

Alaska State Legislature

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Senator Bettye Davis

CS for Senate Bill No. 105(), 26-LS0056\R

"An Act relating to continuing the secondary public education of a homeless student; relating to the purpose of certain laws as they relate to children; relating to tuition waivers, loans, and medical assistance for a child placed in out-of-home care by the state; relating to foster care; relating to children in need of aid; and relating to out-of-home care transition to independent living.

Key Provisions

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- Replaces "foster care" with "out-of-home care" throughout the bill.
 - Provides for the continuation of a public education in a student's "school of origin" (last school attended) for a homeless student under requirements of federal McKinney Vento Act; and provides exceptions for student who moves out of a school district or for insufficient funding by the legislature.
 - Requires that when foster youths are transferred to a new school, they be allowed to attend immediately, and that their transcripts and other records will be transferred to the new school within seven (7) days.
 - Defines "homeless students" the same as the McKinney-Vento Act, as "homeless children or youths" who lack a "fixed, regular, and adequate nighttime residence, or are living in emergency or transitional shelters, or are awaiting foster care placement." The phrase, "awaiting foster care placement" under SB 105 is interpreted to include "all students who are placed in 'out-of-home' care and in the custody of the Department of Health and Social Services. . . ."
 - Replaces the term "foster homes" with "out-of-home care" for purposes of establishing medical assistance eligibility for certain persons and adds a category of eligibility for persons under 21 years of age who were in out-of-home care for a specified period of time on or after the person's 16th birthday.
 - Provides a waiver of unmet need for tuition, fees, and room and board expenses at a state-supported educational institution for a person who was placed in an out-of-home care at age 16 or older and who meets specified eligibility requirements. The waiver is subject to appropriation.
 - Establishes a monetary stipend to be paid to persons who are eligible for the out-of-home care transition program up to one year in an amount equivalent to the applicable foster care

reimbursement rate. Current rules allow the Office of Children's Services (OCS) to pay for one month of full rent, and then 2 months of rent at 50% of the youth's cost.

- Establishes mandatory monthly visits by social workers employed by the department to make monthly home visits, as described, to all children in the custody of the department. A recent federal review of the Alaska foster care system found that in roughly 1/3 of the cases OCS staff are able to meet only once every 8 months with foster youth.