

Date of Hearing: June 20, 2017

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

SB 164 (McGuire) – As Introduced January 19, 2017

**SENATE VOTE:** 39-0

**SUBJECT:** Public postsecondary education: priority registration for Tribal TANF recipients.

**SUMMARY:** Requires each California Community College (CCC) district (CCD) that administers a priority enrollment system to grant priority registration for enrollment to any student who is a recipient of aid under the Tribal Temporary Assistance for Needy Families (TANF) program; and, includes a definition of “Tribal TANF recipient” that is identical to the definition under existing law.

**EXISTING LAW:**

- 1) Requires the California State University (CSU) and each CCD, and requests the University of California (UC) to give priority for registration for enrollment to any member or former member of the Armed Forces or State Military Reserve, as defined, who is a resident of California and who has received an honorable discharge, a general discharge, or an other than honorable discharge, for any academic term attended at one of these institutions within four years of leaving state or federal active duty, if the institution already administers a priority enrollment system. Current law further requires that the veteran use this benefit within 15 years of leaving state or federal active duty and requires that these students comply with student responsibilities established by the Student Success Act of 2012 (Education Code (EC) Section 66025.8).
- 2) Requires, if a postsecondary institution of higher learning administers a priority enrollment system for registration, that the CSU and each CCD, and requests the UC, grant priority enrollment to any current or former foster youth or, until January 1, 2020, homeless youth (EC Section 66025.9).
- 3) Requires each CCD that administers a priority enrollment system for registration to grant priority registration for enrollment to students in the Extended Opportunity Programs and Services (EOPS) program and to students with disabilities (EC Section 66025.91).
- 4) Requires each CCD that administers a priority enrollment system to grant priority registration for enrollment to any student who is a recipient of aid under the California Work Opportunities and Responsibility to Kids (CalWORKs) program (EC Section 66025.92).
- 5) Requires the California Department of Social Services (CDSS) to make an annual allocation of funds to all eligible federally recognized American Indian tribes with reservation lands or rancherias located in California that administer a program pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 (P.L. 104-193) (Welfare and Institutions Code Section 10553.25).

**FISCAL EFFECT:** According to the Senate Appropriations Committee, adding an additional priority enrollment category could result in minor Proposition 98 General Fund cost pressure for additional Student Success and Support Program and Student Equity Plans funding.

**COMMENTS:** *Federal Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA).* According to CDSS, through PRWORA, Federal, Tribal, State, and local governments are encouraged to foster positive changes in the United States welfare system by forming partnerships with each other. PRWORA gives federally recognized Tribes flexibility in operating Tribal TANF Programs designed to:

- 1) Provide assistance to needy families so that children may be cared for in their own homes or in the homes of relatives;
- 2) End the dependence of needy parents on government benefits by promoting job preparation, work, and marriage;
- 3) Prevent and reduce the incidence of out-of-wedlock pregnancies and establish annual numerical goals for preventing and reducing the incidence of these pregnancies; and,
- 4) Encourage the formation and maintenance of two-parent families.

Tribes can define the service area, the service population, time limits (but not to exceed 60 months using TANF funds), benefits and services, eligibility criteria, and work activities. Tribal TANF Programs structure their program activities according to the needs of their people and their heritage so as to preserve and protect Native American communities and cultures.

*Need for the measure.* According to the author, Tribal TANF participants have some of the highest poverty and education attainment levels in the state. Presently, Tribal TANF participants are not eligible for priority registration at the CCC, but students on CalWORKs benefit from priority registration.

*Student eligibility.* According to the CCC Chancellor's Office, currently, just over 10,000 Native American students attend the CCC. This number represents 0.44 percent of the 2.1 million students attending the CCC. According to Tribal TANF Total Recipients Data, in 2014, approximately 11,000 Tribal TANF participants resided in California, with approximately 4,300 adult participants that could benefit from the provisions established in this measure.

*Current CCC categories for priority registration.* As referenced in the "Existing Law" section of this analysis, several categories for students being eligible for priority registration already exist, including the following: 1) any member or former member of the Armed Forces or State Military Reserve; 2) current or former foster youth; 3) homeless youth; 4) EOPS students; 5) students with disabilities; and, 6) students receiving CalWORKs.

Committee staff notes that this measure seeks to bring parity between CCC Tribal TANF students and students receiving CalWORKs so that both will be able eligible for priority registration.

*Committee comments.* With several categories of priority registration in place for students, the Legislature may wish to consider if it is prudent to continue to add additional categories at the sake of potentially limiting the viability of the intent behind priority registration.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

American Federation of State, County and Municipal Employees, AFL-CIO  
California Community Colleges Chancellor's Office  
California Federation of Teachers  
County Welfare Directors Association of California  
Faculty Association of California Community Colleges  
National Association of Social Workers, California Chapter  
Owens Valley Paiute-Shoshone Board of Trustees  
Service Employees International Union (SEIU)  
Yurok Tribe

**Opposition**

None on file

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