
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: SB 252
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Version: February 18, 2015
Urgency: No
Consultant: Lynn Lorber
Hearing Date: March 25, 2015
Fiscal: Yes

Subject: Pupils: diploma alternatives: fees

SUMMARY

This bill prohibits a fee from being charged to homeless youth for the high school proficiency exam and the high school equivalency tests.

BACKGROUND

The federal McKinney-Vento Act defines “homeless children and youths” as children and youths who lack a fixed, regular, and adequate nighttime residence, and includes children and youths who, among other situations, are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.

(United States Code, Title 42, § 11431 et. seq.)

High school proficiency exam

Current law requires:

1. The following people to be permitted to have his or her proficiency in basic skills verified according to criteria established by the California Department of Education (CDE):
 - A. Any person who is at least 16 years of age.
 - B. Any person who has been enrolled in grade 10 for one academic year or longer.
 - C. Any person who will complete one academic year of enrollment in grade 10 at the end of the semester during which the next regular examination will be conducted.
2. The State Board of Education to award a “certificate of proficiency” to people who achieve a passing score on the proficiency exam. The certificate of proficiency is equivalent to a high school diploma.
(Education Code § 48412)

The California Department of Education (CDE) has designated the California High School Proficiency Examination (CHSPE) as the test by which students may verify proficiency in basic skills. The Sacramento County Office of Education administers the CHSPE program under contract with the CDE.

High school equivalency tests

Current law requires the Superintendent of Public Instruction (SPI) to issue a California high school equivalency certificate and an official score report to any person who has not completed high school and who meets all of the following requirements:

1. Is a resident of California or is a member of the armed services assigned to duty in California.
2. Has taken all or a portion of a general educational development test approved by the State Board of Education (SBE) and administered by a test center approved by the California Department of Education, with a score determined by the SBE to be equal to the standard of performance expected from high school graduates.
3. Meets one of the following:
 - A. Is at least 18 years of age.
 - B. Would have graduated from high school had he or she remained in school and followed the usual course of study toward graduation.
 - C. Is at least 17 years of age, has accumulated fewer than 100 units of high school credit, and is confined to a state or county correctional agency.
 - D. Is at least 17 years of age, has accumulated fewer than 100 units of high school credit prior to enrollment in a dropout recovery high school, and has successfully completed the program offered by a dropout recovery high school that provides the student with all of the following:
 - (1) Instruction aligned to state academic content standards.
 - (2) The opportunity to complete the requirements for a high school diploma.
 - (3) At least one year of instruction or instruction followed by services related to the academic program.

Current law provides that a California high school equivalency certificate is deemed to be a high school diploma for the purpose of meeting the requirements of employment by all state and local public agencies in California. (EC § 51420 and § 51425)

The State Board of Education has approved the use of three high school equivalency tests:

1. The General Educational Development Test (GED).
2. The High School Equivalency Test (HiSET).
3. The Test Assessing Secondary Completion (TASC).

ANALYSIS

This bill prohibits a fee from being charged to homeless youth for the high school proficiency exam and the high school equivalency tests. Specifically, this bill:

1. Prohibits the California Department of Education (CDE) from charging the fee to a homeless child or youth who can verify his or her status as a homeless child or youth.
2. Prohibits a scoring contractor or testing center for the general educational development test from charging the fee to a homeless child or youth who can verify his or her status as a homeless child or youth.
3. Provides that “a homeless child or youth” is defined by the federal McKinney-Vento Act (see Background).
4. Authorizes a homeless services provider that has knowledge of the person’s housing status to verify the homeless status. This bill defines “homeless services provider” to include all of the following:
 - A. A governmental or non-profit agency receiving federal, state, county or municipal funding to provide services to a homeless child or youth, or that is otherwise sanctioned to provide those services by a local homeless continuum of care organization.
 - B. An attorney licensed to practice law in California.
 - C. A local educational agency liaison for homeless children and youth, or a school social worker.
 - D. A human services provider or public social services provider funded by the state to provide homeless children or youth services, health services, mental or behavioral health services, substance use disorder services, or public assistance or employment services.
 - E. A law enforcement officer designated as a liaison to the homeless population by a local police department or sheriff’s department within the state.

- F. Any other person or entity that is qualified to verify an individual's housing status, as determined by the California Department of Education.

STAFF COMMENTS

1. **Need for the bill.** According to the author, "As homelessness can make graduating from high school challenging, or even impossible, other paths to completing high school and accessing higher education are extremely important to homeless youths. The high school proficiency and equivalency exams are two paths to postsecondary education and opportunities that can greatly enhance homeless youths' future earning power and ultimate stability. However, the fees for these exams have increased in recent years to between \$150 and \$200. This cost presents an impossible barrier for homeless youth."
2. **Author's amendments.** The author wishes to amend this bill as follows:
 - A. Cap the age at which a homeless youth may be eligible for fee exemption, to youth who have not turned 25 years old.
 - B. Delete the list of "homeless services provider" (other than a person or entity as determined by the California Department of Education) and instead provides a cross-reference to an existing definition in the Health and Safety Code. The definition of "homeless services provider" in the Health and Safety Code is identical to the list of individuals and entities proposed for deletion from this bill (other than a person or entity as determined by the California Department of Education).
3. **Verification of homelessness.** The Health and Safety Code includes a definition of "homeless services provider" for purposes of verifying homelessness to obtain a certified birth certificate at no cost. The Health and Safety Code also requires the California Department of Public Health to develop an affidavit attesting to the person's status as being homeless, and requires both the homeless person and the homeless services provider to sign the affidavit.

This bill does not specify the type of verification that homeless services providers are to furnish to homeless youth for the purposes of this bill. Should this bill require an affidavit to serve as a uniform method of verification to be accepted by test centers?

4. **Contract and Memorandum of Understanding.** The California Department of Education (CDE) is currently in contract with the Sacramento County Office of Education for the administration of the California High School Proficiency Exam. This contract will expire on June 30, 2016; the CDE will issue a Request for Proposals this year for a contract to begin July 1, 2016. It is possible for the CDE to adjust the terms of the next contract to prohibit fees from being charged to homeless youth, pursuant to this bill.

The CDE has Memorandums of Understanding (MOUs) with three vendors for the high school equivalency tests: two expire on December 31, 2015, and one expires on December 31, 2016. It is possible for the CDE to renegotiate the MOUs with the test vendors; the vendors in turn would need to renegotiate their contracts with test centers (there are approximately 300 test centers in California).

Should this bill require the contract for the California High School Proficiency Exam and the MOUs for the high school equivalency tests to include a prohibition on raising fees for the exam and tests? (See Comment #7.)

5. ***How many homeless youth may be affected?*** According to the California Homeless Youth Project, there were approximately 270,000 homeless students in California during the 2012-13 school year. According to information provided by the author's office, it is estimated that approximately 446 homeless youth take a high school equivalency test, and 416 take the high school proficiency exam.

During the 2014-15 fiscal year, 84 school districts and county offices of education received funds under the federal McKinney-Vento Homeless Act in amounts ranging from almost \$24,000 to over \$216,000. These funds are not specifically designated to cover the costs of exams.

6. ***What about foster youth?*** This bill affects homeless youth, but not other special populations such as foster youth. Should foster youth be exempt from paying fees to take the high school proficiency and high school equivalency exams?
7. ***Fiscal impact.*** The fee to take the California High School Proficiency Exam is \$110. The fee for the high school equivalency tests varies, as determined by each test vendor and test center; this fee is generally \$120-\$200. This bill does not eliminate or waive the \$20 fee charged by the California Department of Education for the cost of awarding certificates, issuing score reports, and maintaining records, and the cost of providing all follow-up services related to the completion of the test.

This bill is silent with regards to who covers the costs of these exams. Presumably, the State will cover the costs, although it's possible that fees for the exams could be increased and therefore costs would be covered by other test-takers.

8. ***Related and prior legislation.***

RELATED LEGISLATION

SB 445 (Liu, 2015) requires homeless students to be allowed to remain in the school of origin through the duration of homelessness. SB 445 is pending in this Committee.

SB 636 (Liu, 2015) establishes the Homeless Youth Basic Material Needs Assistance Program. SB 636 is scheduled to be heard in the Senate Human Services Committee on April 14.

AB 1166 (Bloom, 2015) modifies the existing exemption for foster and homeless youth from meeting locally imposed high school graduation requirements to specify that the exemption is to remain in place even if the student is no longer homeless while enrolled in school. AB 1166 is pending referral in the Assembly.

AB 801 (Bloom, 2015) makes several changes to existing provisions regarding priority enrollment at institutions of higher education, requires “qualifying institutions” to designate a homeless and foster student liaison, and modifies residency requirements for homeless youth. AB 801 is pending in the Assembly Higher Education Committee.

AB 1228 (Gipson, 2015) adds current and former homeless youth to existing provisions regarding priority housing for foster youth at institutions of higher education. AB 1228 is pending referral in the Assembly.

AB 982 (Eggman, 2015) gives priority for federal and state subsidized child development services to homeless children. AB 982 is pending in the Assembly Human Services Committee.

AB 891 (Campos, 2015) among other things, establishes priority enrollment in after school programs for homeless youth and children in families receiving CalWORKs benefits, and prohibits after school programs from charging a fee to families of homeless youth. AB 891 is pending in the Assembly Education Committee.

PRIOR LEGISLATION

SB 177 (Liu, Ch. 491, 2013) among other things, required school districts, charter schools and county offices of education to immediately enroll a homeless youth.

AB 1806 (Bloom, Ch. 767, 2014) extended policies and procedures for suspension, expulsion, graduation requirements and completed coursework to students who are homeless that are currently provided to students who are in foster care.

AB 951 (Medina, 2013) would have required school districts that designate a liaison for homeless children and youths as required under the federal McKinney-Vento Homeless Assistance Act, to ensure the liaison is properly trained regarding the rights of these children to receive educational services. AB 951 was held in the Assembly Appropriations Committee.

SUPPORT

American Federation of State, County and Municipal Employees
California Coalition for Youth
County Welfare Directors
Echoes of Hope
First Place for Youth
Housing California
LA Coalition to End Youth Homelessness
Larkin Street Youth Services
LINC Housing
Mental Health America of Los Angeles
National Association for the Education of Homeless Children and Youth
Young Invincibles

OPPOSITION

None received.

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