

# HOUSE BILL REPORT

## 2SSB 6274

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### As Passed House - Amended:

February 28, 2018

**Title:** An act relating to helping former foster youth and unaccompanied youth experiencing homelessness access and complete college and registered apprenticeships.

**Brief Description:** Helping former foster youth and youth experiencing homelessness access and complete college and registered apprenticeships.

**Sponsors:** Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Palumbo, Keiser, Wellman, Darneille, Lias, Kuderer, Hasegawa, Hunt and Saldaña).

### Brief History:

#### Committee Activity:

Higher Education: 2/20/18, 2/23/18 [DPA];

Appropriations: 2/24/18, 2/26/18 [DPA(HE)].

#### Floor Activity:

Passed House - Amended: 2/28/18, 55-43.

### Brief Summary of Second Substitute Bill (As Amended by House)

- Establishes the Passport to Careers program, which has two pathways: the Passport to College Promise program and the Passport to Apprenticeship Opportunities program.
- Expands the Passport to College Promise program to include unaccompanied homeless youth and former foster youth in federal and tribal foster care systems.
- Provides financial assistance for former foster youth and unaccompanied homeless youth to pursue apprenticeships and preapprenticeships.
- Expands supports for unaccompanied homeless youth through the Supplemental Education Transition Planning program.

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## HOUSE COMMITTEE ON HIGHER EDUCATION

*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.*

**Majority Report:** Do pass as amended. Signed by 6 members: Representatives Hansen, Chair; Pollet, Vice Chair; Haler, Orwall, Sells and Tarleton.

**Minority Report:** Without recommendation. Signed by 2 members: Representatives Holy, Ranking Minority Member; Stambaugh.

**Minority Report:** Do not pass. Signed by 1 member: Representative Van Werven, Assistant Ranking Minority Member.

**Staff:** Megan Mulvihill (786-7304).

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass as amended by Committee on Higher Education. Signed by 24 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Stokesbary, Assistant Ranking Minority Member; Bergquist, Cody, Fitzgibbon, Graves, Haler, Hansen, Harris, Hudgins, Jinkins, Kagi, Lytton, Manweller, Pettigrew, Pollet, Sawyer, Senn, Springer, Stanford, Sullivan, Tharinger and Wilcox.

**Minority Report:** Do not pass. Signed by 8 members: Representatives Chandler, Ranking Minority Member; Buys, Caldier, Condotta, Schmick, Taylor, Vick and Volz.

**Minority Report:** Without recommendation. Signed by 1 member: Representative MacEwen, Assistant Ranking Minority Member.

**Staff:** Lily Sobolik (786-7157).

### **Background:**

#### Passport to College Promise Program.

In 2007 the Legislature established the Passport to College Promise program for students who have emancipated from the state foster care system after having spent at least one year in care after their sixteenth birthday. To qualify for the scholarship, a student must:

- be a Washington resident;
- be enrolled at least half-time in an institution of higher education by age 21;
- be making satisfactory academic progress towards a degree or certificate program;
- not have earned a bachelor's or professional degree; and
- not pursue a degree in theology.

The scholarship cannot exceed undergraduate resident tuition and fees at the highest priced public institution in the state and may not exceed the student's financial need, less a reasonable self-help amount, when combined with other public and private grants, scholarships, and waiver assistance. An eligible student may receive the scholarship for a maximum of five years after the student first enrolls, or until age 26, whichever occurs first.

The Washington Student Achievement Council (WSAC) administers the program. In addition to other administrative duties, the WSAC, with input from the State Board for Community and Technical Colleges, higher education institutions, and the Foster Care

Partnership, also maintains a website and outreach program for foster youth to obtain information about higher education, such as information about college applications and financial aid.

For the 2016-17 academic year, the WSAC awarded 335 scholarships, and the maximum award amount was \$4,500. The Passport to College Promise program is set to expire on June 30, 2022.

#### The McKinney-Vento Homeless Education Assistance Act.

The federal McKinney-Vento Homeless Education Assistance Act (McKinney-Vento Act) requires local school districts to identify homeless students and provide them with support. Under the McKinney-Vento Act homeless children are defined as "individuals who lack a fixed, regular, and adequate nighttime residence." The McKinney-Vento Act provides examples of children who would fall under this definition, including children and youth who are:

- sharing housing due to loss of housing, economic hardship, or a similar reason;
- living in motels, hotels, trailer parks, or campgrounds due to lack of alternative accommodations;
- living in emergency or transitional shelters;
- abandoned in hospitals;
- awaiting foster care placement;
- living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations; and
- migratory and live in one of the above situations.

#### Supplemental Education Transition Planning for Youth in Foster Care.

The WSAC, with input from the Office of the Superintendent of Public Instruction (OSPI) and the Department of Social and Health Services (DSHS) contracts with six nongovernmental entities across the state to develop, implement, and administer the Supplemental Education Transition Planning (SETuP) program for youth in foster care. The SETuP program's purpose is to assist foster youth in successfully transitioning from high school to postsecondary enrollment, career, or service. The SETuP program includes developing educational plans; age-specific tasks for high school and postsecondary success; facilitating participation in school and local resources for educational access and success; and coordinating youth, caregivers, schools, and social workers to support youth progress in the educational system.

#### Unaccompanied Refugee Minors Program.

The Unaccompanied Refugee Minors program (URM) is a federal program that ensures minors entering the United States without family receive care and services available to all foster children in the state by establishing the legal authority to act in place of the child's unavailable parent. The URM program uses trained social work staff to help with the particular needs of refugee and immigrant youth.

Children eligible for the URM program are under 18 years old and generally are refugees, Cuban/Haitian entrants, asylees, victims of trafficking, certain minors with special immigrant juvenile status, and U visa holders. Children who entered the United States with family but who experience a family breakdown may also be eligible to enter the URM program.

Generally, the foster youth in the URM program are eligible for all the same services as a youth in the state foster care system.

#### Tribal Welfare Systems.

Both the federal and state Indian Child Welfare Acts (ICWA) recognize exclusive tribal jurisdiction over child custody proceedings involving an Indian child living within tribal territory.

In any proceeding for the foster care placement of, or termination of parental rights to, an Indian child who is not domiciled or residing within the reservation of the child's tribe, the court must transfer the proceeding to the jurisdiction of the child's tribe upon the motion of the child's parent or custodian, the tribe, or the child if the child is 12 years of age or older. The tribe may decline to accept jurisdiction of the proceeding.

"Tribal court" is defined under the ICWA as a court or body vested by an Indian tribe with jurisdiction over child custody proceedings, including but not limited to a federal court of Indian offenses, a court established and operated under the code or custom of an Indian tribe, or an administrative body of an Indian tribe vested with authority over child custody proceedings.

#### Interstate Compact on the Placement of Children.

The Interstate Compact on the Placement of Children (ICPC) is a statutory agreement between all 50 states, the District of Columbia, and the United States Virgin Islands governing the placement of children from one state into another state for the purposes of foster care or adoption. Under the ICPC, certain requirements must be met and procedures followed by the child welfare agencies of both the sending state and the receiving state.

The ICPC does not cover placements made in medical or mental health facilities or in boarding schools and does not cover placement of children made by parents, certain family members, or the child's guardian.

#### **Summary of Amended Bill:**

##### Eligibility for the Passport to Careers Program.

The Passport to Careers program is established with two pathways: an expansion of the Passport to College Promise program and a new Passport to Apprenticeship Opportunities program. Eligibility for both program pathways includes students who were in state, tribal, or federal foster care and unaccompanied homeless youth. For former foster youth to be eligible, they need to have been in the care of the state foster care system, tribal foster care system, or federal foster care system at any time before age 21 subsequent to the following:

- age 15 as of July 1, 2018;
- age 14 as of July 1, 2019; and
- age 13 as of July 1, 2020.

Beginning July 1, 2019, eligibility is expanded to unaccompanied homeless youth under age 21 whose unaccompanied homeless status is verified on or after July 1 of the prior academic year. "Homeless" is defined as without a fixed, regular, and adequate nighttime residence as

set forth in the McKinney-Vento Act. "Unaccompanied" is defined as a youth or young adult experiencing homelessness while not in the physical custody of a parent or guardian.

The WSAC is responsible for establishing a process for verifying unaccompanied homeless status, which may be done by a letter from a high school or school district McKinney-Vento liaison; the director or designated staff member of an emergency shelter, transitional housing program, or homeless youth drop-in center; or other similar professional case manager or school employee. Students may also submit to the WSAC an essay that describes their homelessness experience and the barriers it created to their academic progress. The WSAC may then consider the essay in lieu of a letter of homelessness determination and may interview the student for further information if needed.

Other eligibility requirements are as follows:

- be a Washington resident, or if unable to establish residency due to homelessness or placement in out-of-state foster care under the ICPC, determine residency through verification with the WSAC;
- be enrolled at least half-time in an institution of higher education or in a registered apprenticeship or recognized preapprenticeship by age 21;
- be making satisfactory academic progress toward completion of a degree, certificate program, or registered apprenticeship or recognized preapprenticeship;
- not have a bachelor's or professional degree; and
- not be pursuing a degree in theology.

#### The Passport to College Promise Program.

Besides expanded eligibility for the Passport to College Promise program, the scholarship award is modified to no longer include a self-help component. In addition, to the extent funds are appropriated, the WSAC must contract with at least one nongovernmental entity to provide services to support effective program implementation for the Passport to College Promise program, with the purpose of increasing postsecondary completion rates. The expiration date of the Passport to College Promise program is repealed.

#### The Passport to Apprenticeship Opportunities Program.

For the Passport to Apprenticeship Opportunities program, the WSAC must identify eligible students and applicants, provide financial assistance for apprenticeship and preapprenticeship entrance requirements and occupational-specific costs that does not exceed the individual's need, and extend financial assistance to an eligible applicant for a maximum of six years after first enrolling in a registered apprenticeship or until the applicant turns 26 years old, whichever occurs first.

To the extent funds are appropriated, the WSAC, with approval from the Employment Security Department (ESD) and the State Apprenticeship and Training Council, must contract with at least one nongovernmental entity to provide quality training, employment navigation, and supportive services to disadvantaged populations seeking to complete apprenticeships and preapprenticeships through the Passport to Apprenticeship Opportunities program. The nongovernmental entity must also disburse state financial assistance under the Passport to Apprenticeship Opportunities program to meet registered apprenticeship and preapprenticeship entrance requirements and occupational-specific costs.

Eligible students may use the Passport to College Promise program or the Passport to Apprenticeship Opportunities program at different times, but not concurrently. In addition, the total award an individual may receive from the programs may not exceed the equivalent amount that would have been awarded for the individual to attend the highest-priced public university in the state for five years.

Agency Outreach and Collaboration for the Passport to Careers Program.

The DSHS and the Department of Children, Youth, and Families (DCYF), with input from OSPI, must devise and implement procedures for identifying students and applicants eligible for the Passport to Careers program and share this information with the WSAC, institutions of higher education, and the nongovernmental entities contracted under the Passport to Careers program.

The website and outreach program the WSAC maintains for foster youth to obtain information about higher education is expanded to include: how and when to apply for a registered apprenticeship or preapprenticeship program; the prerequisites that are generally required for acceptance to higher education, a registered apprenticeship, or preapprenticeship program; how to obtain and complete the state financial aid application; and detailed sources of financial aid and assistance available to unaccompanied homeless youth. The WSAC must get input from the following entities: community and technical colleges, the Foster Care Partnership, institutions of higher education, the ESD, the State Apprenticeship and Training Council, the Workforce Training and Education Coordinating Board, the Department of Commerce's Office of Homeless Youth Prevention and Protection Programs (Commerce), the DCYF, the Department of Licensing, and the Department of Labor and Industries.

The nongovernmental entities for both the Passport to College Promise program and the Passport to Apprenticeship Opportunities program are recommended to coordinate on technological models to keep students served engaged.

Supplemental Education Transition Planning for Foster Care and Unaccompanied Homeless Youth.

The WSAC must also receive input from the DCYF and Commerce, in addition to the OSPI and the DSHS, for the purposes of the SETuP program for foster care and unaccompanied homeless youth. The SETuP program is also to include establishing postsecondary plan initiation in coordination with the Passport to Careers program.

**Appropriation:** None.

**Fiscal Note:** Available.

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

**Staff Summary of Public Testimony (Higher Education):**

(In support) The Passport to College Promise program is an incredible program started a few years ago. It was thought that if foster youth could join the program sooner, it could be even

more effective. More foster youth could receive the wraparound services the program provides, so it was thought that bringing the age down to 13 would be a great start. This aligns with the age that foster youth can apply for the Free Application for Federal Student Aid. Then it was realized that the program would also benefit homeless youth. In addition, college is not right for everyone and the goal should be to get a career and set people up for life. There are global models that demonstrate how important apprenticeships are. Therefore, it was decided that the Passport to Careers program would be a good model so that every opportunity is available to the youth of Washington. The expansion to apprenticeships is great because the traditional college pathway does not appeal to some.

This is not a hand out program. This is a program that provides foster youth with the support they need so they can succeed. Nationally, only 3 percent of foster kids earn a postsecondary credential. The Passport to College Promise program model is effective. Passport scholars have a higher completion rate and around 72 percent persist to their second year of college. Washington is first in the nation for supporting students in foster care. When foster youth graduate high school and earn a postsecondary credential, they transition into adulthood better off. The state can expect strong economic returns from this program. The Passport to College Promise scholarship is better for foster youth than a tuition waiver because of the built-in student supports.

(Opposed) None.

**Staff Summary of Public Testimony (Appropriations):**

(In support) This bill expands the current Passport to College Program (Program) to include additional foster youth as well as youth experiencing homelessness. The bill also expands the existing Program beyond the college path to include apprenticeship as well. There is a phased-in approach so the Program can build infrastructure, capacity, and spread out the additional costs. Funding should increase for all three components, the direct student financial aid, incentive funding to schools, and student support services. It is these three components that make the Program so unique and a national model. It is very important to create a pathway to help former foster youth follow their strengths.

(Opposed) None.

**Persons Testifying (Higher Education):** Senator Ranker, prime sponsor; Michael Moran, Saint Martin University; Fredrick Kingston, College Success Foundation; Azia Ruff, The Mockingbird Society; and Peter Guzman, State Board for Community and Technical Colleges.

**Persons Testifying (Appropriations):** Pam Crone, The Mockingbird Society; and Michael Moran.

**Persons Signed In To Testify But Not Testifying (Higher Education):** None.

**Persons Signed In To Testify But Not Testifying (Appropriations):** None.