
SENATE BILL 5155

State of Washington

60th Legislature

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By Senators Kilmer, Hargrove, Shin, Murray, Marr, Kauffman, Rockefeller, Kohl-Welles, Tom, Schoesler, Sheldon, Berkey, Delvin, McAuliffe, Keiser, Rasmussen and Franklin

Read first time 01/11/2007. Referred to Committee on Higher Education.

1 AN ACT Relating to helping former foster care youth gain
2 postsecondary education and providing scholarships to former foster
3 care youth for this purpose; adding a new chapter to Title 28B RCW; and
4 making appropriations.

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

6 NEW SECTION. **Sec. 1.** (1)(a) The legislature finds that in
7 Washington, there are more than seven thousand three hundred children
8 in foster family or group care. These children face unique obstacles
9 and burdens as they transition to adulthood, including lacking
10 continuity in their elementary and high school educations. As compared
11 to the general population of students, twice as many foster care youth
12 change schools at least once during their elementary and secondary
13 school careers, and three times as many change schools at least three
14 times. Only thirty-four percent of foster care youth graduate from
15 high school within four years, compared to seventy percent for the
16 general population. Of the former foster care youth who earn a high
17 school diploma, more than twenty-eight percent earn a GED instead of a
18 traditional high school diploma. This is almost six times the rate of
19 the general population. Research indicates that GED holders tend not

1 to be as economically successful as the holders of traditional high
2 school diplomas. Only twenty percent of former foster care youth who
3 earn a high school degree enroll in college, compared to over sixty
4 percent of the population generally. Of the former foster care youth
5 who do enroll in college, very few go on to earn a degree. Less than
6 two percent of former foster care youth hold bachelor's degrees,
7 compared to twenty-eight percent of Washington's population generally.

8 (b) Former foster care youth face two critical hurdles to enrolling
9 in college. The first is a lack of information regarding preparation
10 for higher education and their options for enrolling in higher
11 education. The second is finding the financial resources to fund their
12 education. As a result of the unique hurdles and challenges that face
13 former foster care youth, a disproportionate number of them are part of
14 society's large group of marginalized youth and are at increased risk
15 of continuing the cycle of poverty and violence that frequently plagues
16 their families.

17 (c) Former foster care youth suffer from mental health problems at
18 a rate greater than that of the general population. For example, one
19 in four former foster care youth report having suffered from
20 posttraumatic stress disorder within the previous twelve months,
21 compared to only four percent of the general population. Similarly,
22 the incidence of major depression among former foster care youth is
23 twice that of the general population, twenty percent versus ten
24 percent.

25 (d) There are other barriers for former foster care youth to
26 achieving successful adulthood. One-third of former foster care youth
27 live in households that are at or below the poverty level. This is
28 three times the rate for the general population. The percentage of
29 former foster care youth who report being homeless within one year of
30 leaving foster care varies from over ten percent to almost twenty-five
31 percent. By comparison, only one percent of the general population
32 reports having been homeless at sometime during the past year. One in
33 three former foster care youth lack health insurance, compared to less
34 than one in five people in the general population. One in six former
35 foster care youth receive cash public assistance. This is five times
36 the rate of the general population.

37 (e) Approximately twenty-five percent of former foster care youth
38 are incarcerated at sometime after leaving foster care. This is four

1 times the rate of incarceration for the general population. Of the
2 former foster care youth who "age out" of foster care, twenty-seven
3 percent of the males and ten percent of the females are incarcerated
4 within twelve to eighteen months of leaving foster care.

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

9 (2) The legislature further finds that a court may order a
10 noncustodial parent to pay for some or all of their children's
11 reasonable higher education costs. With respect to youth who have been
12 in the foster care system during their adolescent years, and
13 particularly with respect to youth who age out of the foster care
14 system, the state has a duty to these youth that is not less than that
15 of a noncustodial parent.

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

18 (a) Significantly increasing outreach to foster care youth between
19 the ages of fifteen and eighteen regarding the higher education
20 opportunities available to them, how to apply to college, and how to
21 apply for and obtain financial aid; and

22 (b) Providing financial aid to former foster care youth to ensure
23 that the entire costs of their public undergraduate college education
24 are paid for.

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

27 (1) "Cost of attendance" means the cost associated with attending
28 a particular institution of higher education as determined by the
29 higher education coordinating board, including but not limited to
30 tuition, fees, room, board, books, and transportation, plus a cost-of-
31 living enhancement equal to fifty percent of the room and board cost
32 for undergraduate students living on campus.

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

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

35 (b) Has been in foster care in the state of Washington for a
36 minimum of six months since his or her fifteenth birthday;

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

1 (d) Has enrolled with or will enroll with an institution of higher
2 education in Washington state by the age of twenty-one;

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

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

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

7 (3) "Independent college or university" means a private, nonprofit
8 institution of higher education, open to residents of the state,
9 providing programs of education beyond the high school level leading to
10 at least the baccalaureate degree, and accredited by the Northwest
11 association of schools and colleges, and other institutions as may be
12 developed that are approved by the higher education coordinating board
13 as meeting equivalent standards as those institutions accredited under
14 this section.

15 (4) "Institution of higher education" means:

16 (a) Any public university, college, community college, or technical
17 college operated by the state of Washington or any political
18 subdivision thereof; or

19 (b) Any other university, college, school, or institute in the
20 state of Washington offering instruction beyond the high school level
21 that is a member institution of an accrediting association recognized
22 by rule of the higher education coordinating board for the purposes of
23 this section: PROVIDED, That any institution, branch, extension, or
24 facility operating within the state of Washington that is affiliated
25 with an institution operating in another state must be a separately
26 accredited member institution of any such accrediting association, or
27 a branch of a member institution of an accrediting association
28 recognized by rule of the board for purposes of this section, that is
29 eligible for federal student financial aid assistance and has operated
30 as a nonprofit college or university delivering on-site classroom
31 instruction for a minimum of twenty consecutive years within the state
32 of Washington, and has an annual enrollment of at least seven hundred
33 full-time equivalent students.

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

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

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

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

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

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

25 (3) Up to the amount allocated to the state board for community and
26 technical colleges for the purposes of this section, for every eligible
27 student enrolled in a community or technical college in this state who
28 earns forty-five quarter or thirty semester credits, or the equivalent,
29 from a particular community or technical college, the state board for
30 community and technical colleges shall award the college three thousand
31 five hundred dollars. Thereafter, the state board for community and
32 technical colleges shall award the college an additional two thousand
33 five hundred dollars for every additional forty-five quarter or thirty
34 semester credits, or the equivalent, the eligible student earns from
35 the college, until the student has earned ninety quarter or sixty
36 semester college credits, or met other certification or training

1 requirements established by the state board for community and technical
2 colleges.

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

15 NEW SECTION. **Sec. 5.** (1) The purpose of this section is to
16 provide supplemental scholarships to cover the full, effective, and
17 true cost of attendance for eligible students' undergraduate higher
18 education. However, in no instance shall the annual amount of an
19 eligible student's scholarship under this section exceed the lower of
20 (a) the cost of attendance at the institution of higher education
21 attended by the student, plus an amount equal to fifty percent of the
22 cost of room and board for undergraduate students living on campus as
23 established by the higher education coordinating board, or (b) the
24 resident undergraduate cost of attendance at the University of
25 Washington per academic year for a full-time student, plus an amount
26 equal to fifty percent of the cost of room and board for undergraduate
27 students living on campus as estimated by the higher education
28 coordinating board.

29 (2) The institution of higher education at which an eligible
30 student is enrolled shall award the student all financial aid that he
31 or she qualifies for, including all need-based, merit-based,
32 campus-based, and institutional aid that the student is eligible to
33 receive, but excluding work-study in an amount greater than twenty
34 percent of the student's cost of attendance and student loans.

35 (3) Subject to the limitation set forth in subsection (1) of this
36 section, the institution of higher education at which an eligible
37 student is enrolled shall provide each eligible student with a

1 supplementary scholarship equal to the difference between the student's
2 cost of attendance and the amount of financial aid awarded to the
3 student under subsection (2) of this section.

4 (4) Each institution of higher education providing supplementary
5 scholarships under this section shall submit, at least annually, a
6 request for reimbursement to the higher education coordinating board
7 for the amount of the supplementary scholarships provided to eligible
8 students. The higher education coordinating board shall timely
9 reimburse the individual institutions of higher education for the
10 amount of the supplementary scholarships from funds appropriated to the
11 board for this purpose.

12 (5) A student receiving a scholarship under this section shall be
13 placed on probation if he or she fails to maintain a cumulative grade
14 point average of 2.0 or better. If a student on probation fails to
15 achieve a cumulative grade point average of 2.0 or better within one
16 quarter or semester of being placed on probation, he or she ceases to
17 be eligible to receive scholarship funds under this section until he or
18 she achieves a cumulative grade point average of 2.0 or better.

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

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

33 (8) To allow institutions of higher education to readily identify
34 students who may be eligible for a scholarship under this section, all
35 institutions of higher education shall include on their applications
36 for undergraduate or relevant admission a question asking whether the
37 applicant has been in foster care in Washington state for at least six
38 months since his or her fifteenth birthday. An institution shall not

1 consider whether an applicant may be eligible for a scholarship under
2 this section when deciding whether the applicant will be granted
3 admission to the institution.

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

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

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

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

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

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

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

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

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

35 (3) The selected nongovernmental entity or entities shall provide
36 supplemental educational transition planning to each foster care youth

1 in Washington state beginning at age fifteen and then at least every
2 six months thereafter. The supplemental transition planning shall
3 include:

4 (a) Comprehensive information regarding postsecondary educational
5 opportunities including, but not limited to, sources of financial aid,
6 institutional characteristics and record of support for former foster
7 care youth, transportation, housing, and other logistical
8 considerations;

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

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

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

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

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

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

24 NEW SECTION. **Sec. 8.** (1) The state board for community and
25 technical colleges shall award one or more awards totaling twenty-five
26 thousand dollars annually, from the appropriation made for this
27 purpose, to the institutions of higher education that have been the
28 most successful, as determined by the board, in recruiting, retaining,
29 and graduating eligible students under this chapter.

30 (2) Institutions that receive an award under this section are
31 encouraged to use the award to further assist former foster care youth
32 in obtaining postsecondary education.

33 NEW SECTION. **Sec. 9.** (1) The state board for community and
34 technical colleges shall monitor and analyze the academic progress of
35 community and technical college students who receive scholarships under
36 this chapter, and shall submit a report regarding the number of

1 community and technical college students who have received scholarships
2 under this chapter and the academic progress of those students to the
3 higher education committees of the senate and the house of
4 representatives by January 15, 2010.

5 (2) The higher education coordinating board shall monitor and
6 analyze the academic progress of students enrolled at four-year
7 institutions of higher education who receive scholarships under this
8 chapter, and shall submit a report regarding the number of students who
9 have received scholarships under this chapter and the academic progress
10 of those students to the higher education committees of the senate and
11 the house of representatives by January 15, 2010.

12 NEW SECTION. **Sec. 10.** Nothing in this chapter may be construed
13 to:

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

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

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

21 NEW SECTION. **Sec. 12.** (1) The sum of three million dollars, or as
22 much thereof as may be necessary, is appropriated for the fiscal year
23 ending June 30, 2008, from the general fund to the office of financial
24 management for the purposes of this act.

25 (2) The sum of three million dollars, or as much thereof as may be
26 necessary, is appropriated for the fiscal year ending June 30, 2009,
27 from the general fund to the office of financial management for the
28 purposes of this act.

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