
HOUSE BILL 2309

State of Washington

68th Legislature

2024 Regular Session

By Representatives Bergquist, Ybarra, Reed, Waters, Pollet, McEntire, Paul, Slatter, Entenman, Santos, Ramel, Riccelli, Timmons, and Callan

Read first time 01/11/24. Referred to Committee on Postsecondary Education & Workforce.

1 AN ACT Relating to establishing the Washington 13 free guarantee,
2 which provides free access to community and technical colleges;
3 amending RCW 28A.230.212; reenacting and amending RCW 43.88C.010;
4 adding a new section to chapter 28A.230 RCW; adding a new chapter to
5 Title 28B RCW; creating new sections; and providing an expiration
6 date.

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

8 NEW SECTION. **Sec. 1.** The definitions in this section apply
9 throughout this chapter unless the context clearly requires
10 otherwise.

11 (1) "Board" means the state board for community and technical
12 colleges.

13 (2) "Community or technical college" means the community or
14 technical colleges governed under chapter 28B.50 RCW.

15 (3) "Eligible degree or certificate program" means:

16 (a) An associate degree program;

17 (b) Academic programs with credits that can fully transfer via an
18 articulation agreement toward a baccalaureate degree or
19 postbaccalaureate degree at an institution of higher education;

20 (c) Professional and technical programs that lead to a recognized
21 postsecondary credential; or

1 (d) Apprenticeship programs established pursuant to chapter 49.04
2 RCW and conducted in association with any community or technical
3 college.

4 (4) "Gift aid" means financial aid received from the federal Pell
5 grant, the state need grant program under chapter 28B.92 RCW, the
6 college bound scholarship program under chapter 28B.118 RCW, the
7 opportunity grant program under chapter 28B.50 RCW, the opportunity
8 scholarship program under chapter 28B.145 RCW, or any other state
9 grant or scholarship program that provides funds for educational
10 purposes with no obligation of repayment. "Gift aid" does not include
11 student loans and work-study programs.

12 (5) "Guarantee" means the Washington 13 free guarantee.

13 (6) "Office" means the office of student financial assistance.

14 (7) "Recipient" means an eligible student who has been awarded
15 the guarantee.

16 (8) "Resident student" means a student who is a resident student
17 as defined in RCW 28B.15.012.

18 NEW SECTION. **Sec. 2.** (1) The Washington 13 free guarantee is
19 established to provide up to 45 credits of tuition free community or
20 technical college, to be earned within two academic years, for
21 eligible students regardless of income. The office shall administer
22 the guarantee.

23 (2) To become a recipient, an eligible student must:

24 (a) Have graduated high school from a public high school in the
25 state of Washington or earned a high school equivalency certificate,
26 as described in RCW 28B.50.536, in the same or immediately preceding
27 academic year in which the student enrolls in any community or
28 technical college that serves the high school district from which the
29 student graduated or district of the grantor of the high school
30 equivalency certificate;

31 (b) Not have previously earned an associate's degree;

32 (c) Be enrolled at least part time in a Washington public
33 community or technical college in an eligible degree or certificate
34 program;

35 (d) Complete the free application for federal student aid or the
36 Washington application for state financial aid for the academic year
37 in which they seek eligibility for the guarantee; and

38 (e) Be a resident student, as defined in RCW 28B.15.012.

1 NEW SECTION. **Sec. 3.** The office shall award grants under the
2 guarantee to recipients. The value of the award is the difference
3 between the recipient's tuition fees as defined in RCW 28B.15.020 and
4 services and activities fees as defined in RCW 28B.15.041, less the
5 value of any state-funded grant, scholarship, gift aid, or waiver
6 assistance the recipient receives, for up to 45 credits to be earned
7 within two academic years as long as the recipient maintains
8 satisfactory academic progress, as defined by the community or
9 technical college.

10 NEW SECTION. **Sec. 4.** No later than June 30, 2024, the office
11 shall purchase 2,500,000 tuition units at the price of one dollar per
12 unit under the Washington advanced college tuition payment program in
13 chapter 28B.95 RCW. Units are held in trust and may be used by the
14 office solely for the following purposes under the guarantee:

15 (1) Providing recipients with family incomes at or between 65 to
16 150 percent of the state median family income with:

17 (a) Grant awards. The value of a grant award will be the
18 difference between the recipient's tuition fees as defined in RCW
19 28B.15.020 and services and activities fees as defined in RCW
20 28B.15.041, less the value of any state-funded grant including the
21 college bound scholarship program established in chapter 28B.118 RCW
22 and the Washington college grant created in RCW 28B.92.200,
23 scholarship, gift aid, or waiver assistance the recipient receives,
24 for up to 45 credits to be earned within two academic years as long
25 as the recipient maintains satisfactory academic progress, as defined
26 by the community or technical college; and

27 (b) Six units each to be used as cost of attendance stipends for
28 books and other related higher education expenses divided evenly over
29 one academic years' worth of quarters or semesters, regardless of
30 full-time or part-time enrollment status. Receipt of the stipend may
31 not result in a reduction of gift aid; and

32 (2) Providing recipients with family incomes at or below 150
33 percent of the state median family income with eight units each,
34 disbursed evenly over one academic years' worth of quarters or
35 semesters regardless of full-time or part-time enrollment status, to
36 the recipient's community or technical college for individualized and
37 reasonable wraparound services provided by or through the community
38 or technical college but only to the extent such costs constitute a
39 qualified higher education expense as defined by the internal revenue

1 service. The purpose of wraparound services is to reduce or help to
2 reduce barriers that threaten completion of eligible degree or
3 certificate programs. Wraparound services shall be provided no longer
4 than the recipient receives benefits under the guarantee.

5 NEW SECTION. **Sec. 5.** The caseload forecast council shall
6 estimate the anticipated caseload of the guarantee and submit this
7 forecast as required in RCW 43.88C.020.

8 NEW SECTION. **Sec. 6.** The office and the board may adopt, and
9 revise as necessary, rules to implement this chapter.

10 NEW SECTION. **Sec. 7.** (1) The student achievement council, in
11 collaboration with the state board for community and technical
12 colleges, shall conduct a study on the sustainability of the
13 guarantee to include at a minimum: Any increase in enrollments at
14 community or technical colleges; any decreases in enrollments
15 elsewhere at institutions of higher education; changes in recipient
16 persistence, completion, and time-to-degree rates in eligible degree
17 or certificate programs. The study must include an analysis on the
18 demand for student services, such as advising and student success
19 courses, recommendations to improve student services and outcomes,
20 and the financial impact of the guarantee on recipients. The student
21 achievement council shall report its findings to the relevant
22 committees of the legislature, pursuant to RCW 43.01.036, by October
23 1, 2026.

24 (2) This section expires August 1, 2027.

25 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.230
26 RCW to read as follows:

27 School districts shall ensure that counselors meet one-on-one
28 with students in the 12th grade whose income status is at or below 70
29 percent of the state median family income for the purposes of
30 explaining their grant options under the Washington college grant
31 created in RCW 28B.92.200 and the Washington 13 free guarantee
32 created under section 2 of this act. Income status may be determined
33 by the free application for federal student aid, qualification to
34 receive free or reduced-price lunch, eligibility for the college
35 bound scholarship program established in chapter 28B.118 RCW, or
36 other criteria established in the institution's policy.

1 **Sec. 9.** RCW 28A.230.212 and 2023 c 271 s 3 are each amended to
2 read as follows:

3 (1) This section establishes the school district, content, and
4 other substantive requirements for the high school and beyond plan
5 required by RCW 28A.230.090.

6 (2)(a) Beginning by the seventh grade, each student must be
7 administered a career interest and skills inventory which is intended
8 to be used to inform eighth grade course taking and development of an
9 initial high school and beyond plan. No later than eighth grade, each
10 student must have begun development of a high school and beyond plan
11 that includes a proposed plan for first-year high school courses
12 aligned with graduation requirements and secondary and postsecondary
13 goals.

14 (b) For each student who has not earned a score of level 3 or 4
15 on the middle school mathematics assessment identified in RCW
16 28A.655.070 by ninth grade, the high school and beyond plan must be
17 updated to ensure that the student takes a mathematics course in both
18 ninth and 10th grades. These courses may include career and technical
19 education equivalencies in mathematics adopted pursuant to RCW
20 28A.230.097.

21 (3) With staff support, students must update their high school
22 and beyond plan annually, at a minimum, to review academic progress
23 and inform future course taking.

24 (a) The high school and beyond plan must be updated in 10th grade
25 to reflect high school assessment results in RCW 28A.655.061, ensure
26 student access to advanced course options per the district's academic
27 acceleration policy in RCW 28A.320.195, assess progress toward
28 identified goals, and revised as necessary for changing interests,
29 goals, and needs.

30 (b) Each school district shall provide students who have not met
31 the standard on state assessments or who are behind in completion of
32 credits or graduation pathway options with the opportunity to access
33 interventions and academic supports, courses, or both, designed to
34 enable students to meet all high school graduation requirements. The
35 parents or legal guardians shall be notified about these
36 opportunities as included in the student's high school and beyond
37 plan, preferably through a student-led conference, including the
38 parents or legal guardians, and at least annually until the student
39 is on track to graduate.

1 (c) For students with an individualized education program, the
2 high school and beyond plan must be developed and updated in
3 alignment with their school to postschool transition plan. The high
4 school and beyond plan must be developed and updated in a similar
5 manner and with similar school personnel as for all other students.

6 (4) School districts shall involve parents and legal guardians to
7 the greatest extent feasible in the process of developing and
8 updating the high school and beyond plan.

9 (a) The plan must be provided to the student and the students'
10 parents or legal guardians in a language the student and parents or
11 legal guardians understand and in accordance with the school
12 district's language access policy and procedures as required under
13 chapter 28A.183 RCW, which may require language assistance for
14 students and parents or legal guardians with limited English
15 proficiency.

16 (b) School districts must annually provide students in grades
17 eight through 12 and their parents or legal guardians with
18 comprehensive information about the graduation pathway options
19 offered by the district and are strongly encouraged to begin
20 providing this information beginning in sixth grade. School districts
21 must provide this information in a manner that conforms with the
22 school district's language access policy and procedures as required
23 under chapter 28A.183 RCW.

24 (5) School districts are strongly encouraged to partner with
25 student serving, community-based organizations that support career
26 and college exploration and preparation for postsecondary and career
27 pathways. Partnerships may include high school and beyond plan
28 coordination and planning, data-sharing agreements, and safe and
29 secure access to individual student's high school and beyond plans.

30 (6) All high school and beyond plans must, at a minimum, include
31 the following elements:

32 (a) Identification of career goals and interests, aided by a
33 skills and interest assessment;

34 (b) Identification of secondary and postsecondary education and
35 training goals;

36 (c) An academic plan for course taking that:

37 (i) Informs students about course options for satisfying state
38 and local graduation requirements;

39 (ii) Satisfies state and local graduation requirements;

1 (iii) Aligns with the student's secondary and postsecondary
2 goals, which can include education, training, and career preparation;
3 (iv) Identifies available advanced course sequences per the
4 school district's academic acceleration policy, as described in RCW
5 28A.320.195, that include dual credit courses or other programs and
6 are aligned with the student's postsecondary goals;
7 (v) Informs students about the potential impacts of their course
8 selections on postsecondary opportunities;
9 (vi) Identifies available career and technical education
10 equivalency courses that can satisfy core subject area graduation
11 requirements under RCW 28A.230.097;
12 (vii) If applicable, identifies career and technical education
13 and work-based learning opportunities that can lead to technical
14 college certifications and apprenticeships; and
15 (viii) If applicable, identifies opportunities for credit
16 recovery and acceleration, including partial and mastery-based credit
17 accrual to eliminate barriers for on-time grade level progression and
18 graduation per RCW 28A.320.192;
19 (d) Evidence that the student has received the following
20 information on federal and state financial aid programs that help pay
21 for the costs of a postsecondary program:
22 (i) ~~((The))~~ Beginning in the ninth grade and each academic year
23 thereafter, the college bound scholarship program established in
24 chapter 28B.118 RCW, the Washington college grant created in RCW
25 28B.92.200, the Washington 13 free guarantee created in section 2 of
26 this act, and other scholarship opportunities;
27 (ii) The documentation necessary for completing state and federal
28 financial aid applications; application timeliness and submission
29 deadlines; and the importance of submitting applications early;
30 (iii) Information specific to students who are or have been the
31 subject of a dependency proceeding pursuant to chapter 13.34 RCW, who
32 are or are at risk of being homeless, and whose family member or
33 legal guardian will be required to provide financial and tax
34 information necessary to complete applications;
35 (iv) Opportunities to participate in advising days and seminars
36 that assist students and, when necessary, their parents or legal
37 guardians, with filling out financial aid applications in accordance
38 with RCW 28A.300.815; and
39 (v) A sample financial aid letter and a link to the financial aid
40 calculator created in RCW 28B.77.280; and

1 (e) By the end of the 12th grade, a current resume or activity
2 log that provides a written compilation of the student's education,
3 any work experience, extracurricular activities, and any community
4 service including how the school district has recognized the
5 community service pursuant to RCW 28A.320.193.

6 (7) In accordance with RCW 28A.230.090(1)(c) any decision on
7 whether a student has met the state board's high school graduation
8 requirements for a high school and beyond plan shall remain at the
9 local level, and a school district may establish additional, local
10 requirements for a high school and beyond plan to serve the needs and
11 interests of its students and the purposes of this section.

12 (8) The state board of education shall adopt rules to implement
13 this section.

14 **Sec. 10.** RCW 43.88C.010 and 2023 c 420 s 4, 2023 c 345 s 1, and
15 2023 c 244 s 1 are each reenacted and amended to read as follows:

16 (1) The caseload forecast council is hereby created. The council
17 shall consist of two individuals appointed by the governor and four
18 individuals, one of whom is appointed by the chairperson of each of
19 the two largest political caucuses in the senate and house of
20 representatives. The chair of the council shall be selected from
21 among the four caucus appointees. The council may select such other
22 officers as the members deem necessary.

23 (2) The council shall employ a caseload forecast supervisor to
24 supervise the preparation of all caseload forecasts. As used in this
25 chapter, "supervisor" means the caseload forecast supervisor.

26 (3) Approval by an affirmative vote of at least five members of
27 the council is required for any decisions regarding employment of the
28 supervisor. Employment of the supervisor shall terminate after each
29 term of three years. At the end of the first year of each three-year
30 term the council shall consider extension of the supervisor's term by
31 one year. The council may fix the compensation of the supervisor. The
32 supervisor shall employ staff sufficient to accomplish the purposes
33 of this section.

34 (4) The caseload forecast council shall oversee the preparation
35 of and approve, by an affirmative vote of at least four members, the
36 official state caseload forecasts prepared under RCW 43.88C.020. If
37 the council is unable to approve a forecast before a date required in
38 RCW 43.88C.020, the supervisor shall submit the forecast without

1 approval and the forecast shall have the same effect as if approved
2 by the council.

3 (5) A councilmember who does not cast an affirmative vote for
4 approval of the official caseload forecast may request, and the
5 supervisor shall provide, an alternative forecast based on
6 assumptions specified by the member.

7 (6) Members of the caseload forecast council shall serve without
8 additional compensation but shall be reimbursed for travel expenses
9 in accordance with RCW 44.04.120 while attending sessions of the
10 council or on official business authorized by the council.
11 Nonlegislative members of the council shall be reimbursed for travel
12 expenses in accordance with RCW 43.03.050 and 43.03.060.

13 (7) "Caseload," as used in this chapter, means:

14 (a) The number of persons expected to meet entitlement
15 requirements and require the services of public assistance programs,
16 state correctional institutions, state correctional noninstitutional
17 supervision, state institutions for juvenile offenders, the common
18 school system, long-term care, medical assistance, foster care, and
19 adoption support;

20 (b) The number of students who are eligible for the Washington
21 college bound scholarship program and are expected to attend an
22 institution of higher education as defined in RCW 28B.92.030;

23 (c) The number of students who are eligible for the Washington
24 college grant program under RCW 28B.92.200 and 28B.92.205 and are
25 expected to attend an institution of higher education as defined in
26 RCW 28B.92.030;

27 (d) The number of students who are eligible for the Washington 13
28 free guarantee created in section 2 of this act and are expected to
29 attend a community or technical college governed under chapter 28B.50
30 RCW;

31 (e) The number of children who are eligible, as defined in RCW
32 43.216.505, to participate in, and the number of children actually
33 served by, the early childhood education and assistance program; and

34 (~~(e)~~) (f) Beginning with the first official forecast after July
35 23, 2023, the number of people eligible for the working families' tax
36 credit under RCW 82.08.0206. The total number of people eligible for
37 the working families' tax credit should include:

38 (i) The number of eligible people with no qualifying children;

39 (ii) The number of eligible people with one qualifying child;

1 (iii) The number of eligible people with two qualifying children;
2 and

3 (iv) The number of eligible people with three or more qualifying
4 children.

5 (8) The caseload forecast council shall forecast the temporary
6 assistance for needy families and the working connections child care
7 programs as a courtesy.

8 (9) By January 1, 2023, the caseload forecast council shall
9 present the number of individuals who are assessed as eligible for
10 and have requested a service through the individual and family
11 services waiver and the basic plus waiver administered by the
12 developmental disabilities administration as a courtesy. The caseload
13 forecast council shall be presented with the service request list as
14 defined in RCW 71A.10.020 to aid in development of this information.

15 (10) Beginning with the official forecast submitted in November
16 2022 and subject to the availability of amounts appropriated for this
17 specific purpose, the caseload forecast council shall forecast the
18 number of individuals who are assessed as eligible for and have
19 requested supported living services, a service through the core
20 waiver, an individual and family services waiver, and the basic plus
21 waiver administered by the developmental disabilities administration
22 as a courtesy. The caseload forecast council shall be presented with
23 the service request list as defined in RCW 71A.10.020 to aid in
24 development of this information.

25 (11) As a courtesy, beginning with the official forecast
26 submitted in November 2022, the caseload forecast council shall
27 forecast the number of individuals who are expected to reside in
28 state-operated living alternatives administered by the developmental
29 disabilities administration.

30 (12) The caseload forecast council shall forecast youth
31 participating in the extended foster care program pursuant to RCW
32 74.13.031 separately from other children who are residing in foster
33 care and who are under eighteen years of age.

34 (13) The caseload forecast council shall forecast the number of
35 youth expected to receive behavioral rehabilitation services while
36 involved in the foster care system and the number of screened in
37 reports of child abuse or neglect.

38 (14) The caseload forecast council shall forecast the number of
39 individuals who are functionally and financially eligible for
40 medicaid waiver services administered by the developmental

1 disabilities administration who also meet the criteria outlined in
2 RCW 71A.12.370 and are expected to utilize a medicaid waiver service.

3 (15) The caseload forecast council shall forecast eligible
4 children participating in the transition to kindergarten program
5 under RCW 28A.300.072.

6 (16) Unless the context clearly requires otherwise, the
7 definitions provided in RCW 43.88.020 apply to this chapter.

8 (17) During the 2021-2023 fiscal biennium, and beginning with the
9 November 2021 forecast, the caseload forecast council shall produce
10 an unofficial forecast of the long-term caseload for juvenile
11 rehabilitation as a courtesy.

12 NEW SECTION. **Sec. 11.** Sections 1 through 6 of this act
13 constitute a new chapter in Title 28B RCW.

14 NEW SECTION. **Sec. 12.** This act may be known and cited as the
15 Washington 13 free guarantee act.

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