
SUBSTITUTE SENATE BILL 5084

State of Washington

59th Legislature

2005 Regular Session

By Senate Committee on Early Learning, K-12 & Higher Education
(originally sponsored by Senators McAuliffe, Hargrove, Kohl-Welles,
Rasmussen and Regala; by request of Governor Locke)

READ FIRST TIME 02/21/05.

1 AN ACT Relating to postsecondary education and training support for
2 former foster youth; amending RCW 28B.92.060 and 28B.12.060; adding a
3 new section to chapter 74.13 RCW; creating a new section; and providing
4 an expiration date.

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

6 NEW SECTION. **Sec. 1.** (1) The legislature finds that:

7 (a) The majority of foster youth fail to thrive in our educational
8 system and, relative to nonfoster youth, disproportionately few enroll
9 in college or other postsecondary training programs. As a result,
10 former foster youth generally have poor employment and life
11 satisfaction outcomes;

12 (b) Low expectations, lack of information, fragmented support
13 services, and financial hardship are the most frequently cited reasons
14 for failure of foster youth to pursue postsecondary education or
15 training. Initiatives have been undertaken at both the state and
16 community levels in Washington to improve outcomes for foster youth in
17 transition to independence; however, these initiatives are often not
18 coordinated to complement one another;

1 (c) Even after they reach the age of eighteen, nonfoster youth
2 often receive financial support from their families to pursue
3 postsecondary education or training. Although the state is the legal
4 guardian for those foster youth who have not been reunited with their
5 families, adopted, or placed into guardianship, after these youth reach
6 the age of eighteen, the state does not consistently provide financial
7 support so that they may pursue postsecondary education or training.

8 (2) The legislature intends to encourage and support foster youth
9 to pursue postsecondary education or training opportunities. A
10 coordination committee that provides statewide planning and oversight
11 of related efforts will improve the effectiveness of both current and
12 future initiatives to improve postsecondary educational outcomes for
13 foster youth. In addition, the state can provide financial support to
14 former foster youth pursuing higher education or training by setting
15 aside portions of the state need grant and the state work study
16 programs specifically for foster youth.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 74.13 RCW
18 to read as follows:

19 (1) The department shall establish a foster youth postsecondary
20 education and training coordination committee. The committee shall be
21 comprised of staff from the children's administration of the
22 department, the office of the superintendent of public instruction, and
23 the higher education coordinating board. In addition, the committee
24 shall include foster youth, former foster youth who have successfully
25 completed a postsecondary education or training program, foster
26 parents, and representatives from nonprofit service agencies and grant-
27 making organizations that have expertise and an interest in further
28 promoting opportunities for foster youth to participate in
29 postsecondary education or training opportunities. The department may
30 also invite other interested stakeholder groups to provide
31 representation on the committee.

32 (2) The duties of the coordination committee shall include, but are
33 not limited to:

34 (a) Assessing the scope and nature of statewide need among current
35 and former foster youth for assistance to pursue and participate in
36 postsecondary education or training opportunities;

1 (b) Identifying available sources of funding available in the state
2 for services to former foster youth to pursue and participate in
3 postsecondary education or training opportunities;

4 (c) Reviewing the effectiveness of activities in the state to
5 support former foster youth to pursue and participate in postsecondary
6 education or training opportunities;

7 (d) Identifying new activities, or existing activities that should
8 be modified or expanded, to best meet statewide needs;

9 (e) Reviewing on an ongoing basis the progress toward improving
10 educational and vocational outcomes for foster youth.

11 (3) This section expires June 30, 2011.

12 **Sec. 3.** RCW 28B.92.060 and 2004 c 275 s 37 are each amended to
13 read as follows:

14 In awarding need grants, the board shall proceed substantially as
15 follows: PROVIDED, That nothing contained herein shall be construed to
16 prevent the board, in the exercise of its sound discretion, from
17 following another procedure when the best interest of the program so
18 dictates:

19 (1) The board shall annually select the financial aid award
20 recipients from among Washington residents applying for student
21 financial aid who have been ranked according to:

22 (a) Financial need as determined by the amount of the family
23 contribution; and

24 (b) Other considerations ((brought to the board's attention)), such
25 as whether the student is a former foster youth.

26 (2) The financial need of the highest ranked students shall be met
27 by grants depending upon the evaluation of financial need until the
28 total allocation has been disbursed, except that eligible former foster
29 youth shall be assured receipt of a grant. Funds from grants which are
30 declined, forfeited or otherwise unused shall be reawarded until
31 dispersed.

32 (3) A student shall be eligible to receive a state need grant for
33 up to five years, or the credit or clock hour equivalent of five years,
34 or up to one hundred twenty-five percent of the published length of
35 time of the student's program. A student may not start a new associate
36 degree program as a state need grant recipient until at least five
37 years have elapsed since earning an associate degree as a need grant

1 recipient, except that a student may earn two associate degrees
2 concurrently. Qualifications for renewal will include maintaining
3 satisfactory academic progress toward completion of an eligible program
4 as determined by the board. Should the recipient terminate his or her
5 enrollment for any reason during the academic year, the unused portion
6 of the grant shall be returned to the state educational grant fund by
7 the institution according to the institution's own policy for issuing
8 refunds, except as provided in RCW 28B.92.070.

9 (4) In computing financial need, the board shall determine a
10 maximum student expense budget allowance, not to exceed an amount equal
11 to the total maximum student expense budget at the public institutions
12 plus the current average state appropriation per student for operating
13 expense in the public institutions.

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

18 **Sec. 4.** RCW 28B.12.060 and 2002 c 354 s 224 are each amended to
19 read as follows:

20 The higher education coordinating board shall adopt rules as may be
21 necessary or appropriate for effecting the provisions of this chapter,
22 and not in conflict with this chapter, in accordance with the
23 provisions of chapter 34.05 RCW, the state higher education
24 administrative procedure act. Such rules shall include provisions
25 designed to make employment under the work-study program reasonably
26 available, to the extent of available funds, to all eligible students
27 in eligible postsecondary institutions in need thereof. The rules
28 shall include:

29 (1) Providing work under the state work-study program that will not
30 result in the displacement of employed workers or impair existing
31 contracts for services;

32 (2) Furnishing work only to a student who:

33 (a) Is capable, in the opinion of the eligible institution, of
34 maintaining good standing in such course of study while employed under
35 the program covered by the agreement; and

36 (b) Has been accepted for enrollment as at least a half-time
37 student at the eligible institution or, in the case of a student

1 already enrolled in and attending the eligible institution, is in good
2 standing and in at least half-time attendance there either as an
3 undergraduate, graduate or professional student; and

4 (c) Is not pursuing a degree in theology;

5 (3) Placing priority on providing:

6 (a) Work opportunities for students who are residents of the state
7 of Washington as defined in RCW 28B.15.012 and 28B.15.013, particularly
8 former foster youth as defined in RCW 28B.92.060, except resident
9 students defined in RCW 28B.15.012(2)((+f+)) (g);

10 (b) Job placements in fields related to each student's academic or
11 vocational pursuits, with an emphasis on off-campus job placements
12 whenever appropriate; and

13 (c) Off-campus community service placements;

14 (4) Provisions to assure that in the state institutions of higher
15 education, utilization of this work-study program:

16 (a) Shall only supplement and not supplant classified positions
17 under jurisdiction of chapter 41.06 RCW;

18 (b) That all positions established which are comparable shall be
19 identified to a job classification under the director of personnel's
20 classification plan and shall receive equal compensation;

21 (c) Shall not take place in any manner that would replace
22 classified positions reduced due to lack of funds or work; and

23 (d) That work study positions shall only be established at entry
24 level positions of the classified service unless the overall scope and
25 responsibilities of the position indicate a higher level; and

26 (5) Provisions to encourage job placements in occupations that meet
27 Washington's economic development goals, especially those in
28 international trade and international relations. The board shall
29 permit appropriate job placements in other states and other countries.

30 NEW SECTION. **Sec. 5.** If any provision of this act or its
31 application to any person or circumstance is held invalid, the
32 remainder of the act or the application of the provision to other
33 persons or circumstances is not affected.

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