amount appropriated for
36 the purposes of this chapter exceeds the amount necessary to carry out

1 the purposes of this chapter based on the number of eligible students
2 enrolled at the state's institutions of higher education;

3 (c) Is a resident student, as defined in RCW 28B.15.012(2);

4 (d) Has enrolled with or will enroll on at least a half-time basis
5 with an institution of higher education in Washington state by the age
6 of twenty-one;

7 (e) Is making satisfactory progress toward the completion of a
8 degree or certificate program;

9 (f) Has not earned a bachelor's or professional degree; and

10 (g) Is not pursuing a degree in theology.

11 (3) "Financial need" means the difference between a student's cost
12 of attendance and the student's total family contribution as determined
13 by the method prescribed by the United States department of education.

14 (4) "Independent college or university" means a private, nonprofit
15 institution of higher education, open to residents of the state,
16 providing programs of education beyond the high school level leading to
17 at least the baccalaureate degree, and accredited by the Northwest
18 association of schools and colleges, and other institutions as may be
19 developed that are approved by the higher education coordinating board
20 as meeting equivalent standards as those institutions accredited under
21 this section.

22 (5) "Institution of higher education" means:

23 (a) Any public university, college, community college, or technical
24 college operated by the state of Washington or any political
25 subdivision thereof; or

26 (b) Any independent college or university in Washington; or

27 (c) Any other university, college, school, or institute in the
28 state of Washington offering instruction beyond the high school level
29 that is a member institution of an accrediting association recognized
30 by rule of the higher education coordinating board for the purposes of
31 this section: PROVIDED, That any institution, branch, extension, or
32 facility operating within the state of Washington that is affiliated
33 with an institution operating in another state must be a separately
34 accredited member institution of any such accrediting association, or
35 a branch of a member institution of an accrediting association
36 recognized by rule of the board for purposes of this section, that is
37 eligible for federal student financial aid assistance and has operated
38 as a nonprofit college or university delivering on-site classroom

1 instruction for a minimum of twenty consecutive years within the state
2 of Washington, and has an annual enrollment of at least seven hundred
3 full-time equivalent students.

4 (6) "Program" means the passport to college promise program created
5 in this chapter.

6 NEW SECTION. **Sec. 3.** The passport to college promise program is
7 created. The purpose of the program is:

8 (1) To encourage current and former foster care youth to prepare
9 for, attend, and successfully complete higher education; and

10 (2) To provide current and former foster care youth with the
11 educational planning, information, institutional support, and direct
12 financial resources necessary for them to succeed in higher education.

13 NEW SECTION. **Sec. 4.** (1) Institutions of higher education are
14 encouraged to recruit and actively assist current and former foster
15 care youth to attend institutions of higher education. Any institution
16 of higher education that receives funds under this chapter must provide
17 enrolled eligible students with comprehensive guidance regarding the
18 financial aid process.

19 (2) For fiscal year 2008, the office of financial management shall
20 allocate the appropriation made for the purposes of this section
21 between the higher education coordinating board and the state board for
22 community and technical colleges. The allocation shall be based on and
23 in proportion to the historical enrollment of former foster care youth
24 ages sixteen to twenty-six from 2001 to 2006 at the community and
25 technical colleges in Washington state and at the four-year
26 institutions of higher education in Washington state. Thereafter, the
27 office of financial management shall allocate the funds appropriated
28 for the purposes of this section based on the prior academic year's
29 enrollments of former foster care youth ages sixteen to twenty-six at
30 the community and technical colleges and at the four-year institutions
31 of higher education.

32 (3) Up to the amount allocated to the state board for community and
33 technical colleges for the purposes of this section, for every eligible
34 student enrolled in a community or technical college in this state who
35 earns forty-five quarter or thirty semester credits, or the equivalent,
36 from a particular community or technical college, the state board for

1 community and technical colleges shall award the college three thousand
2 five hundred dollars. Thereafter, the state board for community and
3 technical colleges shall award the college an additional two thousand
4 five hundred dollars for every additional forty-five quarter or thirty
5 semester credits, or the equivalent, the eligible student earns from
6 the college, until the student has earned ninety quarter or sixty
7 semester college credits, or met other certification or training
8 requirements established by the state board for community and technical
9 colleges.

10 (4) Up to the amount allocated to the higher education coordinating
11 board for the purposes of this section, for every eligible student
12 enrolled at a four-year institution of higher education who earns
13 forty-five quarter or thirty semester credits, or the equivalent, from
14 a particular four-year institution, the higher education coordinating
15 board shall award the institution three thousand five hundred dollars.
16 Thereafter, the higher education coordinating board shall award the
17 institution an additional two thousand five hundred dollars for every
18 additional forty-five quarter or thirty semester credits, or the
19 equivalent, the eligible student earns from the institution, until the
20 student has earned one hundred eighty quarter or one hundred twenty
21 semester college credits.

22 NEW SECTION. **Sec. 5.** (1) Subject to the availability of funds
23 appropriated for this purpose to the higher education coordinating
24 board, the purpose of this section is to provide supplemental
25 scholarships to cover the full, effective, and true cost of attendance
26 for eligible students' undergraduate higher education. However, in no
27 instance shall the annual amount of an eligible student's scholarship
28 under this section exceed the lower of (a) the cost of attendance at
29 the institution of higher education attended by the student, plus the
30 cost of reasonable additional expenses incurred by an eligible student
31 and approved by a financial aid administrator at the student's school
32 of attendance, or (b) the resident undergraduate cost of attendance at
33 the University of Washington per academic year for a full-time student,
34 plus the cost of reasonable additional expenses incurred by an eligible
35 student and approved by a financial aid administrator at the student's
36 school of attendance. The amount provided for reasonable additional

1 expenses under this section shall not exceed one thousand dollars for
2 every forty-five quarter or thirty semester credits, or the equivalent.

3 (2) The institution of higher education at which an eligible
4 student is enrolled shall award the student all available need-based
5 and merit-based financial aid that the student qualifies for, not
6 including loans. An eligible student may choose to include work-study
7 funds in the financial aid package provided by the institution of
8 higher education.

9 (3) Subject to the limitation set forth in subsection (1) of this
10 section, the institution of higher education at which an eligible
11 student is enrolled shall provide each eligible student with a
12 supplemental scholarship equal to the difference between the student's
13 financial need and the amount of financial aid awarded to the student
14 under subsection (2) of this section.

15 (4) Each institution of higher education providing supplemental
16 scholarships under this section shall submit, at least annually, a
17 request for reimbursement to the higher education coordinating board
18 for the amount of the supplemental scholarships provided to eligible
19 students. The higher education coordinating board shall timely
20 reimburse the individual institutions of higher education for the
21 amount of the supplemental scholarships from funds appropriated to the
22 board for this purpose.

23 (5) A student receiving a scholarship under this section shall meet
24 the satisfactory academic progress requirements of the student's school
25 of attendance as monitored by the school's financial aid office.

26 (6) An eligible student is eligible to receive a scholarship under
27 this section for a maximum of five years after the student first
28 enrolls with an institution of higher education or until the student
29 turns age twenty-six, whichever occurs first. If a student turns age
30 twenty-six during an academic year, and would otherwise be eligible for
31 a scholarship under this section, the student shall continue to be
32 eligible for a scholarship for the remainder of the academic year.

33 (7) The higher education coordinating board shall perform an annual
34 analysis to ensure that those institutions of higher education at which
35 students have received a scholarship under this section during the
36 previous academic year are in compliance with this section, including
37 the requirement that other available sources of financial aid be used
38 before the use of scholarship funds under this section.

1 (8) To allow institutions of higher education to readily identify
2 students who may be eligible for a scholarship under this section, all
3 institutions of higher education shall include on their applications
4 for undergraduate or relevant admission or on their registration
5 materials a question asking whether the applicant has been in foster
6 care in Washington state since his or her fourteenth birthday. An
7 institution shall not consider whether an applicant may be eligible for
8 a scholarship under this section when deciding whether the applicant
9 will be granted admission to the institution.

10 (9) The higher education coordinating board may adopt rules to
11 implement this chapter.

12 NEW SECTION. **Sec. 6.** (1) The state board for community and
13 technical colleges, with input from the higher education coordinating
14 board and institutions of higher education, shall develop and maintain
15 an internet web site and outreach program to serve as a comprehensive
16 portal for foster care youth in Washington state to obtain information
17 regarding higher education including, but not necessarily limited to:

18 (a) Academic, social, family, financial, and logistical information
19 important to successful postsecondary educational success;

20 (b) How and when to obtain and complete college applications;

21 (c) What college placement tests, if any, are generally required
22 for admission to college and when and how to register for such tests;

23 (d) How and when to obtain and complete a federal free application
24 for federal student aid (FAFSA); and

25 (e) Detailed sources of financial aid likely available to eligible
26 former foster care youth, including the financial aid provided by this
27 chapter.

28 (2) The state board for community and technical colleges shall
29 determine whether to design, build, and operate such program and web
30 site directly or to use, support, and modify existing web sites created
31 by government or nongovernmental entities for a similar purpose.

32 NEW SECTION. **Sec. 7.** (1) The department of social and health
33 services, with input from the state board for community and technical
34 colleges, the higher education coordinating board, and institutions of
35 higher education, shall contract with at least one nongovernmental

1 entity through a request for proposals process to develop, implement,
2 and administer a program of supplemental educational transition
3 planning for youth in foster care in Washington state.

4 (2) The nongovernmental entity or entities chosen by the department
5 shall have demonstrated success in working with foster care youth and
6 assisting foster care youth in successfully making the transition from
7 foster care to independent adulthood.

8 (3) The selected nongovernmental entity or entities shall provide
9 supplemental educational transition planning to foster care youth in
10 Washington state beginning at age fourteen and then at least every six
11 months thereafter. The supplemental transition planning shall include:

12 (a) Comprehensive information regarding postsecondary educational
13 opportunities including, but not limited to, sources of financial aid,
14 institutional characteristics and record of support for former foster
15 care youth, transportation, housing, and other logistical
16 considerations;

17 (b) How and when to apply to postsecondary educational programs;

18 (c) What precollege tests, if any, the particular foster care youth
19 should take based on his or her postsecondary plans and when to take
20 the tests;

21 (d) What courses to take to prepare the particular foster care
22 youth to succeed at his or her postsecondary plans;

23 (e) Social, community, educational, logistical, and other issues
24 that frequently impact college students and their success rates; and

25 (f) Which web sites, nongovernmental entities, public agencies, and
26 other foster care youth support providers specialize in which services.

27 (4) The selected nongovernmental entity or entities shall work
28 directly with the school counselors at the foster care youths' high
29 schools to ensure that a consistent and complete transition plan has
30 been prepared for each foster care youth who emancipates out of the
31 foster care system in Washington state.

32 NEW SECTION. **Sec. 8.** (1) The state board for community and
33 technical colleges shall monitor and analyze the academic progress of
34 community and technical college students who receive scholarships under
35 this chapter and the higher education coordinating board shall monitor
36 and analyze the academic progress of students enrolled at four-year

1 institutions of higher education who receive scholarships under this
2 chapter.

3 (2) The higher education coordinating board and the state board for
4 community and technical colleges shall consult with each other and
5 shall submit a report regarding the number of students who have
6 received scholarships under this chapter and the academic progress of
7 those students to the higher education committees of the senate and the
8 house of representatives by January 15, 2010.

9 NEW SECTION. **Sec. 9.** Nothing in this chapter may be construed to:

10 (1) Guarantee acceptance by, or entrance into, any institution of
11 higher education; or

12 (2) Limit the participation of youth, in or formerly in, foster
13 care in Washington state in any other program of financial assistance
14 for postsecondary education.

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

17 NEW SECTION. **Sec. 11.** If specific funding for the purposes of
18 this act, referencing this act by bill or chapter number, is not
19 provided by June 30, 2007, in the omnibus appropriations act, this act
20 is null and void."

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By Committee on Higher Education

OUT OF ORDER 04/11/2007

21 On page 1, line 3 of the title, after "purpose;" strike the
22 remainder of the title and insert "adding a new chapter to Title 28B
23 RCW; and creating a new section."

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