
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
2 June 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 ~~[(c)]~~ (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 \$ or so
10 much thereof as may be necessary for the fiscal year 2007-2008
11 and the sum of \$ or so much thereof as may be
12 necessary for the fiscal year 2008-2009 to provide a higher
13 education board allowance for eligible former foster youth as
14 defined in this 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. Provides former foster youth who are between the ages of 22 and 26 years of age on July 1, 2007, and who are already attending a higher education institution, the opportunity to apply for a higher education board allowance within a year. Increases the maximum age for the benefit with a maximum benefit length of 60 months. Appropriates funds. (SD1)

