

AB 1995: PROPOSED LEGISLATION REGARDING CCD SHOWER FACILITY ACCESS FOR HOMELESS STUDENTS

On August 11, 2016, the California Senate Appropriations Committee passed AB 1995, which would require a community college campus that has shower facilities for student use to grant access to those facilities to homeless students. This bill will now proceed to a full vote in the Senate. If approved by both houses of the legislature and signed by the Governor, this bill will go into effect on January 1, 2017.

Although AB1995 is not law yet, it is likely to pass both houses and be signed into law by Governor Brown before the end of 2016. Community college districts would be well advised to begin reviewing their policies in anticipation of developing a plan of action if this bill becomes law.

DETAILS OF THE PROPOSED LAW

AB1995 provides that if a community college campus has shower facilities for student use on campus, the governing board must grant access 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, without requiring the student to enroll in additional courses.

The bill requires the governing board to determine a plan of action to implement the new law. The plan must include:

- Hours of operation for the shower facilities, consistent with the hours of operation of the facilities in which the showers are located, and providing a minimum of two hours of operation per weekday. These hours may not conflict with the intercollegiate athletic program of the campus.
- A plan of action if hours of operation conflict with an intercollegiate athletic program.
- The minimum number of units a student must be enrolled in to use the facilities.
- A definition of “homeless student” based on the definition of “homeless children and youths” under federal law (42 U.S.C. § 11434a(2)), but reflecting the age of the homeless student population at the community college campus. Under the federal definition referenced in the bill, homeless children and youths are those who lack a fixed, regular, and adequate nighttime residence. It includes those:
 - ✓ Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason.
 - ✓ Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations.
 - ✓ Living in emergency or transitional shelters.

- ✓ Abandoned in hospitals.
- ✓ Awaiting foster care placement.
- ✓ Who have a primary nighttime residence that is a public or private space not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- ✓ Who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings.
- ✓ Who are migratory children (either migratory workers or children of migratory workers) and who qualify as homeless because they are living in circumstances described above.

POTENTIAL COSTS

According to the California Community Colleges Chancellor's Office, shower policies vary by campus. Some are tied to physical education programs and others operate as wellness centers that all students can use for a fee. The Chancellor's Office indicates that there would be costs attributed to staff time to monitor the students accessing the facilities as well as additional maintenance of the facilities. Additional costs would likely include those to verify that the students accessing the showers are enrolled in coursework, have paid enrollment fees, and are in good standing. Earlier this year, the Assembly Appropriations Committee estimated initial costs of \$2,000 per district to adopt the required policy and ongoing costs of \$15,000 to \$25,000 annually. The bill includes language allowing for a college to have compliance costs be reimbursed by the state if the Commission on State Mandates determines that the bill contains costs mandated by the state.

For questions regarding this *Briefing*, please contact your Keenan Account Manager.

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