

**Action Item**

***California Student Aid Commission***

**Governance and Monitoring Committee Report: State and federal issues and legislation and consideration of positions on bills affecting the Commission and student access**

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At the April 24, 2009 Governance and Monitoring Committee teleconference, ten bills were presented by staff for Commission support; however, since that time, six of the bills were held in legislative committees where they died and one other was significantly amended so it no longer references the Commission or its programs.

Of the three still-active bills remaining, one bill, AB 669 (Fong) *Postsecondary Education: Residency Requirements*, is recommended for the Commission's immediate consideration. Staff is requesting the Commission to postpone action on HR 1645 (McCarthy, C.) *Promotion of Financial and Economic Literacy* for staff to do further analysis and bring back to the Committee. The Committee postponed action on the third bill, SB 815 (Cogdill) *Student Financial Aid Program*, and plans to take up discussion at a later date.

An analysis of AB 669 (Fong) *Postsecondary Education: Residency Requirements*, a list of the bills recommended for further discussion, and a list of the bills which are no longer active follow.

***Recommended Action:*** Adopt a position of support for AB 669 (Fong) *Postsecondary Education: Residency Requirements*.

***Responsible Person:*** Lori Nezhura  
Governmental Affairs

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CALIFORNIA STUDENT AID COMMISSION  
ANALYSIS OF IMPACT BILLS FOR CONSIDERATION

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**ACTIVE BILLS FOR IMMEDIATE CONSIDERATION:**

AB 669

**AUTHOR:** Fong (D)

**TITLE:** Postsecondary Education: Residency Requirements

**INTRODUCED:** 02/25/2009

**LOCATION:** Senate Appropriations

**Summary:** Creates an exception to the uniform residency requirements for a foster youth or former foster youth 19 years of age or under at the time of enrollment in postsecondary education.

**Recommended Position: SUPPORT**

**Analysis:** California's foster youth face enormous and unique challenges in their transition to adulthood and self-sufficiency. Approximately 4,000 California foster youth turn 18 years old each year and are emancipated and expected to be independent. Only 20% of those who graduated from high school even attempt to attend college, compared to 60% of their peers. Despite the fact that California has enacted several programs to help foster youth transition to postsecondary education, only 1%-5% ultimately graduate from college.

According to the author, this bill would ensure that foster youth do not have to establish residency before pursuing a higher education at UC, CSU, or CCC, eliminating just one more barrier to higher education that results from paying higher nonresident tuition fees. In order to be considered a California resident for tuition purposes at UC, CSU, or CCC, students must have resided in California for one year and one day immediately prior to a date established by the segments to determine residency for that term, semester, or quarter. The segments also determine the documentation required as proof of residency. In general, students' residency extends from their parents. Another path to residency is provided by AB 540 (Firebaugh), Chapter 814, Statutes of 2001, which exempts specified nonresidents of California from paying nonresident tuition at UC, CSU, and CCC if they attended a California high school for three or more years.

The state has authorized several exceptions to the residency requirement, including self-supporting students, certain minor students, students under the care of an adult other than their parents, Native American students, Olympic athletes training in California, and members of the armed forces and their dependents, among others. While many foster youth qualify for some of these exceptions, recently emancipated foster youth who have not been under the care of an adult for at least two years do not. Further, because foster youth may be moved around in placement, the documentation of continuous care and control can be very burdensome.

State law also requires the same California residency and documented proof for Cal Grant eligibility. Without residency status, these foster youth and former foster are not currently eligible for Cal Grants. These students may be eligible for Chafee Grant which does not have a residency requirement.

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**ACTIVE BILLS POSTPONED FOR LATER DISCUSSION:**

<b>Bill Number, Author, and Title</b>	<b>Governance and Monitoring Recommendation</b>	<b>Reason for Postponement</b>
SB 815 (Cogdill) Student Financial Aid Program: National Guard	Postponed for futher discussion in Committee	This bill was one of two similar bills creating a new program to be administered by the Student Aid Commission. The program is not need-based. The Committee wanted to explore the implications of the New G.I. Bill on this new program, and administrative procedures that would differ from those of
HR 1645 (McCarthy, C.) Promotion of Financial and Economic Literacy	Support; however, Commission staff requests postponement for further discussion in Committee	More time is needed to analyze whether the grants authorized in this bill could be utilized by the Commission or are out of the scope of our purview.

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**INACTIVE BILLS:**

<b>Bill Number, Author, and Title</b>	<b>Governance and Monitoring Recommendation</b>	<b>Reason for Withdrawing Recommendation</b>
AB 224 (Portantino) Postsecondary Education	Support	This bill was amended and no longer holds any reference to the Student Aid Commission or our programs
SB 15 (Cedillo) Student Financial Aid: Members of Armed Forces	Support	Held in Senate Appropriations
SB 155 (Wright) Nursing Loan Assumption: School Nurses	Support	Held in Senate Appropriations
SB 160 (Cedillo) Student Financial Aid: Institutional Eligibility (The Dream Act)	Support	Held in Senate Appropriations
SB 195 (Florez) Equity in Higher Education Act	Support	Held in Senate Appropriations
SB 611 (Correa) Student Financial Aid: Cal Grant A: Veterans	[Commission took position of Sponsor on April 6, 2009]	Held in Senate Appropriations
SB 647 (Denham) National Guard Education Assistance Award Program	Postponed for more discussion	Held in Senate Appropriations