

## AB 1995: GOV. SIGNS LEGISLATION REGARDING CCD SHOWER FACILITY ACCESS FOR HOMELESS STUDENTS

On September 21, 2016, Governor Jerry Brown signed into law AB 1995 (Chapter 407, Statutes of 2016), which will require a community college campus that has shower facilities for student use to grant access to those facilities to homeless students. This new law goes into effect on January 1, 2017.

The law 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.

### **DETAILS OF THE LAW**

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.

On November 10, 2016, the Chancellor's Office released a memo outlining what the law requires of community colleges and what it does not. The memo states, "AB 1995 does not require the governing board of an applicable college district to: a. Obtain state approval for its plan of action. b. Submit its action plan to the state. c. Complete its plan of action by a specific date." It goes on to clarify that AB 1995 does not require the college district to add shower facilities or make shower facilities available outside district-established building hours of operation.

A full copy of the Chancellor's memo can be found at the link below:

[http://extranet.cccco.edu/Portals/1/CFFP/Facilities/FPU\\_Memos/2016/FP%2016-28%20AB%201995%20memo.pdf](http://extranet.cccco.edu/Portals/1/CFFP/Facilities/FPU_Memos/2016/FP%2016-28%20AB%201995%20memo.pdf)

As of the time of this writing, there appears to be no publicly available templates for colleges to use as a basis for developing a plan of action, as required by the law. Keenan encourages clients who have successfully developed a plan action to share that information with colleagues.

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

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