

116TH CONGRESS
1ST SESSION

S. 789

To amend the Higher Education Act of 1965 to improve the financial aid process for homeless and foster care youth.

IN THE SENATE OF THE UNITED STATES

MARCH 13, 2019

Mrs. MURRAY (for herself and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Higher Education Act of 1965 to improve the financial aid process for homeless and foster care youth.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Higher Education Ac-
5 cess and Success for Homeless and Foster Youth Act”.

6 **SEC. 2. DEFINITIONS.**

7 (a) INDEPENDENT STUDENT.—Section 480(d)(1)(H)
8 of the Higher Education Act of 1965 (20 U.S.C.
9 1087vv(d)(1)(H)) is amended—

10 (1) in the matter preceding clause (i)—

1 (A) by striking “during the school year in
2 which the application is submitted”;

3 (B) by inserting “age 23 or younger” after
4 “unaccompanied youth”; and

5 (C) by striking “terms are” and inserting
6 “term is”;

7 (2) in clause (i), by inserting “, or a designee
8 of the liaison” after “Act”;

9 (3) in clause (ii), by striking “a program fund-
10 ed under the Runaway and Homeless Youth Act”
11 and inserting “an emergency or transitional shelter,
12 street outreach program, homeless youth drop-in
13 center, or other program serving homeless youth,”;
14 and

15 (4) in clause (iii), by striking “program funded
16 under subtitle B of title IV of the McKinney-Vento
17 Homeless Assistance Act (relating to emergency
18 shelter grants)” and inserting “Federal TRIO pro-
19 gram or a Gaining Early Awareness and Readiness
20 for Undergraduate program under chapter 1 or 2 of
21 subpart 2 of part A,”.

22 (b) FOSTER CARE YOUTH.—Section 103 of the High-
23 er Education Act of 1965 (20 U.S.C. 1003) is amended
24 by adding at the end the following:

1 “(25) FOSTER CARE YOUTH.—The term ‘foster
2 care youth’—

3 “(A) means children and youth whose care
4 and placement are the responsibility of the
5 State or Tribal agency that administers a State
6 or Tribal plan under part B or E of title IV of
7 the Social Security Act (42 U.S.C. 621 et seq.
8 and 670 et seq.), without regard to whether fos-
9 ter care maintenance payments are made under
10 section 472 of such Act (42 U.S.C. 672) on be-
11 half of such children and youth; and

12 “(B) includes individuals who were age 13
13 or older when their care and placement were
14 the responsibility of a State or Tribal agency
15 that administered a State or Tribal plan under
16 part B or E of title IV of the Social Security
17 Act (42 U.S.C. 621 et seq. and 670 et seq.)
18 and who are no longer under the care and re-
19 sponsibility of such a State or Tribal agency,
20 without regard to any such individual’s subse-
21 quent adoption, guardianship arrangement, or
22 other form of permanency outcome.”.

1 **SEC. 3. STREAMLINING DETERMINATIONS AND VERIFICA-**
2 **TION.**

3 Section 480(d) of the Higher Education Act of 1965
4 (20 U.S.C. 1087vv(d)) is amended by adding at the end
5 the following:

6 “(3) SIMPLIFYING THE DETERMINATION PROC-
7 ESS FOR UNACCOMPANIED YOUTH.—

8 “(A) VERIFICATION.—A financial aid ad-
9 ministrator shall accept a determination of
10 independence made by any individual author-
11 ized to make such determinations under clause
12 (i), (ii), or (iii) of paragraph (1)(H) in the ab-
13 sence of conflicting information. A documented
14 phone call with, or a written statement from,
15 one of the authorized individuals is sufficient
16 verification when needed. For purposes of this
17 paragraph, a financial aid administrator’s dis-
18 agreement with the determination made by an
19 authorized individual shall not be considered
20 conflicting information.

21 “(B) DETERMINATION OF INDEPEND-
22 ENCE.—A financial aid administrator shall
23 make a determination of independence under
24 paragraph (1)(H) if a student does not have,
25 and cannot get, documentation from any of the

1 other designated authorities described in such
2 paragraph. Such a determination shall be—

3 “(i) based on the definitions outlined
4 in paragraph (1)(H);

5 “(ii) distinct from a determination of
6 independence under paragraph (1)(I);

7 “(iii) based on a documented inter-
8 view with the student; and

9 “(iv) limited to whether the student
10 meets the definitions in paragraph (1)(H)
11 and not about the reasons for the student’s
12 homelessness.

13 “(C) ADDITIONAL STREAMLINING PER-
14 MITTED.—Nothing in this paragraph prohibits
15 an institution from implementing polices that—

16 “(i) streamline the determination of
17 independence under paragraph (1)(H); and

18 “(ii) improve a student’s access to fi-
19 nancial aid because that student is an un-
20 accompanied youth.

21 “(4) SIMPLIFYING THE VERIFICATION PROCESS
22 FOR FOSTER CARE YOUTH.—

23 “(A) VERIFICATION OF INDEPENDENCE.—

24 If an institution requires documentation to
25 verify that a student is independent based on a

1 status described in paragraph (1)(B), a finan-
2 cial aid administrator shall consider any of the
3 following as adequate verification:

4 “(i) Submission of a court order or of-
5 ficial State documentation that the student
6 received Federal or State support in foster
7 care.

8 “(ii) A documented phone call with,
9 written statement from, or verifiable elec-
10 tronic data match with—

11 “(I) a child welfare agency au-
12 thorized by a State or county;

13 “(II) a Tribal child welfare au-
14 thority;

15 “(III) an Independent Living
16 case worker;

17 “(IV) a public or private foster
18 care placing agency or foster care fa-
19 cility or placement;

20 “(V) another program serving or-
21 phans, foster care youth, or wards of
22 the court; or

23 “(VI) a probation officer.

24 “(iii) A documented phone call with,
25 or a written statement from, an attorney,

1 a guardian ad litem, or a Court Appointed
2 Special Advocate, documenting that per-
3 son’s relationship to the student.

4 “(iv) A documented phone call with,
5 or a written statement from, a representa-
6 tive of a Federal TRIO program or a
7 Gaining Early Awareness and Readiness
8 for Undergraduate program under chapter
9 1 or 2 of subpart 2 of part A.

10 “(v) Verification of the student’s eligi-
11 bility for an education and training vouch-
12 er under the John H. Chafee Foster Care
13 Independence Program (42 U.S.C. 677).

14 “(vi) Submission of a copy of the stu-
15 dent’s biological or adoptive parents’ or
16 legal guardians’—

17 “(I) Certificates of Death; or

18 “(II) verifiable obituaries.

19 “(vii) An attestation from the student,
20 which includes a description of why the
21 student may qualify for a status described
22 in paragraph (1)(B), including the approxi-
23 mate dates that the student was in foster
24 care, dependent, or a ward of the court, to
25 the best of the student’s knowledge after

1 making reasonable efforts to provide any
2 requested documentation.

3 “(B) ADDITIONAL STREAMLINING PER-
4 MITTED.—Nothing in this paragraph prohibits
5 an institution from implementing policies that
6 streamline the determination of independent
7 status and improve a student’s access to finan-
8 cial aid because that student is an orphan, in
9 foster care, or a ward of the court, or was an
10 orphan, in foster care, or a ward of the court
11 at any time when the student was 13 years of
12 age or older.

13 “(5) TIMING; USE OF EARLIER DETERMINA-
14 TION.—

15 “(A) TIMING.—A determination under
16 subparagraph (B) or (H) of paragraph (1) for
17 a student—

18 “(i) shall be made as quickly as prac-
19 ticable;

20 “(ii) may be made as early as the year
21 before the award year for which the stu-
22 dent initially submits an application; and

23 “(iii) shall be made no later than dur-
24 ing the award year for which the student
25 initially submits an application.

1 “(B) USE OF EARLIER DETERMINATION.—

2 Any student who is determined to be inde-
3 pendent under subparagraph (B) or (H) of
4 paragraph (1) for a preceding award year at an
5 institution shall be presumed to be independent
6 for each subsequent award year at the same in-
7 stitution unless—

8 “(i) the student informs the institu-
9 tion that circumstances have changed; or

10 “(ii) the institution has specific con-
11 flicting information about the student’s
12 independence, and has informed the stu-
13 dent of this information and the oppor-
14 tunity to challenge such information
15 through a documented interview or an im-
16 partial review by the Student Loan Om-
17 budsman pursuant to section 141(f)(3)(C).

18 “(6) RETENTION OF DOCUMENTS.—A financial
19 aid administrator shall retain all documents related
20 to the determination of independence under subpara-
21 graph (B) or (H) of paragraph (1), including docu-
22 mented interviews, for the duration of the student’s
23 enrollment at the institution and for a minimum of
24 1 year after the student is no longer enrolled at the
25 institution.”.

1 **SEC. 4. STUDENT LOAN OMBUDSMAN.**

2 Section 141(f)(3) of the Higher Education Act of
3 1965 (20 U.S.C. 1018(f)(3)) is amended—

4 (1) in subparagraph (A), by striking “and”
5 after the semicolon;

6 (2) in subparagraph (B), by striking the period
7 at the end and inserting “; and”; and

8 (3) by adding at the end the following:

9 “(C) receive, review, and resolve expedi-
10 tiously complaints regarding a student’s inde-
11 pendence under subparagraph (B) or (H) of
12 section 480(d)(1), in consultation with knowl-
13 edgeable parties, including child welfare agen-
14 cies, local educational agency liaisons for home-
15 less individuals designated under section
16 722(g)(1)(J)(ii) of the McKinney-Vento Home-
17 less Assistance Act (42 U.S.C.
18 11432(g)(1)(J)(ii)), or State Coordinators for
19 Education of Homeless Children and Youth es-
20 tablished in accordance with section 722 of
21 such Act (42 U.S.C. 11432).”.

22 **SEC. 5. HOUSING AND DESIGNATION OF LIAISONS.**

23 (a) ACCESS TO HOUSING.—Section 487(a)(19) of the
24 Higher Education Act of 1965 (20 U.S.C. 1094(a)(19))
25 is amended—

1 (1) by striking “The institution will not” and
2 inserting the following: “The institution—

3 “(A) will not”;

4 (2) inserting “housing facilities,” after “librar-
5 ies,”;

6 (3) by striking “institution.” and inserting “in-
7 stitution; and”;

8 (4) by adding at the end the following:

9 “(B) will provide a means for students to
10 access institutionally owned or operated housing
11 if a student is temporarily unable to meet fi-
12 nancial obligations related to housing, including
13 deposits, due to delayed disbursement of vouch-
14 ers for education and training made available
15 under section 477 of part E of title IV of the
16 Social Security Act or delays attributable to the
17 institution.”.

18 (b) LIAISON.—Section 485 of the Higher Education
19 Act of 1965 (20 U.S.C. 1092) is amended by adding at
20 the end the following:

21 “(n) Each institution of higher education partici-
22 pating in any program under this title shall—

23 “(1) have designated an appropriate staff per-
24 son as a liaison to assist homeless individuals de-
25 scribed in section 725 of the McKinney-Vento

1 Homeless Assistance Act (42 U.S.C. 11434a) and
2 foster care youth in accessing and completing post-
3 secondary education, including by ensuring that such
4 homeless individuals and foster care youth are con-
5 nected to applicable and available student support
6 services, programs, and community resources in
7 areas such as financial aid, academic advising, hous-
8 ing, food, public benefits, health care, health insur-
9 ance, mental health, child care, transportation bene-
10 fits, and mentoring;

11 “(2) post public notice about student financial
12 assistance and other assistance available to such
13 homeless individuals and foster care youth, including
14 their eligibility as independent students under sub-
15 paragraphs (B) and (H) of sections 480(d)(1);

16 “(3) give priority for any institutionally owned
17 or operated housing facilities, including student
18 housing facilities that remain open for occupation
19 during school breaks or on a year-round basis, to—

20 “(A) homeless individuals described in sec-
21 tion 725 of the McKinney-Vento Homeless As-
22 sistance Act (42 U.S.C. 11434a);

23 “(B) youth who are unaccompanied, at
24 risk of homelessness, and self-supporting; and

25 “(C) foster care youth;

1 “(4) have developed a plan for how such home-
2 less individuals, youth who are unaccompanied, at
3 risk of homelessness, and self-supporting, and foster
4 care youth can access housing resources during and
5 between academic terms, through means that may
6 include access to institutionally owned or operated
7 housing during breaks and a list of housing re-
8 sources in the community that provide short-term
9 housing; and

10 “(5) include, in its application for admission,
11 questions (to be answered voluntarily) regarding the
12 applicant’s status as a homeless individual or foster
13 care youth, that—

14 “(A) can be answered by the applicant vol-
15 untarily for the limited purpose of being pro-
16 vided information about financial aid or any
17 other available assistance;

18 “(B) explain the key terms in the question
19 in a manner children and youth can understand
20 in order to self-identify and declare eligibility as
21 a homeless individual or foster care youth; and

22 “(C) with consent of the applicant, may be
23 shared with the liaison after admission but
24 prior to the beginning of the next academic
25 term.”.

1 **SEC. 6. FEDERAL TRIO PROGRAMS.**

2 Section 402A of the Higher Education Act of 1965
3 (20 U.S.C. 1070a–11) is amended—

4 (1) in subsection (c)(6), by striking the last
5 sentence and inserting the following: “The Secretary
6 shall require each applicant for funds under the pro-
7 grams authorized by this chapter to identify and
8 conduct outreach to foster care youth and homeless
9 individuals described in section 725 of the McKin-
10 ney-Vento Homeless Assistance Act (42 U.S.C.
11 11434a), and make available to foster care youth
12 and homeless individuals services under such pro-
13 grams, including mentoring, tutoring, and other
14 services provided by such programs.”; and

15 (2) in subsection (f)(2), by striking “college
16 students, and” and inserting “college students, fos-
17 ter care youth, homeless individuals, and”.

18 **SEC. 7. TALENT SEARCH.**

19 Section 402B(d) of the Higher Education Act of
20 1965 (20 U.S.C. 1070a–12(d)) is amended—

21 (1) in paragraph (3), by striking “and” after
22 the semicolon;

23 (2) in paragraph (4), by striking the period at
24 the end and inserting a semicolon; and

25 (3) by adding at the end the following:

1 “(5) require an assurance that the entity car-
2 rying out the project has reviewed and revised poli-
3 cies and practices as needed to remove barriers to
4 the participation and retention in the project of
5 homeless individuals described in section 725 of the
6 McKinney-Vento Homeless Assistance Act (42
7 U.S.C. 11434a), including unaccompanied youth,
8 and foster care youth;

9 “(6) require that such entity submit, as part of
10 the application for the project, a description of the
11 activities that will be undertaken to reach out to
12 such homeless individuals and foster care youth as
13 part of the project; and

14 “(7) require an assurance that such entity will
15 prepare and submit the report required under sec-
16 tion 402H(e) at the conclusion of the project regard-
17 ing such homeless individuals and foster care
18 youth.”.

19 **SEC. 8. UPWARD BOUND.**

20 Section 402C(e) of the Higher Education Act of 1965
21 (20 U.S.C. 1070a–13(e)) is amended—

22 (1) in paragraph (4), by striking “and” after
23 the semicolon;

24 (2) in paragraph (5), by striking the period at
25 the end and inserting a semicolon; and

1 (3) by adding at the end the following:

2 “(6) require an assurance that the entity car-
3 rying out the project has reviewed and revised poli-
4 cies and practices as needed to remove barriers to
5 the participation and retention in the project of
6 homeless individuals described in section 725 of the
7 McKinney-Vento Homeless Assistance Act (42
8 U.S.C. 11434a), including unaccompanied youth,
9 and foster care youth;

10 “(7) require that such entity submit, as part of
11 the application, a description of the activities that
12 will be undertaken to reach out to such homeless in-
13 dividuals and foster care youth regarding the
14 project; and

15 “(8) require an assurance that such entity will
16 prepare and submit the report required under sec-
17 tion 402H(e) at the conclusion of the project regard-
18 ing such homeless individuals and foster care
19 youth.”.

20 **SEC. 9. STUDENT SUPPORT SERVICES.**

21 Section 402D(e) of the Higher Education Act of
22 1965 (20 U.S.C. 1070a–14(e)) is amended—

23 (1) in paragraph (5), by striking “and” after
24 the semicolon;

1 (2) in paragraph (6)(B), by striking the period
2 at the end and inserting a semicolon; and

3 (3) by adding at the end the following:

4 “(7) require an assurance that the entity car-
5 rying out the project has reviewed and revised poli-
6 cies and practices as needed to remove barriers to
7 the participation and retention in the project of
8 homeless individuals described in section 725 of the
9 McKinney-Vento Homeless Assistance Act (42
10 U.S.C. 11434a), including unaccompanied youth,
11 and foster care youth;

12 “(8) require that such entity submit, in the ap-
13 plication for the project, a description of the activi-
14 ties that will be undertaken to reach out to such
15 homeless individuals, and foster care youth, who are
16 enrolled or accepted for enrollment at the institu-
17 tion; and

18 “(9) require an assurance that such entity will
19 prepare and submit the report required under sec-
20 tion 402H(e) at the conclusion of the project regard-
21 ing such homeless individuals and foster care
22 youth.”.

23 **SEC. 10. EDUCATIONAL OPPORTUNITY CENTERS.**

24 Section 402F(c) of the Higher Education Act of 1965
25 (20 U.S.C. 1070a–16(e)) is amended—

1 (1) in paragraph (2), by striking “and” after
2 the semicolon;

3 (2) in paragraph (3), by striking the period at
4 the end and inserting a semicolon; and

5 (3) by adding at the end the following:

6 “(5) require an assurance that the entity car-
7 rying out the project has reviewed and revised poli-
8 cies and practices as needed to remove barriers to
9 the participation and retention in the project of
10 homeless individuals described in section 725 of the
11 McKinney-Vento Homeless Assistance Act (42
12 U.S.C. 11434a), including unaccompanied youth,
13 and foster care youth;

14 “(6) require that such entity submit, as part of
15 the application, a description of the activities that
16 will be undertaken to reach out to such homeless in-
17 dividuals and foster care youth regarding the
18 project; and

19 “(7) require an assurance that such entity will
20 prepare and submit the report required under sec-
21 tion 402H(e) at the conclusion of the project regard-
22 ing such homeless individuals and foster care
23 youth.”.

1 **SEC. 11. REPORTS AND EVALUATIONS.**

2 Section 402H of the Higher Education Act of 1965
3 (20 U.S.C. 1070a–18) is amended by adding at the end
4 the following:

5 “(e) **REPORT REGARDING HOMELESS INDIVIDUALS**
6 **AND FOSTER CARE YOUTH.**—Each entity carrying out a
7 project under section 402B, 402C, 402D, or 402F shall,
8 at the conclusion of the project, prepare and submit a re-
9 port to the Secretary that includes—

10 “(1) data on the number of homeless individ-
11 uals described in section 725 of the McKinney-Vento
12 Homeless Assistance Act (42 U.S.C. 11434a) and
13 foster care youth served through the project; and

14 “(2) a description of any strategies or program
15 enhancements that were used in the project and that
16 were effective in meeting the needs of such homeless
17 individuals and foster care youth.”.

18 **SEC. 12. GAINING EARLY AWARENESS AND READINESS FOR**
19 **UNDERGRADUATE PROGRAMS.**

20 Section 404C(a)(2) of the Higher Education Act of
21 1965 (20 U.S.C. 1070a–23(a)(2))—

22 (1) in subparagraph (I), by striking “and” after
23 the semicolon;

24 (2) in subparagraph (J), by striking the period
25 at the end and inserting “; and”; and

26 (3) by adding at the end the following:

1 “(K) describe how the eligible entity will
2 facilitate the participation of foster care youth
3 and homeless individuals described in section
4 725 of the McKinney-Vento Homeless Assist-
5 ance Act (42 U.S.C. 11434a), including—

6 “(i) how the eligible entity will iden-
7 tify foster care youth and such homeless
8 individuals, in collaboration with child wel-
9 fare agencies, homeless shelters, and local
10 educational agency liaisons for homeless
11 individuals designated under section
12 722(g)(1)(J)(ii) of the McKinney-Vento
13 Homeless Assistance Act (42 U.S.C.
14 11432(g)(1)(J)(ii));

15 “(ii) how the eligible entity will collect
16 and submit to the Secretary data on the
17 number of such homeless individuals and
18 foster care youth served; and

19 “(iii) the policies and practices the eli-
20 gible entity will adopt to remove barriers to
21 the participation of such homeless individ-
22 uals and foster care youth, including poli-
23 cies to facilitate continued participation de-
24 spite changes in residence resulting from
25 homelessness or foster care placement and

1 policies consistent with the McKinney-
2 Vento Homeless Assistance Act (42 U.S.C.
3 11301 et seq.).”.

4 **SEC. 13. GRANT FOR FEDERAL WORK-STUDY PROGRAMS.**

5 Section 443(b)(6) of the Higher Education Act of
6 1965 (20 U.S.C. 1087–53(b)(6)) is amended by inserting
7 “, and prioritize employment for students who are cur-
8 rently or formerly homeless individuals described in sec-
9 tion 725 of the McKinney-Vento Homeless Assistance Act
10 (42 U.S.C. 11434a) or foster care youth” after “thereof”.

11 **SEC. 14. EXCLUDABLE INCOME.**

12 Section 480(e) of the Higher Education Act of 1965
13 (20 U.S.C. 1087vv(e)) is amended by striking paragraph
14 (5) and inserting the following:

15 “(5) payments made and services provided
16 under part E of title IV of the Social Security Act
17 to or on behalf of any child or youth over whom the
18 State agency has responsibility for placement, care,
19 or supervision, including the value of vouchers for
20 education and training and amounts expended for
21 room and board for youth who are not in foster care
22 but are receiving services under section 477 of such
23 Act; and”.

1 **SEC. 15. CONSOLIDATING QUESTIONS REGARDING HOME-**
 2 **LESS STATUS ON THE FAFSA.**

3 Section 483(a)(4) of the Higher Education Act of
 4 1965 (20 U.S.C. 1090(a)(4)) is amended by adding at the
 5 end the following:

6 “(C) SINGLE QUESTION REGARDING
 7 HOMELESS STATUS.—The Secretary shall en-
 8 sure that, on each form developed under this
 9 section for which the information is applicable,
 10 there is a single, easily understood screening
 11 question to identify an applicant for aid who
 12 is—

13 “(i) an unaccompanied homeless child
 14 or youth (as such term is defined in sec-
 15 tion 725 of the McKinney-Vento Homeless
 16 Assistance Act); or

17 “(ii) an unaccompanied youth who is
 18 self-supporting and at risk of homeless-
 19 ness.”.

20 **SEC. 16. DATA TRANSPARENCY ON THE NUMBER OF FINAN-**
 21 **CIAL AID APPLICANTS.**

22 Section 483 of the Higher Education Act of 1965 (20
 23 U.S.C. 1090) is amended by adding at the end the fol-
 24 lowing:

25 “(i) DATA TRANSPARENCY ON THE NUMBER OF AP-
 26 PPLICANTS.—

1 “(1) IN GENERAL.—The Secretary shall annu-
2 ally publish data on the number of individuals who
3 apply for Federal student aid pursuant to this sec-
4 tion who are homeless individuals described in sec-
5 tion 725 of the McKinney-Vento Homeless Assist-
6 ance Act (42 U.S.C. 11434a), including unaccom-
7 panied youth, and foster care youth.

8 “(2) CONTENTS.—The data described in para-
9 graph (1) with respect to homeless individuals shall
10 include, at a minimum, for each application cycle—

11 “(A) the total number of all applicants
12 who were determined to be (or to be at risk of
13 becoming) unaccompanied homeless youth,
14 under section 480(d)(1)(H);

15 “(B) the number of applicants described in
16 subparagraph (A), disaggregated—

17 “(i) by State; and

18 “(ii) by the sources of determination
19 as described in clauses (i) through (iv) of
20 section 480(d)(1)(H); and

21 “(C) the number of undetermined requests
22 for homelessness consideration, including
23 statuses that remain unknown because no de-
24 termination had been made in response to the
25 applicant’s request for the institution to con-

1 sider the applicant’s special circumstance of
2 being homeless.”.

3 **SEC. 17. IN-STATE TUITION RATES FOR HOMELESS YOUTH**
4 **AND FOSTER CARE YOUTH.**

5 Section 135 of the Higher Education Act of 1965 (20
6 U.S.C. 1015d) is amended—

7 (1) in the section heading, by inserting “,
8 **HOMELESS YOUTH, AND FOSTER CARE YOUTH**”
9 after “**CHILDREN**”;

10 (2) in subsection (a)—

11 (A) by striking “(a) REQUIREMENT.—In
12 the case” and inserting the following:

13 “(a) REQUIREMENT.—

14 “(1) ARMED FORCES.—In the case”; and

15 (B) by adding at the end the following:

16 “(2) HOMELESS YOUTH AND FOSTER CARE
17 YOUTH.—In the case of a homeless youth or a foster
18 care youth, such State shall not charge such indi-
19 vidual tuition for attendance at a public institution
20 of higher education in the State at a rate that is
21 greater than the rate charged for residents of the
22 State.”; and

23 (3) by striking subsections (c) and (d) and in-
24 serting the following:

25 “(c) EFFECTIVE DATE.—

1 “(1) ARMED FORCES.—With respect to an indi-
2 vidual described in subsection (a)(1), this section
3 shall take effect at each public institution of higher
4 education in a State that receives assistance under
5 this Act for the first period of enrollment at such in-
6 stitution that begins after July 1, 2009.

7 “(2) HOMELESS YOUTH AND FOSTER CARE
8 YOUTH.—With respect to an individual described in
9 subsection (a)(2), this section shall take effect at
10 each public institution of higher education in a State
11 that receives assistance under this Act for the first
12 period of enrollment at such institution that begins
13 during the first full award year following the date of
14 enactment of the Higher Education Access and Suc-
15 cess for Homeless and Foster Youth Act.

16 “(d) DEFINITIONS.—In this section:

17 “(1) ARMED FORCES.—The terms ‘armed
18 forces’ and ‘active duty for a period of more than 30
19 days’ have the meanings given those terms in section
20 101 of title 10, United States Code.

21 “(2) HOMELESS YOUTH.—The term ‘homeless
22 youth’ has the meaning given the term ‘homeless
23 children and youths’ in section 725 of the McKin-
24 ney-Vento Homeless Assistance Act (42 U.S.C.
25 11434a).”.

1 **SEC. 18. SECRETARIAL SUPPORT AND GUIDANCE FOR**
2 **HOMELESS YOUTH AND FOSTER CARE**
3 **YOUTH.**

4 Part B of title I (20 U.S.C. 1011 et seq.) is amended
5 by adding at the end the following:

6 **“SEC. 124. SECRETARIAL SUPPORT AND GUIDANCE FOR**
7 **HOMELESS YOUTH AND FOSTER CARE**
8 **YOUTH.**

9 “(a) GUIDANCE.—Not later than 120 days after the
10 date of enactment of the Higher Education Access and
11 Success for Homeless and Foster Youth Act, the Secretary
12 shall issue revised guidance for institutions and financial
13 aid administrators regarding serving unaccompanied
14 homeless individuals described in section 725 of the
15 McKinney-Vento Homeless Assistance Act and individuals
16 who are former foster care youth.

17 “(b) PROFESSIONAL DEVELOPMENT.—Beginning not
18 later than 1 year after the date of enactment of the Higher
19 Education Access and Success for Homeless and Foster
20 Youth Act, the Secretary shall conduct an annual profes-
21 sional development or training program, such as a
22 webinar, for liaisons described under section 485(n) and
23 interested faculty or staff regarding postsecondary edu-
24 cation services for such homeless individuals and foster
25 care youth.

1 “(c) REPORT.—Not later than 1 year after the date
2 of enactment of the Higher Education Access and Success
3 for Homeless and Foster Youth Act, and not less than
4 once every 5 years thereafter, the Secretary shall prepare
5 and submit to Congress a report containing strategies
6 used by institutions, financial aid administrators, and liai-
7 sons described under section 485(n) that were effective in
8 meeting the needs of such homeless individuals and foster
9 care youth, including strategies relating to streamlining
10 financial aid policies and procedures and postsecondary
11 education recruitment, retention, and completion.”.

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