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**SECOND SUBSTITUTE SENATE BILL 6101**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Ranker, Frockt, Palumbo, Dhingra, Kuderer, McCoy, Cleveland, Saldaña, Billig, Van De Wege, Hunt, and Hasegawa)

AN ACT Relating to establishing the evergreen free college program, which provides for affordable access to institutions of higher education; amending RCW 43.88C.010; and adding a new chapter to Title 28B RCW.

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

NEW SECTION. **Sec.**  The evergreen free college program is established to help make four years of college affordable and accessible to all citizens of the state of Washington by offering a tuition waiver for eligible students enrolled in a bachelor's or associate degree or certificate program offered by Washington's institutions of higher education. The purpose of the program is to encourage more Washington residents who have not yet earned a degree to enroll in and successfully complete a degree or certificate that will lead to opportunities for further education and jobs. By making a higher education credential more affordable and accessible, Washington will make more progress towards the legislature's goal of seventy percent of Washington adults having a postsecondary credential by 2023.

It is the intent of the legislature to implement the evergreen free college program in phases, starting with a free thirteenth year. The legislature recognizes that a free thirteenth year and promise programs are proven to significantly increase high school graduation rates by ensuring all high school graduates know they can attend a free year of college or community or technical college regardless of their family incomes. Thus, investment in these programs is an evidence-based means to improve high school graduation rates and to reduce, or even eliminate, opportunity gaps in postsecondary education for students from underrepresented minority groups, low-income students, foster youth, and students with disabilities.

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

(1) "Council" means the Washington student achievement council.

(2) "Eligible degree or certificate program" means:

(a) An associate degree program;

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

(c) Professional and technical programs that lead to a recognized postsecondary credential.

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

(4) "Institutions of higher education" has the same meaning as in RCW 28B.10.016.

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

(6) "Program" means the evergreen free college program.

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

NEW SECTION. **Sec.**  (1) Subject to availability of amounts appropriated for this specific purpose, the office shall administer the program for resident students seeking a bachelor's degree, an associate degree, or certificate from a state institution of higher education under the terms and conditions in this section.

(2) To be eligible for the program, a resident student who has not previously earned an associate degree must be enrolled in a state institution of higher education in an eligible degree or certificate program.

(3) Students must complete the free application for federal student aid (FAFSA) or the Washington application for state financial aid (WASFA) each academic year in which they seek eligibility for the program.

(4) To remain eligible for the program, once a student has earned forty-five credits, the student must maintain a cumulative grade point average of 2.0.

(5) For the 2019-20 academic year, eligible students shall receive an award for a free thirteenth year, or three academic quarters or the equivalent in semester hours, if they have:

(a) Graduated high school within the past six calendar months before enrolling in a state institution of higher education; and

(b) A family income that does not exceed seventy percent of the state median family income, adjusted for family size.

(6) For the 2020-21 academic year, eligible students shall receive an award for six academic quarters or the equivalent in semester hours if they have:

(a) Obtained a high school diploma or its equivalent within the past eighteen calendar months before enrolling in a state institution of higher education; and

(b) A family income that does not exceed seventy percent of the state median family income, adjusted for family size.

(7) For the 2021-22 academic year, eligible students shall receive an award for nine academic quarters or the equivalent in semester hours if they have:

(a) Obtained a high school diploma or its equivalent within the past thirty calendar months before enrolling in a state institution of higher education; and

(b) A family income that does not exceed seventy percent of the state median family income, adjusted for family size.

(8) For the 2022-23 academic year, eligible students shall receive an award for twelve academic quarters or the equivalent in semester hours if they have:

(a) Obtained a high school diploma or its equivalent within the past forty-two calendar months before enrolling in a state institution of higher education; and

(b) A family income that does not exceed seventy percent of the state median family income, adjusted for family size.

(9) For the 2023-24 academic year, eligible students shall receive an award for twelve academic quarters or the equivalent in semester hours if they have:

(a) Obtained a high school diploma or its equivalent; and

(b) A family income that does not exceed seventy percent of the state median family income, adjusted for family size.

(10) Beginning with the 2024-25 academic year, eligible students shall receive an award for twelve academic quarters or the equivalent in semester hours if they have:

(a) Obtained a high school diploma or its equivalent; and

(b) A family income that does not exceed the state median family income, adjusted for family size.

(11) The office shall award grants to eligible students for an amount up to the cost of tuition fees as defined in RCW 28B.15.020, and services and activities fees as defined in RCW 28B.15.041, less all other gift aid.

(12) By December 1, 2020, and annually by December 1st thereafter, the council shall report to the appropriate policy and fiscal committees of the legislature on the following impacts of the program:

(a) Student enrollment in the eligible degree or certificate programs;

(b) Student completion rates of credits, certificates, and degrees;

(c) The cost of implementation, including the cost per student;

(d) Additional resources used to meet student needs, such as counseling, precollege courses, child care, or transportation; and

(e) The number of students receiving wraparound services, the number of schools providing wraparound services, and the resources needed to provide wraparound services.

NEW SECTION. **Sec.**  (1) Subject to the availability of amounts appropriated for this specific purpose, the council shall develop a plan to provide all program students who are enrolled at a state institution of higher education with a student success course that is one quarter long or the equivalent in semester hours, during or before their first enrollment period, that teaches essential skills for college success.

(2) Essential skills may include:

(a) Tips for study habits and time management;

(b) Financial aid information and resources;

(c) Connecting students with advisors;

(d) Encouraging student mentoring;

(e) Helping establish student cohorts; and

(f) Providing information about services available on campus.

(3) The plan must address how the council will ensure that students receiving an evergreen free college program grant are enrolled in such a course during or before their first quarter of eligibility.

(4) The council shall provide the plan to the relevant committees of the legislature by December 1, 2019, and begin implementation of the plan for the 2020-21 academic year.

NEW SECTION. **Sec.**  (1) Subject to the availability of amounts appropriated for this specific purpose, the Washington state institute for public policy shall conduct a study on the effectiveness of the evergreen free college program, including but not limited to:

(a) Any increase in enrollment in community or technical colleges;

(b) Any decreases in enrollment elsewhere in institutions of higher education;

(c) Changes in student persistence, completion, and time-to-degree rates in eligible degree or certificate programs;

(d) Any change in need or delivery of student services;

(e) The fiscal impact of the program on the students, institutions of higher education, and the state.

(2) The Washington state institute for public policy shall report its findings to the relevant committees of the legislature by December 1, 2024.

NEW SECTION. **Sec.**  Subject to the availability of amounts appropriated for this specific purpose, the caseload forecast council shall estimate the anticipated caseload of the program and submit this forecast as required in RCW 43.88C.020.

NEW SECTION. **Sec.**  The council may adopt rules to implement this chapter.

NEW SECTION. **Sec.**  If the legislature does not appropriate enough funding to support the statewide implementation of section 3 of this act, the office shall coordinate with the council to use the appropriation received to provide competitive grants. The council shall adopt criteria for the grants, prioritizing aid for at-risk students and programs with funding partners.

NEW SECTION. **Sec.**  This chapter may be known and cited as the evergreen free college act.

**Sec.**  RCW 43.88C.010 and 2015 c 128 s 2 are each amended to read as follows:

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

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

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

(4) The caseload forecast council shall oversee the preparation of and approve, by an affirmative vote of at least four members, the official state caseload forecasts prepared under RCW 43.88C.020. If the council is unable to approve a forecast before a date required in RCW 43.88C.020, the supervisor shall submit the forecast without approval and the forecast shall have the same effect as if approved by the council.

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

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

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

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

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

(c) The number of students who are eligible for the evergreen free college program and are expected to attend an institution of higher education as defined in section 2 of this act; and

(d) The number of children who are eligible, as defined in RCW ((~~43.215.405~~)) 43.216.505, to participate in, and the number of children actually served by, the early childhood education and assistance program.

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

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

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

NEW SECTION. **Sec.**  Sections 1 through 9 of this act constitute a new chapter in Title 28B RCW.

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