



# John Burton Foundation for Children without Homes

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## Policy Brief

### Realizing the Promise of AB12: Recommendations for Improving Higher Education Outcomes for Foster Youth

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This is a publication of the Homeless Youth Capacity Building Project. For more information visit our website at [www.cahomelessyouth.org](http://www.cahomelessyouth.org).

### Abstract

*The groundbreaking California Fostering Connections to Success Act (AB12) offers the opportunity to dramatically improve educational outcomes for youth who have been engaged with the foster care and probation systems. This publication outlines specific recommendations related to the implementation of AB12 that will support educational achievement among these youth. The report includes recommendations related to AB12 eligibility, student financial aid, approval standards for Supervised Independent Living Placements, how to best support youth to achieve higher education related goals, effective collaboration between child welfare, probation and higher education systems, and training needs regarding higher education for child welfare workers and others.*

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The Project seeks to improve access to information about funding opportunities, policy developments and practice statewide. As part of the Project's publication series *The Promise of AB12* is designed to make recommendations for best practices regarding the implementation of AB12 as it relates to improved access to higher education for current and former foster youth.

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## INTRODUCTION

It is well documented that access to higher education leads to improved long-term income prospects as well as financial stability. A 2008 *Current Population Survey* by the Bureau of Labor Statistics demonstrates this clearly with the following data:

<b>Level of Education Completed</b>	<b>Unemployment rate in 2007</b>	<b>Median Earnings in 2007</b>
Less than high school diploma	7.1%	\$22,256
High school graduate, no college	4.4%	\$31,408
Some college, no degree	3.8%	\$35,516
Associate degree	3.0%	\$38,480
Bachelor's degree	2.2%	\$51,324
Master's degree	1.8%	\$60,580
Doctoral degree	1.4%	\$77,844
Professional degree	1.3%	\$74,204

Unfortunately, foster youth are among America's most disadvantaged in terms of opportunities for higher education. The rate at which foster youth complete high school (50 percent) is significantly lower than the rate at which their peers complete high school (70 percent). The rate at which foster youth who successfully complete high school attend postsecondary education (20 percent) is substantially lower than the rate at which their peers attend (60 percent). If foster youth completed high school and attended postsecondary education at the same rate as their peers, nearly 100,000 additional foster youth nationwide in the 18 to 25-year-old age group would be attending higher education. In addition, the rate of degree completion is dramatically lower for foster youth compared to their peers: only 5 percent or less of foster care youth who enter higher education receive a degree compared to 20 percent for their peers.<sup>1</sup>

The passage of the California Fostering Connections to Success Act (AB12) provides a tremendous opportunity to positively impact these dismal statistics for foster youth in California. Research has clearly demonstrated the potential benefits that extending care for foster youth can have on successful participation in post-secondary education. Mark Courtney and Amy Dworsky's pivotal 2007 study on extended benefits and postsecondary education concluded that former foster youth from Illinois were nearly twice as likely to have attended college and more than twice as likely to have completed at least one year of college as their peers in Iowa and Wisconsin. They attributed this difference in educational attainment to the fact that Illinois is one of the few states in which young people can and routinely do remain in foster care until their 21st birthday, whereas Iowa and Wisconsin exit youth from care at age 18.<sup>2</sup>

<sup>1</sup> Wolanin, Thomas R. 2005. *Higher Education Opportunities for Foster Youth: A Primer for Policymakers*. Washington, DC: The Institute for Higher Education Policy.

<sup>2</sup> Mark Courtney and Amy Dworsky, *Does Extending Foster Care beyond Age 18 Promote Postsecondary Educational Attainment*, Chapin Hall at the University of Chicago, 2007

It is the hope of the John Burton Foundation that the implementation of AB12 will fulfill the promise of increased access to higher education for foster youth. The California Department of Social Services' incorporation of the recommendations detailed in this brief into the regulations designed to implement AB12, along with the county child welfare agencies' adoption of the best practices outlined in this brief will help to ensure that this promise is met.

## **RECOMMENDATIONS**

### **A. ELIGIBILITY**

AB12 requires that young adults meet one of five eligibility criteria in order to qualify for extended benefits. These criteria are defined as follows:

1. Completing secondary education or a program leading to an equivalent credential;
2. Enrolled in an institution which provides post-secondary or vocational education;
3. Participating in a program or activity designed to promote, or remove barriers to, employment;
4. Employed for at least 80 hours per month; or
5. Incapable of doing any of the activities described in subclauses (1) through (4), inclusive, due to a medical condition.<sup>3</sup>

The spirit of both AB12 and the Federal Fostering Connections to Success and Increasing Adoptions Act of 2008 is one that encourages collaboration between the personnel charged with implementing the extended benefits provision and the young person who is the beneficiary of these benefits. Further, the legislation holds the county case worker (social worker or probation officer) responsible not just for verifying eligibility, but for providing assistance to youth to help them to successfully meet the eligibility criteria for extended benefits.

As a prelude to articulating the specific eligibility criteria for AB12 benefits, the California legislature declared its intention that "the social worker or probation officer or Indian tribe and the nonminor dependent shall work together to ensure the nonminor dependent's ongoing eligibility for extended benefits. All case planning shall be a collaborative effort between the nonminor dependent and the social worker, probation officer, or Indian tribe, with the nonminor dependent assuming increasing levels of responsibility and independence."<sup>4</sup>

In the guidance issued by the United States Department of Health and Human Services, Administration for Children and Families (ACF) for implementing extended care provision, ACF states that "We are providing flexibility in applying the education and employment conditions because we want to encourage a title IV-E agency to take advantage of the option as soon as

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<sup>3</sup> California Fostering Connections to Success Act; Section 47: Welfare & Institutions code 11403(b)

<sup>4</sup> California Fostering Connections to Success Act; Section 47: Welfare & Institutions code 11403(a)

possible, even if the agency can do so on only a limited basis at this time. However, we encourage a title IV-E agency to consider how it can provide extended assistance to youth age 18 and older to the broadest population possible consistent with the law to ensure that there are ample supports for older youth.”<sup>5</sup>

The John Burton Foundation recommends that the regulations developed by the Department of Social Services (DSS) incorporate the provisions below which are grounded in the intent of both of these legislative mandates.

- 1. In order to qualify under eligibility criterion #2 (enrollment in an institution which provides post-secondary or vocational education) the minimum level of participation in a post-secondary or vocational institution should be defined as half-time enrollment.** In most institutions, including the California public college and university systems, this will consist of enrollment in 6 course units. In some cases a different standard of tracking enrollment may be utilized by an institution, such as some vocational courses which define enrollment in “clock hours” rather than credits, and the half time standard should be applied accordingly. This standard will help to ensure that students can reach higher education goals in a timely manner, maintain eligibility for financial aid and be adequately prepared for the transition to independent living.
- 2. Participants who are enrolled in post-secondary education or vocational training at less than half time, but in at least one course, should qualify for AB12 benefits under eligibility criterion #3 (participating in an activity designed to promote or remove barriers to employment).** As noted above, the intention of the legislation is to make benefits available to the broadest population consistent with the law. Youth who have struggled to complete high school or who have had negative experiences with school environments may not be prepared to immediately enroll in multiple courses. For many foster youth, enrollment in a single course at a post-secondary or vocational institution may involve overcoming multiple obstacles and hurdles, and these efforts should be encouraged and supported. Enrollment in even a single course allows a young person to gain exposure to the college environment, discover resources and opportunities and connect with other youth pursuing post-secondary education. For these reasons, participation at a reduced level should be considered a valid activity under this criterion.
- 3. Courses taken at any institution which is licensed to operate in the State of California, or a comparable out of state institution, should count towards the participation requirement.** This would include, but is not limited to, all three public postsecondary systems (Community College, California State University and University of California) as well as schools approved by the Bureau for Private Postsecondary Education and those accredited through the Western Association of Schools and Colleges. In addition, courses taken through correspondence or on-line studies that are affiliated with a licensed institution should count

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<sup>5</sup> ACYF-CB-PI-10-11, Section A

towards the participation requirement. Courses taken at comparable institutions outside the state of California are also eligible.

- 4. The enrollment requirement should include enrollment in any for-credit courses along with any non-credit courses at the institution(s).** Many foster care youth arrive without the skills necessary to enter directly into for-credit courses. Often, remedial course work is required to obtain basic skills before participation in a degree program can begin. Ensuring that youth can participate in these necessary courses and maintain eligibility for AB12 benefits is critical to ensuring that these youth are able to pursue higher education goals. In addition, many vocational programs offer courses that are not considered “for credit” but contribute vitally to the acquisition of skills that will ultimately lead to employment and self-sufficiency.

Non-credit courses which count towards the participation requirement would include, but not be limited to, the following classifications of courses: Basic Skills, Developmental or Remedial Education; ESL courses; College and Career Planning or College Success Skills Courses; Workforce Preparation Courses; Education Programs for Persons with Substantial Disabilities; Home Economics Careers and Technology and not-for-credit Vocational Programs.

- 5. In situations where courses can be taken without formal admission to an institution, the enrollment requirement should allow for circumstances where a student is enrolled in individual courses without being enrolled in the institution.** This most often occurs when courses are taken through programs such as University of California Extension programs and Cal State University Open University programs. Enrollment in these types of courses should count towards the eligibility determination.
- 6. AB12 benefits must be maintained for participants on a summer or other break from school. This provision should also apply to those who are awaiting admissions determinations or pending enrollment in courses.** Regulations issued by the Administration on Children and Families that govern the federal Fostering Connections to Success Act, on which AB12 is based, include the following provision “The title IV-E agency will establish the criteria it will use to determine whether a youth meets the employment or education conditions above and/or whether a youth has a medical condition that renders him or her incapable of employment or education. The agency has the discretion to determine these criteria, with one caveat. The title IV-E agency must consider an otherwise enrolled youth on a semester, summer or other break to be enrolled in school for the purposes of this provision.”<sup>6</sup> Students are not required to enroll in summer term courses in order to maintain eligibility over the break. In addition during the break period between completion of high school and the start of the next regular term and/or at the point that a young person who has exited care is seeking to re-enter, youth who are in the process of

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<sup>6</sup> ACYF-CB-PI-10-11, Section A

applying for admission, awaiting admissions decisions or are in the process of enrolling for courses should maintain eligibility for benefits.

7. **Verification of enrollment at a post secondary or vocational institution should be verified by requesting that the participant provide proof of enrollment that indicates both the credit and non-credit courses that the student is enrolled in.** Acceptable documentation could include, but is not limited to, an unofficial transcript, an electronic copy of the student's current course schedule, or a letter from the institution or other similar documentation.
  
8. **If a student drops courses mid-term (whether considered voluntary or involuntary), this should not result in automatic disqualification from AB12 benefits. The court should review the circumstances surrounding the student's decision and allow the student the opportunity to reenroll for the following term and/or engage in activities meant to remove barriers to reengagement with the educational institution while maintaining benefits.** There are many factors that may result in a student not successfully enrolling in courses or failing to complete courses that they signed up for. Part of learning how to become independent and accept incremental responsibility is making mistakes and learning from those mistakes. Young people should not be automatically penalized when mistakes are made, but instead be supported to learn from them and make better choices moving forward. Circumstances that would be considered as extenuating factors could include, but are not limited to:
  - a. The required courses were full or unavailable at the time that the student was able to register.
  - b. The student has learning disabilities or mental health issues (diagnosed or undiagnosed) that prevented the student from successfully completing the coursework.
  - c. A personal or family emergency, such as the loss of housing, family illness, difficulties with roommates, or intervention by the young person's family of origin interfered with the student's ability to complete coursework.
  - d. A lack of affordable childcare interfered with the student's ability to attend classes or complete coursework.
  - e. The courses in which the student enrolled were inappropriate for their skill level and the student must first take remedial classes or access tutoring services in order to successfully complete college level coursework.
  - f. A delay in financial assistance or other financial hardship.

There are often services available at the college level that can assist a student who has gotten off track to reengage and select a course of study that is appropriate for their skill level and interests. Engagement with these services can be a valuable tool that social workers, probation officers and the court can direct participants to in order to maintain eligibility for extended benefits. For example, college counseling services can assist students to complete an educational plan that ensures that the courses being selected are appropriate and will lead to successful attainment of educational and career goals.

Other services such as Extended Opportunity Program and Services (EOPS), Educational Opportunity Program (EOP), Guardian Scholars, Youth Empowerment Strategies for Success (YESS) and similar programs as well as the institution's financial aid offices can also be valuable resources to assist students who are struggling with meeting educational requirements. Student disability services can also be an important source of help for diagnosis, referral and treatment of disabilities that may be impeding a student's progress. Students should be given an opportunity to seek out these resources and provided assistance to do so as a mechanism for removing barriers to completing their education, and thereby leading to eventual employment, while maintaining AB12 eligibility.

## **B. SUPERVISED INDEPENDENT LIVING PLACEMENT**

AB12 creates a new placement option known as a Supervised Independent Living Placement (SILP). A SILP is defined as "a supervised setting, as specified in a non-minor dependent's transitional independent living case plan, in which the youth is living independently."<sup>7</sup> The legislation goes on to say that the supervised independent living setting "shall include, but not be limited to, apartment living, room and board arrangements, college or university dormitories, and shared roommate settings."<sup>8</sup> It is anticipated that in many instances those who will be residing in this new placement option will be students, and therefore the regulations related to the approval of a SILP are directly related to supporting an AB12 participants' access to higher education.

The following recommendations are specific to the Supervised Independent Living Placement option:

- 1. Health and safety approval requirements should be adequate to ensure that participants are living in appropriate and safe settings but should be relatively limited in scope so as to not exclude housing options that may be suitable for someone in the 18-21 year old age range.** AB12 requires that DSS define how the SILP setting meets health and safety standards suitable for non minors.<sup>9</sup> Approval standards should take into consideration the developmental stage of this age group and ensure that standards do not include requirements that go beyond what is age appropriate. For example, some standards for housing require that each individual have a private bedroom, whereas for the transition-age youth population the sharing of a bedroom is common and not inappropriate. Similarly, while it is necessary to ensure that a housing unit meet basic livability standards such as having access to a working bathroom and not exhibiting obvious safety hazards, standards regarding cleanliness and sanitation should take into consideration the norm for the 18-21 age group. Health and safety standards should also be constructed so as to not exempt Single Room Occupancy (SRO) settings as in some urban areas, these are often an affordable option for some young people.

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<sup>7</sup> W&I Code 11400 (w)

<sup>8</sup> W&I Code 11403 (i)

<sup>9</sup> W&I Code 11403 (i)

2. **Students living in college or university owned housing or housing owned or operated under contract with a college or university should be subject to a simplified approval standard.** Colleges and universities implement comprehensive inspection requirements in order to ensure that campus housing options meet basic health and safety requirements. In order to avoid redundancy, remove potential barriers for AB12 participants and to save local child welfare agencies both time and money, further approval of these sites by child welfare should not be required.
3. **Housing that is required to undergo an inspection by another government entity should be subject to a simplified approval standard.** In some cases a comprehensive physical inspection of the unit is already required and therefore avoiding a duplicative approval requirement will help to remove barriers and conserve resources.
4. **Background checks of other adults living in the household should not be required for non-minor dependents.** While it is appropriate to conduct background checks for adults residing in a home with a dependent minor, continuing this requirement for those residing in a SILP could potentially create a significant obstacle for a young person. In particular if a person is residing with roommates or renting a room within a larger household it is not a reasonable expectation to require those individuals to submit to background checks and will limit the housing options that a young person has available to them. In addition, such a requirement would require that a young person reveal their foster care status to others living in their household and would violate their rights to confidentiality and privacy.
5. **As required by AB12, regulations must include provisions that allow nonminor dependents to move into a SILP site prior to approval of the site and receive payments retroactive to the date of the placement. Further, payments must be maintained while approval of the site is pending.**<sup>10</sup> Obtaining housing that is affordable and close to campus can be particularly challenging for students. Once a housing unit is identified by a young person, the need for approval by the child welfare department should not create an additional obstacle or hinder the participant's ability to obtain the housing. No student should lose a viable housing option or experience a break in payments due to an inability by the child welfare agency to approve the placement in a timely manner. If a site is ultimately not approved after a participant has moved in, payment should be continued while the nonminor is temporarily absent from an approved site until a new placement can be identified.
6. **Standards for the approval of a Supervised Independent Living Placement should allow for approval of settings where the participant does not have a formal written agreement with the landlord with approval by the county case worker.** In some cases a young person may

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<sup>10</sup> W&I Code 11402.2 states that "regulations shall ensure continuity of placement and payment while the nonminor dependent is temporarily absent from an approved placement while awaiting approval of his or her new supervised independent living setting."

be residing in a shared apartment with one or more roommates where the non-minor dependent is not named on the lease or rental agreement. If the county case worker is able to confirm that this is a stable housing situation and can obtain written verification of the arrangement that provides some degree of protection to the young person, approval of the placement should be allowable.

- 7. County case workers should be instructed to respect the privacy of young people and be as non-invasive as possible when conducting home visits, in particular in settings where others residing in the home, such as roommates or dorm mates, may not be aware of the youth's foster care status.** This may include advising county case workers to refrain from wearing a visible identification badge while in the home and not revealing information about a young person's foster care status in front of others who may be in the home during a visit. County case workers should also be advised that in general, visits to a youth's home, school or work place should be arranged in advance with the youth. County case workers should be proactive in initiating conversations with participants about privacy needs including ascertaining the young person's preferences regarding privacy and engaging with the youth around these issues in a respectful manner.

### **C. TRANSITIONAL INDEPENDENT LIVING PLANS**

The Transitional Independent Living Plan (TILP) can be a valuable tool for articulating clear expectations for youth and helping them to clarify their goals. In order to ensure that the potential of this tool is fully realized and that the TILP planning process supports youth who are pursuing educational goals, the following recommendations should be incorporated into the TILP format as well as the guidance provided to county case workers.

- 1. The standardized TILP form used by county case workers should be modified to reflect the inclusion of longer-term post-secondary education goals.** Specifically, the examples given of goals that a youth may choose to incorporate into a TILP on page 1 of the form should include "Obtaining a 2-year AA degree from community college".
- 2. County case workers should encourage youth who express an interest in post-secondary education to identify the steps needed to be successful and build specific goals into the TILP in order to support youth to achieve success.** The development of the TILP should, at a minimum, include a discussion about:
  - Budgeting and financial management.
  - The different educational options available and the benefits of touring local college campuses to obtain more information.
  - A description of financial aid options, eligibility requirements for financial aid and assistance to complete the financial aid application (FAFSA).
  - A review of services at local post secondary institutions such as EOP&S, EOP, Guardian Scholars, campus counseling services, career planning services, tutoring services and student disability services and how these services can be accessed.

- Services available to assist students to complete an educational plan and how to access these services.
- Housing options

- 3. Courts and County case workers should play an active role in supporting youth to meet higher education requirements.** County case workers should monitor progress on an ongoing basis so that they can intervene and provide additional support when necessary to help a youth stay on track towards their goals. For example, a county case worker may request that a student voluntarily provide mid-term progress updates to identify if problems are arising and if so, make appropriate referrals to on-campus services that can provide the youth with additional support. Progress evaluations should never be used punitively to deny eligibility but instead should be used to identify red flags and help participants to maintain eligibility and move in a positive direction.

## D. COLLABORATION

Effective collaboration between child welfare systems and institutions of higher learning is key to supporting the success of AB12. The presence of higher education in the lives of those participating in the child welfare system will, for the most part, be a new experience for those working in the child welfare system. New mechanisms for collaboration and communication will need to be developed to facilitate this new partnership. To further this aim there are a number of steps that can be taken to support this type of collaboration.

- 1. The Department of Social Services and local child welfare agencies should consider the co-location of Independent Living Support Programs on college campuses or other mechanisms for collaboration between ILSPs and colleges.** Several institutions have already co-located services or regular visits by ILSP workers to campuses and this has proven to be enormously beneficial to foster care youth who are students. This also can provide an opportunity for youth who are participating in ILP services to visit a college campus and become more familiar and comfortable with the campus environment.
- 2. School personnel and county case workers should actively engage with each other to support each individual youth who is attending college, university or a vocational program.** A Release of Information (ROI) form should be developed by each institution that can be used to allow sharing of information, with permission from the participant, in order to support the youth to be successful in school. The ROI should specify the following:
  - The types of information can be shared (e.g. personal identifying information, contact information, high school transcripts, educational records, educational plan, financial aid records, child welfare status, mental health information, transitional independent living plan, court records, etc.);
  - With whom the information can be shared;
  - The purpose of the information sharing practices; and
  - The date that the authorization expires including a provision that the ROI is revocable by the student at any time.

3. **Each local child welfare agency should identify one individual to serve as the primary liaison to the local higher education systems.** While each individual county case worker will still be expected to interface with higher education to support those on their caseload, the liaison would have responsibility for coordinating with higher education around larger policy issues, staying abreast of developments within higher education and communicating relevant information to others in their department. This person could serve as a point of contact for troubleshooting issues that may arise related to the interaction between the two systems as well as a point person for county case workers from other counties who have participants attending school out of their home county. It is recommended that this individual hold regular meetings with higher education representatives, in particular with the community colleges and Cal State Universities in their local area, to ensure regular communication and provide a consistent forum for discussion.
  
4. **Local jurisdictions should explore the establishment of education partnerships that incorporate at a minimum child welfare and probation agencies, dependency courts, ILP programs and local post-secondary institutions (in particular community colleges and CSUs).** These partnerships can also include local community-based organizations, the County Office of Education and representatives from local K-12 systems. Existing models for this type of collaboration include the following:
  - *Santa Clara County Juvenile Court Education Partnership:* This group meets monthly and addresses a range of issues related to education spanning from pre-school through post-secondary education. Representatives from local colleges and universities are active participants along with the child welfare and probation systems. Sub-committees are created to conduct activities in between regular monthly meetings on specific topic areas.
  - *Placer County College Transition Support Team:* This group includes faculty and staff from Sierra Community College along with representatives from the Child Welfare and Probation Departments, Placer County Court Systems, County Office of Education, ILP service providers and a range of other entities and organizations. The group meets twice a month and its purpose is to address the needs, concerns, and issues that affect the success and retention of former foster youth attending Sierra College.

## E. TRAINING

Current training requirements for child welfare social workers mandate that certain core topics be included in training received by all social workers. These trainings are offered through five regional training academies around the state. The current requirement for new social workers consists of a Primary Core Training curriculum which provides instruction on seven foundational issues along with a Secondary Training curriculum that includes twelve additional more specialized topics such as mental health and educational advocacy. In addition the training academies offer other advanced specialized training modules that social workers can access on a voluntary basis. The Statewide Training and Education Committee (STEC) is the body that

develops and/or recommends standards for statewide public child welfare training and coordinates their implementation.

- 1. As part of the implementation of AB12, all current county case workers who will be working with youth age 14 and older should be trained to understand their role in assisting youth who express an interest in post-secondary education to access a program suited to their interests and goals, as well as to support them to be successful in this endeavor.** This training should emphasize the value of providing support for participants' post-secondary educational goals. This support includes providing appropriate services to aid youth to remain in school such as referrals to campus-based services, life skills training, and assistance with housing, transportation and educational needs. This support also includes the ability to respond with flexibility when participants make mistakes, identify new interests or decide to adjust their plans. Training materials should encompass this understanding and include practical training such as how to create a TILP that includes specific higher education goals as well as basic information regarding on-campus resources and financial aid.
- 2. Basic information regarding higher education should be incorporated into the Competencies and Learning Objectives for the existing "Supporting Educational Rights and Achievement" training.** This should include both knowledge and values learning objectives related to higher education. The values learning objective should focus on enabling the trainee to value his/her role in assisting youth to access post secondary education and supporting improved educational outcomes for non-minor dependents. The knowledge based learning objectives should focus on the resources available at post-secondary institutions (such as Extended Opportunity Programs and Services (EOPS), Educational Opportunity Program (EOP), Foster Youth Success Initiative (FYSI) programs, Guardian Scholars, financial aid advisors and academic counseling services) and information regarding financial aid (including the Free Application for Federal Student Aid (FAFSA), financial aid deadlines and Chafee grants).
- 3. The Department of Social Services should direct the STEC to develop an advanced training for child welfare social workers specific to issues related to nonminor dependents' participation in higher education so that social workers can effectively support youth in meeting education related goals.** The training should be of a minimum duration of half a day and should be made available by all five Regional Training Academies. Successful completion of the training would count towards a social worker's continuing education requirement. Resource materials, including a higher education desk guide, should also be made available on-line for easy access. Counties should strongly encourage all social workers who will be working with youth aged 14 and older to access the course.

Examples of potential values learning objectives could include enabling trainees to value the following:

- a. Their role in assisting youth to access post secondary education and supporting improved educational outcomes for non-minor dependents.
- b. Their role in fostering high academic aspirations among foster youth.
- c. Their role in encouraging youth to engage in long-term planning and adequate preparation for higher education.

The skills and knowledge aspects of the training could include a general overview of each item below along with a comprehensive overview of available student services that can provide more detailed assistance.

- a. Student services including EOP&S, EOP, Guardian Scholars, financial aid advisors, campus counseling services, career planning services, tutoring services, health services, campus CalWORKs programs, FYSI, Youth Empowerment Strategies for Success programs, student disability services and other campus specific student retention programs.
- b. Financial aid, including how to complete the FAFSA application, crucial financial aid deadlines, types of grants and scholarships available to foster youth, Chafee grants, satisfactory academic progress requirements and appeals processes.
- c. College readiness – an understanding of coursework requirements and basic skills necessary to gain entrance into higher education institutions, in particular the Cal State and UC systems. This should also include information about the “ability to benefit” tests for community college.
- d. Overview of higher education options including the three California public higher education systems (Community College, Cal State University and University of California), vocational programs, private institutions and for-profit colleges. This should include admissions standards, application and enrollment timelines, transfer requirements and financial aid options.
- e. The importance of researching the costs and job placement rates of different types of institutions, including private for-profit schools, when choosing a school.
- f. Post-admission requirements and deadlines (e.g. turning in transcripts, applying to housing, completing documentation and paperwork, connecting with guardian scholars).
- g. Educational plans – what are they, how students can benefit from creating one and how to access campus personnel who can assist students with the creation of an educational plan.
- h. Enrollment cycle – registration, orientation, drop deadlines, and impact of withdrawing from and/or failing classes on institutional standing and financial aid.
- i. Skills necessary to be successful in college, e.g. budgeting, money management, time management and study skills, and how to assist youth to access support in attaining these skills.
- j. Overview of campus housing options, housing application processes and how to access information regarding housing options at specific campuses.
- k. Privacy and confidentiality restrictions under the Family Educational Rights and Privacy Act (FERPA)

4. **Probation officers who will be working with youth under AB12 should receive similar training to that described above for social workers.** In some cases, youth will remain under the jurisdiction of the juvenile justice system rather than the child welfare system. Probation officers will be charged with many of the same responsibilities as social workers in these cases and they should therefore also have access to the information described in the recommendations above.
5. **Both relative caregivers and non-related foster parents should have access to training regarding higher education resources.** In a survey done by The Alliance for Children's Rights of relative caregivers regarding AB12 implementation, it was clear that respondents were committed to the youth in their care, but felt they lacked the information needed to assist nonminor dependents. In particular, 73% of respondents indicated a need for help connecting youth with education programs.

## F. FINANCIAL AID

The ability to access financial aid is crucial to a foster youth's ability to access higher education. Unfortunately, even with financial aid, most foster youth are unable to cover the full cost of tuition, books, transportation and living expenses. In a study done of former foster youth at two colleges in California, one community college and one California State University, no student at either college received enough grant aid to fully cover their costs. At the community college level, the unmet need was over \$9000.<sup>11</sup>

1. **Income received through extended benefits should not be required to be reported as an income source on the FAFSA for the purposes of calculating Estimated Family Contribution (EFC).** Existing financial aid regulations state that "Payments and services received from states for foster care or adoption assistance, under Part A or Part E of Title IV of the Social Security Act" are explicitly exempted from income.<sup>12</sup> From this blanket exemption, it can be assumed that these benefits are not required to be reported as income regardless of whether payments are made to a foster parent, relative caregiver, provider agency (as in the case with a group home or THP+ Foster Care provider) or directly to the young person. Although foster care benefits paid 100% by States are not explicitly referenced, it is logical to assume that such payments would be treated the same as those funded through Title IV-E as the intent and purpose of these payments is exactly the same regardless of the source. In most cases, payment recipients are not aware if funds are being paid by both federal and state sources or only state sources.
2. **Extended benefits that are paid directly to a young person should not be required to be reported as part of the Estimated Financial Assistance (EFA) received by a student.** For federal funding sources, including Perkins loans, Federal Supplemental Educational

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<sup>11</sup> *Hopes and Hurdles: California Foster Youth and College Financial Aid*, The Institute for College Access and Success, October 2009

<sup>12</sup> 2010-2011 Application and Verification Guide (page 22-23)

Opportunity Grants (FSEOG), and Federal Work Study (FWS), the Code of Federal Regulations clearly defines those sources of funds that are to be considered as a “resource” for the purpose of determining EFA. Foster care benefits, or any type of similar benefit, are not included in the list. Further the EFA is defined as “any educational benefits paid because of enrollment in postsecondary education.”<sup>13</sup> Foster care benefits are not considered an “educational benefit”. Although there are eligibility requirements that require participation in educational or work related activities, these requirements are akin to the participation requirements of TANF and are defined much more broadly than would be typical of a benefit that is specifically for the purpose of enrollment in post-secondary education.

## **CONCLUSION**

The passage of AB12 offers tremendous possibilities, including that of greatly improved educational outcomes for foster youth. Whether this possibility is realized however, is dependent on whether the regulations put in place to implement AB12 are supportive of the needs of young people who choose to pursue higher education and whether the culture that surrounds the foster care support system can wholeheartedly embrace higher education as a realistic and beneficial option for foster care youth. Adoption of these recommendations by the state Department of Social Services, along with local county foster care agencies will greatly support these efforts.

While AB12 is a truly groundbreaking piece of legislation, it is not the sole answer to meeting this challenge. Adequate availability of financial aid including expanded access to Chafee grants, adequate funding for foster youth support programs within institutions of higher education, and continuing to develop child welfare and educational systems that provide youth with the resources necessary to be adequately prepared and motivated to pursue higher education are just some of the additional steps that should be taken. Although there is an ongoing need for further adjustments to existing systems, the implementation of AB12 in a manner that is supportive of young people's goals to succeed in post-secondary education will be a significant step forward towards this goal of long-term health, well being and success for youth exiting the foster care system in the state of California.

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<sup>13</sup> 2010-2011 Federal Student Aid Handbook (Volume 3, page 145)