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AB-243 Postsecondary education: student financial aid dependency status: juveniles. (2025-2026)

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Assembly Bill No. 243

CHAPTER 610

An act to add Section 66020.8 to the Education Code, and to add Section 826.9 to the Welfare and Institutions Code, relating to postsecondary education.

[Approved by Governor October 11, 2025. Filed with Secretary of State October 11, 2025.]

LEGISLATIVE COUNSEL'S DIGEST

AB 243, Ahrens. Postsecondary education: student financial aid dependency status: juveniles.

(1) The Donahoe Higher Education Act establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, the California State University, under the administration of the Trustees of the California State University, and the University of California, under the administration of the Regents of the University of California, as the 3 segments of public postsecondary education in the state. A provision of the act requires the California State University, and requests the University of California, to annually report, on or before March 31, to the Legislature on their respective institutional financial aid programs. The act applies to the University of California only to the extent that the regents, by appropriate resolution, make it applicable.

Existing law establishes the Student Aid Commission as the primary state agency for the administration of state-authorized student financial aid programs available to students attending all segments of postsecondary education.

For purposes of making an unusual circumstances adjustment regarding the dependency status of student financial aid and institutional financial aid applicants attending, or applying to attend, a California State University, California Community College, or University of California campus, this bill would require a financial aid administrator of the segment or the commission, as applicable, to accept a sworn statement containing information signed under penalty of perjury by an authorized representative of a local educational agency, county child welfare department, or probation department as sufficient documentation, as specified. By expanding the crime of perjury, the bill would impose a state-mandated local program. By imposing new duties on community college districts, the bill would impose a state-mandated local program.

(2) Existing law generally provides for the confidentiality of information regarding a minor in proceedings in the juvenile court and related court proceedings and limits access to juvenile case files, as defined. Existing law authorizes only certain individuals to inspect a juvenile case file, including, among others, a local child support agency for the purpose of establishing paternity and establishing and enforcing child support orders and members of children's multidisciplinary teams, persons, or agencies providing treatment or supervision of the minor.

This bill would, in order to support a person who is or was previously adjudged a dependent or ward of the juvenile court, placed in foster care or on probation, or taken into the custody of the county probation department, in attending an institution of higher education, as specified, authorize personnel at a county child welfare department, county probation department, or local educational agency to provide, upon request of the person, the institution of higher education, as defined, with specified

information, including the sworn statement described in paragraph (1) above. The bill would require all information received by the institution of higher education under these provisions to be confidential and used for certain limited purposes, and would make an intentional violation of this confidentiality provision a misdemeanor. By creating a crime, the bill would impose a state-mandated local program.

(3) 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 with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

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

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

SECTION 1. Section 66020.8 is added to the Education Code, to read:

66020.8. (a) For purposes of this section, the following definitions apply:

(1) "Adjustment for unusual circumstances" means an unusual circumstances adjustment, as described in 20 U.S.C. Sec. 1087tt(c) and 20 U.S.C. Sec. 1087vv(d)(9), regarding the dependency status of a financial aid applicant.

(2) "Applicant" means a financial aid applicant attending, or applying to attend, the California State University, California Community Colleges, or University of California.

(3) "Financial aid" means any form of student financial aid or institutional financial aid.

(4) "Financial aid administrator" means a financial aid administrator of the California State University, California Community Colleges, or University of California for purposes of determining institutional financial aid of the applicant, or the Student Aid Commission for purposes of determining student financial aid of the applicant, as applicable.

(5) "Institutional financial aid" means all institutional grant aid, including institutional student need-based and merit-based aid.

(6) "Local educational agency" means a school district, charter school, or county office of education.

(7) "Sworn attestation" means a statement signed under penalty of perjury by an authorized representative of a local educational agency, county child welfare department, or probation department. The attestation shall include all of the following:

(A) The name, organization, and title of the attester.

(B) A declaration that the attester has provided services, instruction, or assistance to the student.

(C) A declaration that the attester is familiar with the student's relationship with their parent or parents, as defined in Section 668.2(b) of Title 34 of the Code of Federal Regulations.

(D) A declaration that, to the best of the attester's personal knowledge, the student is either unable to contact their parent or parents, or contacting their parent or parents would pose a risk to the student.

(b) For purposes of making an adjustment for unusual circumstances of an applicant, a financial aid administrator shall accept a sworn attestation as sufficient documentation for purposes of 20 U.S.C. Sec. 1087tt(a)(3)(B).

(c) This section does not prohibit a financial aid administrator from accepting other types of adequate documentation to substantiate a student's unusual circumstances in accordance with 20 U.S.C. Sec. 1087tt(a)(3).

(d) The Regents of the University of California are requested to adopt a policy to implement this section.

SEC. 2. Section 826.9 is added to the Welfare and Institutions Code, to read:

826.9. (a) Notwithstanding Section 827 and in order to support a person who is or was previously adjudged a dependent or ward of the juvenile court, placed in foster care or on probation, or taken into the custody of the county probation department, in attending an institution of higher education by assisting the person with tasks, such as applying, registering, enrolling, or obtaining financial aid or support, personnel at a county child welfare department, county probation department, or local educational agency may provide, upon request of the person, the institution of higher education with either or both of the following:

(1) A sworn attestation, as defined in paragraph (7) of subdivision (a) Section 66020.8 of the Education Code, to be used for the purposes described in subdivision (b) of Section 66020.8 of the Education Code.

(2) Information verifying that the person is or was previously adjudged a dependent or ward of the juvenile court, placed in foster care or on probation, or taken into the custody of the county probation department that may only include the following information:

(A) The applicant's name and date of birth.

(B) The dates during which the applicant was within the jurisdiction of the juvenile court, placed in foster care or on probation, or taken into the custody of the county probation department, or, if the applicant was not within the jurisdiction of the juvenile court, a statement to that effect.

(C) A statement that the applicant is or was a foster youth or juvenile court ward.

(b) (1) All information received by the institution of higher education pursuant to subdivision (a) is confidential, shall only be used for the purposes specified in subdivision (a), shall only be shared among the institution of higher education's staff who directly facilitate services for the person such as applying, registering, enrolling, or obtaining financial aid or support to the extent that the person is notified or sharing is necessary to facilitate the person's request and, notwithstanding any other law, shall not be further disclosed or disseminated by the institution of higher education.

(2) The institution of higher education shall retain the information received pursuant to subdivision (a) in a confidential file for three years after the person's last term of enrollment, after which the confidential file shall be destroyed.

(3) An intentional violation of the confidentiality provisions of this subdivision is a misdemeanor punishable by a fine not to exceed five hundred dollars (\$500).

(4) Information obtained pursuant to this section does not in and of itself constitute eligibility for persons who would not otherwise be eligible for any service or support intended solely for persons who are or were dependents or placed in foster care.

(c) For the purposes of this section, "institution of higher education" means either of the following:

(1) A public postsecondary educational institution.

(2) A private postsecondary educational institution, including a trade or vocational school or similar program, that has been licensed or authorized to operate by the state in which it operates.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution for certain costs that may be incurred by a local agency or school district because, in that regard, this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

However, if the Commission on State Mandates determines that this act contains other 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.