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**SB-967 Public postsecondary education: waiver of mandatory systemwide tuition and fees: current or former foster youth.** (2017-2018)

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**Senate Bill No. 967**

**CHAPTER 688**

An act to amend Section 66025.3 of the Education Code, relating to public postsecondary education.

[ Approved by Governor September 22, 2018. Filed with Secretary of State September 22, 2018. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 967, Berryhill. Public postsecondary education: waiver of mandatory systemwide tuition and fees: current or former foster youth.

Existing law, the Donahoe Higher Education Act, establishes the segments of the public postsecondary education system in the state, including the University of California administered by the Regents of the University of California, the California State University administered by the Trustees of the California State University, and the California Community Colleges administered by the Board of Governors of the California Community Colleges. The provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, make them applicable. The act prohibits campuses of those segments from charging mandatory systemwide tuition or fees to specified students who apply for a waiver.

This bill would, in addition, prohibit the University of California and California State University campuses from charging mandatory systemwide tuition or fees to current or former foster youth, who meet certain requirements, for a total of the equivalent of attendance in a 4-year undergraduate program.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

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

**SECTION 1.** Section 66025.3 of the Education Code is amended to read:

**66025.3.** (a) Notwithstanding Section 76300, a campus of the University of California, the California State University, or the California Community Colleges shall not charge any mandatory systemwide tuition or fees, including enrollment fees, registration fees, differential fees, or incidental fees, to any of the following:

- (1) Any dependent eligible to receive assistance under Article 2 (commencing with Section 890) of Chapter 4 of Division 4 of the Military and Veterans Code.
- (2) (A) Any child of any veteran of the United States military who has a service-connected disability, has been killed in service, or has died of a service-connected disability, where the annual income of the child, including the value of any support received from a parent, does not exceed the national poverty level as defined in subdivision (d).

(B) Notwithstanding Section 893 of the Military and Veterans Code, the Department of Veterans Affairs may determine the eligibility for fee waivers for a child described in subparagraph (A).

(3) Any dependent, or surviving spouse who has not remarried, of any member of the California National Guard who, in the line of duty, and while in the active service of the state, was killed, died of a disability resulting from an event that occurred while in the active service of the state, or is permanently disabled as a result of an event that occurred while in the active service of the state. For the purposes of this paragraph, "active service of the state" refers to a member of the California National Guard activated pursuant to Section 146 of the Military and Veterans Code.

(4) (A) Any undergraduate student who is a recipient of a Medal of Honor, commonly known as a Congressional Medal of Honor, or any undergraduate student who is a child of a recipient of a Medal of Honor and who is no more than 27 years old, if both of the following requirements are met:

(i) His or her annual income, including the value of any support received from a parent, does not exceed the national poverty level as defined in subdivision (d).

(ii) The recipient of the Medal of Honor who is or was the parent of the undergraduate student is, or at the time of his or her death was, a California resident as determined pursuant to Chapter 1 (commencing with Section 68000) of Part 41.

(B) The Department of Veterans Affairs shall determine the eligibility of any applicant for a fee waiver under this paragraph.

(b) (1) Notwithstanding Section 76300, a campus of the University of California or the California State University shall not charge any mandatory systemwide tuition or fees, including enrollment fees, registration fees, differential fees, or incidental fees, to a current or former foster youth, if he or she meets all of the following conditions:

(A) Is 25 years of age or younger.

(B) Has been in foster care for at least 12 consecutive months after reaching 10 years of age.

(C) Meets any of the following:

(i) Is under a current foster care placement order by the juvenile court.

(ii) Was under a foster care placement order by the juvenile court upon reaching 18 years of age.

(iii) Was adopted, or entered guardianship, from foster care.

(D) Completes and submits the Free Application for Federal Student Aid (FAFSA).

(E) Maintains a minimum grade point average and meets other conditions necessary for the student to be in good standing at the public postsecondary educational institution in which he or she attends, as determined by the appropriate public postsecondary segment.

(F) Meets the financial need requirements established for Cal Grant A awards under Chapter 1.7 (commencing with Section 69430) of Part 42.

(2) A student shall not have his or her mandatory systemwide tuition or fees waived pursuant to this subdivision in excess of the equivalent of attendance in a four-year undergraduate program.

(3) The amount of a student's tuition or fee waiver pursuant to this subdivision shall be reduced by any state or federal financial aid, including scholarships or grants, received by the student for the academic year or semester, or the equivalent, in which the student receives the tuition or fee waiver pursuant to this subdivision.

(c) A person who is eligible for a waiver of tuition or fees under this section may receive a waiver for each academic year during which he or she applies for that waiver, but an eligible person may not receive a waiver of tuition or fees for a prior academic year.

(d) As used in this section, the "national poverty level" is the poverty threshold for one person, as most recently calculated by the Bureau of the Census of the United States Department of Commerce.

(e) The waiver of tuition or fees under this section shall apply only to a person who is determined to be a resident of California pursuant to Chapter 1 (commencing with Section 68000) of Part 41.

(f) Subdivision (a) shall not apply to a dependent of a veteran within the meaning of paragraph (4) of subdivision (a) of Section 890 of the Military and Veterans Code.

(g) The provisions of this section shall not apply to the University of California except to the extent that the Regents of the University of California, by appropriate resolution, make a provision applicable.