

# **Higher Education Access & Success for Homeless and Foster Youth Act**

## **Section-by-Section**

### **Sec. 1. Short Title.**

Higher Education Access & Success for Homeless and Foster Youth Act.

### **Sec. 2. Definitions.**

This section amends the definition of “independent” student in the Higher Education Act to—

- Strike the requirement that an application be submitted each year;
- Clarify that the definition applies to students 23 or younger, eliminating a “donut hole” for 22 and 23 year olds;
- Ensure the universe of students that can identify a student has unaccompanied is inclusive of students in shelters and homeless youth drop-in centers; and
- Clarify the definition of “foster care children and youth” to include students who are in or were in foster care after the age of 13, regardless of whether they currently receive or received foster care maintenance payments.

### **Sec. 3. Streaming Determinations & Verification**

This section would simplify the verification and determination process for unaccompanied youth and foster children and youth by—

- Not requiring a financial aid administrator to verify a homelessness determination by an authorized individual unless there is conflicting information;
- Requiring a financial aid administrator to make a determination of independence if a student does not have, and cannot get, documentation from any of the other designated authorities;
- Requiring that a student receive a determination during the school year in which the application was submitted and that the student be presumed independent in subsequent years unless the financial aid administrator has specific conflicting information or the student informs the administrator that circumstances have changed;
- \*Enhance foster youth access to financial aid by clarifying the verification process for these students and ensuring common documentation is considered acceptable; and
- \*Requiring financial aid offices to retain important documents for homeless and foster youth used to make their determinations of independence, since they don’t have a stable residence in which to store important papers

### **Sec. 4. Student Loan Ombudsman**

The Student Loan Ombudsman is currently tasked with providing timely assistance to borrowers, reviewing and attempting to resolve informally complaints, and compiling and analyzing data on borrower complaints and making appropriate recommendations. This section would also require the Student Loan Ombudsman receive, review, and resolve expeditiously complaints regarding a student's independence.

### **Sec. 5. Housing and Single Point of Contact**

Institutions of higher education and other eligible institutions must meet statutory requirements in order to participate in federal financial aid programs and sign a “program participation agreement” (PPA). This section amends these PPA requirements to proactively assist homeless and foster youth in maintaining adequate housing and accessing the supports they need to succeed in college in two primary ways.

\* New item in 2017 version of the bill.

*First*, the section provides that a student cannot be denied access to housing facilities—for institutions that operate them—because of the student’s inability to meet his or her financial obligations to the institution as a result of the delayed disbursement of the proceeds of a loan or due to a delay attributable to the institution, which are not in the student’s control. *Second*, this section requires the institution of higher education to certify that it—

- Has designated an appropriate staff person, who may also be a coordinator for other programs, as a single point of contact to assist homeless and foster youth in accessing and completing postsecondary education;
- \*Has a single point of contact for homeless and foster youth that connects students to support services, programs, public benefits, and community resources;
- Posts public notice about student financial assistance and other assistance available to homeless and foster youth, including their eligibility as independent students;
- Has developed a plan for how homeless and foster youth can access any institutionally-owned housing resources, if any, during and between academic terms; and
- Has included in its application for admission questions (to be answered voluntarily) regarding the applicant's status as a homeless and foster youth, which the applicant can answer voluntarily for the limited purpose of being provided information about financial aid or any other available assistance.

### **Sec. 6. Federal TRIO Programs**

The Federal TRIO Programs are federal outreach and student services programs funded by grants administered by the U.S. Department of Education that are designed to identify and provide services for individuals from disadvantaged backgrounds (low-income individuals, first-generation college students, and people with disabilities).

This section would incorporate homeless and foster youth outreach into these programs by requiring applicants to identify and conduct outreach to homeless and foster youth in collaboration with child welfare agencies, homeless shelters, and local educational agency liaisons for homeless children and youths. Programs would also have to make available mentoring, tutoring, and other services to homeless and foster youth.

### **Sec. 7, 8, 9, & 10: Talent Search, Upward Bound, Student Support Services, and Educational Opportunity Centers**

*Talent Search* is designed to identify qualified youths with college potential and encourage them to finish high school and go to college, publicize the availability of, and facilitate the application for, student financial assistance, and encourage persons who have not finished high school or college to do so. *Upward Bound* is designed to generate the skills and motivation necessary for success in education beyond secondary school. *Student Support Services* is designed to increase college retention and graduation rates for eligible students, increase the transfer rates from two-year to four-year institutions, help students with limited English proficiency, and improve financial and economic literacy. *Educational Opportunity Centers* is designed to provide information on financial and academic assistance for college and assist FAFSA applicants, including application preparation, and to improve student financial and economic literacy.

These four sections amend in identical fashion the TRIO Talent Search, Upward Bound, Student Support Services, and Educational Opportunity Center programs’ requirements to better include homeless and foster youth. It does this by adding application requirements to these sections which will require projects to—

- Review and revise policies and practices to remove barriers to the participation and retention of homeless and foster youth;

\* New item in 2017 version of the bill.

- Submit a description of the activities that will be undertaken to outreach to homeless and foster youth; and
- Submit a report of any strategies or program enhancements that were used that were effective in meeting the needs of homeless and foster youth.

### **Sec. 11. Reports and Evaluations**

This section requires TRIO programs to document the success with which they have undertaken the proactive requirements of their grant applications included in section 6 of the bill. Upon conclusion of their project, the TRIO programs must—

- Collect and submit data on the number of homeless and foster youths that are served; and
- Submit a description of any strategies or program enhancements that were used that were effective in meeting the needs of homeless and foster youth.

### **Sec. 12 Gaining Early Awareness and Readiness for Undergraduate Programs**

Similar to the requirements for the TRIO programs, this section amends the requirements for GEAR UP to better support homeless and foster children and youth who are low-income in getting a high school diploma and preparing for and succeed in postsecondary education. It would require the eligible entities, in their application for a grant under this provision, to describe how the eligible entity will facilitate the participation of foster care children and youth and homeless children and youths. GEAR UP programs would state how they will identify such youth, collect data on their participation, and the policies they will adopt to remove barriers that these young people face.

### **Sec. 13. Grant for Federal Work-Study Programs**

This section requires that agreements entered into with colleges and universities to provide grants to assist in operating work-study programs prioritize employment for students who are currently or formerly homeless children and youths or foster care children and youth.

### **Sec. 14. Excludable Income**

This section amends the definition of “excludable income” to determine eligibility for student financial assistance. Currently, payments made and services provided under part E of Title IV of the Social Security Act (which establishes Federal Payments for Foster Care and Adoption Assistance) are excluded, and this section specifies that this exclusion also includes payments under section 477 of the Act (which is the Foster Care Independence Program) and any payments made directly to the youth as part of an extended foster care program under Part E. \*Additionally, amounts expended under these programs for room and board for former foster youth who are not currently in foster care but are receiving services qualify for this exclusion.

### **Sec 15. Consolidating Questions Regarding Homeless Status on the FAFSA**

This section codifies existing U.S. Department of Education practice to simplify the Free Application for Federal Student Aid (FAFSA) and utilize a single filtering question to identify all unaccompanied homeless children and youth, or unaccompanied youth who are self-supporting and at risk of homelessness. Such youth can further identify the method of their determination in the subsequent questions.

### **\* Sec. 16 Data Transparency on the Number of Financial Aid Applicants**

This section creates new data transparency by requiring the U.S. Department of Education to report on key metrics of homeless and foster youths’ ability to access financial aid. The U.S. Department of Education would continue to publish existing data, and in a regular manner, on the number of homeless children and youths, and foster care children and youths, obtaining federal financial aid resources indicated by those answering FAFSA questions. The data would include the number of students for which no determination had been made in response to a request for such determination from a campus official, which could reveal barriers occurring at the institutional level.

\* New item in 2017 version of the bill.

**Sec. 17. In-State Tuition Rates**

This section requires that public universities provide in-state tuition rates to homeless and foster care children and youths who are not otherwise unable to prove their permanent residency in the state in which they reside, due to a lack of address history. This provision extends current law which has a similar requirement for members of the armed forces and their children.