

Senate Bill 107

By: Senators Strickland of the 17th, Kirkpatrick of the 32nd, Dugan of the 30th, Miller of the 49th and Anderson of the 43rd

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 12 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to postsecondary education grants for foster children and adopted children, so as to  
3 provide for the waiver of tuition and all fees, including mandatory rooming and board fees,  
4 for qualifying foster and adopted students by units of the University System of Georgia and  
5 the Technical College System of Georgia, subject to certain exceptions; to provide for such  
6 exceptions; to provide for student qualifications; to provide for the involvement and duties  
7 of the Division of Family and Children Services; to provide for definitions; to provide for  
8 construction; to provide for related matters; to provide an effective date; to repeal conflicting  
9 laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Article 12 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to  
13 postsecondary education grants for foster children and adopted children, is amended by  
14 repealing Code Section 20-3-660, relating to program of grants created, terms and conditions,  
15 applications, eligibility, duties of the Division of Family and Children Services, expenses and

16 fees covered, and report by the Education Coordinating Council, and enacting a new Code  
17 Section 20-3-660 to read as follows:

18 "20-3-660.

19 (a) As used in this Code section, the term:

20 (1) 'Public postsecondary educational institution' means any unit of the University  
21 System of Georgia or the Technical College System of Georgia.

22 (2) 'Waiver program' means the program provided for in this Code section.

23 (b) Tuition and all fees, including, but not limited to, any fees, costs, or charges relating  
24 to mandatory housing, meal, or room and board programs, for any undergraduate program  
25 of any public postsecondary educational institution shall be waived as provided for in this  
26 Code section for each foster child or adopted child who meets the following requirements:

27 (1)(A) The student's family receives state funded adoption assistance as provided in  
28 Code Section 49-5-8;

29 (B) The student is currently committed to the Division of Family and Children Services  
30 of the Department of Human Services as provided in Code Section 15-11-212;

31 (C) The student is participating in the Division of Family and Children Services  
32 independent living program in accordance with applicable policies and procedures; or

33 (D) The student is an adopted child who was in the permanent legal custody of and  
34 placed for adoption by the Division of Family and Children Services following the  
35 child's fourteenth birthday, including any such student who, at the time of application  
36 to a public postsecondary educational institution, resides outside of Georgia due to such  
37 placement.

38 (2) The student is currently enrolled full-time or part-time in a public postsecondary  
39 educational institution or, within three years of receiving his or her high school diploma  
40 or general educational development (GED) diploma, the student has been accepted for  
41 admission to a public postsecondary educational institution;

42 (3) The student remains in good standing and meets the standard for satisfactory  
43 academic progress as defined by the public postsecondary educational institution and as  
44 applied to undergraduate students generally;

45 (4) The student has not reached the age of 28; and

46 (5) The student completes the application process established by the Division of Family  
47 and Children Services, which shall include completion of the Free Application for  
48 Federal Student Aid (FAFSA) to determine the level of need and eligibility for state and  
49 federal financial aid programs; provided, however, that a student who is presumptively  
50 eligible to participate in the waiver program shall be permitted to provisionally participate  
51 in the waiver program for a period of up to 30 days pending the student's completion of  
52 the application process.

53 (c) For each student who meets the requirements provided for in subsection (b) of this  
54 Code section, such student's public postsecondary educational institution shall waive tuition  
55 and all fees as necessary to cover all assessed costs of attendance, as defined in 20 U.S.C.  
56 Section 10871l, that are not covered by available federal and nonfederal student aid sources  
57 identified in the student's Student Aid Report from the United States Department of  
58 Education excepting student loans and any work-study program provided for in 42 U.S.C.  
59 2751-2756b.

60 (d) The Division of Family and Children Services shall:

61 (1) Advertise the availability of the waiver program and ensure that the children and  
62 young adults leaving foster care, foster parents, and any other applicable resources are  
63 informed of the availability of the waiver program and the related application procedures;

64 (2) Provide application forms to participate in the waiver program to all children and  
65 young adults leaving foster care;

66 (3) Provide assistance to students attempting to complete the application process;

67 (4) Report the number of students participating in the waiver program on October 1 of  
68 each year to the Office of Planning and Budget and the Office of the Child Advocate;

- 69 (5) Report nonidentifying data on graduation rates of students participating in the waiver  
70 program by November 30 each year to the Office of Planning and Budget and the Office  
71 of the Child Advocate; and
- 72 (6) Promulgate such rules and regulations as may be required to carry out the provisions  
73 of this Code section.
- 74 (e) Nothing in this Code section shall be construed to:
- 75 (1) Guarantee acceptance of or entrance into any public postsecondary educational  
76 institution for a foster child or adopted child;
- 77 (2) Limit the participation of a student who is a foster child or adopted child in any other  
78 program of financial assistance for postsecondary education; or
- 79 (3) Restrict any public postsecondary educational institution or the Division of Family  
80 and Children Services from accessing other sources of financial assistance, except loans,  
81 that may be available to a foster child or adopted child who meets the eligibility  
82 requirements of the waiver program."

83 **SECTION 2.**

84 This act shall become effective on July 1, 2021.

85 **SECTION 3.**

86 All other laws or parts of laws that conflict with this Act are repealed.