

HOUSE BILL REPORT

SB 6523

As Passed House:
February 18, 2014

Title: An act relating to expanding higher education opportunities for certain students.

Brief Description: Expanding higher education opportunities for certain students.

Sponsors: Senators Bailey, Tom, Fain, Litzow, Hill, Dammeier, Kohl-Welles, McAuliffe, Pedersen, Billig, Ranker, Hatfield, Mullet, Hobbs, Lias, Fraser, Nelson, Conway, McCoy, Keiser, Chase, Hasegawa, Frockt, Rolfes, Cleveland, Darneille, Kline and Eide.

Brief History:

Committee Activity:

None.

Floor Activity:

Passed House: 2/18/14, 75-22.

Brief Summary of Bill

- Adds to the list of persons eligible for the State Need Grant (SNG):
 - individuals granted Deferred Action for Childhood Arrival status that meet certain criteria; and
 - individuals who qualify under the fifth resident student definition.
- Appropriates up to \$5 million dollars to the Washington Student Achievement Council for the SNG Program.

Staff: Megan Wargacki (786-7194).

Background:

Resident Students.

Classification as a resident student allows an individual to pay resident tuition rates. There are 13 categories of resident student, including the following five:

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

1. a financially independent student who has established a domicile in Washington for one year immediately before the student starts class, and has established domicile in the state for purposes other than educational;
2. a dependent student, if one or both of the student's parents or legal guardians have maintained a domicile in Washington for at least one year before the student starts class;
3. a student classified as a resident on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-83 school year, so long as the student's enrollment is continuous;
4. a student who has spent at least 75 percent of the individual's junior and senior years in high schools in Washington, whose parents or legal guardians have been domiciled in the state for at least one year within the five-year period before the student graduates from high school, and who enrolls in a public higher education institution within six months of leaving high school (for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year); or
5. a student who has:
 - a. either completed the full senior year of high school and obtained a diploma at a Washington high school or received the equivalent of a diploma;
 - b. lived in Washington for at least three years immediately prior to receiving the diploma or its equivalent;
 - c. continuously lived in the state after receiving the diploma or its equivalent and until being admitted to the institution of higher education; and
 - d. provided to the institution an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in other activities necessary to acquire citizenship.

Except as provided in certain sections of the resident student eligibility statute, persons who are not citizens of the United States are considered nonresident students for tuition purposes.

State Need Grant.

The State Need Grant (SNG), established in 1969, is designed to offset a portion of higher educational costs for low-income, needy and disadvantaged Washington residents. The Washington Student Achievement Council (WSAC) administers the program in coordination with institutions of higher education. Students are eligible for the SNG only if they are "resident students" according to the first four categories (1 through 4) listed above. In 2014, to be eligible, a student's family income must not exceed 70 percent of the state's median family income. The SNG recipients are required to contribute a portion of the total cost of their education through self-help, and maintain satisfactory academic progress.

During the 2012-13 academic year:

- 73,985 Washington students received the SNG;
- 32,443 students were eligible but unserved; and
- \$303 million was dedicated to the SNG by the Legislature.

Deferred Action for Childhood Arrival Status.

The United States Department of Homeland Security exercises prosecutorial discretion not to remove certain individuals, including those that are granted Deferred Action for Childhood

Arrival (DACA) status. Individuals may be granted DACA status for a period of two years, subject to renewal, and may be eligible for employment authorization. Individuals must demonstrate through verifiable documentation to the United States Citizenship and Immigration Services that they meet the following conditions:

- were under the age of 31 on June 15, 2012;
- came to the United States before reaching their 16th birthday;
- have continuously resided in the United States since June 15, 2007;
- were physically present in the United States on June 15, 2012, and at the time of the DACA request;
- entered the United States without inspection before June 15, 2012, or their immigration status expired by that date;
- are currently in school, have graduated or obtained a certificate of completion from high school, have obtained a general education development (GED) certificate, or are an honorably discharged veteran of the Coast Guard or Armed Forces of the United States; and
- have not been convicted of a felony, significant misdemeanor, three or more other misdemeanors, and do not otherwise pose a threat to national security or public safety.

Summary of Bill:

This act is called the Real Hope Act.

Students are eligible for the SNG if they have been granted DACA status and:

- either completed the full senior year of high school and obtained a diploma at a Washington high school or received the equivalent of a diploma;
- lived in Washington for at least three years immediately prior to receiving the diploma or its equivalent; and
- continuously lived in the state after receiving the diploma or its equivalent and until being admitted to the institution of higher education.

Students are also eligible for the SNG if they meet the elements of the fifth category of "resident students" as defined above. This category includes any person who has:

- either completed the full senior year of high school and obtained a diploma at a Washington high school or received the equivalent of a diploma;
- lived in Washington for at least three years immediately prior to receiving the diploma or its equivalent;
- continuously lived in the state after receiving the diploma or its equivalent and until being admitted to the institution of higher education; and
- provided to the institution an affidavit indicating that the individual will file an application to become a permanent resident at the earliest opportunity the individual is eligible to do so and a willingness to engage in other activities necessary to acquire citizenship.

Up to \$5 million is appropriated for fiscal year 2015 from the General Fund to the WSAC for student financial aid payments under the SNG Program.

Appropriation: The sum of \$5 million.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.