

Date of Hearing: April 25, 2017

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1058 (Gipson) – As Amended April 17, 2017

SUBJECT: Community colleges

SUMMARY: Waives the \$46/unit California Community College (CCC) student fee—providing the student also meets minimum academic and progress standards adopted by the CCC Board of Governors (BOG) pursuant to current law—for a student, who at the time of enrollment is:

- 1) A foster youth or former foster youth whose dependency was established or continued by the court on or after the youth's 16th birthday and who is no older than 25 years of age at the commencement of the academic year, or
- 2) A California resident who is a ward or former ward of the juvenile court and who is or was placed in out-of-home care in connection with that status after age 16 and who is no older than age 25.

EXISTING LAW:

- 1) States, except as provided, any person who is under the age of 18 when he or she violates any law of this state or of the United States or any ordinance of any city or county of this state defining crime other than an ordinance establishing a curfew based solely on age, is within the jurisdiction of the juvenile court. (Welfare & Institutions Code Section 602(a).)
- 2) Establishes juvenile court schools, administered by county boards of education, to provide public schools in juvenile halls, juvenile homes, day centers, juvenile ranches, juvenile camps, regional youth educational facilities or in any group home housing 25 or more youth. (Education Code (EC) Sect. 48645 et seq.)
- 3) Establishes a \$46/unit fee for students at the CCC. (EC Sect. 76300(b).)
- 4) Provides for a waiver of fees for certain types of students, including (a) students enrolled in specified public benefit programs, (b) homeless students, (c) those with household incomes below certain thresholds established by the BOG or with demonstrated financial need, pursuant to federal law. Students described in one of (a) through (c) who fail to meet minimum academic and performance standards established by the BOG, for no less than two consecutive primary academic terms (fall and spring semesters or the equivalent), become ineligible for the fee waiver. (EC Sect. 76300(g).)
- 5) Provides funding through state apportionments, pursuant to provisional language in the annual budget act, to offset districts' loss of fee revenue due to the BOG fee waiver.
- 6) Requires the California State University (CSU) and each community college district, and requests the University of California, when administering a priority enrollment system, to grant priority in that system for registration for enrollment to a foster youth or former foster youth, defined as a person whose dependency was established or continued by the court on or

after the youth's 16th birthday and who is no older than 25 years of age at the commencement of the academic year. (EC Sect. 66025.9.)

FISCAL EFFECT: Unknown.

COMMENTS:

Background. Most youth in the juvenile justice system in California, particularly those who are detained out-of-home, come into contact with the juvenile court school system. Youth may attend court schools while detained in a juvenile hall awaiting adjudication or disposition, after commitment to a local juvenile hall, camp or ranch facility, or while placed under the supervision of probation in the community in a group home or other placement. In 2014, California recorded 86,823 juvenile arrests, 51,645 juvenile court dispositions and 47,655 students enrolled in juvenile court schools. Juvenile court schools are operated by County Offices of Education (COEs) in juvenile halls, camps, ranches, large group homes and other settings to provide an educational placement for students in the juvenile court system.

Purpose. According to the author, youth who attend juvenile justice court schools are far more likely to enter the adult criminal justice system than to enroll in college or to be gainfully employed as young adults—contrary to the rehabilitative goals of the juvenile justice system. In 2011-12, only 1.1% of youth who had attended juvenile justice court schools were accepted to or enrolled in postsecondary education within 30 days of release from detention, and only 7.4% were enrolled in a job training program in that period. Research shows, however, that enrollment in school and academic achievement are associated with lower rates of reoffending and better outcomes that last into adulthood.

Current state law provides a BOG fee waiver for homeless youth. Federal law also gives foster youth automatic independent status for purposes of qualifying for federal financial aid, and the same criteria is applied for eligibility for state financial aid, yet current state law does not provide a similar fee waiver opportunity for youth with juvenile justice system involvement who are equally vulnerable to poor long-term outcomes and who face similar barriers to higher education. In addition, although having automatic independent status, for the purposes of qualifying for financial aid, ensures fee waiver eligibility for most foster youth, it does not ensure this eligibility for all foster youth.

The number of wards and former wards that would be eligible for a CCC fee waiver under this bill is unknown. (Based on information from the Attorney General's report "Juvenile Justice in California, 2015," about 5,000 wards age 16 and older were placed in an out-of-home facility during that year.) However, most youth within the juvenile justice system likely already qualify for CCC fee waivers based on established income standards, as more than 87% of students in juvenile justice court schools come from low socioeconomic backgrounds. Moreover, many wards and former wards are also foster youth, and some are homeless youth. There are currently over 3,000 probation-supervised foster youth (termed "dual-involved") in the state. As for foster youth, about 17,000 were enrolled at the CCC in the Fall 2016 semester, and the vast majority likely met the income test to qualify for a fee waiver.

AB 1299 eliminates one potential administrative barrier to these students between ages 16 and 25, simply by making their status as wards/former wards or current or former foster youth an eligibility criterion for BOG fee waivers.

This bill is sponsored by the Youth Law Center and has no known opposition.

Related Legislation.

- 1) AB 19 (Santiago), pending in Assembly Appropriations, provides a fee waiver for every newly-enrolled CCC student for one academic year, providing they attend full time by taking at least 12 units per semester.
- 2) AB 1567 (Holden), pending in Assembly Human Services, requires CSU and the CCC to provide information to identified current and former foster youth about available student assistance programs and financial aid.

Prior Legislation.

- 1) AB 801 (Bloom), Chapter 432, Statutes of 2016, provided a BOG fee waiver to homeless youth, as defined.
- 2) SB 1023 (Liu), Chapter 771, Statutes of 2014, authorized the CCC Chancellor's Office to enter into agreements with up to 10 CCC districts to establish the Cooperating Agencies Foster Youth Educational Support program in order to provide additional funds for services in support of postsecondary education for foster youth. The 2015-16 Budget Act provided up to \$15 million for this purpose.

REGISTERED SUPPORT / OPPOSITION:

Support

Associated Students Inc., San Francisco State University: Project Rebound
Children Now
Children's Defense Fund-California
Faculty Association of California Community Colleges
John Burton Advocates for Youth
Legal Services for Children
National Center for Youth Law
Youth Law Center (Sponsor)
Young Women's Freedom Center

Opposition

None on file.

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