

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 and:*

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

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

26 *(c) The student is in an independent living program and the placement is*
27 *funded by the Cabinet for Health and Family Services;*

1 (d) The student is an adopted child who was in the permanent legal
2 custody of and placed for adoption by the Cabinet for Health and
3 Family Services; or

4 (e) The Cabinet for Health and Family Services was the student's legal
5 custodian on his or her eighteenth birthday.

6 (2) (a) In an effort to provide assistance to students experiencing homelessness and
7 students in care, each postsecondary education institution shall designate at
8 least one (1) staff member who, in addition to his or her usual employment
9 responsibilities, shall serve as a liaison to assist homeless students and
10 students in care enrolled at the 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 duties:

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 by
24 August 1, as appropriate, the number of homeless students and
25 students in care enrolled at the institution, as well as the graduation
26 rate and retention rate of these students. The report shall also include
27 the number of students who received assistance or services through

1 the liaison and the type of service or assistance received by the student.

2 If the information is available, the report may describe the outcome

3 for the student as a result of the services or assistance he or she

4 received through the liaison;

5 6. To act as an intermediary between a homeless student or student in

6 care and the office of financial aid, student support services, and

7 campus housing services;

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

9 of care program;

10 8. To publish on the institution's website information about the services

11 and resources available through the institution's liaison, as well as

12 contact information for local, state, and federal services;

13 9. To develop a plan to provide access to on-campus housing or to

14 suitable off-campus housing between academic breaks to homeless

15 students or students in care enrolled at the institution; and

16 10. To train the institution's employees to identify students experiencing

17 homelessness and to refer those students to the liaison. At his or her

18 discretion, the liaison may provide any additional service he or she

19 reasonably believes is within the purview of the role of liaison.

20 (c) The Council on Postsecondary Education shall adopt policies and

21 procedures to implement and administer this section. The council policies

22 and procedures shall:

23 1. Provide access to a training program for the liaisons and other

24 relevant postsecondary institution employees developed by a homeless

25 advocacy organization;

26 2. Require each postsecondary education institution's liaison to receive

27 training on an annual basis;

- 1 3. Collaborate with the state coordinator for McKinney-Vento Homeless
2 Education and the contact liaisons designated under 42 U.S.C. sec.
3 11432(g)(1)(J)(ii) to facilitate the efficient transition of homeless
4 students from secondary to postsecondary education and provide
5 homeless students and students in care information about:
- 6 a. Support services, including financial aid, on-campus and off-
7 campus housing, food and meal plan programs, and counseling
8 services; and
- 9 b. Other resources and any other relevant information to assist
10 these students; and
- 11 4. Issue an annual report by September 1 of each year to the Legislative
12 Research Commission for referral to the appropriate Interim Joint
13 Committee on Education about students experiencing homelessness
14 and students in care enrolled at postsecondary education institutions.
- 15 (d) After three (3) academic years of data is collected or during any three (3)
16 consecutive academic years, if the data submitted to the council indicates
17 that the number of students experiencing homelessness combined with the
18 number of students in care averages two percent (2%) or more of the
19 student body enrollment of the institution, the institution shall designate an
20 existing employee or create a new position whose primary employment
21 responsibility is to carry out the duties of a liaison as described in
22 paragraph (b) of this subsection.
- 23 (e) Each institution that provides on-campus housing for students enrolled at
24 the institution shall:
- 25 1. Grant priority for on-campus housing to students experiencing
26 homelessness and students in care who are enrolled at the institution,
27 including but not limited to access to on-campus housing that remains

- 1 open during academic breaks, and waive housing-related fees for the
2 on-campus housing during academic breaks;
3 2. Allow students experiencing homelessness and students in care who
4 are enrolled part-time at the institution to access on-campus housing
5 during their periods of enrollment;
6 3. Provide information about the availability of on-campus housing to
7 students experiencing homelessness and students in care; and
8 4. Provide information about the services and assistance offered by the
9 institution regarding homelessness in financial aid packets, admission
10 packets, and on the institution's website.