

EXISTING LAWS & REGULATIONS RELATING TO POSTSECONDARY EDUCATION FOR CURRENT AND FORMER FOSTER YOUTH

Financial Aid

AB 2506 (2016) restricts the use of Chafee ETV funds at schools that do not meet certain graduation and loan default criteria.

Chafee Funding 2016: In 2016, an additional \$3 million was allocated by the state legislature to supplement funding for the Chafee Education and Training Voucher program.

GEN-13-18 (2013) The U.S. Department of Education Dear Colleague Letter **GEN-13-18 (2013)** clarified that extended foster care payments made directly to foster youth are to be excluded when determining Title IV federal student aid eligibility. [Click here](#) for a summary of the clarification.

Priority Registration

AB 194 (2011) requires community colleges and California State Universities to provide priority registration for current and former foster youth and requests the University of California to do the same.

AB 595 (2013) requires all students who are otherwise eligible for priority registration (including foster youth) to complete orientation, assessment and an educational plan in order to gain access to priority enrollment.

SB 906 (2016) removed the sunset clause from priority registration for foster youth (original bill was scheduled to sunset on Jan 1, 2017) and expanded eligibility to include all foster youth who were in foster care after their 16th birthday and are under the age of 26.

Housing

SB 1252 (2014) allows counties to elect to provide THP-Plus for up to 36 months (instead of 24) for former foster youth enrolled in school. Youth enrolled in school may also participate up to age 25, instead of current upper age limit of 24.

AB 1393 (2009) requires CSUs and requests UCs to give foster youth priority for on-campus housing. California community colleges are requested to give priority to foster youth. In addition, CSUs that have student housing open during school breaks are required to give first priority to current and former foster youth. UCs are only requested to do so for foster youth who are otherwise eligible for a particular campus housing facility.

AB 1228 (2015) modified the provisions of AB 1393 to provide similar priority to homeless youth and to require that CSUs and UCs allow foster youth and homeless youth to remain in housing that is available during academic breaks at no extra charge.

Extended Foster Care, Verification of Status, and Resident Status

AB 592 (2015) provides authorization to the California Department of Social Services to provide verification of foster care status to current and former foster youth.

AB 2454 (2014) allows former dependents whose guardian or adoptive parents no longer provide ongoing support to, and no longer receives payments on behalf of a non-minor, to reenter Extended Foster Care.

AB 12 (2010), the California Fostering Connections to Success Act, extended foster care to age 21 in California.

AB 669 (2009) allows colleges and universities to grant resident status to foster youth under the age of 19 who were residing out of state as a dependent or ward under California's child welfare system.

EXISTING LAWS & REGULATIONS RELATING TO POSTSECONDARY EDUCATION FOR CURRENT AND FORMER FOSTER YOUTH

College and University Supports

AB 801 (2016) expanded priority registration and various other benefits received by foster youth to homeless youth as well and mandated the designation of a foster and homeless youth liaison at public college and university campuses.

SB 1023 (2014) created the Cooperating Agencies Foster Youth Educational Support (CAFYES) Program. The program is housed within the existing community college programs for educationally disadvantaged students, known as Extended Opportunity Programs and Services (EOPS). In order to qualify, students must be under age 26, in foster care on or after their 16th birthday and enrolled in at least 9 units at a college with a CAFYES program.

K-12 Laws That Improve Postsecondary Education Options

AB 854 (2015) expands the definition of foster youth so all students, including those placed with relatives, can access the program and redefines the mandate of the program to collaborate with child welfare, probation, the courts, LEAs, and postsecondary institutions to minimize school placement changes and improve education outcomes. Enhances Foster Youth Services support for postsecondary education and career transition.

AB 379 (2015) Makes foster youth education rights enforceable through the State's Uniform Complaint Procedure (UCP).

The **Local Control Funding Formula (LCFF) (2013)** overhauled the way California's public K-12 schools are funded including new provisions related to foster youth. Foster Ed prepared an [overview of the LCFF](#) as well as information regarding the [provisions specific to foster youth](#).

AB 643 (2013) changed state law in order to conform to the provisions of the federal [Uninterrupted Scholars Act](#) which authorizes school districts to share information with child welfare case workers. The Legal Center for Foster Care and Education has created a [brief overview](#) of the provisions of the USA that apply in California with the passage of AB 643 and the State Policy and Reform Center (SPARC) recently issued a more [in depth brief](#) about the benefits of this new law. The U.S. Department of Education issued [guidance](#) which clarified that post-secondary institutions may release information to child welfare agencies for student currently in a foster care placement.

AB 216 (2013) provides clarification to AB 167 (enacted in 2009) that allows foster children to graduate high school by only completing state graduation requirements if they transferred schools in the 11th or 12th grade and could not reasonably complete local graduation requirements. [Click here](#) for a side-by-side comparison prepared by the Alliance for Children's Rights of how AB 216 changed the provisions of the existing law.

AB 167 (2009) allows foster children to graduate high school by only completing state graduation requirements if they transferred schools in the 11th or 12th grade and could not reasonably complete local graduation requirements.

AB 490 (2003) requires that all educational and school placement decisions must be based on the child's best interests and consider, among other factors, educational stability and the least restrictive educational setting necessary to achieve academic progress. The bill also created new educational related reporting requirements for social workers and probation officers and new requirements related to school stability.

Additional Child Welfare Law That Improves Postsecondary Education Options

AB 2668 (2014) provides for non-minor dependent parents to qualify for the same benefit already existing for minor parents in foster care to create Parenting Support Plans with identified responsible adults and upon implementation of the plan to receive a \$200 increase in the parent's foster care payment to cover the cost of care of the child.