

AB 2766: Improving Foster and Homeless Student Success Through Priority Housing and Enrollment

[Assembly Bill \(AB\) 2766](#), authored by Assemblymember Patrick Ahrens, was signed into law by Governor Newsom on September 14, 2026. The bill improves college access and success for current and former foster youth and students experiencing homelessness by increasing access to priority campus housing, improving the identification and transparency in campus housing processes, deferring or waiving initial housing fees until financial aid is disbursed and aligning eligibility for priority course registration with the NextUp program at California Community Colleges.

WHAT DOES AB 2766 DO?

AB 2766 has four provisions:

- a) Requires the California Community Colleges (CCC) to give current and former foster youth and students experiencing homelessness priority access to institution-maintained housing, including priority for housing facilities that are open during academic breaks, or on a year-round basis, or those open for occupation during the most days in the calendar year. Institutions cannot charge additional fees for occupation during academic or campus breaks.
- b) Requires the CCC, Cal State University (CSU), and University of California (UC) campuses to include questions in campus housing applications to identify eligible foster youth and students experiencing homelessness, and to prominently display information on the campus website describing priority housing benefits and eligibility criteria.
- c) Requires the CCC, CSU, and UC campuses to defer or waive housing deposits and other mandatory housing fees that must be paid before financial aid is disbursed for students with experience in foster care or homelessness. An institution shall not deny housing placement, cancel a housing assignment, or condition access to student housing on the prepayment of housing-related costs by an eligible student before the student receives their disbursement of financial aid for the applicable term.
- d) Aligns priority registration eligibility at CCCs with existing NextUp eligibility.

Relevant provisions take effect for UC campuses only to the extent that the Regents of the University of California, by appropriate resolution, make these provisions applicable.

WHEN DOES AB 2766 GO INTO EFFECT?

January 1, 2027.

WHY DOES AB 2766 ONLY REQUIRE THE CCCS TO OFFER PRIORITY HOUSING?

Existing law already requires the CSUs and UCs – to the extent that the Regents of the University of California, by appropriate resolution, make these provisions applicable – to provide priority housing to current and former foster youth and students experiencing homelessness.

ARE THERE ANY OTHER REQUIREMENTS THAT STUDENTS NEED TO MEET TO QUALIFY FOR HOUSING DEPOSITS TO BE WAIVED OR DEFERRED?

Yes, to qualify, a student must submit a Free Application for Federal Student Aid (FAFSA) or, if applicable, a California Dream Act Application (CADAA) for the academic year in which the housing is sought.

WHAT IF A STUDENT IS UNABLE TO PAY FOR THEIR HOUSING DEPOSIT OR OTHER RELATED FEES AFTER THEY ARE DEFERRED?

In most cases, housing deposits and related fees are automatically deducted from a student's financial aid before any remaining funds are released to the student. If a student's financial aid award is insufficient to cover outstanding housing charges, AB 2766 permits the campus to require payment of the deferred costs. However, the campus must first provide written notice informing the student that their financial aid did not fully cover the charges and allow at least 30 days for payment. During that 30-day period, campuses are prohibited from assessing late fees, penalties, or interest.

HOW ARE FOSTER AND HOMELESS YOUTH DEFINED FOR THE PURPOSES OF PRIORITY HOUSING AND THE DEFERRAL OR WAIVER OF HOUSING DEPOSITS AND FEES?

A "foster youth" is defined as a "current or former foster youth."

A “homeless youth” is a student under 25 years of age who lacks fixed, regular, and adequate housing and has been verified by at least one of the following:

- (A) A homeless services provider.
- (B) A federal TRIO program or Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) program.
- (C) A financial aid administrator.
- (D) A campus homeless and foster student liaison.
- (E) For American Indian students, a representative of the student’s tribe or a representative of a tribal organization that is a homeless services provider.

Formerly homeless youth are those who were verified at any time during the 24 months immediately preceding the receipt of the youth’s application for admission by a postsecondary educational institution. A student who is verified as a homeless youth retains that status for a period of six years from the date of admission to the postsecondary educational institution.

WHAT IF A COLLEGE DOES NOT OFFER HOUSING OVER ACADEMIC BREAKS?

An institution that does not offer housing over academic breaks is not obligated to provide housing to current and former foster youth and students experiencing homelessness during periods when campus housing is closed.

ARE INSTITUTIONS REQUIRED TO DEFER OR WAIVE HOUSING DEPOSITS OR OTHER RELATED FEES IF THEY CONTRACT WITH A 3RD PARTY VENDOR FOR HOUSING SERVICES?

Yes, housing managed by a third-party property manager remains subject to these requirements.

HOW DOES AB 2766 CHANGE ELIGIBILITY FOR PRIORITY REGISTRATION FOR FOSTER YOUTH ATTENDING CALIFORNIA COMMUNITY COLLEGES?

Students enrolled in the NextUp program may continue in the program beyond the age of 25, as long as they first enroll in the program prior to turning 26. However, before the passage of AB 2766, priority registration for current and former foster youth ended at age 25, leaving NextUp students over the age of 25 ineligible for this benefit.

AB 2766 allows students enrolled in the NextUp program who are over the age of 25 to receive priority registration.