

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF CHILDREN,
YOUTH AND FAMILIES' HIGHER EDUCATION OPPORTUNITY INCENTIVE GRANT

Introduced By: Senators DiPalma, DiMario, Lauria, and Murray

Date Introduced: March 23, 2023

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 42-72.8-1, 42-72.8-2, 42-72.8-3 and 42-72.8-4 of the General Laws
2 in Chapter 42-72.8 entitled "Department of Children, Youth and Families' Higher Education
3 Opportunity Incentive Grant" are hereby amended to read as follows:

4 **42-72.8-1. Statement of purpose.**

5 (a) There are many children in the custody of the department of children, youth, and
6 families who have been in such custody for several years and who have no family resources or
7 whose family has limited ability to provide funds for ~~post-secondary~~ post-secondary education.
8 Such children often possess the academic ability and the interest to pursue higher educational goals
9 but are precluded from doing so because of the lack of family resources to assist in funding;

10 (b) The state has already invested considerable funds in such youth through the funding of
11 residential placements, foster care, counseling services, and health care. Investment in their
12 education will help to ensure a successful transition to adulthood free of dependence on government
13 support;

14 (c) Rhode Island children in the care of the state or aging out of foster care have poor
15 educational outcomes that have been documented, and few achieve college graduation without
16 substantial assistance. The goal is to improve outcomes for current and former foster youth who
17 need support to improve educational attainment.

18 ~~(e)~~(d) To afford such youth opportunity comparable to children not in state custody who

1 often enjoy greater opportunities to draw from family and other resources there is hereby created
2 the Department of Children, Youth, and Families' Higher Education Opportunity Incentive Grant
3 Program. Through an appropriation from the general assembly a grant fund shall be established in
4 the department of children, youth, and families to supplement financial assistance in the form of
5 grants and scholarships that are available to such youth.

6 **42-72.8-2. Administration of program.**

7 (a) Each year the department shall notify, identify and recommend from among youth in
8 its legal custody, or who were in the ~~Department's~~ department's legal custody ~~on their eighteenth~~
9 ~~(18th) birthday,~~ for a period of time between the ages of fourteen (14) years and twenty-one (21)
10 years, or participated in the voluntary extension of care, pursuant to § 14-1-6, between the ages of
11 eighteen (18) years and twenty-one (21) years, those students who may be eligible to apply for a
12 Higher Education Opportunity Incentive Grant. The department of elementary and secondary
13 education shall afford all appropriate assistance to the department in the identification of youth who
14 may be eligible for such grants. Each selected applicant will receive grants to supplement federal,
15 state and institutional scholarships, and grants and ~~loans~~ work-study opportunities awarded to the
16 applicant in an amount not to exceed the full cost of tuition, fees and room and board charges;
17 including expenses for books, tutoring, transportation, shelter, and food. Nothing in this chapter
18 shall prohibit the department from meeting the entire unmet financial need of the student, as defined
19 by the student's FAFSA application, after consideration of available federal, state and institutional
20 scholarships, grants, and work-study programs. Payments pursuant to this chapter shall be made on
21 a semester basis.

22 (b) ~~A grant period shall be limited to two (2) years of full time study at the Community~~
23 ~~College of Rhode Island, four (4) years of full time study at Rhode Island College, and the~~
24 ~~University of Rhode Island, and in no instance shall the grant period exceed a period of four (4)~~
25 ~~years. Grant recipients shall be enrolled full time and shall continue to make satisfactory progress~~
26 ~~toward an academic certificate or degree as determined by the school in which they are enrolled;~~

27 Eligible youth may receive funds up to age twenty-six (26) years as long as the student is
28 making satisfactory progress toward completing their higher education either by academic degree
29 or workforce training program. The student may attend the community college of Rhode Island,
30 Rhode Island college, or the university of Rhode Island on a full-time or part-time basis, as defined
31 by the higher education institution.

32 (c) The department shall make recommendations for grant awards from among those
33 children and youth who:

- 34 (1) ~~Have not yet reached the age of eighteen (18) on the day of recommendation, are in the~~

1 ~~legal custody of the department on the day of recommendation and have remained in such custody~~
2 ~~for at least twenty four (24) months prior to the day of recommendation; or, for former foster care,~~
3 ~~have reached the age of eighteen (18) prior to the date of recommendation, have not yet reached~~
4 ~~the age of twenty one (21) and were in the custody of the department from their sixteenth (16th) to~~
5 ~~their eighteenth (18th) birthdays; and~~

6 Are currently or were in foster care for a substantial period of time between the ages of
7 fourteen (14) years and twenty-one (21) years;

8 (2) Are young adults who are eligible for or currently participating in the voluntary
9 extension of care, pursuant to § 14-1-6;

10 (3) Are youth who exited foster care between the ages of eighteen (18) years and twenty-
11 one (21) years, inclusive;

12 (4) Are youth who left foster care at age fourteen (14) years or older for kinship
13 guardianship or adoption until they reach age twenty-six (26) years;

14 (5) Are youth who had been in foster care for a substantial period of time between the ages
15 of fourteen (14) years and twenty-one (21) years, or were participating in the voluntary extension
16 of care, pursuant to § 14-1-6, and left this status for some reason other than aging out of foster care,
17 kinship guardianship, or adoption;

18 (6) Are children likely to remain in foster care until age eighteen (18) years;

19 ~~(2)(7)~~ Have graduated from high school or received the equivalent of a high school diploma
20 ~~not more than one year prior to the date of recommendation;~~ and

21 ~~(3)(8) Has not reached his/her twenty-first (21st)~~ Have not reached their twenty-sixth
22 ~~birthday; except that youth who are participating in this program on the date before his/her twenty-~~
23 ~~first (21st) birthday may remain eligible until his/her twenty-third (23rd) birthday, as long as he/she~~
24 ~~continues~~ they continue to be considered a full-time student by Community College of Rhode
25 Island, Rhode Island College or University of Rhode Island, and ~~is~~ are making satisfactory progress,
26 as determined by the school in which ~~he/she is~~ they are enrolled, toward completion of ~~his/her~~ their
27 degree program.

28 **42-72.8-3. Selection of grant recipients.**

29 (a) There shall be a grant award selection committee which shall consist of a representative
30 from each of the institutions of higher education appointed by their respective presidents, two (2)
31 representatives from the department of children, youth and families appointed by the director, ~~one~~
32 ~~representative from the department of elementary and secondary education appointed by the~~
33 ~~commissioner,~~ and one representative from the office of higher education appointed by the
34 commissioner and representatives of other community-based youth-serving organizations that the

1 director of department of children, youth and families believes can help further the goals of the
2 program.

3 (b) Grant awards shall be made on the basis of ~~scholastic record, aptitude,~~ high school
4 completion, financial need and general interest in higher education. Recipients must comply with
5 all application deadlines and criteria for admission to the institution to which the recipient is making
6 application and, further, the recipient must have been granted admission by the admissions office
7 of the institution. Cumulative grant awards shall not exceed available appropriations in any fiscal
8 year. The department shall ~~adopt~~ update its policies and procedures as necessary ~~rules and~~
9 ~~regulations, which are reasonably necessary~~ to implement the provisions of this chapter.

10 **42-72.8-4. Appropriation.**

11 (a) The general assembly shall appropriate ~~the sum of \$ 50,000 for the fiscal year ending~~
12 ~~June 30, 2000; \$ 100,000 for the fiscal year ending June 30, 2001; \$ 150,000 for the fiscal year~~
13 ~~ending June 30, 2002; and \$ 200,000 for the fiscal year ending June 30, 2003 and thereafter~~
14 sufficient sums for the fiscal year ending June 30, 2024, and thereafter to implement the provisions
15 of this chapter as to the higher education opportunity incentive grant program.

16 (b) These monies are to be used exclusively to fund awards to eligible students. Neither the
17 department of children, youth and families, the department of education, nor the institutions of
18 higher education shall be permitted to utilize these funds for administrative expenses related to the
19 implementation of this grant program. The department shall provide an annual report to the
20 governor and the general assembly that accounts for the expenditures made pursuant to this chapter,
21 including the amounts awarded to each student, each awardee's unmet need, the total number of
22 applicants in relation to the total number of awards made by department, the total of grant funds
23 awarded for the fiscal year and the number of students per grant year who made satisfactory
24 progress towards completing their higher education as reported to DCYF by the community college
25 of Rhode Island, Rhode Island college, and the university of Rhode Island. Unspent funds shall
26 remain restricted and held in a separate account for the purpose of the grant. Funds shall not be sent
27 back to the general fund.

28 SECTION 2. This act shall take effect upon passage.

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LC001399
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF CHILDREN,
YOUTH AND FAMILIES' HIGHER EDUCATION OPPORTUNITY INCENTIVE GRANT

1 This act would amend the higher education opportunity incentive grant program, to
2 improve educational attainment and related outcomes for current and former foster youth at the
3 post-secondary level from fourteen (14) years of age to twenty-one (21) years of age and up to
4 twenty-six (26) years of age under certain circumstances from funds appropriated by the general
5 assembly.

6 This act would take effect upon passage.

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