

# HOUSE BILL REPORT

## HB 2832

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**As Reported by House Committee On:**  
Higher Education

**Title:** An act relating to ensuring the passport to college promise program is available to certain populations of foster youth.

**Brief Description:** Ensuring the passport to college promise program is available to certain populations of foster youth.

**Sponsors:** Representatives Kilduff, Stambaugh, Tarleton, Haler, Orwall, Graves, Kagi, Hudgins, Appleton, Doglio, Pollet, Gregerson and Santos.

**Brief History:**

**Committee Activity:**

Higher Education: 1/24/18, 1/31/18 [DP].

**Brief Summary of Bill**

- Extends the Passport to College Promise program to students who have emancipated from the federal foster care system, a tribal foster care system, or from out-of-home placements under the Interstate Compact on the Placement of Children.

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### HOUSE COMMITTEE ON HIGHER EDUCATION

**Majority Report:** Do pass. Signed by 8 members: Representatives Hansen, Chair; Pollet, Vice Chair; Holy, Ranking Minority Member; Van Werven, Assistant Ranking Minority Member; Orwall, Sells, Stambaugh and Tarleton.

**Staff:** Trudes Tango (786-7384).

**Background:**

Passport to College Promise Program.

In 2007 the Legislature established the Passport to College Promise program for students who have emancipated from the state foster care system after having spent at least one year in care after their sixteenth birthday. To qualify for the scholarship, a student must:

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- be a Washington resident;
- be enrolled at least half-time in an institution of higher education by age 21;
- be making satisfactory academic progress towards a degree or certificate program;
- not have earned a bachelor's or professional degree; and
- not pursue a degree in theology.

The scholarship cannot exceed undergraduate resident tuition and fees at the highest priced public institution in the state and may not exceed the student's financial need, less a reasonable self-help amount, when combined with other public and private grants, scholarship, and waiver assistance. An eligible student may receive the scholarship for a maximum of five years after the student first enrolls, or until age 26, whichever occurs first.

The Washington State Achievement Council (WSAC) administers the program. In 2016-17, the WSAC awarded 335 scholarships, and all eligible students were served at a maximum award amount of \$4,500. The Passport to College Promise scholarship is set to expire on June 30, 2022.

#### Unaccompanied Refugee Minors Program.

The Unaccompanied Refugee Minors program (URM) is a federal program that ensures minors entering the United States without family receive care and services available to all foster children in the state by establishing the legal authority to act in place of the child's unavailable parent. The URM program uses trained social work staff to help with the particular needs of refugee and immigrant youth.

Children eligible for the URM program are under 18 years old and generally are refugees, Cuban/Haitian entrants, asylees, victims of trafficking, certain minors with special immigrant juvenile status, and U visa holders. Children who entered the United States with family but who experience a family breakdown may also be eligible to enter the URM program.

Generally, the foster youth in the URM program are eligible for all the same services as a youth in the state foster care system.

#### Tribal Welfare Systems.

Both the federal and state Indian Child Welfare Acts (ICWA) recognize exclusive tribal jurisdiction over child custody proceedings involving an Indian child living within tribal territory.

In any proceeding for the foster care placement of, or termination of parental rights to, an Indian child who is not domiciled or residing within the reservation of the child's tribe, the court must transfer the proceeding to the jurisdiction of the child's tribe upon the motion of the child's parent or custodian, the tribe, or the child if the child is 12 years of age or older. The tribe may decline to accept jurisdiction of the proceeding.

"Tribal court" is defined under the ICWA as a court or body vested by an Indian tribe with jurisdiction over child custody proceedings, including but not limited to a federal court of Indian offenses, a court established and operated under the code or custom of an Indian tribe, or an administrative body of an Indian tribe vested with authority over child custody proceedings.

Interstate Compact on the Placement of Children.

The Interstate Compact on the Placement of Children (ICPC) is a statutory agreement between all 50 states, the District of Columbia, and the United States Virgin Islands, governing the placement of children from one state into another state for the purposes of foster care or adoption. Under the ICPC, certain requirements must be met and procedures followed by the child welfare agencies of both the sending state and the receiving state.

The ICPC does not cover placements made in medical or mental health facilities or in boarding schools and does not cover placement of children made by parents, certain family members, or the child's guardian.

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**Summary of Bill:**

The Passport to College Promise program is extended to students who have emancipated from the federal Unaccompanied Refugee Minors program, a tribal foster care system, and from the state's foster care system that includes the placement of a dependent child in Washington under the Interstate Compact on the Placement of Children.

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**Appropriation:** None.

**Fiscal Note:** Requested on January 17, 2018.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Foster youth are a very vulnerable population, and moving through the foster care system is significant. Foster youth have multiple challenges, such as lack of stability. This bill provides support to those youth in the tribal welfare system, federal foster care who are here permanently and lawfully, and children from out of state placements. The Passport to College Promise program is unique and provides a comprehensive approach for support to students and to institutions. Institutions receive technical support to provide services tailored to foster youth. The program has had remarkable outcomes, and other states have looked to Washington as a model. Passport to College Promise program recipients receive State Need Grant funds, but program dollars are used for other education related expenses. It was an oversight to not include this population of foster kids in the first place. These kids have the same challenges as all foster kids. This bill will provide a strong foundation for a secure future for these students.

(Opposed) None.

**Persons Testifying:** Representative Kilduff, prime sponsor; Becky Thompson, Washington Student Achievement Council; Juliette Schindler Kelly, College Success Foundation; and Angel Gardner and Kim Hines, The Mockingbird Society.

**Persons Signed In To Testify But Not Testifying:** None.