

1 AN ACT relating to postsecondary education students.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 164 IS CREATED TO
4 READ AS FOLLOWS:

5 *(1) As used in this section:*

6 *(a) "Institution" or "postsecondary education institution" means a university,*
7 *college, community college, health technology center, vocational-technical*
8 *school, technical institute, technical college, technology center, or the*
9 *Kentucky Community and Technical College System;*

10 *(b) "Student experiencing homelessness" or "homeless student":*

11 *1. Means an individual enrolled in an institution:*

12 *a. Who lacks or is at imminent risk of lacking a fixed, regular, and*
13 *adequate nighttime residence; or*

14 *b. Who is a minor and whose parent or legal guardian is unable or*
15 *unwilling to provide shelter and care; and*

16 *2. Includes a homeless individual as defined in 42 U.S.C. sec. 11302.*

17 *As used in this paragraph, "fixed, regular, and adequate nighttime*
18 *residence" does not include residence in an institution's on-campus*
19 *housing; and*

20 *(c) "Student in care" means a student enrolled in an institution, whether part-*
21 *time or full-time, and:*

22 *(a) The student's family receives state-funded adoption assistance under*
23 *KRS 199.555;*

24 *(b) The student is currently committed to the Cabinet for Health and*
25 *Family Services and placed in a family foster home or placed in*
26 *accordance with KRS 605.090(3);*

27 *(c) The student is in an independent living program and the placement is*

- 1 *funded by the Cabinet for Health and Family Services;*
- 2 *(d) The student is an adopted child who was in the permanent legal*
- 3 *custody of and placed for adoption by the Cabinet for Health and*
- 4 *Family Services; or*
- 5 *(e) The Cabinet for Health and Family Services was the student's legal*
- 6 *custodian on his or her eighteenth birthday.*
- 7 *(2) (a) In an effort to provide assistance to students experiencing homelessness,*
- 8 *each postsecondary education institution shall designate at least one (1)*
- 9 *staff member to serve as a liaison to assist homeless students enrolled at the*
- 10 *institution.*
- 11 *(b) The liaison designated under paragraph (a) of this subsection shall offer*
- 12 *assistance and resources to any homeless student or student in care enrolled*
- 13 *at the institution. The liaison shall have the following responsibilities:*
- 14 *1. To understand provisions pertaining to the financial aid eligibility of*
- 15 *homeless students, including eligibility as an independent student*
- 16 *under the federal Higher Education Act of 1965, Pub. L. No. 89-329;*
- 17 *2. To identify services and resources that are available to and*
- 18 *appropriate for a homeless student;*
- 19 *3. To assist a homeless student or student in care in applying for and*
- 20 *receiving federal and state financial aid and available services;*
- 21 *4. To track and monitor the graduation rate and retention rate of*
- 22 *homeless students and students in care enrolled at the institution;*
- 23 *5. To report annually to the Council on Postsecondary Education, as*
- 24 *appropriate, the number of homeless students and students in care*
- 25 *enrolled at the institution. The report shall include the number of*
- 26 *students who received assistance or services through the liaison and*
- 27 *the type of service or assistance received by the student. If the*

1 information is available, the report may describe the outcome for the
2 student as a result of the services or assistance he or she received
3 through the liaison;

4 6. To act as an intermediary between a homeless student or student in
5 care and the office of financial aid, student support services, and
6 campus housing services;

7 7. To connect a homeless student or student in care to a local continuum
8 of care program;

9 8. To publish on the institution's website information about the services
10 and resources available through the institution's liaison, as well as
11 contact information for local, state, and federal services;

12 9. To develop a plan to provide access to on-campus housing or to
13 suitable off-campus housing between academic breaks to homeless
14 students or students in care enrolled at the institution; and

15 10. To train the institution's employees to identify students experiencing
16 homelessness and to refer those students to the liaison. At his or her
17 discretion, the liaison may provide any additional service he or she
18 reasonably believes is within the purview of the role of liaison.

19 (c) The Council on Postsecondary Education shall adopt rules, policies, and
20 procedures to implement and administer this section. The council rules,
21 policies, and procedures shall:

22 1. Provide access to a training program developed by a homeless
23 advocacy organization;

24 2. Require a liaison to receive training on an annual basis;

25 3. Collaborate with the state coordinator for McKinney-Vento Homeless
26 Education and the contact liaisons designated under 42 U.S.C. sec.
27 11432(g)(1)(J)(ii) to facilitate the efficient transition of homeless

- 1 students from secondary to postsecondary education and provide
2 homeless students and students in care information about:
- 3 a. Support services, including financial aid, on-campus and off-
4 campus housing, food and meal plan programs, and counseling
5 services; and
- 6 b. Other resources and any other relevant information to assist
7 these students; and
- 8 4. Issue annual reports about students experiencing homelessness and
9 students in care enrolled at academic institutions.
- 10 (d) After three (3) academic years of data is collected or on any three (3)
11 academic year rolling basis, if the data submitted to the council indicates
12 that the number of students experiencing homelessness combined with the
13 number of students in care exceeds two percent (2%) or more of the student
14 body of the institution, the institution shall create a position whose primary
15 function is to carry out the responsibilities of a liaison as described in
16 paragraph (b) of this subsection.
- 17 (e) Each institution that provides on-campus housing for students enrolled at the
18 institution shall:
- 19 1. Grant priority for on-campus housing to students experiencing
20 homelessness and students in care who are enrolled at the institution,
21 including but not limited to access to on-campus housing that remains
22 open during academic breaks, and waive fees for the on-campus
23 housing during academic breaks;
- 24 2. Allow students experiencing homelessness and students in care who
25 are enrolled part-time at the institution to access on-campus housing;
- 26 3. Provide information about the availability of on-campus housing to
27 students experiencing homelessness and students in care; and

- 1 4. Provide information about the services and assistance offered by the
- 2 institution regarding homelessness in financial aid packets and
- 3 admission packets and on the institution's website.