

Date of Hearing: July 11, 2017

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

SB 12 (Beall) – As Amended June 29, 2017

**SENATE VOTE:** 40-0

**SUBJECT:** Foster youth: postsecondary education: financial aid assistance.

**SUMMARY:** Requires the California Student Aid Commission (CSAC) to work with the California Department of Social Services (CDSS) to develop an automated system to verify a student's status as a foster youth for the purposes of processing applications for federal financial aid; expands the Cooperating Agencies Foster Youth Educational Support (CAFYES) Program from up to 10 community college districts to 20 community college districts; and, makes changes aimed at increasing and facilitating foster youth and nonminor dependent access to postsecondary education. Specifically, **this bill:**

- 1) Requires CSAC to work cooperatively with the CDSS in order to develop an automated system to verify a student's status as a foster youth in order to assist in processing federal financial aid applications.
- 2) Increases from up to 10 to 20 the number of community college districts in which the Office of the Chancellor of the California Community Colleges (CCC) may enter into agreements under the CAFYES Program to provide additional funds for services in support of postsecondary education for foster youth, as specified.
- 3) Extends the due date from March 31, 2018, to March 31, 2019, that the CCC Board of Governors must submit their initial report to the Legislature and the California Child Welfare Council, regarding efforts to serve students who are current and former foster youth, as specified.
- 4) Requires the case plan developed considering the recommendations of the child and family team, for a child who is 16 years of age or older or a nonminor dependent, to identify the child's high school counselor, Court Appointed Special Advocate, guardian, or other adult, who shall be responsible for assisting the child or nonminor dependent with applications for postsecondary education and financial aid, unless the youth states that he/she does not wish to pursue postsecondary education, as specified.
- 5) Requires that if, at any point in the future, the child or nonminor dependent expresses that he/she wishes to pursue postsecondary education, the case plan must be updated to identify an adult individual responsible for assisting the youth with applications for postsecondary education and related financial aid.
- 6) Makes clarifying and technical changes.

**EXISTING LAW:**

- 1) Establishes CSAC for the purpose of administering specified student financial aid programs (Education Code (EC) Section 69510, et seq.).

- 2) Establishes the CAFYES Program, which authorizes the CCC Office of the Chancellor (CCCCO) 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.).
- 3) 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).
- 4) Requires CDSS and county welfare departments, in coordination with the California State University (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).
- 5) Establishes a state and local system of child welfare services, including foster care, for children who have been adjudged by the court to be at risk of abuse or neglect or to have been abused or neglected, as specified (Welfare and Institutions Code (WIC) Section 202).
- 6) Provides for extended foster care funding for youth until age 21, as well as adopts other changes to conform to the federal Fostering Connections to Success Act (WIC Sections 241.1, 303, 366.3, 388, 391, 450, 11400, 11402, and 11403).
- 7) Defines “nonminor dependent” as a current foster youth or a nonminor under the transition jurisdiction of the court who: a) is between 18 and 21 years old; b) turned 18 years old while under an order of foster care placement; c) is in foster care under the responsibility of the county welfare department, county probation department, or Indian Tribe; and, d) is participating in a transitional independent living plan, as specified (WIC 11400 (v)).
- 8) Establishes the case plan as the foundation and central unifying tool in the child welfare system and seeks to ensure that the child receives protection and safe and proper care and case management, and that services are provided to the child and parents or other caretakers, as appropriate, in order to improve conditions in the parent’s home, to facilitate the safe return of the child to a safe home or the permanent placement of the child, and to address the needs of the child while in foster care (WIC 16501.1, et seq.).

**FISCAL EFFECT:** According to the Senate Appropriations Committee:

- 1) General Fund costs of \$60,000 to CSAC and approximately \$200,000 to CDSS for the development of an automated system to verify a student’s foster youth status.

- 2) Potential Proposition 98 General Fund (GF) cost pressure to expand the CAFYES Program from 10 to up to 20 community college districts, to the extent that the on-going budget appropriation is insufficient to support the expansion.
- 3) GF costs of between \$100,000 to \$250,000 for county welfare agencies to identify a person to assist foster youth with applications for postsecondary education and financial aid as part of existing county child welfare case plan requirements.

**COMMENTS:** *Double referral.* This bill passed out of the Assembly Human Services Committee with a vote of 7 – 0, on June 27, 2017.

*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, "Without a college degree, foster youth have a much lower likelihood of long-term economic security." The author contends that this measure will increase the rate of college retention and completion among current and former foster youth in California by increasing their knowledge and access about and to the Pell Grant.

*Verification of foster youth status.* Under the existing process, current or former foster youth self-identify their status on their Free Application for Student Financial Aid (FAFSA). The CSAC then seeks verification of the foster youth status from the CDSS. If CSAC is unable to verify foster youth status, the student must complete and mail the Foster Care Eligibility Certification Form, which requires the student to seek documentation from the county in which he/she was or is in foster care.

To note, no statewide automated or electronic system is in place that allows for the verification of foster youth status for eligibility for financial aid.

*Support for community college students.* This measure expands the CAFYES Program from being administered at up to 10 community college districts to 20 community college districts.

Twenty-four community college districts applied and 10 were awarded grant funds, representing 26 campuses and serving 1,157 students. The annual Budget Act appropriates \$15 million (on-going) for the CAFYES program. According to the CCCCCO, only \$8.7 million has been encumbered with the remaining balance of \$5.3 million redirected for other student equity related projects. By expanding the number of programs from up to 10 community college

districts to up to 20 community college districts, this bill will enable the existing appropriation to be fully spent on the program.

*Committee comments and amendments.* According to information provided by the CCCCCO, CAFYES funding did not become available until 2015-16, and did not begin officially operating until after the grant process (which was January 2016). Some CAFYES colleges were not able to hire until Spring of this year. In order to ensure the Legislature receives a comprehensive and thorough initial report and allow for the CCC Board of Governors to have sufficient time to review, on a campus-by-campus basis, all pertinent data needed for the report, *Committee Staff recommends, and the author as agreed to accept, the following amendment:*

**79226.** Notwithstanding Section 10231.5 of the Government Code, commencing March 31, 2019, 2020 and every two years thereafter, the board of governors shall submit a report to the Governor, the education policy committees of the Legislature, and the California Child Welfare Council describing its efforts to serve students who are current and former foster youth.

Additionally, there is an old reference to the CCCCCO. *Committee Staff recommends, and the author has agreed to accept, the following amendment:*

**79220.** ~~The Office of the Chancellor of the California Community Colleges~~ California Community Colleges Chancellor's Office....

Additionally, while it is laudable to expand CAFYES, ensuring more foster youth are able to receive needed programs, this measure is silent as to how the expansion will be funded. This could potentially inhibit the ability to fully fund existing programs.

*Moving forward, the author may wish to work with the Appropriations Committee in order to identify funding and/or make the expansion contingent upon an appropriation by the Legislature.*

*Prior and related legislation.* AB 1567 (Holden), which is pending a hearing in the Senate Human Services Committee, would, in part, require CDSS and county welfare departments to share relevant information regarding foster youth at a CSU and CCC.

AB 1997 (Stone), Chapter 612, Statutes of 2016, furthered Continuum of Care Reform efforts.

AB 403 (Stone), Chapter 773, Statutes of 2015, implemented Continuum of Care Reform recommendations to better serve children and youth in California's child welfare services system.

SB 1023 (Liu), Chapter 771, Statutes of 2014, authorized the CCCCCO to enter into agreements with up to 10 CCC districts to establish CAFYES in order to provide additional funds for services in support of postsecondary education for foster youth.

AB 12 (Beall), Chapter 559, Statutes of 2010, the "California Fostering Connections to Success Act," conformed state law to federal requirements to revise and expand programs and funding for certain foster and adopted children, including extending transitional foster care services to eligible youth between 18 and 21 years of age.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

2-1-1 San Diego/Imperial  
Alliance for Boys and Men of Color  
Butte College Inspiring Scholars  
California Student Aid Commission  
California Youth Empowerment Network  
Casa de Amparo  
Children's Law Center of California  
Common Sense Kids Action  
First Place for Youth  
John Burton Advocates for Youth  
Mental Health America of California  
National Association of Social Workers-California Chapter  
Riverside City College, Guardian Scholar Program  
Santa Clara County Office of Education  
TLC Child and Family Services  
Victor Valley College  
WestCoast Children's Clinic  
Western Association for College Admission Counseling  
1 Individual

**Opposition**

None on file

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