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SUBSTITUTE SENATE BILL 6274

State of Washington 65th Legislature 2018 Regular Session

By Senate Higher Education & Workforce Development (originally sponsored by Senators Ranker, Palumbo, Keiser, Wellman, Darneille, Liias, Kuderer, Hasegawa, Hunt, and Saldaña)

READ FIRST TIME 01/24/18.

- AN ACT Relating to helping former foster youth and unaccompanied youth experiencing homelessness access and complete college and registered apprenticeships; amending RCW 28B.117.005, 28B.117.010, 28B.117.020, 28B.117.030, 28B.117.040, 28B.77.250, 28B.117.050, and 28B.76.526; adding new sections to chapter 28B.117 RCW; creating a new section; repealing RCW 28B.117.070 and 28B.117.901; and repealing 7 2013 c 182 s 11 (uncodified).
- 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 9 **Sec. 1.** RCW 28B.117.005 and 2013 c 39 s 11 are each amended to 10 read as follows:
 - (1)(a) ((The legislature finds that in Washington, there are more than seven thousand three hundred children in foster family or group care. These children face unique obstacles and burdens as they transition to adulthood, including lacking continuity in their elementary and high school educations. As compared to the general population of students, twice as many foster care youth change schools at least once during their elementary and secondary school careers, and three times as many change schools at least three times. Only thirty-four percent of foster care youth graduate from high school within four years, compared to seventy percent for the general population. Of the former foster care youth who earn a high school

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diploma, more than twenty-eight percent earn a high school equivalency certificate as provided in RCW 28B.50.536 instead of a traditional high school diploma. This is almost six times the rate of the general population. Research indicates that holders of high school equivalency certificates tend not to be as economically successful as the holders of traditional high school diplomas. Only twenty percent of former foster care youth who earn a high school degree enroll in college, compared to over sixty percent of the population generally. Of the former foster care youth who do enroll in college, very few go on to earn a degree. Less than two percent of former foster care youth hold bachelor's degrees, compared to twenty-eight percent of Washington's population generally.

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

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

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

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One in six former foster care youth receive cash public assistance.

This is five times the rate of the general population.

- (e) Approximately twenty-five percent of former foster care youth are incarcerated at sometime after leaving foster care. This is four times the rate of incarceration for the general population. Of the former foster care youth who "age out" of foster care, twenty-seven percent of the males and ten percent of the females are incarcerated within twelve to eighteen months of leaving foster care.
- (f) Female former foster care youth become sexually active more than seven months earlier than their nonfoster care counterparts, have more sexual partners, and have a mean age of first pregnancy of almost two years earlier than their peers who were not in foster care.
- (2) The legislature intends to create the passport to college promise pilot program. The pilot program will initially operate for a six-year period, and will have two primary components, as follows:
- (a) Significantly increasing outreach to foster care youth between the ages of fourteen and eighteen regarding the higher education opportunities available to them, how to apply to college, and how to apply for and obtain financial aid; and
- (b) Providing financial aid to former foster care youth to assist with the costs of their public undergraduate college education.)) The legislature finds that with the creation of the passport to college promise program this state took a significant step toward providing higher education opportunities to youth and alumni of foster care. The passport to college promise program not only provides financial aid to former foster youth but, just as important, it recognizes the critical role of wraparound services and provides early outreach to foster care youth regarding postsecondary higher educational opportunities. Since 2007, the passport to college promise program has increased the number of former foster youth enrolling in higher education and working toward college degrees.
- (b) Recognizing the success of creating pathways for foster youth to access higher education, the legislature now seeks to create an additional postsecondary pathway through access to registered apprenticeships. Former foster and unaccompanied homeless youth face critical hurdles to accessing registered apprenticeships. The first is a lack of information regarding preparation for and enrolling in registered apprenticeships. The second is finding the financial resources to begin and continue in an apprenticeship. As a result of

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the unique hurdles and challenges that face youth in and alumni of foster care and unaccompanied homeless and former homeless youth, a disproportionate number of them are part of society's large group of marginalized youth.

- (c) The legislature reiterates its earlier recognition of the critical role education plays in improving outcomes for youth in and alumni of foster care and unaccompanied homeless and former homeless youth, as well as the key role played by wraparound services in providing continuity and seamless transitions to postsecondary credential programs. With the creation of a parallel pathway with a passport for registered apprenticeships, including for the provision of wraparound services, the legislature strives to make Washington the leader in the nation with respect to foster and unaccompanied homeless youth graduating from high school and enrolling in and achieving a postsecondary credential.
- (d) The legislature further finds that students experiencing homelessness face similar challenges and educational outcomes as their peers in foster care. In 2016, fifty-three and two-fifths percent of Washington youth experiencing homelessness graduated from high school on time, compared to seventy-nine percent of their peers. Students experiencing homelessness are more likely to be students of color, chronically absent, and have lower test scores in reading and math. Homeless students may also be former foster youth and foster youth may be formerly homeless students. Similar to youth in foster care, students experiencing homelessness need opportunities for financial aid, wraparound services, and early outreach regarding postsecondary higher educational opportunities and apprenticeships.
- (2) It is the intent of the legislature to create the passport to careers program with two programmatic pathways: The passport to college promise program and the passport to apprenticeship opportunities. The passport to careers program expands upon the passport to college promise program created in 2007 to include a program of financial assistance for eligible youth to participate in apprenticeship programs called the passport to apprenticeship opportunities program. The passport to careers program will have three primary components:
- (a) Outreach to foster and unaccompanied homeless youth thirteen years of age and older regarding the higher education and registered apprenticeship opportunities available to them, how to apply, and how to apply for and obtain financial aid;

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(b) Provide financial support to former foster and unaccompanied homeless youth to assist with the costs of their public undergraduate college education or provide financial assistance to meet apprenticeship program minimum qualifications and occupational-specific costs and the supportive services to help them apply and complete a registered apprenticeship; and

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- 7 (c) Measurably increase the number of foster and homeless youth
 8 accessing and completing higher education or registered
 9 apprenticeship programs and successfully entering and retaining
 10 employment.
- 11 **Sec. 2.** RCW 28B.117.010 and 2012 c 163 s 2 are each amended to 12 read as follows:
- The passport to ((college promise)) <u>careers</u> program is created.

 The purpose of the program is:
- 15 (1) To encourage current and former foster care youth <u>and</u>
 16 <u>unaccompanied youth experiencing homelessness</u> to prepare for,
 17 ((attend)) <u>enroll in</u>, and successfully complete higher education <u>or a</u>
 18 registered apprenticeship or preapprenticeship program;
- 19 (2) To improve the high school graduation outcomes of foster 20 youth <u>and unaccompanied youth experiencing homelessness</u> through 21 coordinated P-20 and child welfare outreach, intervention, and 22 planning; and
- (3) To improve postsecondary outcomes by providing current and former foster care youth <u>and unaccompanied youth who have experienced homelessness</u> with the educational planning, information, institutional support, and direct financial resources necessary for them to succeed in <u>either</u> higher education <u>or a registered</u> apprenticeship or preapprenticeship program.
- 29 **Sec. 3.** RCW 28B.117.020 and 2012 c 163 s 3 are each amended to 30 read as follows:
- The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.
- (1) <u>"Apprentice" means a person enrolled in a state-approved,</u>

 federally registered, or reciprocally recognized apprenticeship

 program.
- 36 (2) "Apprenticeship" means an apprenticeship training program
 37 approved or recognized by the state apprenticeship council or similar
 38 federal entity.

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

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- $((\frac{(2)}{2}))$ $\underline{(4)}$ "Financial need" means the difference between a student's cost of attendance and the student's total family contribution as determined by the method prescribed by the United States department of education.
- 12 (((3))) (5) "Homeless" or "homelessness" means without a fixed, 13 regular, and adequate nighttime residence as set forth in the federal 14 McKinney-Vento homeless assistance act, P.L. 100-77, July 22, 1987, 15 101 Stat. 482, and runaway and homeless youth act, P.L. 93-415, Title 16 III, September 7, 1974, 88 Stat. 1129.
 - (6) "Independent college or university" means a private, nonprofit institution of higher education, open to residents of the state, providing programs of education beyond the high school level leading to at least the baccalaureate degree, and accredited by the Northwest association of schools and colleges, and other institutions as may be developed that are approved by the board as meeting equivalent standards as those institutions accredited under this section.
- $((\frac{4}{1}))$ $(\frac{7}{1})$ "Institution of higher education" means any institution eligible to and participating in the state need grant program.
- 28 (((5))) (8) "Occupational-specific costs" means the costs
 29 associated with entering an apprenticeship, including but not limited
 30 to fees, tuition for classes, work clothes, rain gear, boots,
 31 occupation-specific tools, plus the costs of reasonable
 32 transportation expenses incurred by an apprentice.
- 33 (9) "Office" means the office of student financial assistance.
- (((6))) (10) "Preapprenticeship" means an apprenticeship preparation program recognized by the state apprenticeship council and as defined in RCW 28C.18.162.
- 37 <u>(11)</u> "Program" means the passport to ((college promise)) <u>careers</u> 38 program created in this chapter.

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- 1 (12) "Unaccompanied" means a youth or young adult experiencing
 2 homelessness while not in the physical custody of a parent or
 3 guardian.
- **Sec. 4.** RCW 28B.117.030 and 2013 c 182 s 8 are each amended to read as follows:

- (1) The office shall design and, to the extent funds are appropriated for this purpose, implement, ((a)) passport to careers with two programmatic pathways: The passport to college promise program and the passport to apprenticeship opportunities program.

 Both programs ((ef)) offer supplemental scholarship and student assistance for students who ((have emancipated from)) were under the care of the state, tribal, or federal foster care systems or the jurisdiction of the interstate compact on the placement of the children after having spent at least one ((year)) day in care, and unaccompanied youth who have experienced homelessness.
 - (2) The office shall convene and consult with an advisory committee to assist with program design and implementation. The committee shall include but not be limited to former foster care and unaccompanied homeless youth and their advocates; representatives from the state board for community and technical colleges, and from public and private agencies that assist current and former foster care recipients and unaccompanied youth experiencing homelessness in their transition to adulthood; ((and)) student support specialists from public and private colleges and universities; the state board for community and technical colleges; the state workforce training and education coordinating board; and the state apprenticeship council.
- 28 (3) To the extent that sufficient funds have been appropriated 29 for this purpose, a student is eligible for assistance under this 30 section if he or she:
- 31 (a) Spent at least one ((year)) <u>day</u> in foster care <u>or</u>
 32 <u>experiencing homelessness, unaccompanied,</u> subsequent to his or her
 33 ((sixteenth)) thirteenth birthday and before age twenty-one;
 - (b) ((Meets one of the following three requirements:
- 35 (i) Emancipated from foster care on or after January 1, 2007;
- 36 (ii) Enrolls in extended foster care; or
- 37 (iii) Achieves a permanent plan after age seventeen and one-half 38 years;

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(c)) Is a resident student, as defined in RCW 28B.15.012(2) or, if unable to establish residency because of homelessness, verified unaccompanied homeless youth status as established in this act;

- (((d))) <u>(c)</u> Is enrolled with or will enroll on at least a half-time basis with an institution of higher education <u>or a registered apprenticeship or recognized preapprenticeship</u> in Washington state by the age of twenty-one;
- $((\frac{(++)}{(++)}))$ (d) Is making satisfactory academic progress toward the completion of a degree, $((\frac{(++)}{(++)}))$ certificate program, or registered apprenticeship or recognized preapprenticeship, if receiving supplemental scholarship assistance;
- $((\frac{f}{f}))$ <u>(e)</u> Has not earned a bachelor's or professional degree; 13 $(\frac{and}{f})$
 - (g)) (f) Has verified unaccompanied homelessness status through a process defined by the office. A letter from the following persons or entities may be used to provide verification: 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 who have no formal connection with such a professional may also submit to the office an essay that describes their homelessness experience and the barriers it created to their academic progress. The office may consider this essay in lieu of a letter of homelessness determination and may interview the student if further information is needed to verify eligibility; and
 - (g) Is not pursuing a degree in theology.
 - (4) A passport to college promise program is created.
 - (a) A passport to college promise scholarship under this section:
- $((\frac{1}{2}))$ (i) Shall not exceed resident undergraduate tuition and fees at the highest-priced public institution of higher education in the state; and
 - $((\frac{b}{b}))$ (ii) Shall not exceed the student's financial need, $(\frac{b}{b})$ (less a reasonable self-help amount defined by the office,)) when combined with all other public and private grant, scholarship, and waiver assistance the student receives.
 - (((5))) (b) An eligible student may receive a passport to college promise scholarship under this section for a maximum of five years after the student first enrolls with an institution of higher education or until the student turns age twenty-six, whichever occurs first. If a student turns age twenty-six during an academic year, and

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would otherwise be eligible for a scholarship under this section, the student shall continue to be eligible for a scholarship for the remainder of the academic year.

- $((\frac{(6)}{(6)}))$ (c) The office, in consultation with and with assistance from the state board for community and technical colleges, shall perform an annual analysis to verify that those institutions of higher education at which students have received a scholarship under this section have awarded the student all available need-based and merit-based grant and scholarship aid for which the student qualifies.
- (((7))) (d) In designing and implementing the passport to college student support program under this section, the office, in consultation with and with assistance from the state board for community and technical colleges, shall ensure that a participating college or university:
- ((\(\frac{(a)}{a}\)) (i) Has a viable plan for identifying students eligible for assistance under this section, for tracking and enhancing their academic progress, for addressing their unique needs for assistance during school vacations and academic interims, and for linking them to appropriate sources of assistance in their transition to adulthood;
- (((b))) <u>(ii)</u> Receives financial and other incentives for achieving measurable progress in the recruitment, retention, and graduation of eligible students.
 - (5) A passport to apprenticeship opportunities program is created. The program shall:
 - (a) Identify students and applicants who are eligible for services under RCW 28B.117.030 through coordination of certain agencies as detailed in RCW 28B.117.040;
- 30 <u>(b) Provide financial assistance through the nongovernmental</u>
 31 <u>entity or entities in section 8 of this act that does not exceed the</u>
 32 <u>individual's financial need; and</u>
 - (c) Extend to any eligible applicant for a maximum of six years after first enrolling with a registered apprenticeship or until the applicant turns twenty-six, whichever occurs first.
 - (6) Eligible applicants may utilize passport to college promise or passport to apprenticeship opportunities at different times, but not concurrently. The total award an individual may receive in any combination of the programs shall not exceed the equivalent amount that would have been awarded for the individual to attend a public

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- 1 university for five years with the highest annual tuition and state-
- 2 mandated fees in the state.

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- 3 **Sec. 5.** RCW 28B.117.040 and 2012 c 163 s 4 are each amended to 4 read as follows:
- 5 Effective operation of the passport to ((college promise))
 6 careers program requires early and accurate identification of former
 7 foster care youth and unaccompanied youth experiencing homelessness
 8 so that they can be linked to the financial and other assistance that
 9 will help them succeed in college or in a registered apprenticeship.
 10 To that end:
- 11 (1) All institutions of higher education that receive funding for student support services under RCW 28B.117.030 shall include on their 12 applications for admission or on their registration materials a 13 question asking whether the applicant has been in foster care in 14 15 Washington state for at least one ((year)) day or experienced 16 homelessness, unaccompanied, since his or her ((sixteenth)) thirteenth birthday together with an explanation that financial and 17 support services may be available. All other institutions of higher 18 education are strongly encouraged to include such a question and 19 20 explanation. No institution may consider whether an applicant may be 21 eligible for a scholarship or student support services under this 22 chapter when deciding whether the applicant will be granted 23 admission.
 - (2) With substantial input from the office of the superintendent of public instruction, the department of social and health services and the department of children, youth, and families shall devise and implement procedures for efficiently, promptly, and accurately identifying students and applicants who are eligible for services under RCW 28B.117.030, and for sharing that information with the office and with institutions of higher education and the nongovernmental entity or entities identified in section 8 of this act. The procedures shall include appropriate safeguards for consent by the applicant or student before disclosure.
- 34 **Sec. 6.** RCW 28B.77.250 and 2016 c 71 s 5 are each amended to read as follows:
- 36 (1) To the extent funds are appropriated for this purpose, the 37 council, with input from the office of the superintendent of public 38 instruction, department of commerce office of homeless youth

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prevention and protection programs, and the department of social and health services, shall contract with at least one nongovernmental entity to develop, implement, and administer a program of supplemental educational transition planning for youth in foster care and unaccompanied youth experiencing homelessness in Washington state.

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- (2) The nongovernmental entity or entities chosen by the council shall have demonstrated success in working with foster care and unaccompanied homeless youth and assisting foster care and unaccompanied homeless youth in successfully making the transition from high school to a postsecondary plan, including postsecondary enrollment, career, or service.
- (3) The selected nongovernmental entity or entities shall provide supplemental educational transition planning to foster care and unaccompanied homeless youth in Washington state. Youth eligible for referral are not currently served by programs under RCW 28A.300.592, dependent pursuant to chapter 13.34 RCW, age thirteen through twentyone, and remain eligible for continuing service following fulfillment of the permanent plan and through initiation of a postsecondary plan. After high school completion, services are concluded within a time period specified in the contract to pursue engagement of continuing postsecondary support services provided by local education agencies, postsecondary education, community-based programs, or the passport to ((college promise)) careers program. The nongovernmental entity or entities must facilitate the educational progress, graduation, and postsecondary plan initiation of eligible youth. The contract must be outcome driven with a stated goal of improving the graduation rates and postsecondary plan initiation of eligible youth by two percent per year over five school year periods starting with the 2016-17 school year and ending with the 2021-22 school year. With each new contract, a baseline must be established at the end of the first year of service provision.
 - (4) The supplemental transition planning shall include:
- (a) Consultation with schools and the department of social and health services' case workers to develop educational plans for and with participating youth;
- 37 (b) Age-specific developmental and logistical tasks to be 38 accomplished for high school and postsecondary success;

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1 (c) Facilitating youth participation with appropriate school and 2 local resources that may assist in educational access and success; 3 ((and))

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- (d) Coordinating youth, caregivers, schools, and social workers to support youth progress in the educational system; and
- (e) Establishing postsecondary plan initiation in coordination with the passport to careers program.
- (5) The selected nongovernmental entity or entities may be colocated in the offices of the department of social and health services to provide timely consultation. These entities must have access to all paper and electronic education records and case information pertinent to the educational planning and services of youth referred and are subject to RCW 13.50.010 and 13.50.100.
- 14 (6) The contracted nongovernmental entity or entities must report 15 outcomes to the council and the department of social and health 16 services semiannually ((beginning on December 1, 2016)).
- 17 (7) For purposes of this section, "homeless" and "unaccompanied"

 18 have the same meanings as in RCW 28B.117.020.
- 19 **Sec. 7.** RCW 28B.117.050 and 2011 1st sp.s. c 11 s 223 are each 20 amended to read as follows:
 - (1) To the extent funds are appropriated for this purpose, the office((, with input from the state board for community and technical colleges, the foster care partnership, and institutions of higher education,)) shall develop and maintain an internet web site and outreach program to serve as a comprehensive portal for foster care youth and unaccompanied youth who have experienced homelessness in Washington state to obtain information regarding higher education ((including, but not necessarily)) and registered apprenticeship programs. The office shall get input from community and technical colleges, the foster care partnership, institutions of higher education, the employment security department, the state apprenticeship and training council, the workforce training and education coordinating board, department of commerce office of homeless youth prevention and protection programs, department of children, youth, and families, the department of licensing, and the department of labor and industries. The outreach program and web site shall include, but not be limited to:

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1 (a) Academic, social, family, financial, and logistical 2 information important to successful postsecondary educational 3 success;

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- (b) How and when to obtain and complete college applications;
- (c) <u>How and when to apply for a registered apprenticeship or preapprenticeship program;</u>
- 7 (d) What academic subject matter prerequisites, if any, are
 8 generally required for acceptance to an institute of higher
 9 education, a registered apprenticeship, or a preapprenticeship
 10 program;
- 11 <u>(e)</u> What college placement tests, if any, are generally required 12 for admission to college and when and how to register for such tests;
- ((\(\frac{(d)}{d}\))) (f) How and when to obtain and complete a federal free application for federal student aid (FAFSA) or if ineligible to apply for the FAFSA, the state financial aid application approved by the office; and
- 17 (((e))) (<u>q)</u> Detailed sources of financial aid <u>and assistance</u>
 18 likely available to eligible former foster care <u>and unaccompanied</u>
 19 <u>homeless</u> youth, including the financial aid <u>and assistance</u> provided
 20 by this chapter.
- 21 (2) The office shall determine whether to design, build, and 22 operate such program and web site directly or to use, support, and 23 modify existing web sites created by government or nongovernmental 24 entities for a similar purpose.
- NEW SECTION. Sec. 8. A new section is added to chapter 28B.117
 RCW to read as follows:
 - To the extent funds are appropriated for this purpose, the office, with approval from the employment security department and the apprenticeship and training council pursuant to chapter 49.04 RCW, shall 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 shall also disburse state financial assistance under RCW 28B.117.030(5) to meet registered apprenticeship and preapprenticeship entrance requirements and occupational-specific costs.

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- NEW SECTION. Sec. 9. The legislature strongly recommends that the entities selected in sections 6 and 8 of this act coordinate on technological models to keep the students they serve engaged.
- 4 **Sec. 10.** RCW 28B.76.526 and 2016 c 241 s 201 are each amended to read as follows:
- The Washington opportunity pathways account is created in the б state treasury. Expenditures from the account may be used only for 7 programs in chapter 28A.710 RCW (charter schools), chapter 28B.12 RCW 8 (state work-study), chapter 28B.50 RCW (opportunity grant), RCW 9 28B.76.660 (Washington scholars award), RCW 28B.76.670 (Washington 10 award for vocational excellence), chapter 28B.92 RCW (state need 11 12 grant program), chapter 28B.105 RCW (GET ready for math and science scholarship), chapter 28B.117 RCW (passport to ((college promise)) 13 careers), chapter 28B.118 RCW (college bound scholarship), chapter 14 15 28B.119 RCW (Washington promise scholarship), and chapter 43.215 RCW
- NEW SECTION. Sec. 11. A new section is added to chapter 28B.117
 RCW to read as follows:

(early childhood education and assistance program).

- 19 This act shall be known and cited as the passport to careers act.
- NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:
- 22 (1) RCW 28B.117.070 (Reports—Recommendations) and 2012 c 163 s 5, 23 2011 1st sp.s. c 11 s 225, & 2007 c 314 s 8;
- 24 (2) RCW 28B.117.901 (Expiration of chapter) and 2012 c 163 s 13 & 25 2007 c 314 s 10; and
- 26 (3) 2013 c 182 s 11 (uncodified).

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