

1 SB157  
2 164966-2  
3 By Senators Brewbaker, Hightower, Coleman, Blackwell, Stutts,  
4 Melson, Scofield, Shelnut, Holtzclaw, Bussman, Livingston,  
5 Glover, Dial, Holley, Ross, Smitherman, Figures, Dunn,  
6 Chambliss, Singleton and Marsh  
7 RFD: Education and Youth Affairs  
8 First Read: 05-MAR-15

1 SB157

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4 ENROLLED, An Act,

5 To establish the Fostering Hope Scholarship Act of  
6 2015, relating to a tuition scholarship program for current or  
7 former foster children in Alabama; to impose requirements for  
8 participation; to direct the Department of Human Resources to  
9 adopt and administer the program; to authorize the department  
10 to develop rules to administer the program; to establish a  
11 support system for participants in the program; and to repeal  
12 Section 3 of Act 2014-413, now appearing as Section 40-18-362,  
13 Code of Alabama 1975.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

17 Section 2. (a) The State Department of Human  
18 Resources shall develop and administer Fostering Hope, a  
19 scholarship program for designated persons currently or  
20 formerly in the state foster care program, including children  
21 adopted from the program at the age of 14 or older. Commencing  
22 with the 2016-2017 academic year, the program, on behalf of  
23 participants, shall do either of the following:

1           (1) Pay for tuition and required fees at any public  
2 two-year or four-year institution of higher education in the state.

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

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

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

18           Section 4. Appropriations for the program shall be  
19 used by the department on behalf of participants in each  
20 fiscal year to pay public two-year and four-year institutions  
21 of higher education or other publicly funded training programs  
22 in the state for benefits extended to participants by the  
23 Fostering Hope program. The department may also use not more  
24 than 10 percent of the total state appropriation made to the  
25 program in any fiscal year for costs associated with the

1 mentor service. The department may not spend appropriations  
2 for the program for purposes other than those listed in this  
3 section. Any monies appropriated to the department for  
4 Fostering Hope that are unspent at the end of a fiscal year  
5 shall be carried over for use by the program in the next  
6 fiscal year. The department shall develop rules for ensuring  
7 that expenses of the Fostering Hope program in a fiscal year  
8 do not exceed funding for the program in that fiscal year. For  
9 that purpose, and any other provision of this act to the  
10 contrary notwithstanding, the department may limit the  
11 acceptance of applications for Fostering Hope scholarships and  
12 may limit the award of scholarships.

13 Section 5. The program shall pay tuition and  
14 required fees for a participant as governed by rules  
15 promulgated by the department. In no event shall tuition and  
16 required fees be paid pursuant to this section for more than  
17 72 academic hours toward an associate's degree or 144 academic  
18 hours toward a bachelor's degree for each participant. The  
19 program shall only pay tuition and fees relating to an  
20 undergraduate degree.

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

24 (1) Be in the legal custody of the foster care  
25 program of the department at the time of graduation from high

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

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

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

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

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

22 (6) Has completed and submitted to the United States  
23 Department of Education a Free Application for Federal Student  
24 Aid (FAFSA), or the equivalent, before each year in which he  
25 or she receives a Fostering Hope scholarship. He or she shall

1 have applied for all federal student financial aid grants,  
2 including Pell grants, Supplemental Education Opportunity  
3 Grants, and Education and Training Vouchers, identified as  
4 being available for the student's application by the  
5 department or by Federal Student Aid, an office of the United  
6 States Department of Education, or its successor agency.

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

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

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

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

21 Section 7. A scholarship awarded pursuant to this  
22 act may not be reduced by the amount of any federal aid,  
23 scholarship funds, or grant funds otherwise received by the  
24 person or by the amount of any private donations made to  
25 assist the Fostering Hope program.

1           Section 8. Fostering Hope scholarship funds shall be  
2 applied to tuition and mandatory fees before any other grant,  
3 loan, voucher, or scholarship the student may be awarded to  
4 attend a public two-year or four-year institution of higher  
5 education in the state or publicly funded state training  
6 program.

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

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

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

23           Section 12. This act shall become effective on  
24 October 1, 2015, following its passage and approval by the  
25 Governor, or its otherwise becoming law.

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President and Presiding Officer of  
the Senate

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Speaker of the House of Representa-  
tives

SB157

Senate 17-MAR-15

I hereby certify that the within Act originated in  
and passed the Senate.

Patrick Harris  
Secretary

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House of Representatives  
Passed: 28-APR-15

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By: Senator Brewbaker