

JAN 18 2008

A BILL FOR AN ACT

RELATING TO HIGHER EDUCATION BOARD ALLOWANCE FOR FORMER FOSTER YOUTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 346-16, Hawaii Revised Statutes, is
2 amended by amending the definition of "former foster youth" to
3 read as follows:

4 "Former foster youth" means a person formerly placed under
5 the jurisdiction of the department as a foster child by the
6 family court pursuant to chapter 587 who has attained the age of
7 eighteen[-] while under the placement responsibility of the
8 department or who was under the placement responsibility of the
9 department when a legally responsible caregiver was granted
10 custody."

11 SECTION 2. Section 346-17.4, Hawaii Revised Statutes, is
12 amended to read as follows:

13 **"§346-17.4 Higher education board allowances for students.**

14 (a) Eligible former foster youths shall be eligible for higher
15 education board allowances prior to or after reaching the age of
16 majority and the higher education board [~~payments~~] allowance for
17 that former foster youth shall be paid to an accredited



1 institution of higher learning, another intermediary contracted
2 by the department, the former foster youth, or to the former
3 foster youth's former foster parents[7] or legal custodian, as
4 appropriate; provided that:

5 (1) The former foster youth is twenty-one years old or
6 younger; and

7 ~~[Within one school year after high school completion,~~
8 ~~the former foster youth is attending or has been~~
9 ~~accepted to attend an accredited institution of higher~~
10 ~~learning on a full time basis, or on a part time basis~~
11 ~~for the first academic year, if approved by the~~
12 ~~director upon such terms and conditions as the~~
13 ~~director deems appropriate.]~~ The former foster youth
14 has made an application for the higher education board
15 allowance through the age of twenty-one and is
16 attending or has been accepted to attend an accredited
17 institution of higher learning; provided that a former
18 foster youth who is between the ages of twenty-two
19 years and twenty-six years on July 1, 2008, and is
20 either attending or has been accepted to attend an
21 accredited institution of higher education, may apply



1 for a higher education board allowance after July 1,
2 2008, and no later than June 30, 2009.

3 (b) The higher education board allowance may be issued
4 while the former foster youth is attending an accredited
5 institution of higher learning on a full-time basis or on a
6 part-time basis, in accordance with rules adopted by the
7 department.

8 ~~[-b-]~~ (c) Reimbursement to foster parents for the former
9 foster youth's higher education board cost up to the maximum
10 allowable board amount shall be made retroactive to the former
11 foster youth's entry into an accredited institution of higher
12 learning on a full-time basis, but no earlier than July 1, 1987,
13 or on a part-time basis for the first academic year, but no
14 earlier than July 1, 1999.

15 ~~[-e-]~~ (d) Higher education board allowances may be applied
16 by the former foster youth to costs incurred in undertaking
17 full-time studies or part-time studies [~~for the first academic~~
18 ~~year, if approved by the director upon such terms and conditions~~
19 ~~as the director deems appropriate,~~] at an accredited institution
20 of higher learning~~[-]~~, in accordance with rules adopted by the
21 department.



1 (e) The duration of the total higher education board
2 allowance shall not exceed sixty-six months following entry into
3 an accredited institution of higher learning under subsection
4 (a) (2).

5 [~~d~~] (f) The department's standards relating to income
6 resources of foster children shall be applicable to this
7 section."

8 SECTION 3. There is appropriated out of temporary
9 assistance for needy families funds the sum of \$ or so
10 much thereof as may be necessary for fiscal year 2008-2009 to
11 provide a higher education board allowance for eligible former
12 foster youth as defined in this Act.

13 The sum appropriated shall be expended by the department of
14 human services for the purposes of this Act.

15 SECTION 4. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so
17 much thereof as may be necessary for the fiscal year 2008-2009
18 to provide a higher education board allowance for eligible
19 former foster youth as defined in this Act.

20 The sum appropriated shall be expended by the department of
21 human services from the temporary assistance for needy families
22 funds for the purposes of this Act; provided that, prior to



1 expending any moneys appropriated in this section, the
 2 department of human services shall first attempt to obtain
 3 federal approval to utilize the moneys appropriated in section 3
 4 for the purposes of this Act. If the federal government denies,
 5 in writing, department of human services request to utilize
 6 temporary assistance for needy families funds for the purposes
 7 of this Act, then the moneys appropriated in this section may be
 8 expended. If the federal government approves, in writing, the
 9 use of temporary assistance for needy families funds for the
 10 purposes of this Act, then the moneys appropriated in this
 11 section shall immediately lapse to the credit of the general
 12 fund.

13 SECTION 5. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2008.

16

INTRODUCED BY: Inzanne Chun Oakland
Norman Sakamoto
Nike Galbraith



Report Title:

Foster Youth; Education Board Allowance; Appropriation

Description:

Allows a former foster youth to be eligible for higher education board allowance until the age of twenty-one and for a period of five and one-half years. Makes an appropriation for this purpose.

