

Date of Hearing: April 21, 2015

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 801 (Bloom) – As Introduced February 26, 2015

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

**SUBJECT:** Postsecondary education: Success for Homeless Youth in Higher Education Act

**SUMMARY:** Enacts the Success for Homeless Youth in Higher Education Act. Specifically, **this bill:**

- 1) Requires the California State University (CSU) and each California Community College (CCC) district (CCD) and requests the University of California (UC), with respect to each campus in their respective jurisdictions that administers a priority enrollment system, grant priority in said system for registration for enrollment to a current or former homeless youth.
- 2) Defines "homeless" per the same meaning as defined in Section 725 of the federal McKinney-Vento Homeless Assistance Act; defines "homeless youth" to mean a person who is 24 years of age or younger and who has been determined to be homeless at any time during the current calendar year; and, defines "former homeless youth" to mean a person who is 24 years of age or younger, and who, while not currently homeless, has been determined to be homeless, at any time in the immediately preceding six calendar years, by any of the following: a) a homeless services provider, as defined; b) the director of a federal TRIO program or Gaining Early Awareness and Readiness for Undergraduate Programs program, or a designee of that director; and, c) a financial aid administrator for an institution of higher education.
- 3) Requires a qualifying postsecondary educational institution, as defined, to do both of the following: a) designate a Homeless and Foster Student Liaison within the institution's financial aid office; and, b) inform current and prospective students of the institution about student financial aid and other assistance available to current and former homeless and/or foster youth, including their eligibility as independent students, per the federal Higher Education Act (HEA).
- 4) Specifies that the designated Homeless and Foster Student Liaison shall be responsible for understanding the provisions of the federal HEA pertaining to independent student status and financial aid eligibility of current and former foster youth and unaccompanied current and former homeless youth, and shall assist said students in applying for and receiving federal and state financial aid.
- 5) Specifies that the definitions of current and former foster youth and/or homeless youth, as defined, apply for the entire measure.
- 6) Clarifies that the UC Regents are requested to adopt policies, as specified, to the extent that is feasible and equivalent to the provisions of the measure, as specified.

- 7) Specifies that a student who currently resides in California, and is 19 years of age or under at the time of enrollment, may be entitled to resident classification until he/she has resided in the state the minimum time necessary to become a resident if he/she has been determined at any time during the two years immediately preceding the residency classification determination to be homeless, as defined.
- 8) Requires the Community College Student Financial Aid Outreach Program to provide financial aid training to high school and community college counselors and advisors on the specific needs of current and former homeless youth.
- 9) Authorizes the California Student Aid Commission (CSAC) to include pupils who are current and former homeless youth to receive support under CSAC's Student Opportunity and Access Program.
- 10) Authorizes the governing board of each CCC, at the time of enrollment of a current or former foster youth, to receive the BOG Fee Waiver.
- 11) Specifies that if this measure is deemed a state mandate by the Commission on State Mandates, appropriate entities will be reimbursed.
- 12) Makes clarifying and technical changes to existing law.

**EXISTING LAW:**

- 1) Requires, until January 1, 2017, the CSU and each CCD and requests the UC, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, to grant priority registration for enrollment of current or former foster youth (Education Code Section 66025.9).
- 2) Establishes the Community College Student Financial Aid Outreach Program, which, among other things, provides financial aid training to high school and community college counselors and advisors who work with students planning to attend or attending a CCC. The training addresses the specific needs of all of the following: a) CCC students intending to transfer to a four-year institution of higher education; b) foster youth; and, c) students with disabilities (EC Section 69514.5).
- 3) Authorizes, CSAC as the administrators of the Student Opportunity and Access Program, to apportion funds on a progress payment schedule for the support of projects designed to increase the accessibility of postsecondary educational opportunities for any of the following elementary and secondary school pupils: a) pupils who are from low-income families; b) pupils who would be the first in their families to attend college; and, c) pupils who are from schools or geographic regions with documented low-eligibility or college participation rates (EC Section 69561).
- 4) Waives the forty-six dollars per unit per semester from certain CCC students if, after meeting minimum academic and progress standards adopted by the CCC Board of Governors (BOG), meet one of the following criteria: a) at the time of enrollment are recipients of benefits under the Temporary Assistance for Needy Families program, the Supplemental Security Income/State Supplementary Payment Program, or a general assistance program; b) demonstrates eligibility according to income standards established by regulations of the CCC

BOG; c) demonstrates financial need in accordance with the methodology set forth in federal law or regulation for determining the expected family contribution of students seeking financial aid; d) at the time of enrollment is a dependent or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state; e) any student who is the surviving spouse or the child, natural or adopted, of a deceased person who qualified for the fee waiver; and, f) any student in an undergraduate program, including a student who has previously graduated from another undergraduate or graduate program, who is the dependent of any individual killed in the September 11, 2001, terrorist attacks on the World Trade Center and the Pentagon or the crash of United Airlines Flight 93 in southwestern Pennsylvania, if that dependent meets the financial need requirements, as specified, and either of the following applies: (i) the dependent was a resident of California on September 11, 2001; and, (ii) the individual killed in the attacks was a resident of California on September 11, 2001 (EC Section 76300).

**FEDERAL LAW:** Defines the term "homeless children and youth" to mean individuals who lack a fixed, regular, and adequate nighttime residence, as specified, including, but not limited to, the following: 1) children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; 2) are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; 3) are living in emergency or transitional shelters; 4) are abandoned in hospitals; 5) are awaiting foster care placement; 6) have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; and, 7) are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings (42 U.S.C. Section 11301, et seq.).

**FISCAL EFFECT:** Unknown

**COMMENTS:** *Background.* According to the National Association for the Education of Homeless Children and Youth (NAEHCY), college homelessness is a serious issue that is often overlooked; there exists an assumption that if someone is homeless, he/she is so focused on basic needs like food and shelter that school is not a concern. However, NAEHCY contends that for homeless youth, education is the answer to providing homeless youth means to be able to enter into the work force, earn a living, and no longer be homeless.

To note, there is no concrete estimate for the number of homeless college students nationwide, but 58,158 college applicants indicated that they were homeless on federal financial aid forms for the 2012-13 academic year (most recent data available to date); which, according to NAEHCY, is up eight percent from 53,705 in the previous year, according to federal data. NAEHCY argues that the number is likely understated, since some students may be staying in a car, relatives' or fellow classmates' couches, or motels, and do not realize they are technically homeless, or do not want to admit to it. Additionally, California has the highest rate of homeless youth in the nation and twice the rate of homeless students as the national average (four percent in CA vs. two percent nationally).

*Purpose of this measure.* According to the author, in the 2012-13 school year, in California, there were 18,000 homeless pupils in grade 12 alone; yet only 10,208 California college students in total indicated a status of being homeless and unaccompanied. The author contends that the

data indicates that many homeless youth are not matriculating into higher education and/or are not receiving the financial aid to which they are entitled. The author states, "This bill seeks to address state barriers to financial assistance for homeless youth." This measure will also bring parity among current and former homeless youth to that of current and former foster youth, who already receive some exemptions and waivers in current law (e. g. priority enrollment status).

*Committee considerations.* As mentioned in the "Existing Law" section of this analysis, there are several categories/classifications of students who, upon enrollment at the CCC, automatically qualify for the BOG Fee Waiver. This measure will add current and former homeless youth to said list.

To note, according to the CCC Chancellor's Office, more than likely, current and potentially former homeless youth currently benefit from the BOG Fee Waiver based on their needs.

This measure would automatically allow all current and former homeless students, regardless of need, to benefit from the BOG Fee Waiver. Moving forward, the author may wish to determine if it is financially prudent for the state to specifically add another category/classification of students to the existing list of those students who automatically qualify for the BOG Fee Waiver.

Additionally, as drafted, the measure tasks the qualifying institutions with designating a Homeless and Foster Student Liaison within the institutions' financial aid office. Some campuses that already have programs and services in place for current and former foster and homeless youth have a "one stop shop" for said students to receive all the services they require, including financial aid assistance.

Moving forward, the author may wish to remove the requirement that the Homeless and Foster Student Liaison must be housed only in the institutions' financial aid offices.

*Related legislation.* AB 1228 (Gipson and Atkins), which will be heard by this Committee today, would, among other things, request and require, as specified, California's public postsecondary institutions to provide priority campus housing to current and former homeless youth, as defined.

## **REGISTERED SUPPORT / OPPOSITION:**

### **Support**

California Coalition for Youth (co-sponsor)  
County Welfare Directors Association of California  
Housing California (co-sponsor)  
National Association for the Education of Homeless Children and Youth (co-sponsor)  
National Center for Youth Law  
1 Individual

### **Opposition**

None on file.

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