

SHB 2254 - S COMM AMD

By Committee on Higher Education & Workforce Development

ADOPTED 02/28/2012

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** In 2007, with the passport to college
4 promise program, this state took a significant step toward providing
5 higher education opportunities to youth in and alumni of foster care.
6 The passport to college promise program not only provides financial aid
7 to former foster youth but, just as important, it also recognizes the
8 critical role of wraparound services and provides early outreach to
9 foster care youth regarding postsecondary educational opportunities.
10 The December 2011 report by the higher education coordinating board on
11 the first three years of the six-year program indicates that the
12 passport to college promise program has increased the number of former
13 foster youth enrolling in higher education and working toward college
14 degrees and certificates.

15 This state recognizes that educational success in the early grades
16 is key to increasing postsecondary opportunities for youth in and
17 alumni of foster care. Recent efforts in this state to pave the way
18 for educational success have included legislation: Providing for
19 wraparound educational advocacy services; mandating the timely
20 transmission of educational records; and recognizing the importance of
21 maintaining a foster child in the school program he or she was in
22 before entering the foster care system and minimizing the number of
23 times a child has to change schools.

24 The federal fostering connections to success and increasing
25 adoptions act of 2008, P.L. 110-351, similarly recognizes that schools
26 are often the most important source of focus and stability for children
27 in foster care and made several changes to improve educational outcomes
28 for these children. As part of this nationwide effort, the United
29 States departments of education and health and human services are

1 encouraging state and local education agencies and child welfare
2 agencies to collaborate on policies and procedures to provide
3 educational stability and improve outcomes for foster children.

4 The legislature reiterates its earlier recognition of the critical
5 role education plays in improving outcomes for youth in and alumni of
6 foster care, as well as the key role played by wraparound services in
7 providing continuity, seamless educational transitions, and higher
8 levels of educational attainment. With these changes to the passport
9 to college promise program, the college bound scholarship program, the
10 provision of more seamless wraparound services, and revisions to
11 various reporting requirements, the legislature strives to make
12 Washington the leader in the nation with respect to foster youth and
13 alumni graduating from high school, enrolling in postsecondary
14 education, and completing postsecondary education.

15 **Sec. 2.** RCW 28B.117.010 and 2007 c 314 s 3 are each amended to
16 read as follows:

17 The passport to college promise (~~((pilot))~~) program is created. The
18 purpose of the program is:

19 (1) To encourage current and former foster care youth to prepare
20 for, attend, and successfully complete higher education; (~~and~~)

21 (2) To improve the high school graduation outcomes of foster youth
22 through coordinated P-20 and child welfare outreach, intervention, and
23 planning; and

24 (3) To (~~provide~~) improve postsecondary outcomes by providing
25 current and former foster care youth with the educational planning,
26 information, institutional support, and direct financial resources
27 necessary for them to succeed in higher education.

28 **Sec. 3.** RCW 28B.117.020 and 2011 1st sp.s. c 11 s 220 are each
29 amended to read as follows:

30 The definitions in this section apply throughout this chapter
31 unless the context clearly requires otherwise.

32 (1) "Cost of attendance" means the cost associated with attending
33 a particular institution of higher education as determined by the
34 office, including but not limited to tuition, fees, room, board, books,
35 personal expenses, and transportation, plus the cost of reasonable

1 additional expenses incurred by an eligible student and approved by a
2 financial aid administrator at the student's school of attendance.

3 ~~(2) ("Emancipated from foster care" means a person who was a
4 dependent of the state in accordance with chapter 13.34 RCW and who was
5 receiving foster care in the state of Washington when he or she reached
6 his or her eighteenth birthday.~~

7 ~~(3)) "Financial need" means the difference between a student's
8 cost of attendance and the student's total family contribution as
9 determined by the method prescribed by the United States department of
10 education.~~

11 ~~((4)) (3) "Independent college or university" means a private,
12 nonprofit institution of higher education, open to residents of the
13 state, providing programs of education beyond the high school level
14 leading to at least the baccalaureate degree, and accredited by the
15 Northwest association of schools and colleges, and other institutions
16 as may be developed that are approved by the board as meeting
17 equivalent standards as those institutions accredited under this
18 section.~~

19 ~~((5)) (4) "Institution of higher education" means((+
20~~

21 ~~(a) Any public university, college, community college, or technical
22 college operated by the state of Washington or any political
23 subdivision thereof; or~~

24 ~~(b) Any independent college or university in Washington; or~~

25 ~~(c) Any other university, college, school, or institute in the
26 state of Washington offering instruction beyond the high school level
27 that is a member institution of an accrediting association recognized
28 by rule of the higher education coordinating board for the purposes of
29 this section: PROVIDED, That any institution, branch, extension, or
30 facility operating within the state of Washington that is affiliated
31 with an institution operating in another state must be a separately
32 accredited member institution of any such accrediting association, or
33 a branch of a member institution of an accrediting association
34 recognized by rule of the board for purposes of this section, that is
35 eligible for federal student financial aid assistance and has operated
36 as a nonprofit college or university delivering on-site classroom
37 instruction for a minimum of twenty consecutive years within the state
of Washington, and has an annual enrollment of at least seven hundred~~

1 ~~full-time equivalent students))~~ any institution eligible to and
2 participating in the state need grant program.

3 ((+6)) (5) "Office" means the office of student financial
4 assistance.

5 ((+7)) (6) "Program" means the passport to college promise
6 ((pilot)) program created in this chapter.

7 **Sec. 4.** RCW 28B.117.040 and 2011 1st sp.s. c 11 s 222 are each
8 amended to read as follows:

9 Effective operation of the passport to college promise ((pilot))
10 program requires early and accurate identification of former foster
11 care youth so that they can be linked to the financial and other
12 assistance that will help them succeed in college. To that end:

13 (1) All institutions of higher education that receive funding for
14 student support services under RCW 28B.117.030 shall include on their
15 applications for admission or on their registration materials a
16 question asking whether the applicant has been in foster care in
17 Washington state for at least one year since his or her sixteenth
18 birthday together with an explanation that financial and support
19 services may be available. All other institutions of higher education
20 are strongly encouraged to include such a question and explanation. No
21 institution may consider whether an applicant may be eligible for a
22 scholarship or student support services under this chapter when
23 deciding whether the applicant will be granted admission.

24 (2) The department of social and health services shall devise and
25 implement procedures for efficiently, promptly, and accurately
26 identifying students and applicants who are eligible for services under
27 RCW 28B.117.030, and for sharing that information with the office and
28 with institutions of higher education. The procedures shall include
29 appropriate safeguards for consent by the applicant or student before
30 disclosure.

31 **Sec. 5.** RCW 28B.117.070 and 2011 1st sp.s. c 11 s 225 are each
32 amended to read as follows:

33 ~~((1) The office of student financial assistance shall report to~~
34 ~~appropriate committees of the legislature by January 15, 2008, on the~~
35 ~~status of program design and implementation. The report shall include~~
36 ~~a discussion of proposed scholarship and student support service~~

1 ~~approaches; an estimate of the number of students who will receive such~~
2 ~~services; baseline information on the extent to which former foster~~
3 ~~care youth who meet the eligibility criteria in RCW 28B.117.030 have~~
4 ~~enrolled and persisted in postsecondary education; and recommendations~~
5 ~~for any statutory changes needed to promote achievement of program~~
6 ~~objectives.~~

7 ~~(2) The state board for community and technical colleges and the~~
8 ~~office of student financial assistance shall monitor and analyze the~~
9 ~~extent to which eligible young people are increasing their~~
10 ~~participation, persistence, and progress in postsecondary education,~~
11 ~~and shall jointly submit a report on their findings to appropriate~~
12 ~~committees of the legislature by December 1, 2009, and by December 1,~~
13 ~~2011.~~

14 ~~(3))~~ The Washington state institute for public policy shall
15 complete an evaluation of the passport to college promise ((pilot))
16 program and shall submit a report to appropriate committees of the
17 legislature by December 1, 2012. The report shall estimate the impact
18 of the program on eligible students' participation and success in
19 postsecondary education, and shall include recommendations for program
20 revision and improvement.

21 NEW SECTION. **Sec. 6.** A new section is added to chapter 74.13 RCW
22 to read as follows:

23 (1) To the extent funds are appropriated for this purpose, the
24 department must contract with at least one nongovernmental entity to
25 administer a program of education coordination for youth who are
26 dependent pursuant to chapter 13.34 RCW, birth through twelfth grade in
27 Washington state. The selected nongovernmental entity or entities must
28 engage in a public-private partnership with the department and are
29 responsible for raising a portion of the funds needed for service
30 delivery, administration, and evaluation.

31 (2) The nongovernmental entity or entities selected by the
32 department must have demonstrated success in working with foster care
33 youth and assisting foster care youth in receiving appropriate
34 educational services, including enrollment, accessing school-based
35 services, reducing out-of-school discipline interventions, and
36 attaining high school graduation.

1 (3) The selected nongovernmental entity or entities must provide
2 services to support individual youth upon a referral by a social worker
3 with the department or a nongovernmental agency with responsibility for
4 education support services. The selected nongovernmental entity or
5 entities must be colocated in the offices of the department to provide
6 timely consultation and in-service training. These entities must have
7 access to all paper and electronic case information pertinent to the
8 educational planning and services of youth referred and are subject to
9 RCW 13.50.010 and 13.50.100.

10 (4) The selected nongovernmental entity or entities must report
11 outcomes biannually to the department.

12 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.320
13 RCW to read as follows:

14 In order to facilitate the on-time grade level progression and
15 graduation of students who are dependent pursuant to chapter 13.34 RCW,
16 school districts must incorporate the following procedures:

17 (1) School districts must waive specific courses required for
18 graduation if similar coursework has been satisfactorily completed in
19 another school district or must provide reasonable justification for
20 denial. Should a waiver not be granted to a student who would qualify
21 to graduate from the sending school district, the receiving school
22 district must use best efforts to provide an alternative means of
23 acquiring required coursework so that graduation may occur on time.

24 (2) School districts are encouraged to consolidate unresolved or
25 incomplete coursework and provide opportunities for credit accrual
26 through local classroom hours, correspondence courses, or the portable
27 assisted study sequence units designed for migrant high school
28 students.

29 (3) Should a student who is transferring at the beginning or during
30 the student's junior or senior year be ineligible to graduate from the
31 receiving school district after all alternatives have been considered,
32 the sending and receiving districts must ensure the receipt of a
33 diploma from the sending district if the student meets the graduation
34 requirements of the sending district.

35 **Sec. 8.** RCW 28B.118.010 and 2011 1st sp.s. c 11 s 226 are each
36 amended to read as follows:

1 The office of student financial assistance shall design the
2 Washington college bound scholarship program in accordance with this
3 section.

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

5 (a) Qualify for free or reduced-price lunches. If a student
6 qualifies in the seventh grade, the student remains eligible even if
7 the student does not receive free or reduced-price lunches thereafter;
8 or

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

10 (i) In grade seven through twelve; or

11 (ii) Are between the ages of eighteen and twenty-one and have not
12 graduated from high school.

13 (2) Eligible students shall be notified of their eligibility for
14 the Washington college bound scholarship program beginning in their
15 seventh grade year. Students shall also be notified of the
16 requirements for award of the scholarship.

17 (3)(a) To be eligible for a Washington college bound scholarship,
18 a student eligible under subsection (1)(a) of this section must sign a
19 pledge during seventh or eighth grade that includes a commitment to
20 graduate from high school with at least a C average and with no felony
21 convictions. (~~Students who were in the eighth grade during the 2007-~~
22 ~~08 school year may sign the pledge during the 2008-09 school year.~~)
23 The pledge must be witnessed by a parent or guardian and forwarded to
24 the office of student financial assistance by mail or electronically,
25 as indicated on the pledge form.

26 (b) A student eligible under subsection (1)(b) of this section
27 shall be automatically enrolled, with no action necessary by the
28 student or the student's family, and the enrollment form must be
29 forwarded by the department of social and health services to the higher
30 education coordinating board or its successor by mail or
31 electronically, as indicated on the form.

32 (4)(a) Scholarships shall be awarded to eligible students
33 graduating from public high schools, approved private high schools
34 under chapter 28A.195 RCW, or who received home-based instruction under
35 chapter 28A.200 RCW.

36 (b) To receive the Washington college bound scholarship, a student
37 must graduate with at least a "C" average from a public high school or
38 an approved private high school under chapter 28A.195 RCW in Washington

1 or have received home-based instruction under chapter 28A.200 RCW, must
2 have no felony convictions, and must be a resident student as defined
3 in RCW 28B.15.012(2) (a) through (d).

4 (5) A student's family income will be assessed upon graduation
5 before awarding the scholarship.

6 (6) If at graduation from high school the student's family income
7 does not exceed sixty-five percent of the state median family income,
8 scholarship award amounts shall be as provided in this section.

9 (a) For students attending two or four-year institutions of higher
10 education as defined in RCW 28B.10.016, the value of the award shall be

11 (i) the difference between the student's tuition and required fees,
12 less the value of any state-funded grant, scholarship, or waiver
13 assistance the student receives; (ii) plus five hundred dollars for
14 books and materials.

15 (b) For students attending private four-year institutions of higher
16 education in Washington, the award amount shall be the representative
17 average of awards granted to students in public research universities
18 in Washington.

19 (c) For students attending private vocational schools in
20 Washington, the award amount shall be the representative average of
21 awards granted to students in public community and technical colleges
22 in Washington.

23 (7) Recipients may receive no more than four full-time years' worth
24 of scholarship awards.

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

30 (9) The first scholarships shall be awarded to students graduating
31 in 2012.

32 (10) The state of Washington retains legal ownership of tuition
33 units awarded as scholarships under this chapter until the tuition
34 units are redeemed. These tuition units shall remain separately held
35 from any tuition units owned under chapter 28B.95 RCW by a Washington
36 college bound scholarship recipient.

37 (11) The scholarship award must be used within five years of

1 receipt. Any unused scholarship tuition units revert to the Washington
2 college bound scholarship account.

3 (12) Should the recipient terminate his or her enrollment for any
4 reason during the academic year, the unused portion of the scholarship
5 tuition units shall revert to the Washington college bound scholarship
6 account.

7 **Sec. 9.** RCW 28A.150.510 and 2008 c 297 s 5 are each amended to
8 read as follows:

9 (1) In order to effectively serve students who are dependent
10 pursuant to chapter 13.34 RCW, education records shall be transmitted
11 to the department of social and health services within two school days
12 after receiving the request from the department provided that the
13 department certifies that it will not disclose to any other party the
14 education records without prior written consent of the parent or
15 student unless authorized to disclose the records under state law. The
16 department of social and health services is authorized to disclose
17 education records it obtains pursuant to this section to a foster
18 parent, guardian, or other entity authorized by the department to
19 provide residential care to the student. The department is also
20 authorized to disclose educational records it obtains pursuant to this
21 section to those entities with which it has contracted, or with which
22 it is formally collaborating, having responsibility for educational
23 support services and educational outcomes of students who are dependent
24 pursuant to chapter 13.34 RCW. The department is encouraged to put in
25 place data-sharing agreements to assure accountability.

26 (2)(a) The K-12 data governance group established under RCW
27 28A.300.507 shall create a comprehensive needs requirement document
28 detailing the specific information, technical capacity, and any federal
29 and state statutory and regulatory changes needed by school districts,
30 the office of the superintendent of public instruction, the department
31 of social and health services, or the higher education coordinating
32 board or its successor, to enable the provision, on at least a
33 quarterly basis, of:

34 (i) Current education records of students who are dependent
35 pursuant to chapter 13.34 RCW to the department of social and health
36 services and, from the department, to those entities with which the

1 department has contracted, or with which it is formally collaborating,
2 having responsibility for educational support services and educational
3 outcomes; and

4 (ii) The names and contact information of students who are
5 dependent pursuant to chapter 13.34 RCW and are thirteen years or older
6 to the higher education coordinating board or its successor and the
7 private agency with which it has contracted to perform outreach for the
8 passport to college promise program under chapter 28B.117 RCW or the
9 college bound scholarship program under chapter 28B.118.RCW.

10 (b) In complying with (a) of this subsection, the K-12 data
11 governance group shall consult with: Educational support service
12 organizations, with which the department of social and health services
13 contracts or collaborates, having responsibility for educational
14 support services and educational outcomes of dependent students; the
15 passport to college advisory committee; the education support service
16 organizations under contract to perform outreach for the passport to
17 college promise program under chapter 28B.117 RCW; the department of
18 social and health services; the office of the attorney general; the
19 higher education coordinating board or its successor; and the office of
20 the administrator for the courts.

21 (c) By December 1, 2012, the superintendent of public instruction
22 shall submit a report to the governor and the appropriate committees of
23 the legislature regarding: The analysis of needs by the K-12 data
24 governance group; a timeline for addressing those needs for which no
25 statutory changes are necessary and that can be implemented within
26 existing resources; and recommended options for addressing identified
27 needs for which statutory changes, additional funding, or both, are
28 necessary.

29 NEW SECTION. Sec. 10. A new section is added to chapter 28A.300
30 RCW to read as follows:

31 By December 1, 2012, and on an annual basis through December 1,
32 2015, the superintendent of public instruction, in consultation with
33 the department of social and health services and the office of the
34 administrator for the courts, shall submit a report to the governor and
35 the appropriate committees of the legislature regarding the content and
36 implementation status of the state's plan for cross-system
37 collaboration to promote educational stability and improve educational

1 outcomes for foster children pursuant to the requirements of the
2 federal fostering connections to success and increasing adoptions act,
3 P.L. 110-351. The annual report must include, but is not limited to,
4 information regarding:

5 (1) A description of the process used to determine students' best
6 interest in continued enrollment at the school the student was in at
7 the time of initial placement or change of placement;

8 (2) The number of days, following initial placement or change of
9 placement, to resume school at the school the student was in at the
10 time of initial placement or change of placement or complete new school
11 enrollment and attend at a new school;

12 (3) The number of days from request to delivery of school records
13 from the sending school to the receiving school; and

14 (4) Documentation of a plan and use of federal title IV-E dollars
15 to support transportation for educational continuity as envisioned in
16 the federal fostering connections to success and increasing adoptions
17 act, P.L. 110-351.

18 **Sec. 11.** RCW 28A.300.525 and 2008 c 297 s 2 are each amended to
19 read as follows:

20 The (~~(superintendent of public instruction)~~) education data center
21 shall (~~(provide an annual aggregate report to the legislature on)~~)
22 include in its reporting as part of the P-20 education data project the
23 educational experiences and progress of students in children's
24 administration out-of-home care. This data should be disaggregated in
25 the smallest units allowable by law that do not identify an individual
26 student, in order to learn which school districts are experiencing the
27 greatest success and challenges in achieving quality educational
28 outcomes with students in children's administration out-of-home care.

29 NEW SECTION. **Sec. 12.** The legislature strongly recommends that
30 the entities with which the department of social and health services
31 contracts or collaborates to provide educational support services and
32 educational outcomes for students who are dependent under chapter 13.34
33 RCW and the private agency under contract with the higher education
34 coordinating board or its successor to perform outreach for the
35 passport to college promise program under chapter 28B.117 RCW and the

1 college bound scholarship program under chapter 28B.118 RCW explore
2 models for harnessing technology to keep in constant touch with the
3 students they serve and keep these students engaged.

4 **Sec. 13.** RCW 28B.117.901 and 2007 c 314 s 10 are each amended to
5 read as follows:

6 This chapter expires June 30, (~~2013~~) 2022.

7 NEW SECTION. **Sec. 14.** This act may be known and cited as the
8 educational success for youth and alumni of foster care act.

9 NEW SECTION. **Sec. 15.** This act takes effect July 1, 2012."

SHB 2254 - S COMM AMD

By Committee on Higher Education & Workforce Development

ADOPTED 02/28/2012

10 On page 1, line 2 of the title, after "care;" strike the remainder
11 of the title and insert "amending RCW 28B.117.010, 28B.117.020,
12 28B.117.040, 28B.117.070, 28B.118.010, 28A.150.510, 28A.300.525, and
13 28B.117.901; adding a new section to chapter 74.13 RCW; adding a new
14 section to chapter 28A.320 RCW; adding a new section to chapter 28A.300
15 RCW; creating new sections; providing an effective date; and providing
16 an expiration date."

EFFECT: Removes the Educational Advocacy Program.

Moves the language requiring DSHS to contract with at least one nongovernmental entity to administer a program of education coordinating for foster care youth to a different section in the code.

Clarifies that students who are between the ages of eighteen and twenty-one and who have not graduated from high school are eligible for the College Bound Scholarship program.

--- END ---