

Senate Bill 107

By: Senators Strickland of the 17th, Kirkpatrick of the 32nd, Dugan of the 30th, Miller of the 49th and Anderson of the 43rd

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Article 12 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,
2 relating to postsecondary education grants for foster children and adopted children, so as to
3 provide for the waiver of tuition and all fees, including customary rooming and board fees,
4 for qualifying foster and adopted students by units of the University System of Georgia and
5 the Technical College System of Georgia, subject to certain exceptions; to provide for such
6 exceptions; to provide for student qualifications; to provide for the involvement and duties
7 of the Division of Family and Children Services; to provide for the involvement of the State
8 Board of the Technical College System of Georgia; to provide for a statement of purpose;
9 to urge the Board of Regents of the University System of Georgia to adopt similar waiver
10 provisions for the benefit of youth who age out of foster care; to provide for definitions; to
11 provide for construction; to provide for related matters; to provide an effective date; to repeal
12 conflicting laws; and for other purposes.

13 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

14 **SECTION 1.**

15 Article 12 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to
16 postsecondary education grants for foster children and adopted children, is amended by

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17 repealing Code Section 20-3-660, relating to program of grants created, terms and conditions,
18 applications, eligibility, duties of the Division of Family and Children Services, expenses and
19 fees covered, and report by the Education Coordinating Council, and enacting a new Code
20 Section 20-3-660 to read as follows:

21 "20-3-660.

22 (a) It is the policy of the General Assembly that resources of this state should be
23 committed to support benefits and positive outcomes for youth who age out of foster care.
24 A postsecondary education can benefit these youth, many of whom who have come from
25 places of great disadvantage; however, too few have been able to realize the benefit.
26 Therefore, the General Assembly establishes this program to support as many of these
27 youth as possible in realizing the benefits of postsecondary education. The General
28 Assembly urges and recommends that the Board of Regents adopt substantially similar
29 tuition waiver programs for these youth to realize the benefits of postsecondary education
30 in the University System of Georgia.

31 (b) As used in this Code section, the term:

32 (1) 'Public postsecondary educational institution' means any unit of the Technical
33 College System of Georgia.

34 (2) 'Waiver program' or 'program' means the program provided for in this Code section.

35 (c) Tuition and all fees, including, but not limited to, any fees, costs, or charges relating
36 to customary housing, meal, or room and board programs, for any undergraduate program
37 of any public postsecondary educational institution shall be waived as provided for in this
38 Code section for each foster child or adopted child who meets the following requirements:

39 (1)(A) The student's family receives state funded adoption assistance as provided in
40 Code Section 49-5-8;

41 (B) The student is currently in the custody of the Division of Family and Children
42 Services of the Department of Human Services as provided in Code Section 15-11-212;

- 43 (C) The student is participating in the Division of Family and Children Services
44 independent living program in accordance with applicable policies and procedures; or
45 (D) The student is an adopted child who was in the permanent legal custody of and
46 placed for adoption by the Division of Family and Children Services following the
47 child's fourteenth birthday, including any such student who, at the time of application
48 to a public postsecondary educational institution, resides outside of Georgia due to such
49 placement.
- 50 (2) The student is currently enrolled full-time or part-time in a public postsecondary
51 educational institution or, within three years of receiving his or her high school diploma
52 or general educational development (GED) diploma, the student has been accepted for
53 admission to a public postsecondary educational institution;
- 54 (3) The student remains in good standing and meets the standard for satisfactory
55 academic progress as defined by the public postsecondary educational institution and as
56 applied to undergraduate students generally;
- 57 (4) The student has not reached the age of 28; and
- 58 (5) The student completes a simplified application process established by the Division
59 of Family and Children Services, which shall include completion of the Free Application
60 for Federal Student Aid (FAFSA) to determine the level of need and eligibility for state
61 and federal financial aid programs; provided, however, that a student who is
62 presumptively eligible to participate in the waiver program shall be permitted to
63 provisionally participate in the waiver program for a period of up to 30 days pending the
64 student's completion of the application process.
- 65 (d) For each student who meets the requirements provided for in subsection (c) of this
66 Code section, such student's public postsecondary educational institution shall waive tuition
67 and all fees as necessary to cover all assessed costs of attendance, as defined in 20 U.S.C.
68 Section 1087ll, that are not covered by all available federal and nonfederal student aid
69 sources identified in the student's Student Aid Report from the United States Department

70 of Education excepting student loans and any work-study program provided for in 42
71 U.S.C. 2751-2756b.

72 (e) The Division of Family and Children Services shall:

73 (1) Advertise the availability of the waiver program and ensure that the children and
74 young adults leaving foster care, foster parents, and any other applicable resources are
75 informed of the availability of the waiver program and the related application procedures;

76 (2) Provide application forms to participate in the waiver program to all children and
77 young adults leaving foster care;

78 (3) Provide assistance to students attempting to complete the application process;

79 (4) Report the number of students participating in the waiver program on October 1 of
80 each year to the Office of Planning and Budget and the Office of the Child Advocate;

81 (5) Report nonidentifying data on graduation rates of students participating in the waiver
82 program by November 30 each year to the Office of Planning and Budget and the Office
83 of the Child Advocate; and

84 (6) Promulgate such rules and regulations as may be required to carry out the provisions
85 of this Code section.

86 (f) The State Board of the Technical College System of Georgia shall adopt policies
87 creating an expedited and simplified process to work in collaboration with Division of
88 Family and Children Services and to enroll eligible students with a simplified process
89 involving minimal paperwork.

90 (g) Nothing in this Code section shall be construed to:

91 (1) Guarantee acceptance of or entrance into any public postsecondary educational
92 institution for a foster child or adopted child;

93 (2) Limit the participation of a student who is a foster child or adopted child in any other
94 program of financial assistance for postsecondary education; or

95 (3) Restrict any public postsecondary educational institution or the Division of Family
96 and Children Services from accessing other sources of financial assistance, except loans,

97 that may be available to a foster child or adopted child who meets the eligibility
98 requirements of the waiver program."

99 **SECTION 2.**

100 This act shall become effective on July 1, 2021.

101 **SECTION 3.**

102 All other laws or parts of laws that conflict with this Act are repealed.