

Date of Hearing: April 18, 2017

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 1567 (Holden) – As Amended March 23, 2017

[Note: This bill is doubled referred to the Assembly Human Services Committee and will be heard by that Committee as it relates to issues under its jurisdiction.]

SUBJECT: Public postsecondary education: California State University: California Community Colleges: foster youth.

SUMMARY: Requires the California Community Colleges (CCC) and the California State University (CSU) to provide information to identified current and former foster youth. Specifically, **this bill:**

- 1) Requires the CCC and CSU share relevant data with the California Department of Social Services (CDSS), upon acceptance and enrollment of a foster youth at a campus of the CCC or CSU, to ensure that the foster youth is offered access and enrollment in programs offered by his or her campus, including, but not necessarily limited to, the CSU Educational Opportunity Program (EOP) and the CCC Extended Opportunity Programs and Services (EOPS).
- 2) Requires each campus of the CCC and CSU do all of the following upon determination, through receipt of the Free Application for Federal Student Aid (FAFSA) or through another means, that a student enrolled at, or applying to, that campus is a current or former foster youth and is eligible for financial aid:
 - a) Enroll that student in appropriate campus support programs that may include, but are not necessarily limited to, the CSU EOP, the CCC EOPS, and Cooperating Agencies Foster Youth Educational Support (CAFYES);
 - b) Notify that student of his or her eligibility for financial aid and of his or her enrollment in campus support programs, specifying the programs in which the student has been enrolled; and,
 - c) Provide that student with instructions for accessing the benefits for which he or she has qualified.

EXISTING LAW:

- 1) Confers upon the CSU Trustees the powers, duties, and functions with respect to the management, administration, and control of the CSU system (Education Code (EC) Section 66606).
- 2) Establishes the CCC, a postsecondary education system consisting of community college districts; and, requires that the CCC shall be administered by the Board of Governors (EC Section 70900, et seq.).

- 3) Establishes the CAFYES Program, which authorizes the CCC Office of the Chancellor to enter into agreements with up to 10 CCC districts to provide additional funds for services in support of postsecondary education for foster youth. In addition to the delivery of Student Success and Support Program services, services are to include when appropriate: outreach and recruitment, 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 (EC Section 79220, et seq.).
- 4) Requires, beginning March 31, 2018, and every two years thereafter, the CCC Board of Governors to submit a report to the Governor, Legislature, and the California Child Welfare Council describing its efforts to serve students who are current and former foster youth. Stipulates that the report must include a review on a campus-by-campus basis of the enrollment, retention, transfer, and completion rates of foster youth, including categorical funding of those programs. Further, the report must include recommendations on whether and how the program can be expanded to all community college districts and campuses (EC Section 79226).
- 5) Requires CDSS and county welfare departments, in coordination with the CSU and CCC, to communicate with foster youth at two grade levels in order to provide outreach and technical assistance efforts for prospective foster youth students (EC Section 89346).

FISCAL EFFECT: Unknown.

COMMENTS: *Background.* Extended Opportunity Programs and Services, a state funded program, was created to enable low income, educationally disadvantaged students "affected by language, social, and economic handicaps" to achieve a college education (SB 164, Alquist, Chapter 1579, Statutes of 1969). EOPS works to help students succeed by providing educational opportunities, encouragement, and support services. Students are eligible for EOPS if they meet all of the following requirements:

- 1) Is a California resident;
- 2) Qualifies for the CCC BOG Tuition Fee Waiver (A or B) through the Financial Aid Office;
- 3) Is enrolled full-time (12 or more units);
- 4) Has completed less than 60 degree applicable college units; and,
- 5) Is educationally disadvantaged as determined by EOPS.

Foster Youth. According to the Foundation for California Community Colleges, each year, approximately 4,000 of California's foster youth turn 18 and become independent, many without the necessary skills to support themselves. Special programs are needed in order to support foster students' academic and emotional needs; helping to set them up for success in college and beyond.

According to a 2013 study by the Center for Social Services and Research that measured the academic achievement of foster youth, students with disabilities, and low-income students, said groups, "Fared significantly worse than the general population in a range of areas, including, the percentage who initially enter community college and persist one year." Additionally, the Center found that by age 26, each of these student populations is much less likely to hold a post-secondary education degree: for foster youth, only six percent; low-income students, 10 percent; and, students with a disability, 29 percent. To note, approximately half of the population that is not low-income, disabled, or in foster care, hold a degree.

Purpose of the measure. According to the author, "While campuses may have active outreach and recruitment efforts to engage current and former foster youth, many eligible students remain unaware of the additional supportive programs that exist or how to access and enroll into them. AB 1567 seeks to directly enroll self-identified foster youth into the supportive programs they are eligible to benefit from."

Current practices of the CCC and CSU. Committee staff understands that the CCC and CSU remain committed to ensuring the unique needs of their current and former foster youth students are met. The CCC Office of the Chancellor created the Foster Youth Success Initiatives (FYSI) with the vision to create a statewide outreach and retention effort to better serve current and former foster youth. Committee staff understands that participation in FYSI is voluntary, due to limited resources; however, it appears that most of the services provided align to what this measure seeks establish.

Additionally, Committee staff understands that the CSU is in the process of building a question into the new CSUMentor: Cal State Apply (the online application for the CSU) that will specifically ask if an applicant is a current or former foster youth. This potentially will capture more students in said population if they did not self-report their status on their FAFSA application.

Policy considerations. Committee staff understands that due to limited funding, the various programs that this measure requires a foster student to automatically be enrolled in are at capacity. Without the presence of additional funding to increase the number of available seats and qualified staff to support the programs, the additional students who would automatically be enrolled may not actually benefit from the programs.

Committee staff recommends, and the author has agreed to accept the following amendment:

89346 (1) ~~Enroll~~ **Notify** that student ~~is~~ **about** appropriate campus support programs that may include, but are not necessarily limited to, the California State University Educational Opportunity Program, the California Community Colleges Extended Opportunity Programs and Services, and Cooperating Agencies Foster Youth Educational Support.

(2) Notify that student of his or her eligibility for financial aid, ~~and of his or her enrollment in campus support programs, specifying the programs in which the student has been enrolled.~~

Additionally, as presently drafted, this measure requires the CSU and CCC to share data, as specified, with CDSS. However, the measure is silent as to how the data should be shared, which could violate the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Section 1232g; 34 CFR Part 99), which is a federal law that protects the privacy of student education records.

Committee staff recommends, and the author has agreed to accept the following amendment:

The collection, reporting, and housing of data as required pursuant to (a) (2) shall be conducted both in a manner that ensures data integrity and security and that is in conformance with any federal and state laws on the confidentiality of student information.

To note, due to upcoming legislative deadlines, the Assembly Human Services Committee will process the amendments referenced above.

Lastly, as noted in the "Current Practices of the CCC and CSU" section of this analysis, it appears as if the segments are continuing to create methods of ensuring current and former foster youth students receive the appropriate access to ensuring their success. It also appears that some of the programs and services currently available to this population cannot be accessed by all who are eligible due to limited funding.

Moving forward, the author may wish to work with the Appropriations and Budget Committees to see what, if any, additional funding can be appropriated to ensure that all current and former foster youth students have access to the variety of services and programs administered by the CCC and CSU.

Related legislation. SB 12 (Beall), which is pending a hearing in the Senate Human Services Committee, in part, expands the Cooperating Agencies Foster Youth Educational Support Program from up to 10 community college districts to 20 community college districts; and, requires the county child welfare case plan, for a youth who is at least 16 years of age, to identify the person who is to be responsible for assisting the youth with applications for postsecondary education and related financial aid.

REGISTERED SUPPORT / OPPOSITION:

Support

Anti-Recidivism Coalition
 Children's Defense Fund-California
 Clothes The Deal
 Coalition for Engaged Education, C/FORWARD Program
 Crittenton Services for Children and Families
 Echoes of Hope
 InsideOUT Writers
 Journey House (sponsor)
 National Association of Social Workers, California Chapter
 Public Counsel
 Youth Justice Coalition

Opposition

None on file

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