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AB-302 Parking: homeless students. (2019-2020)

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AMENDED IN ASSEMBLY MARCH 25, 2019

CALIFORNIA LEGISLATURE— 2019–2020 REGULAR SESSION

ASSEMBLY BILL

No. 302

Introduced by Assembly Member Berman

January 29, 2019

An act to add Section 76012 to the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 302, as amended, Berman. Parking: homeless students.

Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, and authorizes the governing board of a community college district to grant the use of college facilities or grounds for specified purposes. Existing law requires a community college campus that has shower facilities for student use to grant access, as specified, to those facilities to any homeless student who is enrolled in coursework, has paid enrollment fees, and is in good standing with the community college district, and requires the community college to determine a plan of action to implement this requirement.

This bill would require a community college campus that has parking facilities on campus to grant overnight access to those ~~facilities~~ *facilities, on or before July 1, 2020*, to any homeless student who is enrolled in coursework, has paid *any* enrollment ~~fees,~~ *fees that have not been waived*, and is in good standing with the community college, ~~and for the purpose of sleeping in the student's vehicle overnight.~~ *The bill* would require the governing board of the community college district to determine a plan of action to implement this ~~requirement.~~ *requirement, as specified.* By imposing additional duties on community college districts, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 76012 is added to the Education Code, to read:

76012. (a) If a community college campus has parking facilities on campus, the governing board of the community college district shall grant overnight access to those facilities to any homeless student ~~who~~ *for the purpose of sleeping in the student's vehicle overnight, provided that the student* is enrolled in coursework, has paid enrollment ~~fees;~~ *fees if not waived,* and is in good standing with the community college district without requiring the student to enroll in additional courses.

(b) The governing board of the community college district shall determine a plan of action to implement subdivision ~~(a);~~ *(a) that includes, but is not limited to, all of the following:*

(1) A definition of homeless student that is based on the definition of homeless youth specified in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)), and reflects the age of the homeless student population at the community college campus.

(2) Overnight parking facilities monitoring.

(3) An overnight parking form and liability waiver that must be completed by any homeless student seeking to access the overnight parking facilities.

(4) Designation of a specific parking area or areas for overnight parking.

(5) Accessible bathroom facilities that are in reasonable proximity to the parking area or areas designated pursuant to paragraph (4).

(6) A waiver of parking assessment fees for the overnight parking facilities.

(7) Overnight parking rules that eligible homeless students shall follow when using the overnight parking facilities such as no use of drugs or alcohol.

(8) Hours of operation for the overnight parking facilities.

(c) It is the intent of the Legislature that homeless students who use the overnight parking facilities shall be connected to available state, county, community college district, and community-based housing, food, and financial assistance resources.

(d) On or before July 1, 2020, the governing board of the community college district shall implement subdivision (a).

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.