

ESHB 1131 - S COMM AMD
By Committee on Ways & Means

ADOPTED 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 intends to create the passport to college
35 promise pilot program. The pilot program will initially operate for a
36 six-year period, and will have two primary components, as follows:

37 (a) Significantly increasing outreach to foster care youth between

1 the ages of fourteen and eighteen regarding the higher education
2 opportunities available to them, how to apply to college, and how to
3 apply for and obtain financial aid; and

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

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

8 (1) "Cost of attendance" means the cost associated with attending
9 a particular institution of higher education as determined by the
10 higher education coordinating board, including but not limited to
11 tuition, fees, room, board, books, personal expenses, and
12 transportation, plus the cost of reasonable additional expenses
13 incurred by an eligible student and approved by a financial aid
14 administrator at the student's school of attendance.

15 (2) "Emancipated from foster care" means a person who was a
16 dependent of the state in accordance with chapter 13.34 RCW and who was
17 receiving foster care in the state of Washington when he or she reached
18 his or her eighteenth birthday.

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

22 (4) "Independent college or university" means a private, nonprofit
23 institution of higher education, open to residents of the state,
24 providing programs of education beyond the high school level leading to
25 at least the baccalaureate degree, and accredited by the Northwest
26 association of schools and colleges, and other institutions as may be
27 developed that are approved by the higher education coordinating board
28 as meeting equivalent standards as those institutions accredited under
29 this section.

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

31 (a) Any public university, college, community college, or technical
32 college operated by the state of Washington or any political
33 subdivision thereof; or

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

35 (c) Any other university, college, school, or institute in the
36 state of Washington offering instruction beyond the high school level
37 that is a member institution of an accrediting association recognized

1 by rule of the higher education coordinating board for the purposes of
2 this section: PROVIDED, That any institution, branch, extension, or
3 facility operating within the state of Washington that is affiliated
4 with an institution operating in another state must be a separately
5 accredited member institution of any such accrediting association, or
6 a branch of a member institution of an accrediting association
7 recognized by rule of the board for purposes of this section, that is
8 eligible for federal student financial aid assistance and has operated
9 as a nonprofit college or university delivering on-site classroom
10 instruction for a minimum of twenty consecutive years within the state
11 of Washington, and has an annual enrollment of at least seven hundred
12 full-time equivalent students.

13 (6) "Program" means the passport to college promise pilot program
14 created in this chapter.

15 NEW SECTION. **Sec. 3.** The passport to college promise pilot
16 program is created. The purpose of the program is:

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

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

22 NEW SECTION. **Sec. 4.** (1) The higher education coordinating board
23 shall design and, to the extent funds are appropriated for this
24 purpose, implement, a program of supplemental scholarship and student
25 assistance for students who have emancipated from the state foster care
26 system after having spent at least one year in care.

27 (2) The board shall convene and consult with an advisory committee
28 to assist with program design and implementation. The committee shall
29 include but not be limited to former foster care youth and their
30 advocates; representatives from the state board for community and
31 technical colleges, and from public and private agencies that assist
32 current and former foster care recipients in their transition to
33 adulthood; and student support specialists from public and private
34 colleges and universities.

35 (3) To the extent that sufficient funds have been appropriated for

1 this purpose, a student is eligible for assistance under this section
2 if he or she:

3 (a) Emancipated from foster care on or after January 1, 2007, after
4 having spent at least one year in foster care subsequent to his or her
5 sixteenth birthday;

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

7 (c) Is enrolled with or will enroll on at least a half-time basis
8 with an institution of higher education in Washington state by the age
9 of twenty-one;

10 (d) Is making satisfactory academic progress toward the completion
11 of a degree or certificate program, if receiving supplemental
12 scholarship assistance;

13 (e) Has not earned a bachelor's or professional degree; and

14 (f) Is not pursuing a degree in theology.

15 (4) A passport to college scholarship under this section:

16 (a) Shall not exceed resident undergraduate tuition and fees at the
17 highest-priced public institution of higher education in the state; and

18 (b) Shall not exceed the student's financial need, less a
19 reasonable self-help amount defined by the board, when combined with
20 all other public and private grant, scholarship, and waiver assistance
21 the student receives.

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

30 (6) The higher education coordinating board, in consultation with
31 and with assistance from the state board for community and technical
32 colleges, shall perform an annual analysis to verify that those
33 institutions of higher education at which students have received a
34 scholarship under this section have awarded the student all available
35 need-based and merit-based grant and scholarship aid for which the
36 student qualifies.

37 (7) In designing and implementing the passport to college student

1 support program under this section, the board, in consultation with and
2 with assistance from the state board for community and technical
3 colleges, shall ensure that a participating college or university:

4 (a) Has a viable plan for identifying students eligible for
5 assistance under this section, for tracking and enhancing their
6 academic progress, for addressing their unique needs for assistance
7 during school vacations and academic interims, and for linking them to
8 appropriate sources of assistance in their transition to adulthood;

9 (b) Receives financial and other incentives for achieving
10 measurable progress in the recruitment, retention, and graduation of
11 eligible students.

12 NEW SECTION. **Sec. 5.** Effective operation of the passport to
13 college promise pilot program requires early and accurate
14 identification of former foster care youth so that they can be linked
15 to the financial and other assistance that will help them succeed in
16 college. To that end:

17 (1) All institutions of higher education that receive funding for
18 student support services under section 4 of this act shall include on
19 their applications for admission or on their registration materials a
20 question asking whether the applicant has been in foster care in
21 Washington state for at least one year since his or her sixteenth
22 birthday. All other institutions of higher education are strongly
23 encouraged to include such a question. No institution may consider
24 whether an applicant may be eligible for a scholarship or student
25 support services under this chapter when deciding whether the applicant
26 will be granted admission.

27 (2) The department of social and health services shall devise and
28 implement procedures for efficiently, promptly, and accurately
29 identifying students and applicants who are eligible for services under
30 section 4 of this act, and for sharing that information with the higher
31 education coordinating board and with institutions of higher education.
32 The procedures shall include appropriate safeguards for consent by the
33 applicant or student before disclosure.

34 NEW SECTION. **Sec. 6.** (1) To the extent funds are appropriated for
35 this purpose, the higher education coordinating board, with input from
36 the state board for community and technical colleges, the foster care

1 partnership, and institutions of higher education, shall develop and
2 maintain an internet web site and outreach program to serve as a
3 comprehensive portal for foster care youth in Washington state to
4 obtain information regarding higher education including, but not
5 necessarily limited to:

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

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

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

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

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

16 (2) The board shall determine whether to design, build, and operate
17 such program and web site directly or to use, support, and modify
18 existing web sites created by government or nongovernmental entities
19 for a similar purpose.

20 NEW SECTION. **Sec. 7.** (1) To the extent funds are appropriated for
21 this purpose, the department of social and health services, with input
22 from the state board for community and technical colleges, the higher
23 education coordinating board, and institutions of higher education,
24 shall contract with at least one nongovernmental entity through a
25 request for proposals process to develop, implement, and administer a
26 program of supplemental educational transition planning for youth in
27 foster care in Washington state.

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

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

36 (a) Comprehensive information regarding postsecondary educational
37 opportunities including, but not limited to, sources of financial aid,

1 institutional characteristics and record of support for former foster
2 care youth, transportation, housing, and other logistical
3 considerations;

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

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

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

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

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

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

19 NEW SECTION. **Sec. 8.** (1) The higher education coordinating board
20 shall report to appropriate committees of the legislature by January
21 15, 2008, on the status of program design and implementation. The
22 report shall include a discussion of proposed scholarship and student
23 support service approaches; an estimate of the number of students who
24 will receive such services; baseline information on the extent to which
25 former foster care youth who meet the eligibility criteria in section
26 4 of this act have enrolled and persisted in postsecondary education;
27 and recommendations for any statutory changes needed to promote
28 achievement of program objectives.

29 (2) The state board for community and technical colleges and the
30 higher education coordinating board shall monitor and analyze the
31 extent to which eligible young people are increasing their
32 participation, persistence, and progress in postsecondary education,
33 and shall jointly submit a report on their findings to appropriate
34 committees of the legislature by December 1, 2009, and by December 1,
35 2011.

36 (3) The Washington state institute for public policy shall complete
37 an evaluation of the passport to college promise pilot program and

1 shall submit a report to appropriate committees of the legislature by
2 December 1, 2012. The report shall estimate the impact of the program
3 on eligible students' participation and success in postsecondary
4 education, and shall include recommendations for program revision and
5 improvement.

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

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

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

12 NEW SECTION. **Sec. 10.** This chapter expires June 30, 2013.

13 NEW SECTION. **Sec. 11.** Sections 1 through 10 of this act
14 constitute a new chapter in Title 28B RCW."

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ADOPTED 04/11/2007

15 On page 1, line 3 of the title, after "purpose;" strike the
16 remainder of the title and insert "adding a new chapter to Title 28B
17 RCW; and providing an expiration date."

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