S-5729.1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**SUBSTITUTE SENATE BILL 6593**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

**By** Senate Ways & Means (originally sponsored by Senator Ranker)

AN ACT Relating to establishing the evergreen promise program and expanding eligibility for the state need grant; amending RCW 28B.92.010, 28B.92.030, 28B.92.060, and 43.88C.010; adding a new section to chapter 28B.92 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  The legislature finds that the state need grant is essential to helping the state's lowest-income undergraduate students pursue degrees or retrain for new careers. Yet, paying for college remains difficult for middle and lower income families. It is the intent of the legislature to ensure that the lowest income families receive state need grant funds so that more students may access and succeed in higher education in Washington state.

**Sec.**  RCW 28B.92.010 and 2014 c 1 s 1 are each amended to read as follows:

The purposes of this chapter are to establish the principles upon which the state financial aid programs will be based and to establish the state of Washington state need grant program, otherwise known as the evergreen promise program, thus assisting financially needy or disadvantaged students domiciled in Washington to obtain the opportunity of attending an accredited institution of higher education. State need grants under this chapter are available only to students who are resident students as defined in RCW 28B.15.012(2) (a) through (e) or any person who has completed the full senior year of high school and obtained a high school diploma, either at a Washington public high school or private high school approved under chapter 28A.195 RCW, or a person who has received the equivalent of a diploma; who has lived in Washington state for at least three years immediately before receiving the diploma or its equivalent; who has continuously lived in the state of Washington after receiving the diploma or its equivalent and until such time as the individual is admitted to an eligible institution of higher education and has been granted deferred action for childhood arrival status pursuant to the rules and regulations adopted by the United States citizenship and immigration services. This chapter may be known and cited as the evergreen promise program.

**Sec.**  RCW 28B.92.030 and 2013 c 248 s 2 are each amended to read as follows:

As used in this chapter:

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

(2) "Disadvantaged student" means a posthigh school student who by reason of adverse cultural, educational, environmental, experiential, familial or other circumstances is unable to qualify for enrollment as a full-time student in an institution of higher education, who would otherwise qualify as a needy student, and who is attending an institution of higher education under an established program designed to qualify the student for enrollment as a full-time student.

(3) "Financial aid" means loans and/or grants to needy students enrolled or accepted for enrollment as a student at institutions of higher education.

(4) "Institution" or "institutions of higher education" means:

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

(b) Any other university, college, school, or institute in the state of Washington offering instruction beyond the high school level that is a member institution of an accrediting association recognized by rule of the council for the purposes of this section and that agrees to and complies with program rules adopted pursuant to RCW 28B.92.150. However, any institution, branch, extension or facility operating within the state of Washington that is affiliated with an institution operating in another state must be:

(i) A separately accredited member institution of any such accrediting association;

(ii) A branch of a member institution of an accrediting association recognized by rule of the council for purposes of this section, that is eligible for federal student financial aid assistance and has operated as a nonprofit college or university delivering on-site classroom instruction for a minimum of twenty consecutive years within the state of Washington, and has an annual enrollment of at least seven hundred full-time equivalent students; or

(iii) A nonprofit institution recognized by the state of Washington as provided in RCW 28B.77.240.

(5) "Maximum state need grant award" means an award equal to the same percentage of operating fees, building fees, and services and activities fees as were covered in fiscal year 2018.

(6) "Needy student" means a posthigh school student of an institution of higher education who demonstrates to the office the financial inability, either through the student's parents, family and/or personally, to meet the total cost of board, room, books, and tuition and incidental fees for any semester or quarter. "Needy student" also means an opportunity internship graduate as defined by RCW 28C.18.162 who enrolls in a postsecondary program of study as defined in RCW 28C.18.162 within one year of high school graduation.

((~~(6)~~)) (7) "Office" means the office of student financial assistance.

((~~(7)~~)) (8) "Placebound student" means a student who (a) is unable to complete a college program because of family or employment commitments, health concerns, monetary inability, or other similar factors; and (b) may be influenced by the receipt of an enhanced student financial aid award to complete a baccalaureate degree at an eligible institution.

**Sec.**  RCW 28B.92.060 and 2012 c 229 s 558 are each amended to read as follows:

In awarding need grants under the evergreen promise program, the office shall proceed substantially as follows: ((~~PROVIDED, That nothing contained herein shall be construed to prevent the office, in the exercise of its sound discretion, from following another procedure when the best interest of the program so dictates:~~))

(1) In the 2018-19 and 2019-20 academic years, the office shall annually select the financial aid award recipients from among Washington residents applying for student financial aid ((~~who have been ranked according to~~)) as follows:

(a) For students whose median family income is at or below fifty percent of the state median family income, the student shall receive the maximum state need grant award; and

(b) For students whose median family income is above fifty percent of the state median family income, the office shall prioritize financial aid awards in the following way:

(i) Financial need as determined by the amount of the family contribution; and

((~~(b)~~)) (ii) Other considerations, such as whether the student is a former foster or homeless youth, or is a placebound student who has completed an associate of arts or associate of science degree or its equivalent.

(2) In the 2020-21 and 2021-22 academic years, the office shall annually select the financial aid award recipients from among Washington residents applying for student financial aid as follows:

(a) For students whose median family income is at or below sixty percent of the state median family income, the student shall receive the maximum state need grant award; and

(b) For students whose median family income is above sixty percent of the state median family income, the office shall prioritize financial aid awards in the following way:

(i) Financial need as determined by the amount of the family contribution; and

(ii) Other considerations, such as whether the student is a former foster or homeless youth, or is a placebound student who has completed an associate of arts or associate of science degree or its equivalent.

(3) In the 2022-23 academic year and all subsequent academic years, the office shall annually select the financial aid award recipients from among Washington residents applying for student financial aid as follows:

(a) For students whose median family income is at or below seventy percent of the state median family income, the student shall receive the maximum state need grant award; and

(b) For students whose median family income is above seventy percent of the state median family income, the office shall prioritize financial aid awards in the following way:

(i) Financial need as determined by the amount of the family contribution; and

(ii) Other considerations, such as whether the student is a former foster or homeless youth, or is a placebound student who has completed an associate of arts or associate of science degree or its equivalent.

(4) Beginning in the 2018-19 academic year, the state need grant shall be awarded first to students based on the criteria in subsections (1) through (3) of this section. The financial need of the next highest ranked students shall be met by grants depending upon the evaluation of financial need until the total allocation has been disbursed. Funds from grants which are declined, forfeited or otherwise unused shall be reawarded until disbursed, except that eligible former foster youth shall be assured receipt of a grant. The office, in consultation with four-year institutions of higher education, the council, and the state board for community and technical colleges, shall develop award criteria and methods of disbursement based on level of need, and not solely rely on a first-come, first-served basis.

((~~(3)~~)) (5) A student shall be eligible to receive a state need grant for up to five years, or the credit or clock hour equivalent of five years, or up to one hundred twenty-five percent of the published length of time of the student's program. A student may not start a new associate degree program as a state need grant recipient until at least five years have elapsed since earning an associate degree as a need grant recipient, except that a student may earn two associate degrees concurrently. Qualifications for renewal will include maintaining satisfactory academic progress toward completion of an eligible program as determined by the office. Should the recipient terminate his or her enrollment for any reason during the academic year, the unused portion of the grant shall be returned to the state educational grant fund by the institution according to the institution's own policy for issuing refunds, except as provided in RCW 28B.92.070.

((~~(4)~~)) (6) In computing financial need, the office shall determine a maximum student expense budget allowance, not to exceed an amount equal to the total maximum student expense budget at the public institutions plus the current average state appropriation per student for operating expense in the public institutions. Any child support payments received by students who are parents attending less than half-time shall not be used in computing financial need.

((~~(5)~~)) (7)(a) A student who is enrolled in three to six credit-bearing quarter credits, or the equivalent semester credits, may receive a grant for up to one academic year before beginning a program that leads to a degree or certificate.

(b) An eligible student enrolled on a less-than-full-time basis shall receive a prorated portion of his or her state need grant for any academic period in which he or she is enrolled on a less-than-full-time basis, as long as funds are available.

(c) An institution of higher education may award a state need grant to an eligible student enrolled in three to six credit-bearing quarter credits, or the semester equivalent, on a provisional basis if:

(i) The student has not previously received a state need grant from that institution;

(ii) The student completes the required free application for federal student aid;

(iii) The institution has reviewed the student's financial condition, and the financial condition of the student's family if the student is a dependent student, and has determined that the student is likely eligible for a state need grant; and

(iv) The student has signed a document attesting to the fact that the financial information provided on the free application for federal student aid and any additional financial information provided directly to the institution is accurate and complete, and that the student agrees to repay the institution for the grant amount if the student submitted false or incomplete information.

((~~(6)~~)) (8) As used in this section, "former foster youth" means a person who is at least eighteen years of age, but not more than twenty-four years of age, who was a dependent of the department of social and health services at the time he or she attained the age of eighteen.

(9) As used in this section, "homeless youth" means a person who was verified on or after July 1st of the prior academic year as an unaccompanied youth experiencing homelessness, before age twenty-one.

**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 state need grant under RCW 28B.92.060 and are expected to attend an institution participating in the state need grant program; 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.**  A new section is added to chapter 28B.92 RCW to read as follows:

A fee is assessed in the amount of one dollar and fifty cents to students at institutions participating in the state need grant program for each term in which they are enrolled for the purposes of administering the state need grant program. The fee shall be collected by the institutions participating in the state need grant program and remitted to the state treasurer for deposit into the general fund.

**--- END ---**