

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 5953 SB	<b>Title:</b> Incarcerated student grants
-----------------------------	---

## Estimated Cash Receipts

Agency Name	2023-25			2025-27			2027-29		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Student Achievement Council	Non-zero but indeterminate cost and/or savings. Please see discussion.								
<b>Total \$</b>	0	0	0	0	0	0	0	0	0

## Estimated Operating Expenditures

Agency Name	2023-25				2025-27				2027-29			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Department of Corrections	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Student Achievement Council	.9	330,000	330,000	330,000	1.0	340,000	340,000	340,000	1.0	340,000	340,000	340,000
Student Achievement Council	In addition to the estimate above, there are additional indeterminate costs and/or savings. Please see individual fiscal note.											
<b>Total \$</b>	0.9	330,000	330,000	330,000	1.0	340,000	340,000	340,000	1.0	340,000	340,000	340,000

## Estimated Capital Budget Expenditures

Agency Name	2023-25			2025-27			2027-29		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Student Achievement Council	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	0.0	0	0	0.0	0	0	0.0	0	0

## Estimated Capital Budget Breakout

**Prepared by:** Danya Clevenger, OFM

**Phone:**  
(360) 688-6413

**Date Published:**  
Revised 1/22/2024

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5953 SB	<b>Title:</b> Incarcerated student grants	<b>Agency:</b> 310-Department of Corrections
-----------------------------	---	--

## Part I: Estimates

**No Fiscal Impact**

**Estimated Cash Receipts to:**

NONE

**Estimated Operating Expenditures from:**

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

**Estimated Capital Budget Impact:**

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Kelsey-anne Fung	Phone: 360-786-7479	Date: 01/04/2024
Agency Preparation: Stephanie Marty	Phone: (360) 725-8428	Date: 01/11/2024
Agency Approval: Michael Steenhout	Phone: (360) 789-0480	Date: 01/11/2024
OFM Review: Danya Clevenger	Phone: (360) 688-6413	Date: 01/16/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

An ACT relating to financial aid grants for incarcerated students; and amending RCW 72.09.460.

Section 1(4)(b)(i-ii) amends that the Department of Corrections (DOC) may require an incarcerated individual to apply for or utilize financial aid grants available to incarcerated individuals as a condition to participate in programs. DOC shall pay the cost of such programming not otherwise covered by third-party funding if the cost of attendance exceeds the grant award, or if the incarcerated individual is not eligible for financial aid, or if financial aid is not available.

Section 1(4)(c) amends that an incarcerated individual may apply for and utilize federal and state financial aid grants available to the individual in addition to using grants and donations supplied by education providers. The DOC shall utilize a post-award formula for determining how much an incarcerated individual shall be required to pay after deducting any amount from available financial aid or third-party funding.

Section 1(14)(b) adds for the purposes of this subsection, post-award formula offsets and funds paid by DOC for educational programming shall not result in the reduction of any "gift aid," as is defined in RCW 28B.145.010.

Section 2(2)(a-b) amends election by an incarcerated individual to participate in a postsecondary education program offered by DOC shall be required to pay all costs to the department if not eligible for financial aid. If eligible for financial aid required payments will be made to the school. A third party may provide required payment.

Effective date is assumed to be 90 days after adjournment of session in which this bill is passed.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

None

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

The intent behind this legislation is for DOC, in partnership with the two- and four-year institutions of higher education, to expand postsecondary education for incarcerated individuals leveraging federal Pell grant funding.

The fiscal impact of this bill is indeterminate, assumed to be greater than \$50,000 per Fiscal Year (FY).

Should the bill be enacted, an increase in financial aid grants to support incarcerated individuals in educational programs would have an indeterminate fiscal impact that could allow the agency to expand education opportunities and increase necessary infrastructure to support education programs, such as increased student services, academic advising, and technology.

The DOC currently contracts for educational services for incarcerated individuals, up to an associate degree. Therefore, this bill could result in indeterminate savings for the contract costs.

We assume financial impacts will result as incarcerated individuals begin requiring assistance while applying for and utilizing this funding. Additional impacts related to the reimbursement process and managing the post-award formula and process is

also anticipated.

The DOC cannot reasonably estimate the number of individuals that will apply for state and federal financial aid grants. Therefore, DOC will “true up” our fiscal impact in subsequent budget submittals should the legislation be enacted into session law.

### **Part III: Expenditure Detail**

#### **III. A - Operating Budget Expenditures**

Non-zero but indeterminate cost and/or savings. Please see discussion.

#### **III. B - Expenditures by Object Or Purpose**

Non-zero but indeterminate cost and/or savings. Please see discussion.

**III. C - Operating FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part I and Part IIIA.*

NONE

#### **III. D - Expenditures By Program (optional)**

NONE

### **Part IV: Capital Budget Impact**

#### **IV. A - Capital Budget Expenditures**

NONE

#### **IV. B - Expenditures by Object Or Purpose**

NONE

#### **IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

None

### **Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 5953 SB	<b>Title:</b> Incarcerated student grants	<b>Agency:</b> 340-Student Achievement Council
-----------------------------	---	--

## Part I: Estimates

**No Fiscal Impact**

### Estimated Cash Receipts to:

**Non-zero but indeterminate cost and/or savings. Please see discussion.**

### Estimated Operating Expenditures from:

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years	0.0	1.8	0.9	1.0	1.0
<b>Account</b>					
General Fund-State 001-1	0	330,000	330,000	340,000	340,000
<b>Total \$</b>	0	330,000	330,000	340,000	340,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- Capital budget impact, complete Part IV.
- Requires new rule making, complete Part V.

Legislative Contact: Kelsey-anne Fung	Phone: 360-786-7479	Date: 01/04/2024
Agency Preparation: Carla Idohl-Corwin	Phone: 360-485-1302	Date: 01/22/2024
Agency Approval: Brian Richardson	Phone: 360-485-1124	Date: 01/22/2024
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 01/22/2024

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Significant provisions of the bill and any related workload or policy assumptions that have revenue or expenditure impact on the responding agency by section number.*

SB5953 is related to education programs for incarcerated students.

This bill:

- \* Requires the Department of Corrections (DOC) to provide all costs related to adult basic education programs and postsecondary programs that are not financial aid eligible at the time the student is enrolled or paid for by the department or a third party.
- \* Permits the Department of Corrections to require incarcerated students to apply for and utilize any federal and state financial aid grants available to them as a condition of their participation in the program.
- \* Requires the Department of Corrections to pay any cost of attendance that exceeds the grant award, or if the student is not eligible for financial aid grants, DOC must pay the cost not otherwise covered by third party funding.
- \* Acknowledges that all regulations and requirements established by the US Department of Education for prison education programs apply to financial aid eligible programming.
- \* Applies a post award formula to determine how much an individual may be required to pay after deducting any amount from available aid or other available sources.
- \* Requires that the post award formula correlates to an incarcerated student's average monthly income or average available balance in a personal saving account which are correlated to a prorated portion or present of the per credit fees for tuition, books or other educational costs.
- \* Removes the exclusion of incarcerated students sentenced to death from being eligible to participate.
- \* Aligns the definition of "gift aid" with existing definitions and prohibits post award formula offsets and funds paid for by the department for educational programming from reducing gift aid.
- \* Permits incarcerated students who do not meet the Department of Correction's criteria for the postsecondary degree education program offered by the Department or its contractors, may elect to participate by self-paying.
- \* Permits incarcerated students to pay directly to the school.
- \* Permits incarcerated students to pay directly to the department for programs that do not qualify for financial aid.
- \* Permits a third party to provide the required payment or payments directly to the department on behalf of an incarcerated individual.

### II. B - Cash receipts Impact

*Cash receipts impact of the legislation on the responding agency with the cash receipts provisions identified by section number and when appropriate, the detail of the revenue sources. Description of the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explanation of how workload assumptions translate into estimates. Distinguished between one time and ongoing functions.*

Cash receipts are indeterminate for any financial aid programs administered by the Washington Student Achievement Council (WSAC). Cash receipts would only apply to those individuals who utilize federal and or state financial aid grants. Because the enrollment and utilization rates of those opting to use financial aid grants are unknown, we are unable to anticipate who may owe a repayment of state grants as a result of not meeting satisfactory academic progress and program policy standards.

### II. C - Expenditures

*Agency expenditures necessary to implement this legislation (or savings resulting from this legislation), with the provisions of the legislation that result in the expenditures (or savings) identified by section number. Description of the factual basis of the assumptions and the method by which the expenditure impact is derived. Explanation of how workload assumptions translate into cost estimates. Distinguished between one time and ongoing functions.*

SB5953 expenditure impacts are indeterminate and are dependent on the number of eligible applicants, sector attended cost, the requirement that incarcerated students utilize federal Pell grants first, state grants second, level of appropriation for other state grants such as Passport to Careers, and unmet need after Pell is applied. Federal and state grants are to be used first in lieu of Department of Corrections funding.

WSAC would need to provide a paper application process for those not eligible to use the Free Application for Federal Student Aid (FAFSA) that would be parallel to the FAFSA for incarcerated individuals. (This requires incarcerated individuals to mail a special FAFSA to the US Department of Education). Some incarcerated individuals who are not eligible to file any type of FAFSA would need to be able to complete a paper Washington Application for State Financial Aid (WASFA) that could be mailed to WSAC for manual processing.

Program administration functions to be performed by WSAC to serve non-FAFSA eligible filers include:

- \* Development of an annual paper FAFSA-like application for manual processing.
- \* Record retention of all paper application materials received. (These may be scanned and stored electronically for the required six-year retention period).

**STAFFING**

Staffing costs would be \$330,000 in FY25 and \$170,000 annually in FY26 and beyond and include:

0.3 FTE Associate Director in FY25 to develop the annual paper application to parallel the FAFSA for incarcerated individuals and 0.2 FTE Associate Director in FY26 and beyond to annually update the application.

0.5 FTE Program Coordinator (FY25 and ongoing) to manage the paper WASFA process.

1.0 FTE IT Developer in FY25 to create the initial functionality and 0.3 FTE IT Developer (FY26 and ongoing) to provide annual system enhancements to facilitate the paper WASFA process and processed files to be sent back to colleges.

Staff time estimates are rounded to the nearest 0.1 FTE and staff-related and other costs are rounded to the nearest \$1000.

**Part III: Expenditure Detail**

**III. A - Operating Budget Expenditures**

Account	Account Title	Type	FY 2024	FY 2025	2023-25	2025-27	2027-29
001-1	General Fund	State	0	330,000	330,000	340,000	340,000
<b>Total \$</b>			0	330,000	330,000	340,000	340,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.

**III. B - Expenditures by Object Or Purpose**

	FY 2024	FY 2025	2023-25	2025-27	2027-29
FTE Staff Years		1.8	0.9	1.0	1.0
A-Salaries and Wages		168,000	168,000	166,000	166,000
B-Employee Benefits		60,000	60,000	60,000	60,000
C-Professional Service Contracts					
E-Goods and Other Services		100,000	100,000	112,000	112,000
G-Travel		2,000	2,000	2,000	2,000
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	330,000	330,000	340,000	340,000

In addition to the estimates above, there are additional indeterminate costs and/or savings. Please see discussion.



**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2024	FY 2025	2023-25	2025-27	2027-29
Associate Director	110,000		0.3	0.2	0.2	0.2
IT Developer	106,000		1.0	0.5	0.3	0.3
Program Coordinator	58,000		0.5	0.3	0.5	0.5
<b>Total FTEs</b>			1.8	0.9	1.0	1.0

**III. D - Expenditures By Program (optional)**

Program	FY 2024	FY 2025	2023-25	2025-27	2027-29
Financial Aid and Grant Programs (030)		330,000	330,000	340,000	340,000
<b>Total \$</b>		330,000	330,000	340,000	340,000

**Part IV: Capital Budget Impact**

**IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Acquisition and construction costs not reflected elsewhere on the fiscal note and description of potential financing methods.*

NONE

**IV. D - Capital FTE Detail:** *FTEs listed by classification and corresponding annual compensation. Totals agree with total FTEs in Part IVB.*

NONE

**Part V: New Rule Making Required**

*Provisions of the bill that require the agency to adopt new administrative rules or repeal/revise existing rules.*