

**ESSB 5321** - H AMD TO APP COMM AMD (H-1492.1/21) **632**  
By Representative Caldier

**NOT ADOPTED 04/07/2021**

1 On page 1, after line 2, strike all material and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature enacted the college bound  
4 scholarship program in 2007 to encourage all Washington students to  
5 dream big by creating a guaranteed four-year tuition scholarship  
6 program for students from low-income families. The legislature finds  
7 the program has been successful in achieving this goal. A report by  
8 the Washington state institute for public policy found that the  
9 scholarship increases high school graduation rates, probability of  
10 on-time college enrollment, college persistence, and college  
11 graduation rates. However, more than one quarter of eligible students  
12 are unable to access the scholarship, often because a parent or  
13 guardian did not sign the pledge as required by the program. The  
14 legislature finds that the parent or guardian signature has become an  
15 unintended barrier to entry, a problem made more acute as students  
16 are receiving their education remotely during the COVID-19 pandemic  
17 and have less access to school teachers, counselors, and peers.  
18 Therefore, the legislature intends with this act to remove the parent  
19 or guardian signature requirement while retaining the requirement  
20 that students maintain a "C" average for consideration of admission  
21 to a public or private four-year higher education institution and  
22 avoid serious interactions with the criminal justice system for four  
23 years. In order to ensure that the legislature will fulfill its  
24 promise to provide a scholarship upon graduation, the legislature  
25 intends by this act to create a statutory contractual right for  
26 students who fulfill scholarship requirements that vests when the  
27 student becomes first eligible for the scholarship.

28 **Sec. 2.** RCW 28B.118.010 and 2019 c 406 s 44 and 2019 c 298 s 1  
29 are each reenacted and amended to read as follows:

30 The office of student financial assistance shall design the  
31 Washington college bound scholarship program in accordance with this

1 section and in alignment with the Washington college grant program in  
2 chapter 28B.92 RCW unless otherwise provided in this section. The  
3 right of an eligible student to receive a college bound scholarship  
4 vests upon enrollment in the program that is earned by meeting the  
5 requirements of this section as it exists at the time of the  
6 student's enrollment.

7 (1) "Eligible students" are those students who:

8 (a) Qualify for free or reduced-price lunches or are enrolled at  
9 schools using provision 2 of the national school lunch act or the  
10 community eligibility provision under section 104(a) of the federal  
11 health, hunger-free kids act of 2010.

12 (i) If a student qualifies in the seventh (~~or~~), eighth, or  
13 ninth grade, the student remains eligible even if the student does  
14 not receive free or reduced-price lunches thereafter or if the  
15 student is no longer enrolled at a school using provision 2 of the  
16 national school lunch act or the community eligibility provision  
17 under section 104(a) of the federal health, hunger-free kids act of  
18 2010.

19 (ii) Beginning in the (~~2019-20~~) 2021-22 academic year, if a  
20 student qualifies for free or reduced-price lunches in the (~~ninth~~)  
21 10th grade and was previously ineligible during the seventh (~~or~~),  
22 eighth, or ninth grade while he or she was a student in Washington,  
23 the student is eligible for the college bound scholarship program;

24 (b) Are dependent pursuant to chapter 13.34 RCW and:

25 (i) In grade seven through twelve; or

26 (ii) Are between the ages of eighteen and twenty-one and have not  
27 graduated from high school; or

28 (c) Were dependent pursuant to chapter 13.34 RCW and were adopted  
29 between the ages of fourteen and eighteen with a negotiated adoption  
30 agreement that includes continued eligibility for the Washington  
31 state college bound scholarship program pursuant to RCW 74.13A.025.

32 (2) Eligible students and the students' parents or guardians  
33 shall be notified of the student's eligibility for the Washington  
34 college bound scholarship program and the requirements for award of  
35 the scholarship. (~~Students and the students' parents or guardians~~  
36 ~~shall also be notified of the requirements for award of the~~  
37 ~~scholarship.))~~

38 (3) (a) To be eligible for a Washington college bound scholarship,  
39 a student eligible under subsection (1) (a) (i) of this section must  
40 sign a pledge during seventh (~~or~~), eighth, or ninth grade or a

1 student eligible under subsection (1)(a)(ii) of this section must  
2 sign a pledge during ~~((ninth))~~ 10th grade. ~~((The pledge must include  
3 a commitment to graduate from high school with at least a C average  
4 and with no felony convictions. The pledge must be witnessed by a  
5 parent or guardian and forwarded to the office of student financial  
6 assistance by mail or electronically, as indicated on the pledge  
7 form.))~~ The pledge must be forwarded to the office of student  
8 financial assistance by mail or electronically, as indicated on the  
9 pledge form.

10 (b) ~~((i) Beginning in the 2018-19 academic year, the office of  
11 student financial assistance shall make multiple attempts to secure  
12 the signature of the student's parent or guardian for the purpose of  
13 witnessing the pledge.~~

14 ~~((ii) If the signature of the student's parent or guardian is not  
15 obtained, the office of student financial assistance may partner with  
16 the school counselor or administrator to secure the parent's or  
17 guardian's signature to witness the pledge. The school counselor or  
18 administrator shall make multiple attempts via all phone numbers,  
19 email addresses, and mailing addresses on record to secure the  
20 parent's or guardian's signature. All attempts to contact the parent  
21 or guardian must be documented and maintained in the student's  
22 official file.~~

23 ~~((iii) If a parent's or guardian's signature is still not  
24 obtained, the school counselor or administrator shall indicate to the  
25 office of student financial assistance the nature of the unsuccessful  
26 efforts to contact the student's parent or guardian and the reasons  
27 the signature is not available. Then the school counselor or  
28 administrator may witness the pledge unless the parent or guardian  
29 has indicated that he or she does not wish for the student to  
30 participate in the program.~~

31 ~~((e))~~ A student eligible under subsection (1)(b) of this section  
32 shall be automatically enrolled by the office of student financial  
33 assistance, with no action necessary by the student or the student's  
34 family, and the enrollment form must be forwarded by the department  
35 of ~~((social and health services))~~ children, youth, and families to  
36 the office of student financial assistance by mail or electronically,  
37 as indicated on the form.

38 (4) ~~((a) Scholarships shall be awarded to)~~ Except as provided in  
39 subsection (5) of this section, an eligible student ~~((s) graduating~~  
40 ~~from public high schools, approved private high schools under chapter~~

1 ~~28A.195 RCW, or who received home-based instruction under chapter~~  
2 ~~28A.200 RCW.~~

3 ~~(b)(i) To receive the Washington college bound scholarship, a~~  
4 ~~student must graduate with at least a "C" average) must:~~

5 (a) Graduate from a public high school ((~~or~~) under RCW  
6 28A.150.010, an approved private high school under chapter 28A.195  
7 RCW in Washington, or have received home-based instruction under  
8 chapter 28A.200 RCW((~~, must have~~)) and:

9 (i) For consideration of admission to a public or private four-  
10 year institution of higher education, graduate with at least a "C"  
11 average; or

12 (ii) Enroll directly into a community or technical college with  
13 the opportunity to transfer to a public or private four-year  
14 institution of higher education;

15 (b) Have no felony convictions((~~, and must be~~));

16 (c) Be a resident student as defined in RCW 28B.15.012(2) (a)  
17 through (e)((~~-A~~)); and

18 (d) Have a family income that does not exceed 65 percent of the  
19 state median family income at the time of high school graduation.

20 (5)(a) An eligible student who ((is eligible to receive the  
21 Washington college bound scholarship because the student)) is a  
22 resident student under RCW 28B.15.012(2)(e) must also provide the  
23 institution, as defined in RCW 28B.15.012, an affidavit indicating  
24 that the individual will file an application to become a permanent  
25 resident at the earliest opportunity the individual is eligible to do  
26 so and a willingness to engage in any other activities necessary to  
27 acquire citizenship, including but not limited to citizenship or  
28 civics review courses.

29 ~~((~~iii~~)) (b) For eligible ((children)) students as defined in~~  
30 ~~subsection (1)(b) and (c) of this section, ((to receive the~~  
31 ~~Washington college bound scholarship,)) a student ((must have~~  
32 ~~received)) may also meet the requirement in subsection (4)(a) of this~~  
33 ~~section by receiving a high school equivalency certificate as~~  
34 ~~provided in RCW 28B.50.536 ((or have graduated with at least a "C"~~  
35 ~~average from a public high school or an approved private high school~~  
36 ~~under chapter 28A.195 RCW in Washington or have received home-based~~  
37 ~~instruction under chapter 28A.200 RCW, must have no felony~~  
38 ~~convictions, and must be a resident student as defined in RCW~~  
39 ~~28B.15.012(2) (a) through (e)).~~

1       (c) For a student who does not meet the "C" average requirement,  
2 and who completes fewer than two quarters in the running start  
3 program, under chapter 28A.600 RCW, the student's first quarter of  
4 running start course grades must be excluded from the student's  
5 overall grade point average for purposes of determining (~~their~~  
6 ~~eligibility to receive the scholarship~~) if the requirement in  
7 subsection (4) (a) of this section is met.

8       (~~(5) A student's family income will be assessed upon graduation~~  
9 ~~before awarding the scholarship. If at graduation from high school~~  
10 ~~the student's family income does not exceed sixty-five percent of the~~  
11 ~~state median family income, scholarship award amounts shall be as~~  
12 ~~provided in this section.~~)

13       (6) (a) For students attending two or four-year institutions of  
14 higher education as defined in RCW 28B.10.016, the value of the award  
15 shall be (i) the difference between the student's tuition and  
16 required fees, less the value of any state-funded grant, scholarship,  
17 or waiver assistance the student receives; (ii) plus five hundred  
18 dollars for books and materials.

19       (b) For students attending private four-year institutions of  
20 higher education in Washington, the award amount shall be the  
21 representative average of awards granted to students in public  
22 research universities in Washington or the representative average of  
23 awards granted to students in public research universities in  
24 Washington in the 2014-15 academic year, whichever is greater.

25       (c) For students attending private vocational schools in  
26 Washington, the award amount shall be the representative average of  
27 awards granted to students in public community and technical colleges  
28 in Washington or the representative average of awards granted to  
29 students in public community and technical colleges in Washington in  
30 the 2014-15 academic year, whichever is greater.

31       (7) (~~Recipients~~) Eligible students must enroll no later than  
32 the fall term, as defined by the institution of higher education, one  
33 academic year following high school graduation. Eligible students may  
34 receive no more than four full-time years' worth of scholarship  
35 awards within a five-year period.

36       (8) Institutions of higher education shall award the student all  
37 need-based and merit-based financial aid for which the student would  
38 otherwise qualify. The Washington college bound scholarship is  
39 intended to replace unmet need, loans, and, at the student's option,  
40 work-study award before any other grants or scholarships are reduced.

1 (9) The first scholarships shall be awarded to students  
2 graduating in 2012.

3 (10) For eligible students who are divested of a college bound  
4 scholarship because they are unable to meet the requirement in  
5 subsection (4)(d) of this section, those students with a family  
6 income of less than 100 percent of the state median family income are  
7 entitled to a stipend of \$500 for books, materials, and other  
8 scholastic expenses annually, renewable for no more than four full-  
9 time years.

10 (11) The eligible student has a property right in the award, but  
11 the state of Washington retains legal ownership of tuition units  
12 awarded as scholarships under this chapter until the tuition units  
13 are redeemed. These tuition units shall remain separately held from  
14 any tuition units owned under chapter 28B.95 RCW by a Washington  
15 college bound scholarship recipient.

16 (~~(11)~~) (12) The scholarship award must be used within five  
17 years of receipt. Any unused scholarship tuition units revert to the  
18 Washington college bound scholarship account.

19 (~~(12)~~) (13) Should the recipient terminate his or her  
20 enrollment for any reason during the academic year, the unused  
21 portion of the scholarship tuition units shall revert to the  
22 Washington college bound scholarship account.

23 **Sec. 3.** RCW 28B.118.040 and 2019 c 298 s 2 are each amended to  
24 read as follows:

25 The office of student financial assistance shall:

26 (1) With the assistance of the office of the superintendent of  
27 public instruction, implement and administer the Washington college  
28 bound scholarship program;

29 (2) Develop and distribute, to all schools with students enrolled  
30 in grades seven through nine, a pledge form that can be completed and  
31 returned electronically or by mail by the student or the school to  
32 the office of student financial assistance;

33 (3) Develop and implement a (~~student application, selection, and~~  
34 ~~notification~~) process for (~~scholarships~~) verifying eligibility,  
35 which includes working with other state agencies, law enforcement, or  
36 the court system to verify that eligible students do not have felony  
37 convictions;

38 (4) Annually in March, with the assistance of the office of the  
39 superintendent of public instruction, distribute to (~~tenth~~) 11th

1 grade ((college bound scholarship)) eligible students and their  
2 families: (a) Notification that, to qualify for the scholarship, a  
3 student's family income may not exceed sixty-five percent of the  
4 state median family income at graduation from high school; (b) the  
5 current year's value for sixty-five percent of the state median  
6 family income; and (c) a statement that a student should consult  
7 their school counselor if their family makes, or is projected to  
8 make, more than this value before the student graduates;

9 (5) Develop comprehensive social media outreach with grade-level  
10 specific information designed to keep students on track to graduate  
11 and leverage current tools such as the high school and beyond plan  
12 required by the state board of education and the ready set grad  
13 website maintained by the student achievement council;

14 (6) Track scholarship recipients to ensure continued eligibility  
15 and determine student compliance for awarding of scholarships;

16 (7) Within existing resources, collaborate with college access  
17 providers and K-12, postsecondary, and youth-serving organizations to  
18 map and coordinate mentoring and advising resources across the state;

19 (8) Subject to appropriation, deposit funds into the state  
20 educational trust fund;

21 (9) Purchase tuition units under the advanced college tuition  
22 payment program in chapter 28B.95 RCW to be owned and held in trust  
23 by the office of student financial assistance, for the purpose of  
24 scholarship awards as provided for in this section; and

25 (10) Distribute scholarship funds, in the form of tuition units  
26 purchased under the advanced college tuition payment program in  
27 chapter 28B.95 RCW or through direct payments from the state  
28 educational trust fund, to institutions of higher education on behalf  
29 of scholarship recipients identified by the office, as long as  
30 recipients maintain satisfactory academic progress.

31 **Sec. 4.** RCW 28B.118.090 and 2019 c 406 s 45 and 2019 c 298 s 3  
32 are each reenacted and amended to read as follows:

33 (1) Beginning January 1, 2015, and at a minimum every year  
34 thereafter, the student achievement council and all institutions of  
35 higher education eligible to participate in the college bound  
36 scholarship program shall ensure data needed to analyze and evaluate  
37 the effectiveness of the college bound scholarship program is  
38 promptly transmitted to the education data center created in RCW

1 43.41.400 so that it is available and easily accessible. The data to  
2 be reported should include but not be limited to:

3 (a) The number of enrolled students (~~(who sign up)~~) for the  
4 college bound scholarship program in seventh, eighth, ~~((or))~~ ninth,  
5 or 10th grade;

6 (b) The number of college bound scholarship students who graduate  
7 from high school;

8 (c) The number of college bound scholarship students who enroll  
9 in postsecondary education;

10 (d) Persistence and completion rates of college bound scholarship  
11 recipients disaggregated by institutions of higher education;

12 (e) College bound scholarship recipient grade point averages;

13 (f) The number of college bound scholarship recipients who did  
14 not remain eligible and reasons for ineligibility;

15 (g) College bound scholarship program costs; and

16 (h) Impacts to the Washington college grant program.

17 (2) Beginning May 12, 2015, and at a minimum every December 1st  
18 thereafter, the student achievement council shall submit student unit  
19 record data for the college bound scholarship program applicants and  
20 recipients to the education data center.

21 NEW SECTION. **Sec. 5.** This act does not affect any existing  
22 right acquired or liability or obligation incurred under the sections  
23 amended or repealed or under any rule or order adopted under those  
24 sections, nor does it affect any proceeding instituted under those  
25 sections.

26 NEW SECTION. **Sec. 6.** The legislature intends this act to be  
27 curative, remedial, and retroactively apply to seventh grade students  
28 beginning with the 2019-20 school year.

29 NEW SECTION. **Sec. 7.** This act is necessary for the immediate  
30 preservation of the public peace, health, or safety, or support of  
31 the state government and its existing public institutions, and takes  
32 effect immediately."

33 Correct the title.

EFFECT: The striking amendment makes the following change:  
Reinstates the requirement for a student to sign a CBS pledge in



order to be eligible for the CBS program, but does not require a parent or guardian to sign the pledge.

--- END ---