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# 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 subsection (a) to read as follows:

3           "(a) As used in this chapter:

4           "Child caring institution" means any institution other than  
5 an institution of the State, maintained for the purpose of  
6 receiving six or more minor children for care and maintenance,  
7 not of common parents, apart from their parents or guardians on  
8 a twenty-four hour basis for monetary payment. This term shall  
9 not apply to any boarding school which is essentially and  
10 primarily engaged in educational work.

11           "Child placing organization" means any person, agency, or  
12 organization, except family courts and the department of human  
13 services, engaged in the investigation, placement, and  
14 supervision of children in foster care.

15           "Former foster youth" means a person formerly placed under  
16 the jurisdiction of the department as a foster child by the  
17 family court pursuant to chapter 587 who has attained the age of



1 eighteen[-] while under the placement responsibility of the  
2 department or who was under the placement responsibility of the  
3 department when a legally responsible caregiver was granted  
4 custody.

5 "Foster boarding home" means any boarding home in which:

6 (1) One or more, but fewer than six, minor children are  
7 received; and

8 (2) Six or more minor siblings are placed together in the  
9 best interests of the children,

10 for care and maintenance apart from their parents or guardians  
11 on a twenty-four hour basis for fee or charge.

12 "Institution of higher education" means any institution  
13 normally requiring a high school diploma or equivalency  
14 certificate for enrollment, including but not limited to  
15 colleges, universities, and vocational or technical schools.

16 "Prospective adoptive parents" means a person, or persons  
17 who are married to each other, applying with the department to  
18 adopt a child or children."

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

21 "**§346-17.4 Higher education board allowances for students.**

22 (a) Eligible former foster [~~youths~~] youth shall be eligible for



1 higher education board allowances after reaching the age of  
2 majority and the higher education board [~~payments~~] allowance for  
3 that former foster youth shall be paid to an accredited  
4 institution of higher learning, another intermediary contracted  
5 by the department, the former foster youth, or to the former  
6 foster youth's former foster parents[~~7~~] or legal custodians, as  
7 appropriate; provided that:

- 8 (1) The former foster youth is [~~twenty-one~~] twenty-six  
9 years old or younger; [~~and~~]
- 10 (2) [~~Within one school year after high school completion,~~  
11 ~~the former foster youth is attending or has been~~  
12 ~~accepted to attend an accredited institution of higher~~  
13 ~~learning on a full time basis, or on a part time basis~~  
14 ~~for the first academic year, if approved by the~~  
15 ~~director upon such terms and conditions as the~~  
16 ~~director deems appropriate.] The former foster youth  
17 has submitted an application for the higher education  
18 board allowance through the age of twenty-one years  
19 old, except that a former foster youth who is between  
20 the ages of twenty-two years and twenty-six years on  
21 July 1, 2007, and attending an institution of higher  
22 education, may apply for a higher education board~~



1           allowance after July 1, 2007, and no later than June  
2           30, 2008; and

3           (3) The former foster youth is attending or has been  
4           accepted to attend an accredited institution of higher  
5           learning.

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

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

18          ~~[(e)]~~ (d) Higher education board allowances may be applied  
19 by the former foster youth to costs incurred in undertaking  
20 full-time studies or part-time studies ~~[for the first academic~~  
21 ~~year, if approved by the director upon such terms and conditions~~

1 ~~as the director deems appropriate,]~~ at an institution of higher  
2 learning[-] in accordance with rules adopted by the department.

3 (e) The duration of the total higher education board  
4 allowance shall not exceed sixty months.

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 the general  
9 revenues of the State of Hawaii the sum of \$287,247 or so much  
10 thereof as may be necessary for the fiscal year 2007-2008 and  
11 the sum of \$349,140 or so much thereof as may be necessary for  
12 the fiscal year 2008-2009 to provide a higher education board  
13 allowance for eligible former foster youth as defined in this  
14 Act.

15 The sums appropriated shall be expended by the department  
16 of human services for the purposes of this Act.

17 SECTION 4. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on July 1, 2007.



**Report Title:**

Former Foster Youth; Higher Education Board Allowance

**Description:**

Increases the time limit for application for a higher education board allowance. Increases the maximum age for the benefit from 21 years to 26 years with a maximum benefit length of 60 months.  
(HB1356 HD1)

