

CERTIFICATION OF ENROLLMENT
SECOND SUBSTITUTE HOUSE BILL 1835

Chapter 214, Laws of 2022

67th Legislature
2022 Regular Session

POSTSECONDARY ENROLLMENT—OUTREACH AND COMPLETION INITIATIVES

EFFECTIVE DATE: June 9, 2022

Passed by the House March 8, 2022
Yeas 83 Nays 14

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate March 4, 2022
Yeas 27 Nays 21

DENNY HECK

President of the Senate

Approved March 30, 2022 2:32 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE HOUSE BILL 1835** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

March 31, 2022

**Secretary of State
State of Washington**

SECOND SUBSTITUTE HOUSE BILL 1835

AS AMENDED BY THE SENATE

Passed Legislature - 2022 Regular Session

State of Washington 67th Legislature 2022 Regular Session

By House Appropriations (originally sponsored by Representatives Hansen, Leavitt, Santos, Simmons, Chopp, Slatter, Bergquist, Valdez, Pollet, and Ormsby)

READ FIRST TIME 02/07/22.

1 AN ACT Relating to outreach and completion initiatives to
2 increase postsecondary enrollment; amending RCW 28B.92.200 and
3 74.04.060; adding a new section to chapter 28B.77 RCW; adding a new
4 section to chapter 28B.50 RCW; adding new sections to chapter 28B.92
5 RCW; and creating new sections.

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

7 NEW SECTION. **Sec. 1.** The legislature recognizes that, in 2020,
8 Washington ranked 49th nationally for completion of the free
9 application for federal student aid among high school seniors. The
10 free application for federal student aid is the form that prospective
11 and current postsecondary education students use to receive federal
12 and state financial aid, such as the federal Pell grant, the
13 Washington college grant, the college bound scholarship, the
14 opportunity scholarship, federal student loans, and many other
15 financial resources for college. For students who cannot file a free
16 application for federal student aid, the state has an alternative
17 financial aid application called the Washington application for state
18 financial aid. The free application for federal student aid is a
19 strong indicator for college enrollment. Ninety-two percent of high
20 school seniors who completed the free application for federal student
21 aid enrolled in a postsecondary institution by the November following

1 graduation versus 51 percent of students who did not complete a free
2 application for federal student aid. In addition, the legislature
3 recognizes that the pandemic has exacerbated equity gaps in college
4 access as colleges and universities are experiencing decreases in
5 enrollments among low-income students, despite having one of the
6 largest and most generous need-based financial aid programs in the
7 country. The legislature recognizes that the Washington college grant
8 program established in chapter 28B.92 RCW, which education trust
9 called "the most equity-focused free college program in the country"
10 is a critical tool to address these equity gaps and help students
11 enter college and apprenticeships. Therefore, it is the legislature's
12 intent to establish an outreach initiative for the Washington college
13 grant and an outreach and completion initiative for the free
14 application for federal student aid and Washington application for
15 state financial aid to help students succeed.

16 NEW SECTION. **Sec. 2.** A new section is added to chapter 28B.77
17 RCW to read as follows:

18 Subject to availability of amounts appropriated for this specific
19 purpose, the student achievement council shall conduct a statewide
20 marketing campaign to increase awareness of the Washington college
21 grant program established in chapter 28B.92 RCW. The student
22 achievement council shall issue a request for proposal for hiring a
23 marketing firm that will produce high quality advertisements to
24 promote the state's largest financial aid program. Advertisements
25 should be marketed towards potential postsecondary students and their
26 parents with the goal of increasing awareness of the Washington
27 college grant program to further the state's educational attainment
28 goals. The advertisements may include television commercials,
29 billboards, advertisements on public transit, paid internet search
30 advertisements, and social media marketing.

31 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50
32 RCW to read as follows:

33 Subject to availability of amounts appropriated for this specific
34 purpose, the college board shall administer a free application for
35 federal student aid and Washington application for state financial
36 aid outreach and completion initiative pilot program.

37 (1) The college board shall select community or technical
38 colleges to participate in the pilot program. The colleges selected

1 to participate must each be located within educational service
2 districts that are in the bottom two for free application for federal
3 student aid completion rates when combining their respective school
4 districts' free application for federal student aid completion rates
5 over the past three completed academic years prior to the effective
6 date of this section. Colleges selected to participate shall employ
7 outreach specialists to work directly with the high schools located
8 in the corresponding educational service district. It is the
9 legislature's intent that the outreach specialists be employed at a
10 ratio of one to 600 high school seniors within the corresponding
11 educational service district. The outreach specialists shall make
12 significant contact with high school students and their families for
13 the purpose of increasing free application for federal student aid
14 and Washington application for state financial aid completion rates.
15 The outreach specialists shall use the free application for federal
16 student aid and Washington application for state financial aid data
17 maintained by the student achievement council to conduct targeted
18 outreach and free application for federal student aid and Washington
19 application for state financial aid completion assistance to high
20 school seniors. The outreach specialists shall also provide
21 information on how to access private scholarships. The outreach
22 specialists shall conduct other outreach as appropriate, including
23 virtual or in-person presentations with students and families,
24 announcements on school intercoms and social media channels, outreach
25 to recent high school graduates as peer messengers, and events at
26 school college or career fairs.

27 (2) The college board shall report annually to the appropriate
28 committees of the legislature in accordance with RCW 43.01.036
29 beginning December 1, 2023, on the free application for federal
30 student aid and Washington application for state financial aid
31 outreach and completion initiative pilot program. The report must
32 include details on how the colleges selected used the funding and how
33 the initiatives worked to increase free application for federal
34 student aid and Washington application for state financial aid
35 completion rates. The report must also include before and after free
36 application for federal student aid and Washington application for
37 state financial aid completion data and specific details about the
38 number of high school students assisted in completing the free
39 application for federal student aid and Washington application for
40 state financial aid.

1 NEW SECTION. **Sec. 4.** (1) Subject to availability of amounts
2 appropriated for this specific purpose, the state library shall
3 administer a grant pilot program with the purpose of increasing free
4 application for federal student aid and Washington application for
5 state financial aid completion rates.

6 (2) The state library shall administer grants to local public
7 libraries located within educational service districts that are in
8 the bottom two for free application for federal student aid
9 completion rates when combining their respective school districts'
10 free application for federal student aid completion rates over the
11 past three completed academic years prior to the effective date of
12 this section. The state library shall, as a condition of the grant
13 pilot program, require local public libraries to partner with
14 community-based organizations including, where appropriate,
15 organizations with proven track records of working with historically
16 underrepresented populations, to increase free application for
17 federal student aid and Washington application for state financial
18 aid completion. The organization or organizations selected shall:

19 (a) Be embedded in their respective community and have a strong
20 foundation of trust among members of the community; and

21 (b) Be committed to working directly with individual members of
22 their community to assist with one-on-one free application for
23 federal student aid and Washington application for state financial
24 aid completion and to provide information on how to access private
25 scholarships.

26 (3) The state library shall report annually to the appropriate
27 committees of the legislature in accordance with RCW 43.01.036
28 beginning December 1, 2023, on the progress of the library outreach
29 pilot project to boost free application for federal student aid and
30 Washington application for state financial aid completion rates. The
31 report must include the specific number of students that were
32 assisted through the grant pilot program.

33 **Sec. 5.** RCW 28B.92.200 and 2019 c 406 s 19 are each amended to
34 read as follows:

35 (1) The Washington college grant program is created to provide a
36 statewide free college program for eligible participants and greater
37 access to postsecondary education for Washington residents. The
38 Washington college grant program is intended to increase the number
39 of high school graduates and adults that can attain a postsecondary

1 credential and provide them with the qualifications needed to compete
2 for job opportunities in Washington.

3 (2) The office shall implement and administer the Washington
4 college grant program and is authorized to establish rules necessary
5 for implementation of the program.

6 (3) The legislature shall appropriate funding for the Washington
7 college grant program. Allocations must be made on the basis of
8 estimated eligible participants enrolled in eligible institutions of
9 higher education or apprenticeship programs. All eligible students
10 are entitled to a Washington college grant beginning in academic year
11 2020-21.

12 (4) The office shall award Washington college grants to all
13 eligible students beginning in academic year 2020-21.

14 (5) To be eligible for the Washington college grant, students
15 must meet the following requirements:

16 (a) (i) Demonstrate financial need under RCW 28B.92.205;

17 (ii) Receive one of the following types of public assistance:

18 (A) Aged, blind, or disabled assistance benefits under chapter
19 74.62 RCW;

20 (B) Essential needs and housing support program benefits under
21 RCW 43.185C.220; or

22 (C) Pregnant women assistance program financial grants under RCW
23 74.62.030; or

24 (iii) Be a Washington high school student in the 10th, 11th, or
25 12th grade whose parent or legal guardian is receiving one of the
26 types of public assistance listed in (a) (ii) of this subsection and
27 have received a certificate confirming eligibility from the office in
28 accordance with section 6 of this act;

29 (b) (i) Be enrolled or accepted for enrollment for at least three
30 quarter credits or the equivalent semester credits at an institution
31 of higher education in Washington as defined in RCW 28B.92.030; or

32 (ii) Be enrolled in a registered apprenticeship program approved
33 under chapter 49.04 RCW;

34 (c) Be a resident student as defined in RCW 28B.15.012(2) (a)
35 through (e);

36 (d) File an annual application for financial aid as approved by
37 the office; and

38 (e) Must not have earned a baccalaureate degree or higher from a
39 postsecondary institution.

1 (6) Washington college grant eligibility may not extend beyond
2 five years or one hundred twenty-five percent of the published length
3 of the program in which the student is enrolled or the credit or
4 clock-hour equivalent.

5 (7) Institutional aid administrators shall determine whether a
6 student eligible for the Washington college grant in a given academic
7 year may remain eligible for the ensuing year if the student's family
8 income increases by no more than three percent.

9 (8) Qualifications for receipt and renewal include maintaining
10 satisfactory academic progress toward completion of an eligible
11 program as determined by the office and established in rule.

12 (9) Should a recipient terminate his or her enrollment for any
13 reason during the academic year, the unused portion of the grant
14 shall be returned to the state educational grant fund by the
15 institution of higher education according to the institution of
16 higher education's policy for issuing refunds, except as provided in
17 RCW 28B.92.070.

18 (10) An eligible student enrolled on a part-time basis shall
19 receive a prorated portion of the Washington college grant for any
20 academic period in which he or she is enrolled on a part-time basis.

21 (11) The Washington college grant is intended to be used to meet
22 the costs of postsecondary education for students with financial
23 need. The student shall be awarded all need-based financial aid for
24 which the student qualifies as determined by the institution.

25 (12) Students and participating institutions of higher education
26 shall comply with all the rules adopted by the council for the
27 administration of this chapter.

28 NEW SECTION. **Sec. 6.** A new section is added to chapter 28B.92
29 RCW to read as follows:

30 (1) The office shall enter into a data-sharing agreement with the
31 department of social and health services to facilitate the sharing of
32 individual-level data. The department of social and health services
33 shall send the office a list of all individuals receiving benefits
34 under the public assistance programs listed under RCW 28B.92.200(5)
35 on at least an annual basis. The office shall use the list to confirm
36 students' eligibility for the Washington college grant program,
37 without requiring the student to fill out a separate financial aid
38 form. The office may also use the information to conduct outreach
39 promoting the Washington college grant.

1 (2) For high school students in 10th, 11th, and 12th grades whose
2 families are receiving benefits under one of the public assistance
3 programs listed under RCW 28B.92.200(5), the office shall issue a
4 certificate to the student that validates the student's financial
5 need eligibility for the Washington college grant program. The
6 certificate is good for one year after high school graduation and may
7 be used upon enrollment in an eligible institution of higher
8 education, provided the student meets the other Washington college
9 grant eligibility requirements. The office shall track and maintain
10 records of students who were issued certificates under this section
11 in order to confirm a student's financial need eligibility with an
12 institution of higher education. A student does not need to produce
13 the certificate to receive the Washington college grant.

14 NEW SECTION. **Sec. 7.** A new section is added to chapter 28B.92
15 RCW to read as follows:

16 The office shall collaborate with the department of social and
17 health services to facilitate individual-level outreach to
18 individuals receiving benefits under the public assistance programs
19 listed under RCW 28B.92.200(5), temporary assistance for needy
20 families under chapter 74.08 RCW, the state family assistance program
21 provided for in rule, and the basic food program to inform these
22 individuals of their eligibility for the Washington college grant
23 program.

24 **Sec. 8.** RCW 74.04.060 and 2017 3rd sp.s. c 6 s 817 are each
25 amended to read as follows:

26 (1)(a) For the protection of applicants and recipients, the
27 department, the authority, and the county offices and their
28 respective officers and employees are prohibited, except as
29 hereinafter provided, from disclosing the contents of any records,
30 files, papers and communications, except for purposes directly
31 connected with the administration of the programs of this title. In
32 any judicial proceeding, except such proceeding as is directly
33 concerned with the administration of these programs, such records,
34 files, papers and communications, and their contents, shall be deemed
35 privileged communications and except for the right of any individual
36 to inquire of the office whether a named individual is a recipient of
37 welfare assistance and such person shall be entitled to an
38 affirmative or negative answer.

1 (b) Unless prohibited by federal law, for the purpose of
2 investigating and preventing child abuse and neglect and providing
3 for the health care coordination and well-being of children in foster
4 care, the department and the authority shall disclose to the
5 department of children, youth, and families the following
6 information: Developmental disabilities administration client
7 records; home and community services client records; long-term care
8 facility or certified community residential supports records; health
9 care information; child support information; food assistance
10 information; and public assistance information. Disclosure under this
11 subsection (1)(b) is mandatory for the purposes of the federal health
12 insurance portability and accountability act.

13 (c) Upon written request of a parent who has been awarded
14 visitation rights in an action for divorce or separation or any
15 parent with legal custody of the child, the department shall disclose
16 to him or her the last known address and location of his or her
17 natural or adopted children. The secretary shall adopt rules which
18 establish procedures for disclosing the address of the children and
19 providing, when appropriate, for prior notice to the custodian of the
20 children. The notice shall state that a request for disclosure has
21 been received and will be complied with by the department unless the
22 department receives a copy of a court order which enjoins the
23 disclosure of the information or restricts or limits the requesting
24 party's right to contact or visit the other party or the child.
25 Information supplied to a parent by the department shall be used only
26 for purposes directly related to the enforcement of the visitation
27 and custody provisions of the court order of separation or decree of
28 divorce. No parent shall disclose such information to any other
29 person except for the purpose of enforcing visitation provisions of
30 the said order or decree.

31 (d) Unless prohibited by federal law, the department is permitted
32 to release individual-level data of state-funded public assistance
33 programs listed under RCW 28B.92.200 to the student achievement
34 council under chapter 28B.77 RCW for the purposes of section 6 of
35 this act.

36 (e) The department shall review methods to improve the protection
37 and confidentiality of information for recipients of welfare
38 assistance who have disclosed to the department that they are past or
39 current victims of domestic violence or stalking.

1 (2) The county offices shall maintain monthly at their offices a
2 report showing the names and addresses of all recipients in the
3 county receiving public assistance under this title, together with
4 the amount paid to each during the preceding month.

5 (3) The provisions of this section shall not apply to duly
6 designated representatives of approved private welfare agencies,
7 public officials, members of legislative interim committees and
8 advisory committees when performing duties directly connected with
9 the administration of this title, such as regulation and
10 investigation directly connected therewith: PROVIDED, HOWEVER, That
11 any information so obtained by such persons or groups shall be
12 treated with such degree of confidentiality as is required by the
13 federal social security law.

14 (4) It shall be unlawful, except as provided in this section, for
15 any person, body, association, firm, corporation or other agency to
16 solicit, publish, disclose, receive, make use of, or to authorize,
17 knowingly permit, participate in or acquiesce in the use of any lists
18 or names for commercial or political purposes of any nature. The
19 violation of this section shall be a gross misdemeanor.

20 NEW SECTION. **Sec. 9.** If specific funding for the purposes of
21 this act, referencing this act by bill or chapter number, is not
22 provided by June 30, 2022, in the omnibus appropriations act, this
23 act is null and void.

Passed by the House March 8, 2022.
Passed by the Senate March 4, 2022.
Approved by the Governor March 30, 2022.
Filed in Office of Secretary of State March 31, 2022.

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