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CONSENT

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Bill No: AB 243  
Author: Ahrens (D)  
Amended: 6/12/25 in Senate  
Vote: 21

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SENATE EDUCATION COMMITTEE: 6-0, 6/11/25  
AYES: Pérez, Ochoa Bogh, Cabaldon, Choi, Cortese, Laird  
NO VOTE RECORDED: Gonzalez

SENATE JUDICIARY COMMITTEE: 12-0, 6/24/25  
AYES: Umberg, Niello, Allen, Arreguín, Ashby, Caballero, Durazo, Laird, Stern,  
Wahab, Weber Pierson, Wiener  
NO VOTE RECORDED: Valladares

SENATE APPROPRIATIONS COMMITTEE: Senate Rule 28.8

ASSEMBLY FLOOR: 76-0, 5/1/25 (Consent) - See last page for vote

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**SUBJECT:** Postsecondary education: student financial aid dependency status:  
juveniles

**SOURCE:** County of Santa Clara

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**DIGEST:** This bill (1) authorizes personnel at a county child welfare department, county probation department, or local educational agency (LEA), upon the request of a youth formerly in the foster care or probation system, to provide certain personal information to an institution of higher education (IHE) to assist the youth's attendance at that IHE. It further (2) requires a financial aid administrator to accept a sworn attestation as sufficient documentation for adjusting a financial aid applicant's dependency status who is attending or applying to a California State University (CSU), California Community College (CCC), or University of California (UC) campus. Lastly, it (3) makes any information received by an IHE confidential, and a violation of the confidentiality provisions subject to a misdemeanor of up to a \$500 fine.

**ANALYSIS:**

## Existing law:

- 1) Establishes the California Student Aid Commission (CSAC) for the purpose of administering specified student financial aid programs. (Education Code (EC) § 69510, et seq.)
- 2) Establishes the Cal Grant program, administered by the CSAC, to provide grants to financially needy students to attend a college or university. The Cal Grant programs include both the entitlement and the competitive Cal Grant awards. The program consists of the Cal Grant A, Cal Grant B, and Cal Grant C programs, and eligibility is based upon financial need, grade point average (GPA), California residency, and other criteria. Maximum award amounts for the CSU and the UC are established in the annual Budget Act and have traditionally covered all system wide tuition and fees. Supplemental Cal Grant awards programs are available to students with dependents and former and current foster youth attending CSU, UC, or a CCC to assist with non-tuition costs, such as living expenses. (EC § 69430–69433 and § 69465-69470)
- 3) Establishes, the Cal Grant Reform Act commencing in the 2024-2025 fiscal year, if General Fund moneys over the multiyear forecasts are available to support ongoing augmentations and actions, and if funding is provided in the annual Budget Act (Act). Under the Act, the Cal Grant 2 and Cal Grant 4 programs are created. The Cal Grant 2 is for CCC students, and provides non-tuition support that grows annually with inflation. The Cal Grant 4 program is for students at the UC, CSU, and other institutions. The Act also states legislative intent that UC and CSU use institutional aid to cover non-tuition costs for their students. (EC § 69424, 69425, and 69428).
- 4) Requires the CSAC, through an interagency agreement with the Department of Social Services (DSS), to operate a federally-funded scholarship program that provides grant aid to California’s current and former foster youth. Existing law requires funds to be used to assist students who are current and former foster youth, for career and technical training or traditional college courses. (EC § 69519)
- 5) Establishes the Middle Class Scholarship (MCS) Program to offset a portion of tuition costs for students attending the UC and the CSU. Starting in the 2022-23 academic year, MCS awards may be used to cover the total cost of attendance at

UC and CSU. The maximum annual household income to qualify for an award is \$234,000 for dependent students in 2025-26. (EC § 70020, et seq.)

- 6) Specifies the categories of individuals who are authorized to inspect a juvenile case file, and authorizes only certain individuals to inspect a juvenile case file, including, among others, a local child support agency for the purpose of establishing paternity and establishing and enforcing child support orders and members of children's multidisciplinary teams, persons, or agencies providing treatment or supervision of the minor. (Welfare & Institutions Code § 827)
- 7) Prohibits, in federal law, funds from being made available under any applicable program to any educational agency or institution that permits the release of a student's education records, or the personally identifiable information contained therein, other than directory information, without the written consent of their parents. (20 United States Code (U.S.C.) § 1232(b))
- 8) Specifies that a financial aid administrator has the authority to, on the basis of adequate documentation, make adjustments to the data used to determine a student's financial aid eligibility, based on "special circumstances or unusual circumstances." Further specifies that, in instances when the student or the student's parents or legal guardians are incarcerated, this documentation can be obtained with a documented phone call or a written statement from various officials, as specified. (20 U.S.C. § 1087tt et seq.)

This bill:

- 1) Requires a financial aid administrator to accept a sworn attestation as sufficient documentation for determining eligibility under federal regulations, specifically for making adjustments for unusual circumstances to the dependency status of an applicant for student financial aid, who is attending, or applying to, a CSU, CCC, or UC campus.
- 2) Requests the UC Regents to adopt a policy to implement this bill's provisions.
- 3) Authorizes, to support a person who is or was previously adjudged a dependent or ward of the juvenile court, placed in foster care or on probation, or taken into the custody of the county probation department, in attending an IHE by assisting the person with tasks, such as applying, registering, enrolling, and obtaining financial aid or support, personnel at a county probation department or LEA to provide, upon request of the person, the IHE with either or both of the following:

- a) A sworn attestation as defined to be used for the purpose of making an adjustment to a financial aid applicant's dependency status, as specified.
  - b) The information necessary to verify that the person is or was previously adjudged a dependent or ward of the juvenile court, placed in foster care or on probation, or taken into the custody of the county probation department.
- 4) Makes any information received by the IHE outlined in 3) above confidential, only to be shared among the IHE's personnel when necessary, and prohibits further disclosure or dissemination of that information by the IHE or its personnel.
- 5) Requires the IHE to retain the information received in a confidential file for three years after the person's last term of enrollment and thereafter destroy it.
- 6) Clarifies that nothing in this bill prohibits a financial aid administrator from accepting other types of adequate documentation to substantiate a student's unusual circumstances in accordance with federal financial aid law.
- 7) Makes an intentional violation of the confidentiality provisions of this bill subject to a misdemeanor of up to a \$500 fine.
- 8) Defines, for the purpose of this bill, the following terms:
- a) "Adjustment for unusual circumstances" to mean an unusual circumstances adjustment, as described in federal law as specified, regarding the dependency status of a financial aid applicant.
  - b) "Applicant" to mean a financial aid applicant attending, or applying to attend, the CSU, CCC, or UC.
  - c) "Financial aid" to mean any form of student financial aid or institutional financial aid.
  - d) "Financial aid administrator" to mean a financial aid administrator of the CSU, CCC, or UC for purposes of determining institutional financial aid of the applicant, or the CSAC for purposes of determining student financial aid of the applicant, as applicable.

- e) “Institutional financial aid” to mean all institutional grant aid, including institutional student need-based and merit-based aid.
- f) “Local educational agency” to mean a school district, charter school, or county office of education.
- g) “Sworn attestation” to mean a statement signed under penalty of perjury by an authorized representative of a LEA, county child welfare department, or probation department. The attestation shall include all of the following:
  - i) The name, organization, and title of the attester.
  - ii) A declaration that the attester has provided services, instruction, or assistance to the student.
  - iii) A declaration that the attester is familiar with the student’s relationship with their parent or parents, as defined in federal law.
  - iv) A declaration that, to the best of the attester’s personal knowledge, the student is either unable to contact their parent or parents, or contacting their parent or parents would pose a risk to the student.

## Comments

*Need for this bill.* According to the letter of support submitted by the County of Santa Clara to this Committee, “Under existing law, information related to a minor in juvenile court proceedings and child welfare systems is highly confidential, and access to case files is restricted to authorized individuals. Due to this youth involved in the juvenile justice or child welfare systems often encounter challenges when required to obtain proof of their financial independence, medical, disability, or other accommodations as part of their application or enrollment in higher education. These barriers disproportionately impact Latino and Black communities, which are overrepresented among system-involved youth. Currently, institutions of higher education in California are requesting a variety of different types of documentation from youth of financial independence.

“AB 243 addresses the challenges these youth face in providing necessary information during admissions, financial aid, enrollment, and accommodation processes. By requiring financial aid administrators at public higher education institutions in California to accept an attestation from local educational agencies,

county probation departments, or welfare departments as sufficient documentation of financial independence, the bill streamlines access to affordable education for these students. This attestation approach also promotes consistent treatment of required information from students. For the rare instances in which the attestation is not sufficient, or where other information is needed to support the youth's successful enrollment and education, the bill allows county or county office of education staff to disclose to higher education institutions limited information about the youth's circumstances while maintaining confidentiality safeguards."

*Why dependency status matters?* Establishing an applicant's financial dependency status through the Free Application for Federal Student Aid (FAFSA) is necessary to determine their eligibility for student aid. Dependent students are considered to have parental support and must submit financial information for both themselves and their parents. In contrast, independent students are deemed financially responsible for themselves and only need to provide their own financial information or, if applicable, that of their spouse. This distinction is important as it affects their Student Aid Index calculation, which in turn impacts the amount and type of financial aid for which the student may qualify.

*At the discretion of student financial aid administrators.* FAFSA uses specific criteria (age, marital status, military service, etc.) to determine financial dependency status, and not all students who live independently or support themselves qualify as independent under FAFSA rules. As noted within the Federal Student Aid Handbook there are some unique situations where financial aid administrators need to exercise their professional judgment in determining dependency. This includes when to perform dependency overrides to account for a student's unusual circumstances that warrant making a dependent student an independent student. Specifically, federal law distinguishes between different categories of professional judgment that may be exercised for special circumstances or unusual circumstances. As it pertains to this bill, unusual circumstances refers to the conditions that justify an adjustment to a student's dependency status based on a unique situation including human trafficking, refugee or asylee status, parental abuse or abandonment, parental or student incarceration. Financial aid administrators may use their professional judgement to make adjustments that are appropriate to each student's situation with appropriate documentation. New FAFSA rules require institutions to develop policies for reviewing professional judgment requests and must make students aware of their ability to request an adjustment for special or unusual circumstances.

This bill explicitly requires that a financial aid administrator at a California public higher education institution accept a sworn statement from the specified local agencies as sufficient proof for adjusting an applicant's dependency status thereby streamlining, in part, professional judgement determinations for foster youth or juvenile justice involved students. It further authorizes a LEA, county child welfare, or probation department to support these students in their pursuit of higher education by sharing limited information with financial aid administrators to verify their circumstances when requested by the student. Any information shared with the college must be kept confidential.

**FISCAL EFFECT:** Appropriation: No Fiscal Com.: Yes Local: Yes

**SUPPORT:** (Verified 7/8/25)

County of Santa Clara (Source)  
 Alameda County Office of Education  
 Aspiranet  
 California Association for Bilingual Education  
 California Chamber of Commerce  
 California Coalition for Youth  
 California County Superintendents  
 CFT- A Union of Educators & Classified Professionals, AFT, AFL-CIO  
 Office of the Riverside County Superintendent of Schools  
 Youth Law Center

**OPPOSITION:** (Verified 7/8/25)

None received

**ASSEMBLY FLOOR:** 76-0, 5/1/25

**AYES:** Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, Muratsuchi, Nguyen, Ortega, Pacheco, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

**NO VOTE RECORDED:** Chen, McKinnor, Papan

Prepared by: Olgalilia Ramirez / ED. / (916) 651-4105  
7/9/25 16:03:23

\*\*\*\* **END** \*\*\*\*