



## Assembly Bill 243: Postsecondary education: student financial aid dependency status: juvenile case file inspection.

### SUMMARY

Assembly Bill (AB) 243 would reduce barriers to accessing higher education for systems-involved youth.

### BACKGROUND

Under current law, information concerning a minor in juvenile court proceedings is generally confidential. Access to juvenile case files is restricted, and only specific individuals are authorized to inspect these files.

Access to juvenile case files for justice-involved youth and those served by the child welfare system is prohibited unless a court orders it or specific statutory exemptions apply. As these youth pursue their educational goals, many apply to and attend colleges, universities, and technical schools, whether online or in person. However, they often face obstacles that can hinder their pursuit of higher education, particularly the need for documentation that includes confidential juvenile case file information when applying for financial aid or during the application and enrollment processes. These barriers can cause delays that may discourage youth from pursuing post-secondary education, disproportionately affecting Latino and Black communities, which are overrepresented among system-involved youth.

These young people may also need to share confidential case file information to seek academic accommodations and register for and enroll in classes. Following juvenile justice realignment legislation in 2020 and 2021, youth and young adults up to age 25 are now supervised locally in county probation department juvenile facilities and throughout the community.

### PROBLEM

A specific group of young individuals, referred to as "systems-involved youth," are those who find

themselves entangled in the juvenile justice or child welfare systems. These individuals often face significant challenges when trying to gain admission to colleges and universities or seeking financial aid. These difficulties primarily arise from their struggles to demonstrate financial independence from their parents. Moreover, they may have trouble proving their eligibility for necessary accommodations or other exceptional circumstances.

To navigate these complexities, many of these youth may turn to county probation and welfare departments or local education agencies (LEAs) staff members for guidance and support in articulating their needs effectively. However, a significant barrier remains: without a formal court order, critical information contained in juvenile case files—including the fact that the youth is under the supervision of juvenile probation (regardless of whether they are currently in custody) or is involved with the child welfare system—cannot be shared with institutions of higher education and their financial aid offices. This legal restriction can hinder their access to the educational opportunities and resources they desperately need.

### SOLUTION

This bill mandates that public higher education institutions accept proof of financial independence and confirmation from a local education agency or a county probation/welfare department. It also permits limited disclosure of juvenile case file information for purposes of providing the confirmation or for specific educational purposes. The shared information is restricted to the youth's name, date of birth, foster care or juvenile justice involvement, and relevant dates, all in an effort to protect privacy. Additionally, information will only be

shared within an institution if requested by the youth or if they have given their consent.

## **SUPPORT**

County of Santa Clara (SPONSOR)

Santa Clara County Office of Education

California Association for Bilingual Education

Transformative Programming Works

California Chamber of Commerce

Alameda County Office of Education

Youth Law Center