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SB-906 Public postsecondary education: priority enrollment systems. (2015-2016)

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Senate Bill No. 906

CHAPTER 437

An act to amend Sections 66025.9 and 66025.91 of the Education Code, relating to public postsecondary education.

[Approved by Governor September 21, 2016. Filed with Secretary of State September 21, 2016.]

LEGISLATIVE COUNSEL'S DIGEST

SB 906, Beall. Public postsecondary education: priority enrollment systems.

(1) Existing law requires the California State University and each community college district, and requests the University of California, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, to grant priority for registration for enrollment to foster youth or former foster youth, as defined. Existing law repeals these requirements on January 1, 2017.

This bill would revise the definition of foster youth or former foster youth for these provisions. This bill would extend the operation of these provisions indefinitely. By extending the operation of requirements relating to student eligibility for priority registration at community college districts, the bill would impose a state-mandated local program.

(2) Existing law requires each community college district, with respect to each campus in its jurisdiction that administers a priority enrollment system, to grant priority for registration for enrollment to students in the Community College Extended Opportunity Programs and Services program and to disabled students who are determined to be eligible for disabled student programs and services, as provided. Existing law repeals these requirements on January 1, 2017.

This bill would extend the operation of those provisions indefinitely. By extending the operation of requirements relating to student eligibility for priority registration at community college districts, the bill would impose a state-mandated local program.

(3) This bill would incorporate additional changes in Section 66025.9 of the Education Code, proposed by AB 801, to be operative only if AB 801 and this bill are both chaptered and become effective on or before January 1, 2017, and this bill is chaptered last.

(4) 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.

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 Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 66025.9 of the Education Code is amended to read:

66025.9. (a) The California State University and each community college district shall, and the University of California is requested to, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, grant priority in that system for registration for enrollment to a foster youth or former foster youth.

(b) For purposes of this section, "foster youth or former foster youth" means 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.

SEC. 1.5. Section 66025.9 of the Education Code is amended to read:

66025.9. (a) The California State University and each community college district shall, and the University of California is requested to, with respect to each campus in their respective jurisdictions that administers a priority enrollment system, grant priority in that system for registration for enrollment to a foster youth or former foster youth or, until January 1, 2020, homeless youth.

(b) For purposes of this section:

(1) "Foster youth and former foster youth" means 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.

(2) "Homeless youth" means a student under 25 years of age, who has been verified at any time during the 24 months immediately preceding the receipt of his or her application for admission by a postsecondary educational institution that is a qualifying institution pursuant to Section 69432.7, as a homeless child or youth, as defined in subsection (2) of Section 725 of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)), by at least one of the following:

(i) A homeless services provider, as that term is defined in paragraph (3) of subdivision (d) of Section 103577 of the Health and Safety Code.

(ii) The director of a federal TRIO program or Gaining Early Awareness and Readiness for Undergraduate Programs program, or a designee of that director.

(iii) A financial aid administrator for an institution of higher education.

(c) For purposes of this section, a student who is verified as a homeless youth as defined in paragraph (2) of subdivision (b) shall retain that status for a period of six years from the date of admission to the postsecondary educational institution.

SEC. 2. Section 66025.91 of the Education Code is amended to read:

66025.91. Each community college district, with respect to each campus in its jurisdiction that administers a priority enrollment system, shall grant priority registration for enrollment to students in the Community College Extended Opportunity Programs and Services program, pursuant to Article 8 (commencing with Section 69640) of Chapter 2 of Part 42, and disabled students, within the meaning of the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), who are determined to be eligible for disabled student programs and services pursuant to Chapter 14 (commencing with Section 67300) and Section 84850.

SEC. 3. Section 1.5 of this bill incorporates amendments to Section 66025.9 of the Education Code proposed by both this bill and Assembly Bill 801. It shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2017, (2) each bill amends Section 66025.9 of the Education Code, and (3) this bill is enacted after Assembly Bill 801, in which case Section 1 of this bill shall not become operative.

SEC. 4. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.