



TO: Chief Student Services Officers
Chief Instructional Officer
Chief Business Officers
EOPS Program Directors/Coordinators
NextUp Program Coordinators

FROM: Rebecca Ruan-O'Shaughnessy
Vice Chancellor, Student Services and Support

RE: 2022-2023 Education Code Updates to Expand NextUp Program Eligibilities for Students

In an effort to increase access to critical support services for current and former foster youth, the State Legislature passed various legislation to expand the eligibility for the NextUp Program (formally known as the Cooperating Agencies Foster Youth Educational Support Program). This guidance memo highlights these legislative changes and provides additional clarifications to support colleges' compliance with the law by extending services to all eligible students with urgency. Additionally, this guidance memo strongly encourages colleges to take a student-centered approach in the implementation by focusing on shifting burden of navigation, application and coordination from students to institutions, ensuring students' receipt of necessary services and support, and strengthening students' sense of unconditional belonging within our institutions.

Legislative Highlights to Expand NextUp Eligibility

The key expansions to NextUp eligibility include:

1. Lower minimum age from 16 to 13: Per [Senate Bill 512, Chapter 574](#), as of January 1, 2022, youth qualify for the program if they were in the foster care system at any point on or after their **13th birthday**. This changed from the previous age of 16.
2. Provide flexibility regarding minimum credit enrollment requirement: Per [Assembly Bill 190, Chapter 572](#), as of June 30, 2022, students enrolled in fewer than nine units may be accepted into the NextUp program if enrollment is part of an education plan designed to move the student toward subsequent enrollment in at least nine units.
3. Allow continuity of services past 26: Per [Assembly Bill 190, Chapter 572](#), as of October 1, 2022, a student who turns 26 while in the NextUp program may now continue to receive services. Students are only required to be under 26 at the commencement of any academic year in which the student first enrolls in the program. In addition, a student who enrolls in the NextUp program prior to age 26, disenrolls, and subsequently returns after turning 26 may be readmitted to the program.

All changes highlighted above have gone into effect. Colleges shall immediately adjust their internal policies to ensure compliance with the law and update all public facing materials, including the campus Nextup program's website, accurately reflect these changes to program eligibility. The Chancellor's Office will be reviewing and updating relevant Title 5 regulations in the coming months to make sure that they are consistent with these legislative changes. In the meantime, when the statutory language conflicts with existing regulations, statutory language takes precedence. The permissive nature of relevant statutes and regulations provides a great degree of flexibility for local control, and the Chancellor's Office strongly recommends that the districts and colleges design local implementation with a bias towards increasing access and removing student friction points.

NextUp Program Eligibility Criteria

The language in [Assembly Bill 190, Chapter 572](#) makes it clear that all current and former foster youth who meet NextUp eligibility criteria as specified in [Education Code 79222](#) and [79223](#) are eligible to be enrolled in the NextUp program and "shall not be required to meet any additional eligibility requirements as a condition for enrollment." Therefore, the eligibility criteria for the NextUp Program are limited to the following:

1. Be a current or former foster youth in California whose dependency was established or continued by a court of competent jurisdiction, including a tribal court, on or after the youth's 13th birthday. A student is eligible to enroll in the NextUp program and shall receive NextUp services as long as they are physically present in California when enrolling and receiving program services, even if their dependency status was established outside of California.
2. Be no older than 25 years of age at the commencement of any academic year in which the student first enrolls in the program.
3. Enrolled in at least nine units into this program, however, students enrolled in fewer than nine units may be accepted into the program if enrollment is part of an education plan designed to move the student toward subsequent enrollment in at least nine units.

Program Eligibility Criteria between NextUp and EOPS

Per [Senate Bill 512, Chapter 574](#), the NextUp program is designed to expand the number of students participating in the EOPS program. As such, students participating in the NextUP program should also receive services through the EOPS program. Since NextUp students are eligible to receive EOPS program services by the virtue of their enrollment in the NextUp program, they shall not be subject to any additional eligibility screening beyond the NextUp Program Eligibility Criteria, detailed in the previous section of this memo. Colleges can choose to use EOPS or NextUp funds to provide these services.

It is also important to note that the changes to the NextUp Program Eligibility Criteria does not change the general program eligibility criteria for the EOPS program in any way. EOPS program shall continue to use its existing eligibility criteria to assess the eligibility of all non-NextUp students.

Shifting Student Burden and Strengthening Unconditional Belonging

In addition to expanding program eligibility, SB 512 also requires that program application and enrollment processes implemented by community college districts are streamlined and do not impose barriers to entry. This statutory mandate is consistent with the system level push for colleges to develop, mature and redesign student interactions in ways that shift burdens from students to institutions and strengthen unconditional belonging.

To this end, colleges shall explore various solutions to increase the enrollment of eligible students into the NextUp program and maximize the impact of the NextUp program. Some of the promising practices include:

1. Minimize the number of applications students must complete to access Nextup services. Eliminate any other duplicative steps such as requiring students to attend multiple orientations.
2. Eliminate all unnecessary requirements (e.g., application deadlines) that could be a barrier to access.
3. Leverage institutional data and to the extent possible, shift the burden of verification from students to institutions (e.g., the foster youth verification screen available through WebGrants can be used to verify foster youth status).
4. Coordinate services with financial aid, basic needs, and other categorical programs to create a comprehensive support ecosystem for foster youth.

If you have any questions regarding this memo, please contact Colleen Ganley, Specialist, at cganley@cccoco.edu or Mia Keeley, Dean, Educational Services and Support, at mkeeley@cccoco.edu.