

AMENDED IN ASSEMBLY APRIL 6, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 434

Introduced by Assembly Member Aroner
(Coauthor: Senator Schiff)

February 12, 1999

An act to ~~add Section 89350 to~~ amend Section 89340 of, to amend the heading of Article 5 (commencing with Section 89340) of Chapter 3 of Part 55 of, and to add Section 89350 to, the Education Code, relating to student aid.

LEGISLATIVE COUNSEL'S DIGEST

AB 434, as amended, Aroner. Student aid: emancipated foster youth.

(1) Existing law establishes the Higher Education Outreach and Assistance Act for Emancipated Foster Youth, whereby the Trustees of the California State University and the Board of Governors of the California Community Colleges are required to perform services to assist emancipated foster youth attending those institutions of higher education. Existing law establishes the Cal Grant program, whereby financial aid is awarded based upon the financial need of an applicant.

This bill would *rename the act the Tom Woods Higher Education Outreach and Assistance Act for Emancipated Foster Youth*. The bill would provide that any former foster youth who meets certain criteria is eligible for a ~~scholarship~~ grant to attend certain California institutions of higher

education. The bill would require county welfare departments to notify foster youth ages 16 to 19, inclusive, of their eligibility for the ~~scholarship~~ grant, thereby imposing a state-mandated local program.

The bill would require the Student Aid Commission to adopt policies, rules, and regulations necessary to administer these ~~scholarships~~—grants and to comply with federal regulations regarding the allocation of financial aid. The bill would also require the commission to track information about ~~scholarship~~—grant recipients and report to the Legislature regarding this information.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates that do not exceed \$1,000,000 statewide and other procedures for claims whose statewide costs exceed \$1,000,000.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. *The heading of Article 5 (commencing*
2 *with Section 89340) of Chapter 3 of Part 55 of the*
3 *Education Code is amended to read:*

4
5 Article 5. *Tom Woods* Higher Education Outreach
6 and Assistance Act for Emancipated Foster Youth
7

8 SEC. 2. *Section 89340 of the Education Code is*
9 *amended to read:*

10 89340. This article shall be known, and may be cited,
11 as the *Tom Woods* Higher Education Outreach and
12 Assistance Act for Emancipated Foster Youth.



1 SEC. 3. Section 89350 is added to the Education Code,
2 to read:

3 89350. (a) (1) Notwithstanding any other provision
4 of law, any person who fulfills each of the following
5 requirements shall be entitled to a ~~scholarship~~ *grant*
6 pursuant to this section at any institution described in
7 subdivision (l) of Section 69535 for a period of four years
8 from the time he or she is no longer eligible to receive aid
9 pursuant to Part 3 (commencing with Section 11000) of
10 Division 9 of the Welfare and Institutions Code, without
11 regard to whether he or she lives with a foster parent or
12 guardian:

13 (A) The person has been declared a dependent of the
14 court pursuant to Section 300 of the Welfare and
15 Institutions Code.

16 (B) The person, within the 60-day period immediately
17 prior to his or her 18th birthday, had a permanent plan of
18 long-term foster care or guardianship developed
19 pursuant to Article 10 (commencing with Section 360) of
20 Chapter 2 of Part 1 of Division 2 of the Welfare and
21 Institutions Code.

22 (C) The person received aid pursuant to Part 3
23 (commencing with Section 11000) of Division 9 of the
24 Welfare and Institutions Code.

25 (D) The person demonstrates financial need, as
26 determined by the Student Aid Commission pursuant to
27 Article 1.5 (commencing with Section 69503) of Chapter
28 2 of Part 42.

29 (E) The person intends to attend, and enrolls at, an
30 institution of higher education described in subdivision
31 (l) of Section 69535 during the time for which the
32 ~~scholarship~~ *grant* is provided.

33 (2) A ~~scholarship~~ *grant* provided pursuant to this
34 section shall be in an amount equal to the average cost of
35 food and housing for students living off-campus, as
36 determined by the Student Aid Commission. A recipient
37 lacking the financial need necessary for a full award may
38 receive a partial award. ~~Scholarships~~ *Grants* provided
39 pursuant to this section shall be renewable for up to three
40 years.

1 (b) The receipt of a ~~scholarship~~*—grant* pursuant to this
 2 section does not preclude a person from receiving a Cal
 3 Grant award pursuant to Article 3 (commencing with
 4 Section 69530) of Chapter 2 of Part 42, any other grant,
 5 or any fee waiver that may be provided by an institution
 6 of higher education. If the student has financial need, the
 7 receipt of a Cal Grant award, any other grant, or any fee
 8 waiver that may be provided by an institution of higher
 9 education, does not preclude the student from receiving
 10 a ~~scholarship~~*—grant* under this section.

11 (c) Every county welfare department shall notify all
 12 foster youth in that county ages 16 to 19, inclusive, of their
 13 eligibility for the ~~scholarship~~ *grant* provided pursuant to
 14 this section. This notification shall be provided in writing.

15 (d) The Student Aid Commission shall adopt policies,
 16 rules, and regulations necessary to administer the
 17 ~~scholarships~~*—grants* described in this section and to
 18 comply with federal regulations regarding the allocation
 19 of financial aid. The Student Aid Commission shall track
 20 the number of recipients of the ~~scholarship~~*—grant*
 21 provided pursuant to this section, the schools the
 22 recipients attend, and the retention rates of recipients.
 23 The Student Aid Commission shall report these findings
 24 to the Legislature by January 1, 2002.

25 (e) Nothing in this section shall be interpreted to allow
 26 the admittance of an individual into an institution of
 27 higher education unless the individual is otherwise
 28 qualified to gain admittance to the institution of higher
 29 education.

30 (f) ~~Scholarships~~*—Grants* provided for by this section
 31 shall be paid out of funds annually appropriated in the
 32 Budget Act to the Student Aid Commission established by
 33 Article 2 (commencing with Section 69510) of Chapter 2
 34 of Part 42.

35 ~~SEC. 2.—~~

36 *SEC. 4.* Notwithstanding Section 17610 of the
 37 Government Code, if the Commission on State Mandates
 38 determines that this act contains costs mandated by the
 39 state, reimbursement to local agencies and school
 40 districts for those costs shall be made pursuant to Part 7



1 (commencing with Section 17500) of Division 4 of Title
2 2 of the Government Code. If the statewide cost of the
3 claim for reimbursement does not exceed one million
4 dollars (\$1,000,000), reimbursement shall be made from
5 the State Mandates Claims Fund.

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