

Introduced by Senator LeyvaJanuary 15, 2021

An act to amend Sections 66025.9, 79220, 79222, and 79225 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 228, as introduced, Leyva. Public postsecondary education: support services for foster youth: Cooperating Agencies Foster Youth Educational Support Program.

(1) Existing law establishes the California State University, the California Community Colleges, and the University of California as the 3 segments of public postsecondary education in this state. Existing law requires the California State University and each community college district, and requests the University of California, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, to grant priority in that system to certain foster youth or former foster youth whose dependency was established or continued by the court on or after the youth's 16th birthday.

This bill would extend this requirement and request for enrollment priority for certain foster youth or former foster youth to those whose dependency was established or continued by the court on or after the youth's 13th birthday. To the extent that the bill would impose duties on community college districts, it would constitute a state-mandated local program.

(2) Existing law, the Cooperating Agencies Foster Youth Educational Support Program, authorizes the California Community Colleges Chancellor's Office to enter into agreements with up to 20 community college districts to provide additional funds for services in support of postsecondary education for foster youth. Existing law provides that

these services include, when appropriate, but are not necessarily limited to, outreach and recruitment, consultation and eligibility verification, consultation and referrals for students deemed ineligible, service coordination, counseling, book and supply grants, tutoring, independent living and financial literacy skills support, frequent in-person contact, career guidance, transfer counseling, child care and transportation assistance, and referrals to health services, mental health services, housing assistance, and other related services.

This bill would authorize the program to provide all of these services, as well as direct financial support, to enrolled students who meet all eligibility requirements but whose courses have not yet commenced, and who have completed required matriculation activities as described, if those services are deemed necessary to enable the student to be successful upon the commencement of the academic term.

(3) Existing law requires a student participant in the Cooperating Agencies Foster Youth Educational Support Program to be a current or former foster youth in California whose dependency was established or continued by the court on or after the youth's 16th birthday.

This bill would instead require a student participant in the program to be a current or former foster youth in California whose dependency was established or continued by the court on or after the youth's 13th birthday.

(4) Existing law requires the Board of Governors of the California Community Colleges, in consultation with the State Department of Social Services, to adopt regulations for the program and to be responsible for the administration of funds for the program.

This bill would further require regulations adopted by the board of governors to ensure that program application and enrollment processes implemented by community college districts are streamlined, do not impose barriers to entry, and allow programs to exercise professional judgment to waive any income criteria specified in the regulations as a condition of eligibility, as specified.

(5) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66025.9 of the Education Code, as
2 amended by Section 93 of Chapter 370 of the Statutes of 2020, is
3 amended to read:

4 66025.9. (a) The California State University and each
5 community college district shall, and the University of California
6 is requested to, with respect to each campus in their respective
7 jurisdictions that administers a priority enrollment system, grant
8 priority in that system for registration for enrollment to a foster
9 youth, former foster youth, homeless youth, or former homeless
10 youth.

11 (b) For purposes of this section:

12 (1) “Foster youth and former foster youth” means a person in
13 California whose dependency was established or continued by the
14 court on or after the youth’s ~~16th~~ 13th birthday and who is no older
15 than 25 years of age at the commencement of the academic year.

16 (2) “Homeless youth and former homeless youth” means a
17 student under 25 years of age, who has been verified, in the case
18 of a former homeless youth, at any time during the 24 months
19 immediately preceding the receipt of the youth’s application for
20 admission by a postsecondary educational institution that is a
21 qualifying institution pursuant to Section 69432.7, as a homeless
22 child or youth, as defined in subsection (2) of Section 725 of the
23 federal McKinney-Vento Homeless Assistance Act (42 U.S.C.
24 Sec. 11434a(2)), by at least one of the following:

25 (A) A homeless services provider, as that term is defined in
26 paragraph (3) of subdivision ~~(d)~~ (e) of Section 103577 of the Health
27 and Safety Code.

28 (B) The director of a federal TRIO program or Gaining Early
29 Awareness and Readiness for Undergraduate Programs program,
30 or a designee of that director.

31 (C) A financial aid administrator for an institution of higher
32 education.

33 (D) A homeless and foster student liaison designated pursuant
34 to paragraph (1) of subdivision (a) of Section 67003.5.

1 (c) For purposes of this section, a student who is verified as a
2 homeless youth as defined in paragraph (2) of subdivision (b) shall
3 retain that status for a period of six years from the date of
4 admission to the postsecondary educational institution.

5 SEC. 2. Section 79220 of the Education Code is amended to
6 read:

7 79220. (a) The California Community Colleges Chancellor's
8 Office may enter into agreements with up to 20 community college
9 districts to provide additional funds for services in support of
10 postsecondary education for foster youth. This program shall be
11 known as the Cooperating Agencies Foster Youth Educational
12 Support Program, and shall expand the number of students
13 participating in the Community College Extended Opportunity
14 Programs and Services and shall not displace other students. The
15 funding provided ~~pursuant to~~ *under* this article shall be separate
16 and apart from the funding provided under existing cooperative
17 agencies resources for education programs pursuant to Article 4
18 (commencing with Section 79150). In addition to the delivery of
19 Student Success and Support Program services, as ~~defined~~
20 *described* in Section 78212, services shall include, when
21 appropriate, but not necessarily be limited to, outreach and
22 recruitment, consultation and eligibility verification, consultation
23 and referrals for students deemed ineligible, service coordination,
24 counseling, book and supply grants, tutoring, independent living
25 and financial literacy skills support, frequent in-person contact,
26 career guidance, transfer counseling, child care and transportation
27 assistance, and referrals to health services, mental health services,
28 housing assistance, and other related services.

29 (b) *The program may provide all services specified in*
30 *subdivision (a), as well as direct financial support, to enrolled*
31 *students who meet all eligibility requirements but whose courses*
32 *have not yet commenced, and who have completed required*
33 *matriculation activities as described in paragraph (2) of*
34 *subdivision (a) of Section 78212, if those services are necessary*
35 *to enable the student to be successful upon the commencement of*
36 *the academic term.*

37 (c) *As used in this article, "program" means the Cooperating*
38 *Agencies Foster Youth Educational Support Program as may be*
39 *established under subdivision (a).*

1 SEC. 3. Section 79222 of the Education Code is amended to
2 read:

3 79222. A student participant in ~~this~~ *the* program shall meet
4 both of the following requirements:

5 (a) Be a current or former foster youth in California whose
6 dependency was established or continued by the court on or after
7 the youth's ~~16th~~ *13th* birthday.

8 (b) Be no older than 25 years of age at the commencement of
9 any academic year in which ~~he or she~~ *the student* participates in
10 the program.

11 SEC. 4. Section 79225 of the Education Code is amended to
12 read:

13 79225. (a) The board of governors, in consultation with the
14 State Department of Social Services, shall adopt regulations for
15 the program. The board of governors shall be responsible for the
16 administration of funds for the program. To the extent possible,
17 the State Department of Social Services, in consultation with the
18 County Welfare Directors Association of California, the Chief
19 Probation Officers of California, and other advocates, shall consult
20 with the chancellor's office to ensure that services provided under
21 this article to eligible youths are coordinated with, and do not
22 supplant, other services provided by the county and state.

23 (b) *Regulations adopted by the board of governors shall ensure*
24 *that program application and enrollment processes implemented*
25 *by community college districts are streamlined and do not impose*
26 *barriers to entry. These regulations shall allow programs to*
27 *exercise professional judgment to waive any income criteria*
28 *specified in the regulations as a condition of eligibility, provided*
29 *that income-eligible students have first priority.*

30 SEC. 5. If the Commission on State Mandates determines that
31 this act contains costs mandated by the state, reimbursement to
32 local agencies and school districts for those costs shall be made
33 pursuant to Part 7 (commencing with Section 17500) of Division
34 4 of Title 2 of the Government Code.