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HOUSE BILL 1817

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State of Washington

63rd Legislature

2013 Regular Session

**By** Representatives Hudgins, Chandler, Pettigrew, Van De Wege, Ross, Appleton, Moscoso, Santos, Goodman, McCoy, Hunt, Springer, Pollet, Freeman, Habib, Reykdal, Tarleton, Lias, Sawyer, Wylie, Sells, Fitzgibbon, Pedersen, Ryu, Riccelli, Farrell, Cody, Dunshee, Bergquist, Roberts, Morrell, Maxwell, Fey, and Tharinger

Read first time 02/11/13. Referred to Committee on Higher Education.

1 AN ACT Relating to adding eligibility criteria for higher education  
2 financial aid; amending RCW 28B.92.010; reenacting and amending RCW  
3 28B.118.010; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that many undocumented  
6 American youth arrive in this country and this state through the  
7 decision of their parents to relocate in search of opportunities to  
8 improve their lives and futures. Most of these youth have no mechanism  
9 to obtain legal residency, even when they have lived in these United  
10 States for most of their lives. These children should not be punished  
11 for their parents' decision to enter the United States.

12 On June 15, 2012, President Obama introduced the deferred action  
13 for childhood arrivals process. Building on this directive, this act  
14 is intended to provide a more affordable and attainable route to  
15 college for immigrant children granted deferred action for childhood  
16 arrival status who reside in Washington state. While extending in-  
17 state tuition to these youth has helped immigrant students better  
18 afford higher education in this state, financial aid is necessary to  
19 extend to them the American dream. The extension of financial aid to

1 these immigrant American youth is also necessary to position them for  
2 economic success and strengthen Washington state's competitive edge in  
3 the world economy.

4 **Sec. 2.** RCW 28B.118.010 and 2012 c 229 s 402 and 2012 c 163 s 8  
5 are each reenacted and amended to read as follows:

6 The office of student financial assistance shall design the  
7 Washington college bound scholarship program in accordance with this  
8 section and in alignment with the state need grant program in chapter  
9 28B.92 RCW unless otherwise provided in this section.

10 (1) "Eligible students" are those students who:

11 (a) Qualify for free or reduced-price lunches. If a student  
12 qualifies in the seventh grade, the student remains eligible even if  
13 the student does not receive free or reduced-price lunches thereafter;  
14 (~~(e)~~)

15 (b) Are granted deferred action for childhood arrival status  
16 pursuant to the rules and regulations adopted by the United States  
17 citizenship and immigration services; or

18 (c) Are dependent pursuant to chapter 13.34 RCW and:

19 (i) In grade seven through twelve; or

20 (ii) Are between the ages of eighteen and twenty-one and have not  
21 graduated from high school.

22 (2) Eligible students shall be notified of their eligibility for  
23 the Washington college bound scholarship program beginning in their  
24 seventh grade year. Students shall also be notified of the  
25 requirements for award of the scholarship.

26 (3)(a) To be eligible for a Washington college bound scholarship,  
27 a student eligible under subsection (1)(a) of this section must sign a  
28 pledge during seventh or eighth grade that includes a commitment to  
29 graduate from high school with at least a C average and with no felony  
30 convictions. The pledge must be witnessed by a parent or guardian and  
31 forwarded to the office of student financial assistance by mail or  
32 electronically, as indicated on the pledge form.

33 (b) A student eligible under subsection (1)(b) of this section must  
34 sign a pledge during the seventh or eighth grade that includes a  
35 commitment to graduate from high school with at least a C average and  
36 with no felony convictions. The pledge must be witnessed by a parent  
37 or guardian and forwarded to the office of student financial assistance

1 by mail or electronically, as indicated on the pledge form. Students  
2 who have not yet been granted deferred action for childhood arrival  
3 status pursuant to the rules and regulations adopted by the United  
4 States citizenship and immigration services may sign the pledge, but  
5 must have been granted deferred action for childhood arrival status  
6 pursuant to the rules and regulations adopted by the United States  
7 citizenship and immigration services by the time they enroll in an  
8 eligible institution of higher education.

9 (c) A student eligible under this subsection (1)~~((b) of this~~  
10 ~~section))~~ (c) shall be automatically enrolled, with no action necessary  
11 by the student or the student's family, and the enrollment form must be  
12 forwarded by the department of social and health services to the  
13 ~~((higher education coordinating board or its successor))~~ office of  
14 student financial assistance by mail or electronically, as indicated on  
15 the form.

16 (4)(a) Scholarships shall be awarded to eligible students  
17 graduating from public high schools, approved private high schools  
18 under chapter 28A.195 RCW, or who received home-based instruction under  
19 chapter 28A.200 RCW.

20 (b) To receive the Washington college bound scholarship, a student  
21 must graduate with at least a "C" average from a public high school or  
22 an approved private high school under chapter 28A.195 RCW in Washington  
23 or have received home-based instruction under chapter 28A.200 RCW, must  
24 have no felony convictions, and must either be a resident student as  
25 defined in RCW 28B.15.012(2) (a) through ~~((d))~~ (e) or have been  
26 granted deferred action for childhood arrival status pursuant to the  
27 rules and regulations adopted by the United States citizenship and  
28 immigration services.

29 (5) A student's family income will be assessed upon graduation  
30 before awarding the scholarship.

31 (6) If at graduation from high school the student's family income  
32 does not exceed sixty-five percent of the state median family income,  
33 scholarship award amounts shall be as provided in this section.

34 (a) For students attending two or four-year institutions of higher  
35 education as defined in RCW 28B.10.016, the value of the award shall be  
36 (i) the difference between the student's tuition and required fees,  
37 less the value of any state-funded grant, scholarship, or waiver

1 assistance the student receives; (ii) plus five hundred dollars for  
2 books and materials.

3 (b) For students attending private four-year institutions of higher  
4 education in Washington, the award amount shall be the representative  
5 average of awards granted to students in public research universities  
6 in Washington.

7 (c) For students attending private vocational schools in  
8 Washington, the award amount shall be the representative average of  
9 awards granted to students in public community and technical colleges  
10 in Washington.

11 (7) Recipients may receive no more than four full-time years' worth  
12 of scholarship awards.

13 (8) Institutions of higher education shall award the student all  
14 need-based and merit-based financial aid for which the student would  
15 otherwise qualify. The Washington college bound scholarship is  
16 intended to replace unmet need, loans, and, at the student's option,  
17 work-study award before any other grants or scholarships are reduced.

18 (9) The first scholarships shall be awarded to students graduating  
19 in 2012.

20 (10) The state of Washington retains legal ownership of tuition  
21 units awarded as scholarships under this chapter until the tuition  
22 units are redeemed. These tuition units shall remain separately held  
23 from any tuition units owned under chapter 28B.95 RCW by a Washington  
24 college bound scholarship recipient.

25 (11) The scholarship award must be used within five years of  
26 receipt. Any unused scholarship tuition units revert to the Washington  
27 college bound scholarship account.

28 (12) Should the recipient terminate his or her enrollment for any  
29 reason during the academic year, the unused portion of the scholarship  
30 tuition units shall revert to the Washington college bound scholarship  
31 account.

32 **Sec. 3.** RCW 28B.92.010 and 2004 c 275 s 34 are each amended to  
33 read as follows:

34 The purposes of this chapter are to establish the principles upon  
35 which the state financial aid programs will be based and to establish  
36 the state of Washington state need grant program, thus assisting  
37 financially needy or disadvantaged students domiciled in Washington to

1 obtain the opportunity of attending an accredited institution of higher  
2 education. State need grants under this chapter are available only to  
3 students who are either resident students as defined in RCW  
4 28B.15.012(2) (a) through ~~((d))~~ (e) or persons who have resided in  
5 Washington state for at least three years immediately prior to being  
6 admitted to an eligible institution of higher education and have been  
7 granted deferred action for childhood arrival status pursuant to the  
8 rules and regulations adopted by the United States citizenship and  
9 immigration services.

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