

118TH CONGRESS
2D SESSION

S. 4270

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

MAY 7, 2024

Mrs. MURRAY (for herself and Mr. BRAUN) 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 of
6 2024”.

7 **SEC. 2. DEFINITIONS.**

8 (a) HOMELESS AND FOSTER YOUTH.—Section 103
9 of the Higher Education Act of 1965 (20 U.S.C. 1003)
10 is amended—

1 (1) by redesignating paragraph (10), para-
2 graphs (11) through (22), and paragraphs (23)
3 through (24), as paragraph (11), paragraphs (13)
4 through (24), and paragraphs (26) through (27), re-
5 spectively;

6 (2) by inserting after paragraph (9) the fol-
7 lowing:

8 “(10) FOSTER CARE YOUTH.—The term ‘foster
9 care youth’—

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

19 “(B) includes individuals who were age 13
20 or older when their care and placement were
21 the responsibility of a State or Tribal agency
22 that administered a State or Tribal plan under
23 part B or E of title IV of the Social Security
24 Act (42 U.S.C. 621 et seq. and 670 et seq.)
25 and who are no longer under the care and re-

1 sponsibility of such a State or Tribal agency,
 2 without regard to any such individual’s subse-
 3 quent adoption, guardianship arrangement, or
 4 other form of permanency outcome.”;

5 (3) by inserting after paragraph (11), as redes-
 6 ignated by paragraph (1), the following:

7 “(12) HOMELESS YOUTH.—The term ‘homeless
 8 youth’ has the meaning given the term ‘homeless
 9 children and youths’ in section 725 of the McKin-
 10 ney-Vento Homeless Assistance Act (42 U.S.C.
 11 11434a).”; and

12 (4) by inserting after paragraph (24), as redes-
 13 ignated by paragraph (1), the following:

14 “(25) UNACCOMPANIED.—The terms ‘unaccom-
 15 panied’ and ‘unaccompanied youth’ have the mean-
 16 ing given the term ‘unaccompanied youth’ in section
 17 725 of the McKinney-Vento Homeless Assistance
 18 Act (42 U.S.C. 11434a).”.

19 (b) TECHNICAL CORRECTION.—Section 480 of the
 20 Higher Education Act of 1965, as amended by section
 21 702(l)(2) of the FAFSA Simplification Act (title VII of
 22 division FF of Public Law 116–260), is amended by strik-
 23 ing subsections (m) and (n).

1 **SEC. 3. STUDENT LOAN OMBUDSMAN ASSISTANCE FOR**
 2 **HOMELESS AND FOSTER YOUTH.**

3 Section 141(f)(3) of the Higher Education Act of
 4 1965 (20 U.S.C. 1018(f)(3)) is amended—

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

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

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

10 “(C) receive, review, and resolve expedi-
 11 tiously complaints regarding a student’s inde-
 12 pendence under paragraph (2) or (8) of section
 13 480(d), in consultation with knowledgeable par-
 14 ties, including child welfare agencies, local edu-
 15 cational agency liaisons for homeless youth des-
 16 ignated under section 722(g)(1)(J)(ii) of the
 17 McKinney-Vento Homeless Assistance Act (42
 18 U.S.C. 11432(g)(1)(J)(ii)), or State Coordina-
 19 tors for Education of Homeless Children and
 20 Youth established in accordance with section
 21 722 of such Act (42 U.S.C. 11432).”.

22 **SEC. 4. LIAISONS AND ACCESS TO HOUSING FOR HOME-**
 23 **LESS AND FOSTER YOUTH.**

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

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

3 “(A) will not”;

4 (2) by inserting “housing facilities,” after “li-
5 braries,”;

6 (3) by striking “institution.” and inserting “in-
7 stitution; and”; 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 the Social Security Act
16 (42 U.S.C. 677) or delays attributable to the
17 institution.”.

18 (b) LIAISONS.—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) LIAISONS AND ACCESS TO HOUSING FOR HOME-
22 LESS AND FOSTER YOUTH.—Each institution of higher
23 education participating in any program under this title
24 shall—

1 “(1) have designated an appropriate staff per-
2 son with sufficient capacity and training to act as a
3 liaison to assist homeless youth, students who are
4 unaccompanied, at risk of homelessness, and self-
5 supporting, and foster care youth in accessing and
6 completing postsecondary education, including by en-
7 suring that those individuals are connected to appli-
8 cable and available student support services, pro-
9 grams, and community resources such as financial
10 aid, academic advising, housing, food, public bene-
11 fits, health care, health insurance, mental health
12 care, child care, transportation benefits, and men-
13 toring;

14 “(2) post on the institution’s website—

15 “(A) the contact information for the liai-
16 son designated under paragraph (1);

17 “(B) information on the process for pro-
18 viding documentation for a determination of
19 independence under section 479D; and

20 “(C) information about student financial
21 assistance and other assistance available to
22 homeless youth, students who are unaccom-
23 panied, at risk of homelessness, and self-sup-
24 porting, and foster care youth, including their

1 eligibility as independent students under para-
 2 graph (2) or (8) of sections 480(d);

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

7 “(A) homeless youth;

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

10 “(C) foster care youth;

11 “(4) have developed a plan for how such home-
 12 less youth, youth who are unaccompanied, at risk of
 13 homelessness, and self-supporting, and foster care
 14 youth can access housing resources during and be-
 15 tween academic terms, through means that may in-
 16 clude access to institutionally owned or operated
 17 housing during breaks and a list of housing re-
 18 sources in the community that provide short-term
 19 housing; and

20 “(5) include, in its application for admission,
 21 questions (to be answered voluntarily) regarding the
 22 applicant’s status as a homeless youth (including un-
 23 accompanied homeless youth), youth who is unac-
 24 companied, at risk of homelessness, and self-sup-
 25 porting, or foster care youth, that—

1 “(A) can be answered by the applicant vol-
 2 untarily for the limited purpose of being pro-
 3 vided information about financial aid or any
 4 other available assistance;

5 “(B) explain the key terms in the question
 6 in a manner that applicants can understand in
 7 order to self-identify with such status; and

8 “(C) with consent of the applicant, may be
 9 shared with the liaison after admission but
 10 prior to the beginning of the next academic
 11 term.”.

12 **SEC. 5. SERVING HOMELESS AND FOSTER YOUTH IN FED-**
 13 **ERAL TRIO PROGRAMS.**

14 Section 402A of the Higher Education Act of 1965
 15 (20 U.S.C. 1070a–11) is amended—

16 (1) in subsection (c)(6), by striking the last
 17 sentence and inserting the following: “The Secretary
 18 shall require each applicant for funds under the pro-
 19 grams authorized by this chapter to identify and
 20 conduct outreach to homeless youth and foster care
 21 youth, and make available to homeless youth and
 22 foster care youth services under such programs, in-
 23 cluding mentoring, tutoring, and other services pro-
 24 vided by such programs.”; and

1 (2) in subsection (f)(2), by striking “college
2 students, and” and inserting “college students,
3 homeless youth, foster care youth, and”.

4 **SEC. 6. SERVING HOMELESS AND FOSTER YOUTH IN TAL-**
5 **ENT SEARCH.**

6 Section 402B(d) of the Higher Education Act of
7 1965 (20 U.S.C. 1070a–12(d)) is amended—

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

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

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

13 “(5) require an assurance that the entity car-
14 rying out the project has reviewed and revised poli-
15 cies and practices as needed to remove barriers to
16 the participation and retention in the project of
17 homeless youth and foster care youth;

18 “(6) require that such entity submit, as part of
19 the application for the project, a description of the
20 activities that will be undertaken to reach out to
21 such homeless youth and foster care youth as part
22 of the project; and

23 “(7) require an assurance that such entity will
24 prepare and submit the report required under sec-

1 tion 402H(e) at the conclusion of the project regard-
 2 ing such homeless youth and foster care youth.”.

3 **SEC. 7. SERVING HOMELESS AND FOSTER YOUTH IN UP-**
 4 **WARD BOUND.**

5 Section 402C(e) of the Higher Education Act of 1965
 6 (20 U.S.C. 1070a–13(e)) is amended—

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

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

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

12 “(6) require an assurance that the entity car-
 13 rying out the project has reviewed and revised poli-
 14 cies and practices as needed to remove barriers to
 15 the participation and retention in the project of
 16 homeless youth and foster care youth;

17 “(7) require that such entity submit, as part of
 18 the application, a description of the activities that
 19 will be undertaken to reach out to such homeless
 20 youth and foster care youth regarding the project;
 21 and

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

1 **SEC. 8. SERVING HOMELESS AND FOSTER YOUTH IN STU-**
2 **DENT SUPPORT SERVICES.**

3 Section 402D(e) of the Higher Education Act of
4 1965 (20 U.S.C. 1070a–14(e)) is amended—

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

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

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

10 “(7) require an assurance that the entity car-
11 rying out the project has reviewed and revised poli-
12 cies and practices as needed to remove barriers to
13 the participation and retention in the project of
14 homeless youth and foster care youth;

15 “(8) require that such entity submit, in the ap-
16 plication for the project, a description of the activi-
17 ties that will be undertaken to reach out to such
18 homeless youth and foster care youth, who are en-
19 rolled or accepted for enrollment at the institution;
20 and

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

1 **SEC. 9. SERVING HOMELESS AND FOSTER YOUTH IN EDU-**
2 **CATIONAL OPPORTUNITY CENTERS.**

3 Section 402F(c) of the Higher Education Act of 1965
4 (20 U.S.C. 1070a–16(c)) is amended—

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

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

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

10 “(4) require an assurance that the entity car-
11 rying out the project has reviewed and revised poli-
12 cies and practices as needed to remove barriers to
13 the participation and retention in the project of
14 homeless youth and foster care youth;

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

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

1 **SEC. 10. 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 AND FOSTER
6 YOUTH.—Each entity carrying out a project under section
7 402B, 402C, 402D, or 402F shall, at the conclusion of
8 the project, prepare and submit a report to the Secretary
9 that includes—

10 “(1) data on the number of homeless youth and
11 foster care youth served through the project; and

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

16 **SEC. 11. SERVING HOMELESS AND FOSTER YOUTH IN GAIN-**
17 **ING EARLY AWARENESS AND READINESS FOR**
18 **UNDERGRADUATE PROGRAMS.**

19 (a) APPLICATIONS.—Section 404C(a)(2) of the High-
20 er Education Act of 1965 (20 U.S.C. 1070a–23(a)(2)) is
21 amended—

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) require an assurance that the entity
 2 carrying out the project has reviewed and re-
 3 vised policies and practices as needed to remove
 4 barriers to the participation and retention in
 5 the project of homeless youth and foster care
 6 youth;

7 “(L) require that such entity submit, as
 8 part of the assurance, a description of the ac-
 9 tivities that will be undertaken to reach out to
 10 such homeless youth and foster care youth re-
 11 garding the project; and

12 “(M) require an assurance that such entity
 13 will prepare and submit the report required
 14 under section 404G(c) at the conclusion of the
 15 project regarding such homeless youth and fos-
 16 ter care youth.”.

17 (b) PERMISSIBLE ACTIVITIES.—Section 404D(b) of
 18 the Higher Education Act of 1965 (20 U.S.C. 1070a–
 19 24(b)) is amended by adding at the end the following:

20 “(16) Facilitating the recruitment, participa-
 21 tion, and retention of homeless youth and foster care
 22 youth, which may include—

23 “(A) establishing partnerships with com-
 24 munity-based organizations, child welfare agen-
 25 cies, homeless shelters, and local educational

1 agency liaisons for homeless individuals des-
2 ignated under section 722(g)(1)(J)(ii) of the
3 McKinney-Vento Homeless Assistance Act (42
4 U.S.C. 11432(g)(1)(J)(ii)) to identify students,
5 improve policies and practices, and to establish
6 data sharing agreements;

7 “(B) carrying out—

8 “(i) activities to facilitate continued
9 participation despite changes in residence
10 resulting from homelessness or foster care
11 placement; and

12 “(ii) policies consistent with the
13 McKinney-Vento Homeless Assistance Act
14 (42 U.S.C. 11301 et seq.) to allow for such
15 participation and retention, including al-
16 lowing continued participation when an eli-
17 gible student is no longer enrolled in a
18 school served under this chapter on a tem-
19 porary basis, or providing transitional serv-
20 ices and referrals when an eligible student
21 is no longer enrolled in a school served
22 under this chapter on a permanent basis;
23 and

1 “(C) carrying out other activities to meet
 2 the needs of such homeless youth and foster
 3 care youth.”.

4 (c) EVALUATION AND REPORT.—Section 404G of the
 5 Higher Education Act of 1965 (20 U.S.C. 1070a–27) is
 6 amended—

7 (1) by redesignating subsections (c) and (d), as
 8 subsections (d) and (e), respectively; and

9 (2) inserting after subsection (b) the following:

10 “(c) REPORT REGARDING HOMELESS AND FOSTER
 11 YOUTH.—Each entity carrying out a project under section
 12 404A shall, at the conclusion of the project, prepare and
 13 submit a report to the Secretary that includes—

14 “(1) data on the number of homeless youth and
 15 foster care youth served through the project; and

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

20 **SEC. 12. PRIORITY FOR FEDERAL WORK-STUDY PROGRAMS**
 21 **FOR HOMELESS AND FOSTER YOUTH.**

22 Section 443(b)(6) of the Higher Education Act of
 23 1965 (20 U.S.C. 1087–53(b)(6)) is amended by inserting
 24 “, and prioritize employment for students who are home-
 25 less youth or foster care youth” after “thereof”.

1 **SEC. 13. DATA TRANSPARENCY ON THE NUMBER OF PEND-**
 2 **ING REQUESTS FOR DETERMINATION BY**
 3 **HOMELESS YOUTH.**

4 Section 483 of the Higher Education Act of 1965 (20
 5 U.S.C. 1090), as amended by section 702(m)(1) of the
 6 FAFSA Simplification Act (title VII of division FF of
 7 Public Law 116–260), is amended in subsection (c)(2)—

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

10 (2) in subparagraph (B)(ii), by striking the pe-
 11 riod at the end and inserting “; and”; and

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

13 “(C) the number of undetermined requests
 14 for homelessness consideration, including
 15 statuses that remain unknown because no de-
 16 termination had been made in response to the
 17 applicant’s request for the institution to con-
 18 sider the applicant’s special circumstance of
 19 being homeless.”.

20 **SEC. 14. IN-STATE TUITION RATES FOR HOMELESS AND**
 21 **FOSTER YOUTH.**

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

24 (1) in the section heading, by inserting “**AND**
 25 **HOMELESS YOUTH AND FOSTER CARE YOUTH**”
 26 after “**SERVICE**”;

1 (2) in subsection (a)—

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

4 “(a) REQUIREMENT.—

5 “(1) QUALIFYING FEDERAL SERVICE.—In the
6 case”; and

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

8 “(2) HOMELESS AND FOSTER YOUTH.—In the
9 case of a homeless youth or a foster care youth, such
10 State shall not charge such individual tuition and re-
11 quired fees for attendance at a public institution of
12 higher education in the State at a rate that is great-
13 er than the rate of tuition and required fees charged
14 for residents of the State.”; and

15 (3) by striking subsection (c) and inserting the
16 following:

17 “(c) EFFECTIVE DATE.—

18 “(1) QUALIFYING FEDERAL SERVICE.—With re-
19 spect to an individual described in subsection (a)(1),
20 this section shall take effect at each public institu-
21 tion of higher education in a State that receives as-
22 sistance under this Act for the first period of enroll-
23 ment at such institution that begins after July 1,
24 2009.

1 “(2) HOMELESS AND FOSTER YOUTH.—With
 2 respect to an individual described in subsection
 3 (a)(2), this section shall take effect at each public
 4 institution of higher education in a State that re-
 5 ceives assistance under this Act for the first period
 6 of enrollment at such institution that begins during
 7 the first full award year following the effective date
 8 of the Higher Education Access and Success for
 9 Homeless and Foster Youth Act of 2024.”.

10 **SEC. 15. SECRETARIAL SUPPORT AND GUIDANCE FOR**
 11 **HOMELESS AND FOSTER YOUTH.**

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

14 **“SEC. 124. SECRETARIAL SUPPORT AND GUIDANCE FOR**
 15 **HOMELESS AND FOSTER YOUTH.**

16 “(a) GUIDANCE.—Not later than 120 days after the
 17 date of enactment of the Higher Education Access and
 18 Success for Homeless and Foster Youth Act of 2024, the
 19 Secretary shall issue revised guidance for institutions and
 20 financial aid administrators regarding serving homeless
 21 youth (including unaccompanied homeless youth), stu-
 22 dents who are unaccompanied, at risk of homelessness,
 23 and self-supporting, and foster care youth, including the
 24 requirements of the determination process for financial aid
 25 administrators as specified in section 479D.

1 “(b) PROFESSIONAL DEVELOPMENT.—Beginning not
2 later than 1 year after the date of enactment of the Higher
3 Education Access and Success for Homeless and Foster
4 Youth Act of 2024, the Secretary shall conduct an annual
5 professional development or training program, such as a
6 webinar, for liaisons described under section 485(n) and
7 interested faculty or staff regarding postsecondary edu-
8 cation services for such homeless youth (including unac-
9 companied homeless youth), students who are unaccom-
10 panied, at risk of homelessness, and self-supporting, and
11 foster care youth.

12 “(c) REPORT.—Not later than 1 year after the date
13 of enactment of the Higher Education Access and Success
14 for Homeless and Foster Youth Act of 2024, and not less
15 than once every 5 years thereafter, the Secretary shall pre-
16 pare and submit to Congress a report containing strate-
17 gies used by institutions, financial aid administrators, and
18 liaisons described under section 485(n) that were effective
19 in meeting the needs of such homeless youth (including
20 unaccompanied homeless youth), students who are unac-
21 companied, at risk of homelessness, and self-supporting,
22 and foster care youth, including strategies relating to
23 streamlining financial aid policies and procedures and
24 postsecondary education recruitment, retention, and com-
25 pletion.”.

1 **SEC. 16. EFFECTIVE DATE.**

2 The amendments made by this Act shall take effect
3 and apply as if included in the FAFSA Simplification Act
4 (title VII of division FF of Public Law 116–260) and in
5 accordance with section 701(b) of such Act, as amended
6 by section 102(a) of the FAFSA Simplification Act Tech-
7 nical Corrections Act (division R of Public Law 117–103)
8 (including the authorization provided under section
9 102(c)(1)(A) of such Act).

○