

Date of Hearing: June 30, 2021

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Lisa Calderon, Chair

SB 512 (Min) – As Amended June 10, 2021

**SENATE VOTE:** 39-0

**SUBJECT:** Public postsecondary education: support services for foster youth: Cooperating Agencies Foster Youth Educational Support Program

**SUMMARY:** Expands eligibility to the Cooperating Agencies Foster Youth Educational Support Program (Program) for current and former foster youth and establishes provisions regarding the timeline of services provided by the program, as specified. Specifically, **this bill:**

- 1) Amends the definition of "foster youth or former foster youth," for the purposes of the Program, to mean a person in California whose dependency was established or continued by a court of competent jurisdiction, including a tribal court, on or after the youth's 13th birthday and who is no older than 25 years of age at the commencement of the academic year.
- 2) Includes a homeless services provider representing a tribal organization, within those eligible to verify the status of a student for the purposes of the Program, as specified.
- 3) Provides that the Program may provide all services, and direct financial support, to enrolled students who meet all eligibility requirements but whose courses have not yet commenced, as specified.
- 4) Requires regulations to ensure that program application and enrollment processes are streamlined and do not impose barriers to entry.
- 5) Makes technical changes.

**EXISTING LAW:**

- 1) 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 and neglect or to have been abused or neglected, as specified. (Welfare and Institutions Code Section [WIC] 202)
- 2) Clarifies the purpose of provisions regarding dependent children as to provide the maximum safety and protection for children who are currently being physically, sexually, or emotionally abused, neglected, or exploited, and to ensure the safety, protection, and physical and emotional well-being of children who are at risk of harm. (WIC 300.2)
- 3) States the commitment of California to protecting the essential tribal relations and best interest of an Indian child by promoting practices in accordance with federal law, as specified. (WIC 224 (a))

- 4) Provides for extended foster care funding for youth until age 21 and adopts other changes to conform to the federal Fostering Connections to Success Act. (WIC 241.1, 303, 366.3, 388, 391, 450, 11400, 11402, 11403)
- 5) Defines "nonminor dependent" (NMD) as a foster child who is a dependent child or ward of the juvenile court, or who is a nonminor under the transition jurisdiction of the juvenile court, and satisfies specified criteria. (WIC 11400 (v))
- 6) Requires the court to maintain jurisdiction of any NMD, as specified. Allows the court to terminate its jurisdiction over a NMD between the time the NMD reaches the age of majority and 21 years of age; however, the NMD will stay in the court's general jurisdiction to allow for a petition specified. (WIC 303 (b))
- 7) Requires a NMD to maintain all of their legal decision-making authority as an adult. (WIC 303 (d)(1))
- 8) Requires each campus of the California State University (CSU) and California Community Colleges (CCC) and requests each University of California (UC) campus to grant priority enrollment to current and former foster youth and current and former homeless youth. (Education Code Section [EDC] 66025.9 (a))
- 9) States Legislative intent to disseminate information to foster care agencies regarding admissions requirements and financial aid for the UCs, CSUs, and CCCs. (EDC 66019.3)
- 10) Prohibits the UCs, CSUs, and CCCs from charging mandatory system-wide tuition or fees to current or former foster youth, as specified. (EDC 66025.3 (b)(1))
- 11) Defines "foster youth and former foster youth" as a person in California whose dependency was established or continued by the court on or after the youth's 16th birthday and who is no older than 25 years of age at the commencement of the academic year. (EDC 66025.9 (b)(1))
- 12) Authorizes the CCC Chancellor's Office to enter into agreements with up to 20 community college districts to provide additional funds for services in support of postsecondary education for foster youth, also known as the "Cooperating Agencies Foster Youth Education Support Program". (EDC 79220)
- 13) Requires a student participating in the Program to meet both of the following requirements:
  - a) Be a current or former California foster youth whose dependency was established or continued by the court on or after the youth's 16th birthday, and,
  - b) Be no older than 25 years of age at the beginning of any academic year in which the student participates in the program. (EDC 79222)
- 14) Establishes as eligibility criteria for the Program, including, among other things, that the student qualify to receive a fee waiver with a calculated Expected Family Contribution of \$0. (California Code of Regulations Section 56403)

**FISCAL EFFECT:** Unknown

**COMMENTS:**

***Child Welfare Services (CWS):*** California's CWS system is established with the goal of protecting youth from abuse and neglect. The system works through collaboration to provide for the safety, health, and overall well-being of children. When a child is identified as being at risk of abuse or neglect, reports can be made to either law enforcement or a county child welfare agency. Often, reports are submitted by mandated reporters who are legally required to report any suspicion of child abuse or neglect due to their profession. When a mandated reporter submits a report to either law enforcement or the county child welfare agency, a social worker determines whether the allegation is of suspected abuse, neglect, or exploitation. The child's social worker and the court collaborate throughout evaluating and reviewing the circumstances of each individual's case. As of January 1, 2021, there were 59,716 youth placed in the CWS system.

***Extended foster care:*** Extended foster care is available to eligible youth aging out of the child welfare system in California. The benefit, created by the California Fostering Connections to Success Act of 2010, extends foster care assistance to youth after they reach 18 years old and age out of the child welfare system. The services provided to the eligible youth, referred to as NMDs, assist them in self-sufficiency and include educational opportunities, employment training, and supervised independent living environments. Extended foster care is available to a NMD until they reach age 21 and includes various exit requirements to ensure the youth are provided with all the necessary information to thrive in their transition to adulthood.

***Higher education student needs:*** College students, regardless of their involvement with the state's child welfare system, experience various unique obstacles to their academic success. Food insecurity and homelessness are common problems for higher education students, with living prices rising as many students suffer financially. The California Associations of Food Banks define "food insecurity" as the occasional or constant lack of access to the food one needs for a healthy, active life. The University of Southern California defines these terms for students as the following:

- "Housing insecurity" is defined as the broader set of challenges, including but not limited to, inability to pay rent or utilities, the need to relocate frequently, or residing in an environment where the individual's health or safety is compromised.
- "Homelessness" is defined as a lack of stable, reliable, or permanent place to live and includes those residing in shelters, automobiles, motels, abandoned buildings, or outside.

A study conducted by the CSU Office of the Chancellor in 2018 found that 10.9% of CSU students reported being homeless, and 41.6% of students reported food insecurity; of those, 20% experienced low food security, and 21.6% experienced very low food security. In 2019, CCCs conducted a survey that revealed over 50% had experienced food insecurity in the month prior, and 60% responded that they were homeless or without secure housing in the past year. Students who face these specific issues self-reported stress, depression, and problems with emotions; these students also reported higher levels of personal concerns with anxiety, fear, irritability, and depression. Many times these symptoms go untreated and, in turn, can affect their studies. The COVID-19 pandemic only highlighted just how much students rely on campus assistance and resources to meet their basic needs.

*Foster Youth Education Obstacles:* For foster youth, navigating the higher education system can be a more daunting journey than that of their peers. A 2018 report by the John Burton Advocates for Youth stated that "...at age 17, 89% of foster youth indicated a desire to go to college; however, a 2011 study found that by age 26, just 8% of foster youth held an Associate or Bachelor's degree as compared to 46% of their peers." As with other students their age, these youth face issues of affordability related to campus fees, tuition, and housing, however; these problems often become more severe obstacles for foster students who have less access to resources in the process of applying and attending the higher education institution of their choice.

*Cooperating Agencies Foster Youth Educational Support Program:* With the passage of SB 1023 (Liu), Chapter 771, Statutes of 2014, the state began funding for the Program. This program, sometimes referred to as NextUP, acts as supplemental support to existing programs for educationally disadvantaged students (EOPS) and aims to increase student success for current and former foster youth enrolled at CCCs across the state. NextUP provides eligible youth with services including outreach and recruitment, service coordination, tutoring, and career guidance, along with providing direct financial assistance to ease the burden of non-tuition costs. Under current law, students must be under 25 years of age, be in foster care on or after their 16th birthday, and be enrolled in at least 9 units at a participating college.

The NextUP program provisions contain a requirement that the CCC Board of Governors submits a report to the Legislature describing the efforts to serve current and former foster youth. In March 2020, the first biannual report was submitted to the state, showing across multiple student success metrics that the foster youth participating in the NextUP program outperformed those not involved in the program.

*Coronavirus Pandemic:* In March of 2020, Governor Gavin Newsom declared a statewide state of emergency in response to the global COVID-19 pandemic. With over 500,000 deaths resulting from coronavirus across our country, the impact of this virus has touched almost every aspect of everyday life. We have watched as the effects of COVID-19 have added strain on California's public programs, healthcare system, and the financial security of many.

*Need for this bill:* This bill expands the eligibility for the Program, referred to as NextUP, and clarifies when funding and services can be provided to those who are eligible. While foster youth face many obstacles during their transition to adulthood, navigating the higher education system is often one of the most complicated. By extending the age eligibility requirements, more foster youth could access the services provided by this important program leading to improvements in educational outcomes. In addition, clarifying when these resources and vital financial assistance can be distributed will also ensure that students pursuing their education have the tools they need to succeed.

According to the author, "Foster youth face several barriers to accessing higher education, including the NextUp program, which is meant to help rather than pose additional barriers. [This bill] will remove these barriers and expand eligibility for priority enrollment at the UC, CSU, and CCC for students who were in foster care on or after their 13th birthday, aligning with Free Application for Federal Student Aid. It is important that we remove existing barriers for foster youth because they are a vulnerable population of students who already experience unique challenges and barriers to higher education without the NextUp program."

*Double referral:* This bill was heard by the Assembly Higher Education on June 29, 2021.

**RELATED AND PRIOR LEGISLATION:**

*SB 228 (Leyva) of 2021*, would expand eligibility for priority enrollment for current and former foster youth at the UCs, CSUs, and CCCs. SB 228 also expands eligibility for a student support program for current and former foster youth at the CCCs. SB 228 is not being pursued by the author this year due to the compressed legislative schedule caused by the COVID-19 pandemic.

*SB 958 (Leyva) of 2020*, would have expanded eligibility for priority enrollment for current and former foster youth at the UCs, CSUs, and CCCs. SB 958 also would have expanded eligibility for a student support program for current and former foster youth at the CCCs. SB 958 was not heard due to the compressed legislative schedule caused by the COVID-19 pandemic.

*SB 854 (Weber), Chapter 781, Statutes of 2015*, restructured the existing Foster Youth Services program by shifting the primary function from direct services to coordination and allows program funds to be used to support all students in foster care.

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

*AB 194 (Beall), Chapter 458, Statutes of 2011*, required foster youth to receive priority registration at community college and CSU campuses.

**REGISTERED SUPPORT / OPPOSITION:**

**Support**

California Youth Connection (CYC) (Co-Sponsor)  
John Burton Advocates for Youth (Co-Sponsor)  
Beyond Emancipation  
Butte College  
California Alliance of Child and Family Services  
California Community Colleges, Chancellor's Office  
California Court Appointed Special Advocate Association  
California State University, Office of The Chancellor  
Children Now  
City of Los Angeles  
Coastline College  
College of The Desert  
Cuyamaca College  
David & Margaret Youth and Family Services  
Doing Good Works  
EveryChild Foundation  
Excite Credit Union  
First Place for Youth  
First STAR  
Foster Care Counts

Hillsides  
Merced College  
National Association of Social Workers, California Chapter  
National Institute for Criminal Justice Reform  
One Day, INC.  
Pasadena City College NextUp  
Path Scholars at CSU, Chico  
Porterville College  
Public Counsel  
Reedley College  
Rio Hondo College  
Santa Rosa Junior College

**Opposition**

None on file

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