

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:*

SECTION 1. Section 346-16, Hawaii Revised Statutes, is amended by amending the definition of “former foster youth” to read as follows:

““Former foster youth” means a person formerly placed under the jurisdiction of the department as a foster child by the family court pursuant to chapter 587 who has attained the age of eighteen[-] while under the placement responsibility of the department or who was under the placement responsibility of the department when a legally responsible caregiver was granted custody.”

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

**“§346-17.4 Higher education board allowances for students.** (a) ~~[Eligible]~~ An eligible former foster [youths] youth shall be eligible for higher education board allowances after reaching the age of majority, and the higher education board [payments] allowance for that former foster youth shall be paid to an accredited institution of higher [learning,] education, another intermediary contracted by the department, the former foster youth, or to the former foster youth’s former foster parents[;] or legal custodians, as appropriate; provided that:

- (1) ~~The former foster youth is [twenty-one] twenty-six years old or younger; [and]~~
- (2) ~~[Within one school year after high school completion, the former foster youth is attending or has been accepted to attend an accredited institution of higher learning on a full-time basis, or on a part-time basis for the first academic year, if approved by the director upon such terms and conditions as the director deems appropriate.]~~ The former foster youth has submitted an application for the higher education board allowance through the age of twenty-one years old, except that a former foster youth who is between the ages of twenty-two years and twenty-six years on July 1, 2008, and attending an institution of higher education, may apply for a higher education board allowance after July 1, 2008, and no later than June 30, 2009; and
- (3) The former foster youth is attending or has been accepted to attend an accredited institution of higher education.

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

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

~~[(e)]~~ (d) Higher education board allowances may be applied by the former foster youth to costs incurred in undertaking full-time studies or part-time studies [for the first academic year, if approved by the director upon such terms and conditions as the director deems appropriate,] at an institution of higher [learning,] education in accordance with rules adopted by the department.

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

~~[(d)]~~ (f) The department's standards relating to income resources of foster children shall be applicable to this section.

(g) Higher education board allowances shall be provided subject to the availability of state and federal funds."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2008.

(Approved June 20, 2008.)