SB157

164966-2

By Senators Brewbaker, Hightower, Coleman, Blackwell, Stutts, Melson, Scofield, Shelnutt, Holtzclaw, Bussman, Livingston, Glover, Dial, Holley, Ross, Smitherman, Figures, Dunn, Chambliss, Singleton and Marsh

RFD: Education and Youth Affairs

First Read: 05-MAR-15
ENROLLED, An Act,

To establish the Fostering Hope Scholarship Act of 2015, relating to a tuition scholarship program for current or former foster children in Alabama; to impose requirements for participation; to direct the Department of Human Resources to adopt and administer the program; to authorize the department to develop rules to administer the program; to establish a support system for participants in the program; and to repeal Section 3 of Act 2014-413, now appearing as Section 40-18-362, Code of Alabama 1975.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Fostering Hope Scholarship Act of 2015.

Section 2. (a) The State Department of Human Resources shall develop and administer Fostering Hope, a scholarship program for designated persons currently or formerly in the state foster care program, including children adopted from the program at the age of 14 or older. Commencing with the 2016-2017 academic year, the program, on behalf of participants, shall do either of the following:
(1) Pay for tuition and required fees at any public
two-year or four-year institution of higher education in the state.

(2) Pay required fees for job training courses or
skill certifications that are offered by any public two-year
or four-year institution of higher education in the state or
other publicly funded training programs in the state, and not
considered an associate's degree, if the courses or
certifications are first approved by the department.

(b) Payments of tuition and required fees are
considered program scholarships.

Section 3. The program shall include a mentor
service administered by the department as a support system for
participants of the college tuition scholarship program. This
service shall include mentors who shall be compensated by the
department, as employees or contractors, to help participants
adapt to independent living and to academics and other college
or university activities.

Section 4. Appropriations for the program shall be
used by the department on behalf of participants in each
fiscal year to pay public two-year and four-year institutions
of higher education or other publicly funded training programs
in the state for benefits extended to participants by the
Fostering Hope program. The department may also use not more
than 10 percent of the total state appropriation made to the
program in any fiscal year for costs associated with the
mentor service. The department may not spend appropriations for the program for purposes other than those listed in this section. Any monies appropriated to the department for Fostering Hope that are unspent at the end of a fiscal year shall be carried over for use by the program in the next fiscal year. The department shall develop rules for ensuring that expenses of the Fostering Hope program in a fiscal year do not exceed funding for the program in that fiscal year. For that purpose, and any other provision of this act to the contrary notwithstanding, the department may limit the acceptance of applications for Fostering Hope scholarships and may limit the award of scholarships.

Section 5. The program shall pay tuition and required fees for a participant as governed by rules promulgated by the department. In no event shall tuition and required fees be paid pursuant to this section for more than 72 academic hours toward an associate's degree or 144 academic hours toward a bachelor's degree for each participant. The program shall only pay tuition and fees relating to an undergraduate degree.

Section 6. (a) To be eligible to participate in the program, a scholarship applicant shall satisfy all of the following:

(1) Be in the legal custody of the foster care program of the department at the time of graduation from high
school or earning a General Educational Development (GED) high
school equivalency certification; or in the permanent legal
custody of the foster care program of the department when his
or her adoption is finalized, at 14 years of age or older, and
has graduated from high school or earned a GED certification.

(2) Have net personal assets worth less than thirty
thousand dollars ($30,000), subject to adjustment by the
Commissioner of the Department of Human Resources to account
for inflation.

(3) Is younger than 26 years of age at the start of
the semester, training program, or certification program for
which tuition or fees are requested from the program.

(4) Is accepted for enrollment in a degree-granting,
training, or certification program, or is enrolled and working
toward a degree, certificate, or completion of a job training
program, at a public two-year or four-year institution of
higher education or publicly funded training program in the
state.

(5) Is making adequate progress toward the
completion of a degree, certification, or training program as
determined by rule promulgated by the department.

(6) Has completed and submitted to the United States
Department of Education a Free Application for Federal Student
Aid (FAFSA), or the equivalent, before each year in which he
or she receives a Fostering Hope scholarship. He or she shall
have applied for all federal student financial aid grants, including Pell grants, Supplemental Education Opportunity Grants, and Education and Training Vouchers, identified as being available for the student's application by the department or by Federal Student Aid, an office of the United States Department of Education, or its successor agency.

(b) To be eligible to participate in the program after the first year of participation, an applicant shall also satisfy all of the following:

(1) Complete, after the first academic year in which he or she receives a Fostering Hope scholarship, annual volunteer service requirements or employment requirements pursuant to rules promulgated by the department.

(2) Remain in good standing with the policies established by the college, university, or other training or certification program in the state in which he or she is enrolled.

(c) Scholarship funds may be disbursed only if sufficient funding for the Fostering Hope program is available.

Section 7. A scholarship awarded pursuant to this act may not be reduced by the amount of any federal aid, scholarship funds, or grant funds otherwise received by the person or by the amount of any private donations made to assist the Fostering Hope program.
Section 8. Fostering Hope scholarship funds shall be applied to tuition and mandatory fees before any other grant, loan, voucher, or scholarship the student may be awarded to attend a public two-year or four-year institution of higher education in the state or publicly funded state training program.

Section 9. Any other provision of this act to the contrary notwithstanding, an otherwise eligible person who earns grants, scholarships, or other awards, excluding loans, sufficient to pay his or her tuition, room and board, and other fees at a public two-year or four-year institution of higher education in the state or publicly funded state training program, as governed by rules promulgated by the department, may not participate in the Fostering Hope program.

Section 10. The commissioner of the department may promulgate rules as necessary to implement and administer this act.

Section 11. All laws or parts of laws which conflict with this act are repealed. Specifically, Section 40-18-362, Code of Alabama 1975, as added by Act 2014-413, 2014 Regular Session, relating to postsecondary education assistance for students in foster care, is repealed.

Section 12. This act shall become effective on October 1, 2015, following its passage and approval by the Governor, or its otherwise becoming law.
President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB157
Senate 17-MAR-15
I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 28-APR-15

By: Senator Brewbaker