
SECOND SUBSTITUTE SENATE BILL 5155

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Kilmer, Hargrove, Shin, Murray, Marr, Kauffman, Rockefeller, Kohl-Welles, Tom, Schoesler, Sheldon, Berkey, Delvin, McAuliffe, Keiser, Rasmussen and Franklin)

READ FIRST TIME 03/05/07.

1 AN ACT Relating to helping former foster care youth gain
2 postsecondary education and providing scholarships to former foster
3 care youth for this purpose; adding a new chapter to Title 28B RCW; and
4 providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** (1)(a) The legislature finds that in
7 Washington, there are more than seven thousand three hundred children
8 in foster family or group care. These children face unique obstacles
9 and burdens as they transition to adulthood, including lacking
10 continuity in their elementary and high school educations. As compared
11 to the general population of students, twice as many foster care youth
12 change schools at least once during their elementary and secondary
13 school careers, and three times as many change schools at least three
14 times. Only thirty-four percent of foster care youth graduate from
15 high school within four years, compared to seventy percent for the
16 general population. Of the former foster care youth who earn a high
17 school diploma, more than twenty-eight percent earn a GED instead of a
18 traditional high school diploma. This is almost six times the rate of
19 the general population. Research indicates that GED holders tend not

1 to be as economically successful as the holders of traditional high
2 school diplomas. Only twenty percent of former foster care youth who
3 earn a high school degree enroll in college, compared to over sixty
4 percent of the population generally. Of the former foster care youth
5 who do enroll in college, very few go on to earn a degree. Less than
6 two percent of former foster care youth hold bachelor's degrees,
7 compared to twenty-eight percent of Washington's population generally.

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

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

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

37 (e) Approximately twenty-five percent of former foster care youth
38 are incarcerated at sometime after leaving foster care. This is four

1 times the rate of incarceration for the general population. Of the
2 former foster care youth who "age out" of foster care, twenty-seven
3 percent of the males and ten percent of the females are incarcerated
4 within twelve to eighteen months of leaving foster care.

5 (f) Female former foster care youth become sexually active more
6 than seven months earlier than their nonfoster care counterparts, have
7 more sexual partners, and have a mean age of first pregnancy of almost
8 two years earlier than their peers who were not in foster care.

9 (2) The legislature intends to create the passport to college
10 promise pilot program. The pilot program will initially operate for a
11 six-year period, and will have two primary components, as follows:

12 (a) Significantly increasing outreach to foster care youth between
13 the ages of fourteen and eighteen regarding the higher education
14 opportunities available to them, how to apply to college, and how to
15 apply for and obtain financial aid; and

16 (b) Providing financial aid to former foster care youth to assist
17 with the costs of their public undergraduate college education.

18 NEW SECTION. **Sec. 2.** The definitions in this section apply
19 throughout this chapter unless the context clearly requires otherwise.

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

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

31 (3) "Financial need" means the difference between a student's cost
32 of attendance and the student's total family contribution as determined
33 by the method prescribed by the United States department of education.

34 (4) "Independent college or university" means a private, nonprofit
35 institution of higher education, open to residents of the state,
36 providing programs of education beyond the high school level leading to
37 at least the baccalaureate degree, and accredited by the Northwest

1 association of schools and colleges, and other institutions as may be
2 developed that are approved by the higher education coordinating board
3 as meeting equivalent standards as those institutions accredited under
4 this section.

5 (5) "Institution of higher education" means:

6 (a) Any public university, college, community college, or technical
7 college operated by the state of Washington or any political
8 subdivision thereof; or

9 (b) Any independent college or university in Washington; or

10 (c) Any other university, college, school, or institute in the
11 state of Washington offering instruction beyond the high school level
12 that is a member institution of an accrediting association recognized
13 by rule of the higher education coordinating board for the purposes of
14 this section: PROVIDED, That any institution, branch, extension, or
15 facility operating within the state of Washington that is affiliated
16 with an institution operating in another state must be a separately
17 accredited member institution of any such accrediting association, or
18 a branch of a member institution of an accrediting association
19 recognized by rule of the board for purposes of this section, that is
20 eligible for federal student financial aid assistance and has operated
21 as a nonprofit college or university delivering on-site classroom
22 instruction for a minimum of twenty consecutive years within the state
23 of Washington, and has an annual enrollment of at least seven hundred
24 full-time equivalent students.

25 (6) "Program" means the passport to college promise pilot program
26 created in this chapter.

27 NEW SECTION. **Sec. 3.** The passport to college promise pilot
28 program is created. The purpose of the program is:

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

31 (2) To provide current and former foster care youth with the
32 educational planning, information, institutional support, and direct
33 financial resources necessary for them to succeed in higher education.

34 NEW SECTION. **Sec. 4.** (1) The higher education coordinating board
35 shall design and, to the extent funds are appropriated for this

1 purpose, implement, a program of supplemental scholarship and student
2 assistance for students who have emancipated from the state foster care
3 system after having spent at least one year in care.

4 (2) The board shall convene and consult with an advisory committee
5 to assist with program design and implementation. The committee shall
6 include but not be limited to former foster care youth and their
7 advocates; representatives from the state board for community and
8 technical colleges, and from public and private agencies that assist
9 current and former foster care recipients in their transition to
10 adulthood; and student support specialists from public and private
11 colleges and universities.

12 (3) To the extent that sufficient funds have been appropriated for
13 this purpose, a student is eligible for assistance under this section
14 if he or she:

15 (a) Emancipated from foster care on or after January 1, 2007, after
16 having spent at least one year in foster care subsequent to his or her
17 sixteenth birthday;

18 (b) Is a resident student, as defined in RCW 28B.15.012(2);

19 (c) Is enrolled with or will enroll on at least a half-time basis
20 with an institution of higher education in Washington state by the age
21 of twenty-one;

22 (d) Is making satisfactory academic progress toward the completion
23 of a degree or certificate program, if receiving supplemental
24 scholarship assistance;

25 (e) Has not earned a bachelor's or professional degree; and

26 (f) Is not pursuing a degree in theology.

27 (4) A passport to college scholarship under this section:

28 (a) Shall not exceed resident undergraduate tuition and fees at the
29 highest-priced public institution of higher education in the state; and

30 (b) Shall not exceed the student's financial need, less a
31 reasonable self-help amount defined by the board, when combined with
32 all other public and private grant, scholarship, and waiver assistance
33 the student receives.

34 (5) An eligible student may receive a passport to college
35 scholarship under this section for a maximum of five years after the
36 student first enrolls with an institution of higher education or until
37 the student turns age twenty-six, whichever occurs first. If a student
38 turns age twenty-six during an academic year, and would otherwise be

1 eligible for a scholarship under this section, the student shall
2 continue to be eligible for a scholarship for the remainder of the
3 academic year.

4 (6) The higher education coordinating board, in consultation with
5 and with assistance from the state board for community and technical
6 colleges, shall perform an annual analysis to verify that those
7 institutions of higher education at which students have received a
8 scholarship under this section have awarded the student all available
9 need-based and merit-based grant and scholarship aid for which the
10 student qualifies.

11 (7) In designing and implementing the passport to college student
12 support program under this section, the board, in consultation with and
13 with assistance from the state board for community and technical
14 colleges, shall ensure that a participating college or university:

15 (a) Has a viable plan for identifying students eligible for
16 assistance under this section, for tracking and enhancing their
17 academic progress, for addressing their unique needs for assistance
18 during school vacations and academic interims, and for linking them to
19 appropriate sources of assistance in their transition to adulthood;

20 (b) Receives financial and other incentives for achieving
21 measurable progress in the recruitment, retention, and graduation of
22 eligible students.

23 NEW SECTION. **Sec. 5.** Effective operation of the passport to
24 college promise pilot program requires early and accurate
25 identification of former foster care youth so that they can be linked
26 to the financial and other assistance that will help them succeed in
27 college. To that end:

28 (1) All institutions of higher education that receive funding for
29 student support services under section 4 of this act shall include on
30 their applications for admission or on their registration materials a
31 question asking whether the applicant has been in foster care in
32 Washington state for at least one year since his or her sixteenth
33 birthday. All other institutions of higher education are strongly
34 encouraged to include such a question. No institution may consider
35 whether an applicant may be eligible for a scholarship or student
36 support services under this chapter when deciding whether the applicant
37 will be granted admission.

1 (2) The department of social and health services shall devise and
2 implement procedures for efficiently, promptly, and accurately
3 identifying students and applicants who are eligible for services under
4 section 4 of this act, and for sharing that information with the higher
5 education coordinating board and with institutions of higher education.
6 The procedures shall include appropriate safeguards for consent by the
7 applicant or student before disclosure.

8 NEW SECTION. **Sec. 6.** (1) To the extent funds are appropriated for
9 this purpose, the higher education coordinating board, with input from
10 the state board for community and technical colleges, the foster care
11 partnership, and institutions of higher education, shall develop and
12 maintain an internet web site and outreach program to serve as a
13 comprehensive portal for foster care youth in Washington state to
14 obtain information regarding higher education including, but not
15 necessarily limited to:

16 (a) Academic, social, family, financial, and logistical information
17 important to successful postsecondary educational success;

18 (b) How and when to obtain and complete college applications;

19 (c) What college placement tests, if any, are generally required
20 for admission to college and when and how to register for such tests;

21 (d) How and when to obtain and complete a federal free application
22 for federal student aid (FAFSA); and

23 (e) Detailed sources of financial aid likely available to eligible
24 former foster care youth, including the financial aid provided by this
25 chapter.

26 (2) The board shall determine whether to design, build, and operate
27 such program and web site directly or to use, support, and modify
28 existing web sites created by government or nongovernmental entities
29 for a similar purpose.

30 NEW SECTION. **Sec. 7.** (1) To the extent funds are appropriated for
31 this purpose, the department of social and health services, with input
32 from the state board for community and technical colleges, the higher
33 education coordinating board, and institutions of higher education,
34 shall contract with at least one nongovernmental entity through a
35 request for proposals process to develop, implement, and administer a

1 program of supplemental educational transition planning for youth in
2 foster care in Washington state.

3 (2) The nongovernmental entity or entities chosen by the department
4 shall have demonstrated success in working with foster care youth and
5 assisting foster care youth in successfully making the transition from
6 foster care to independent adulthood.

7 (3) The selected nongovernmental entity or entities shall provide
8 supplemental educational transition planning to foster care youth in
9 Washington state beginning at age fourteen and then at least every six
10 months thereafter. The supplemental transition planning shall include:

11 (a) Comprehensive information regarding postsecondary educational
12 opportunities including, but not limited to, sources of financial aid,
13 institutional characteristics and record of support for former foster
14 care youth, transportation, housing, and other logistical
15 considerations;

16 (b) How and when to apply to postsecondary educational programs;

17 (c) What precollege tests, if any, the particular foster care youth
18 should take based on his or her postsecondary plans and when to take
19 the tests;

20 (d) What courses to take to prepare the particular foster care
21 youth to succeed at his or her postsecondary plans;

22 (e) Social, community, educational, logistical, and other issues
23 that frequently impact college students and their success rates; and

24 (f) Which web sites, nongovernmental entities, public agencies, and
25 other foster care youth support providers specialize in which services.

26 (4) The selected nongovernmental entity or entities shall work
27 directly with the school counselors at the foster care youths' high
28 schools to ensure that a consistent and complete transition plan has
29 been prepared for each foster care youth who emancipates out of the
30 foster care system in Washington state.

31 NEW SECTION. **Sec. 8.** (1) The higher education coordinating board
32 shall report to appropriate committees of the legislature by January
33 15, 2008, on the status of program design and implementation. The
34 report shall include a discussion of proposed scholarship and student
35 support service approaches; an estimate of the number of students who
36 will receive such services; baseline information on the extent to which
37 former foster care youth who meet the eligibility criteria in section

1 4 of this act have enrolled and persisted in postsecondary education;
2 and recommendations for any statutory changes needed to promote
3 achievement of program objectives.

4 (2) The state board for community and technical colleges and the
5 higher education coordinating board shall monitor and analyze the
6 extent to which eligible young people are increasing their
7 participation, persistence, and progress in postsecondary education,
8 and shall jointly submit a report on their findings to appropriate
9 committees of the legislature by December 1, 2009, and by December 1,
10 2011.

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

18 NEW SECTION. **Sec. 9.** Nothing in this chapter may be construed to:

19 (1) Guarantee acceptance by, or entrance into, any institution of
20 higher education; or

21 (2) Limit the participation of youth, in or formerly in, foster
22 care in Washington state in any other program of financial assistance
23 for postsecondary education.

24 NEW SECTION. **Sec. 10.** This chapter expires June 30, 2013.

25 NEW SECTION. **Sec. 11.** Sections 1 through 10 of this act
26 constitute a new chapter in Title 28B RCW.

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