

AMENDED IN ASSEMBLY SEPTEMBER 1, 2021

AMENDED IN ASSEMBLY JUNE 10, 2021

AMENDED IN SENATE APRIL 5, 2021

SENATE BILL

No. 512

**Introduced by Senator Min
(Principal coauthor: Senator Leyva)**

February 17, 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 512, as amended, Min. 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 and to certain homeless youth and former homeless youth.

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 a court of competent jurisdiction, including a tribal court, on or after the youth's 13th

birthday. The bill would authorize a representative of a tribe or tribal organization to verify the homeless status of an American Indian student who is a homeless youth or former homeless youth, as specified. 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 Office of the Chancellor of the California Community Colleges 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, childcare 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, and 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 a court of competent jurisdiction, including a tribal 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) *This bill would incorporate additional changes to Section 66025.9 of the Education Code proposed by AB 1456 to be operative only if this bill and AB 1456 are enacted and this bill is enacted last.*

~~(5)~~

(6) 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 is
2 amended to read:

3 66025.9. (a) The California State University and each
4 community college district shall, and the University of California
5 is requested to, with respect to each campus in their respective
6 jurisdictions that administers a priority enrollment system, grant
7 priority in that system for registration for enrollment to a foster
8 youth, former foster youth, homeless youth, or former homeless
9 youth.

10 (b) For purposes of this section:

11 (1) “Foster youth and former foster youth” means a person in
12 California whose dependency was established or continued by a
13 court of competent jurisdiction, including a tribal court, on or after
14 the youth’s 13th birthday and who is no older than 25 years of age
15 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

1 federal McKinney-Vento Homeless Assistance Act (42 U.S.C.
2 Sec. 11434a(2)), by at least one of the following:

3 (A) A homeless services provider, as that term is defined in
4 paragraph (3) of subdivision (e) of Section 103577 of the Health
5 and Safety Code.

6 (B) The director of a federal TRIO program or Gaining Early
7 Awareness and Readiness for Undergraduate Programs program,
8 or a designee of that director.

9 (C) A financial aid administrator for an institution of higher
10 education.

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

13 (E) For American Indian students, a representative of the
14 student's tribe or a representative of a tribal organization that is a
15 homeless services provider.

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

20 *SEC. 1.5. Section 66025.9 of the Education Code is amended*
21 *to read:*

22 66025.9. (a) The California State University and each
23 community college district shall, and the University of California
24 is requested to, with respect to each campus in their respective
25 jurisdictions that administers a priority enrollment system, grant
26 priority in that system for registration for enrollment to a foster
27 youth, former foster youth, homeless youth, or former homeless
28 youth.

29 (b) For purposes of this section:

30 (1) "Foster youth and former foster youth" means a person in
31 California whose dependency was established or continued by ~~the~~
32 *a court of competent jurisdiction, including a tribal court*, on or
33 after the youth's ~~16th~~ *13th* birthday and who is no older than 25
34 years of age at the commencement of the academic year.

35 (2) "Homeless youth and former homeless youth" means a
36 student under 25 years of age, who has been verified, in the case
37 of a former homeless youth, at any time during the 24 months
38 immediately preceding the receipt of the youth's application for
39 admission by a postsecondary educational institution that is a
40 qualifying institution pursuant to Section ~~69432.7~~, *69406* as a

1 homeless child or youth, as defined in subsection (2) of Section
2 725 of the federal McKinney-Vento Homeless Assistance Act (42
3 U.S.C. Sec. 11434a(2)), by at least one of the following:

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

7 (B) The director of a federal TRIO program or Gaining Early
8 Awareness and Readiness for Undergraduate Programs program,
9 or a designee of that director.

10 (C) A financial aid administrator for an institution of higher
11 education.

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

14 (E) *For American Indian students, a representative of the*
15 *student's tribe or a representative of a tribal organization that is*
16 *a homeless services provider.*

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

21 SEC. 2. Section 79220 of the Education Code is amended to
22 read:

23 79220. (a) The Office of the Chancellor of the California
24 Community Colleges may enter into agreements with up to 20
25 community college districts to provide additional funds for services
26 in support of postsecondary education for foster youth. This
27 program shall be known as the Cooperating Agencies Foster Youth
28 Educational Support Program, and shall expand the number of
29 students participating in the Community College Extended
30 Opportunity Programs and Services and shall not displace other
31 students. The funding provided under this article shall be separate
32 and apart from the funding provided under existing cooperative
33 agencies resources for education programs pursuant to Article 4
34 (commencing with Section 79150). In addition to the delivery of
35 Student Success and Support Program services, as described in
36 Section 78212, services shall include, when appropriate, but not
37 necessarily be limited to, outreach and recruitment, consultation
38 and eligibility verification, consultation and referrals for students
39 deemed ineligible, service coordination, counseling, book and
40 supply grants, tutoring, independent living and financial literacy

1 skills support, frequent in-person contact, career guidance, transfer
2 counseling, childcare and transportation assistance, and referrals
3 to health services, mental health services, housing assistance, and
4 other related services.

5 (b) The program may provide all services specified in
6 subdivision (a), and direct financial support, to enrolled students
7 who meet all eligibility requirements but whose courses have not
8 yet commenced, and who have completed required matriculation
9 activities as described in paragraph (2) of subdivision (a) of Section
10 78212, if those services are necessary to enable the student to be
11 successful upon the commencement of the academic term.

12 (c) As used in this article, “program” means the Cooperating
13 Agencies Foster Youth Educational Support Program as may be
14 established under subdivision (a).

15 SEC. 3. Section 79222 of the Education Code is amended to
16 read:

17 79222. A student participant in the program shall meet both
18 of the following requirements:

19 (a) Be a current or former foster youth in California whose
20 dependency was established or continued by a court of competent
21 jurisdiction, including a tribal court, on or after the youth’s 13th
22 birthday.

23 (b) Be no older than 25 years of age at the commencement of
24 any academic year in which the student participates in the program.

25 SEC. 4. Section 79225 of the Education Code is amended to
26 read:

27 79225. (a) The board of governors, in consultation with the
28 State Department of Social Services, shall adopt regulations for
29 the program. The board of governors shall be responsible for the
30 administration of funds for the program. To the extent possible,
31 the State Department of Social Services, in consultation with the
32 County Welfare Directors Association of California, the Chief
33 Probation Officers of California, and other advocates, shall consult
34 with the chancellor’s office to ensure that services provided under
35 this article to eligible youths are coordinated with, and do not
36 supplant, other services provided by the county and state.

37 (b) Regulations adopted by the board of governors shall ensure
38 that program application and enrollment processes implemented
39 by community college districts are streamlined and do not impose
40 barriers to entry. These regulations shall allow programs to exercise

1 professional judgment to waive any income criteria specified in
2 the regulations as a condition of eligibility, provided that
3 income-eligible students have first priority.

4 *SEC. 5. Section 1.5 of this bill incorporates amendments to*
5 *Section 66025.9 of the Education Code proposed by both this bill*
6 *and Assembly Bill 1456. That section of this bill shall only become*
7 *operative if (1) both bills are enacted and become effective on or*
8 *before January 1, 2022, (2) each bill amends Section 66025.9 of*
9 *the Education Code, and (3) this bill is enacted after Assembly*
10 *Bill 1456, in which case Section 1 of this bill shall not become*
11 *operative.*

12 ~~SEC. 5.~~

13 *SEC. 6.* If the Commission on State Mandates determines that
14 this act contains costs mandated by the state, reimbursement to
15 local agencies and school districts for those costs shall be made
16 pursuant to Part 7 (commencing with Section 17500) of Division
17 4 of Title 2 of the Government Code.