

# HOUSE BILL REPORT

## SHB 2254

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**As Passed House:**  
February 11, 2012

**Title:** An act relating to improving outcomes for youth in and alumni of foster care.

**Brief Description:** Enacting the educational success for youth and alumni of foster care act.

**Sponsors:** House Committee on Ways & Means (originally sponsored by Representatives Carlyle, Kagi, Reykdal, Darneille, Maxwell, Jinkins, Pedersen, Seaquist, Roberts, Dickerson and Kenney).

**Brief History:**

**Committee Activity:**

Higher Education: 1/18/12, 1/19/12 [DP];

Ways & Means: 2/6/12 [DPS].

**Floor Activity:**

Passed House: 2/11/12, 88-7.

**Brief Summary of Substitute Bill**

- Changes the Passport to College Promise program (Passport program) expiration date to 2022.
- Adds a program purpose to the Passport program to improve high school graduation outcomes of foster youth.
- Adds or replaces various requirements for the Department of Social and Health Services, higher education institutions, school districts, and other partners related to coordination, data-sharing, communication, support services, and educational outcomes for foster youth.
- Requires that foster children be automatically enrolled in the College Bound Scholarship program and extends the age limit for foster children to age 21 or until they graduate from high school.

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### HOUSE COMMITTEE ON HIGHER EDUCATION

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Majority Report:** Do pass. Signed by 14 members: Representatives Seaquist, Chair; Carlyle, Vice Chair; Parker, Assistant Ranking Minority Member; Asay, Buys, Fagan, Hasegawa, Pollet, Probst, Sells, Springer, Warnick, Wylie and Zeiger.

**Minority Report:** Without recommendation. Signed by 1 member: Representative Haler, Ranking Minority Member.

**Staff:** Madeleine Thompson (786-7304).

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## HOUSE COMMITTEE ON WAYS & MEANS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Hunter, Chair; Darneille, Vice Chair; Hasegawa, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Orcutt, Assistant Ranking Minority Member; Carlyle, Chandler, Cody, Dickerson, Haigh, Haler, Hinkle, Hudgins, Hunt, Kagi, Kenney, Ormsby, Parker, Pettigrew, Ross, Schmick, Seaquist, Springer, Sullivan and Wilcox.

**Staff:** Trista Zugel (786-7157).

### **Background:**

#### Educational Outcomes for Foster Youth.

State and national studies indicate that educational outcomes for foster youth lag behind the general population. For example, foster youth graduate from high school at a lower rate than their nonfoster care peers. A Washington State Institute for Public Policy study found that only 59 percent of youth in foster care enrolled in 11th grade completed high school by the end of 12th grade compared to 86 percent for nonfoster youth. Former foster youth attend post-secondary education at a lower rate and, if they do attend, have much lower graduation rates. Former foster youth are also more likely to experience homelessness, unemployment, and incarceration than youth who were never in foster care.

#### The Passport to College Promise Program.

Legislation enacted in 2007 created the Passport to College Promise program (Passport program) as a pilot program. The Passport program provides: (1) outreach and information to foster youth regarding the opportunities available to them for post-secondary education, and (2) scholarships to eligible former foster youth to cover their full costs of resident undergraduate tuition, fees, and living expenses. The Higher Education Coordinating Board (HECB) administers the Passport program under contract with a nonprofit organization and the Department of Social and Health Services assists with identifying eligible students.

To be eligible for a scholarship, a student must have been emancipated from foster care after having spent at least one year in foster care since his or her 16th birthday. A student must also be a Washington resident enrolled at least half-time in a college in Washington, make satisfactory academic progress, not already have a bachelor's or professional degree, and not be pursuing a degree in theology. An eligible student may receive a scholarship for up to five years or until the student's 26th birthday, whichever occurs first.

### College Bound Scholarship.

Legislation enacted in 2007 created the Washington College Bound Scholarship. Students are eligible if they qualify for free- or reduced-price lunch and are notified in seventh grade. Students must pledge during their seventh or eighth grade years that they will: (1) graduate from high school; (2) graduate with a C average; and (3) not have any felony convictions. To receive the scholarship, the student must have kept the pledge, must have a family income at high school graduation below 65 percent of the state median, and must be a resident student.

The Office of Superintendent of Public Instruction provides notification and the HECB develops and distributes the pledge forms, tracks scholarship recipients, and distributes scholarship funds. The scholarship is equal to the difference between the cost of the student's tuition and fees at a public college or university, plus \$500 for books and materials minus the value of any other state financial aid received for those items. The HECB may purchase Guaranteed Education Tuition, known as GET, units to award as part of the scholarship.

The first scholarships are awarded to students graduating in 2012. The award does not supplant other grants, scholarships, or tax programs. If the scholarship is not used within five years it reverts back to the account to be used for scholarships for other students.

### State Policies to Promote Educational Continuity for Foster Youth.

In order to maximize foster children's educational continuity and achievement, administrative regions of the Department of Social and Health Services (DSHS) must develop protocols with school districts specifying strategies for communication, coordination, and collaboration regarding the status and progress of foster children. Additionally, in order to serve students who are the subject of child dependency cases, their educational records must be released to the DSHS upon request.

### **Summary of Substitute Bill:**

The Passport to College Promise program (Passport program) is made permanent. An additional purpose of the Passport program is added related to improving high school graduation of foster youth through coordination, outreach, and intervention, and definitions are clarified.

Institutions of higher education are required to explain on registration materials that there may be financial and support services available for students formerly in foster care.

Provisions related to supplemental education transitional planning are replaced with a requirement for the Department of Social and Health Services (DSHS) to contract with at least one nongovernmental entity that has demonstrated success in working with foster care youth in improving educational outcomes, to the extent that funds are appropriated for this purpose. The nongovernmental entity or entities must:

- administer a program of education coordination for foster youth in Washington from birth through the 12th grade;
- engage in a public-private partnership with the DSHS;
- raise a portion of the funds needed for service delivery, administration, and evaluation;

- provide services to support individual youth when referred by a social worker with the DSHS or a nongovernmental agency with responsibility for education support services;
- be collocated in the DSHS to provide timely consultation and in-service training; and
- report outcomes biannually to the DSHS.

The Educational Advocacy program is created with the purpose of improving educational outcomes for students who are dependent. The program is administered by the DSHS under contract with a nongovernmental entity with demonstrated success in working with foster care youth.

Foster children must be enrolled automatically in the College Bound Scholarship program with no action necessary by the student or his/her family. The DSHS is responsible for forwarding enrollment forms. Foster children eligibility for enrollment in the College Bound Scholarship program is not limited to seventh and eighth grade, but extends up to age 21 for students who have not obtained a high school diploma.

In relation to education records, data, and accountability, the DSHS is permitted to share educational records that it receives from schools with those entities with which it has contracted, or with which it is formally collaborating, and that have responsibility for educational support services and outcomes of foster students. The DSHS is encouraged to create data-sharing agreements to assure accountability with respect to the disclosure of educational records.

The K-12 Data Governance Group is required to maintain a comprehensive needs requirement document detailing specific information, technical capacity, and changes to law that might be necessary in order to allow timely sharing of records.

The Office of Superintendent of Public Instruction (OSPI) is required to report on the implementation status of the state's plan for cross-system collaboration to promote educational stability and improve educational outcomes of foster youth pursuant to the federal Fostering Connections Act, in consultation with the DSHS and the Administrative Office of the Courts. The first report is due on December 1, 2012, and annually thereafter through 2015.

Reporting requirements with respect to educational experiences and progress of students in foster care are transferred from the OSPI to the Education Research and Data Center at the Office of Financial Management.

Similar to the Interstate Compact on Military Children, school districts are required to waive specific courses if similar coursework has been completed or provide reasonable justification for denial. School districts are also required to work together to facilitate credit acquisition and on-time graduation.

It is recommended that entities with which the DSHS contracts or collaborates to provide educational services to foster care children explore models for harnessing technology to keep in constant touch with the students they serve and keep students engaged.

The act is named the Educational Success for Youth and Alumni of Foster Care Act and there is an effective date of July 1, 2012.

**Appropriation:** None.

**Fiscal Note:** Requested on February 9, 2012.

**Effective Date:** The bill takes effect on July 1, 2012.

**Staff Summary of Public Testimony (Higher Education):**

(In support) The Passport to College Promise program (Passport program) should become a permanent support program for students emancipated from foster care. Foster youth have much lower high school graduation rates than the general population and lower educational attainment at the higher education level. The Passport program has very high retention rates for students who were former foster care youth. Program delivery is extremely efficient with a good relationship between the entities administering and delivering the Passport program. There has been more focus in recent years on foster care after a period of ignoring the educational outcomes of foster youth. Improving their educational outcomes is crucial not only for foster youth but also for the community in terms of other costs, such as incarceration rates. This Passport program makes a difference.

(Opposed) None.

**Staff Summary of Public Testimony (Ways & Means):**

(In support) Washington has very successful enhanced wraparound educational services for former foster youth in the higher education system. There are many elements driving our success in this area. This scholarship is a "last dollar in" the program and it is working for students. The Higher Education Coordinating Board (HECB) urges the committee to make this successful program a permanent program. It offers a commitment of financial aid and support services. The HECB served about 400 students last year with these funds and now has three years of program history and evidence of good retention rates for these students. The Passport program has helped to support students from pre-college to college. This program helps students find information to envision their college careers. This program can be make or break for students because it provides financial support and therefore stability. As a foster kid you do not have the stability of a single home. The Passport program provides housing and provides needed tutoring. It is helpful just to know that there are people who care about foster students. The support team takes care of students academically and financially. This program is truly innovative. This program shows how wraparound services can help take care of many different populations.

(Opposed) None.

**Persons Testifying (Higher Education):** Representative Carlyle, prime sponsor; Rachelle Sharpe, Higher Education Coordinating Board; Laurie Lippold, Children's Home Society and The Mockingbird Society; and David Buri, Eastern Washington University.

**Persons Testifying (Ways & Means):** Representative Carlyle, prime sponsor; Gary Gardner and Alexis Cormier, College Success Foundation; Rachelle Sharpe, Higher Education Coordinating Board; and Jessica Sachara.

**Persons Signed In To Testify But Not Testifying (Higher Education):** None.

**Persons Signed In To Testify But Not Testifying (Ways & Means):** None.