

TO: Chief Student Services Officers
NextUp Directors/Coordinators

FROM: Stacey Shears, Vice Chancellor of Student Services

RE: NextUp Title 5 Regulation Updates

Background

In 2023, with legislative advocacy and support, funding for the California Community Colleges NextUp program increased from approximately \$20 million to \$50 million, enabling its expansion to all 115 community colleges statewide to better serve eligible current and former foster youth. Since January 2023, expansion colleges have implemented services following allocation awards, alongside significant statutory changes that lowered the minimum foster care eligibility age from 16 to 13, allowing students who were in foster care on or after their 13th birthday to participate. In 2025, the Board of Governors unanimously approved updates to the Title 5 NextUp regulations, grounded in the Chancellor's Office Vision 2030, to align explicitly with [Education Code Sections 79220–79228](#), update outdated references to the [former Cooperating Agencies Foster Youth Educational Support \(CAFYES\) program name](#), and reinforce guidance on dedicated staffing and program support.

Regulation Updates

- [§ 56400 Implementation](#)
- [§ 56401 Comparable Level of Services](#)
- [§ 56402 Services Coordination](#)
- [§ 56403 Eligibility to Programs and Services](#)
- [§ 56404 Ongoing Eligibility](#)
- [§ 56405 Program Standards](#)
- [§ 56406 Specialized Support Services](#)
- [§ 56407 Grants and Work Study Awards](#)
- [§ 56408 has been repealed and no longer applies](#)
- [§ 56409 has been repealed and no longer applies](#)
- [§ 56410 Program Plan](#)
- [§ 56411 Funding](#)
- [§ 56412 District Fiscal Responsibility](#)

- [§ 56413 Supplemental Costs](#)
- [§ 56414 Expenditures Allowed](#)
- [§ 56415 Expenditures Disallowed](#)
- [§ 56416 has been repealed and no longer applies](#)

Regulation Highlights

Key changes include removing nonconforming eligibility requirements (e.g. residency, California College Promise Grant (CCPG) eligibility, etc.) and clarifying that districts may not impose additional eligibility requirements, including requiring enrollment for Extended Opportunity Program and Services (EOPS). **Students must not be required to enroll in EOPS to receive NextUp services.** Other key highlights include removal of the requirement that the program be supervised by the EOPS Director and clarifying that program application and enrollment processes must be streamlined and do not impose barriers to entry.

NextUp's purpose is to help students make meaningful progress toward their educational goals, and student removal from the program should not occur. However, programs may determine that direct aid is not appropriate if the student is not engaging in their education plan or has already met the objectives outlined in that plan. Accordingly, colleges **may** establish written procedures for awarding NextUp direct aid. Any such procedures should be clearly defined and thoughtfully developed. Per [§ 56403](#), students enrolled in fewer than nine units may still be supported if their enrollment is consistent with a plan that leads them toward subsequent enrollment in at least nine units.

In addition, colleges may use several methods for determining unmet need, such as based on the Free Application for Federal Student Aid (FAFSA), CA Dream Act Application (CADAA), or any other local method in order to receive direct financial assistance from the program. Colleges should continue to support students in maximizing available financial aid resources.

Finally, NextUp funding should be used to serve NextUp students directly. While programs may use a percentage split to fund positions, the percentage of Full-Time Equivalent (FTE) funded must align with the percentage of time each position serves NextUp students or supports the NextUp program. NextUp funds may not be used to support general counseling or other positions that are not exclusively working with or for the NextUp program, as this funding is categorical and not intended to supplant existing campus positions. For additional guidance on hiring dedicated NextUp staff and support, please refer to the [NextUp Program Implementation Guidance Memo Number ESS 23-47](#) dated Dec. 14, 2023.

Next Steps

Colleges should review the updated regulations and align local policies, procedures, and evaluation processes accordingly. Each community college should ensure that:

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- Eligibility reflects the criteria in [§ 56403](#) and [§ 56404](#).
- Program services reflect the modalities for service delivery as outlined in [§ 56406](#).
- NextUp is designed to be student-centered, meeting students where they are with service delivery, counseling, and financial resources available to them.
- Fiscal practices meet the expectations of [§ 56414](#) and [§ 56415](#).
- Staffing expectations outlined in [NextUp Program Implementation Guidance Memo Number ESS 23-47](#) are met.
- Eligible current and former foster youth shall not be required to meet any additional criteria for NextUp enrollment. Students must not be required to enroll in EOPS first to receive NextUp services second, per [§ 56403](#).
- As of Oct. 24, 2025, colleges have 180 days to update any existing policies, student-facing materials (applications, forms, etc.) and/or websites to reflect these regulatory changes.

The Chancellor's Office is committed to working with colleges and is appreciative of suggestions, feedback, and recommendations offered by NextUp colleges throughout the regulatory update process. The Chancellor's Office is deeply grateful for the incredible dedication of our NextUp programs and staff across the state. Their unwavering commitment to supporting NextUp students is transforming lives and creating brighter futures every day.

For questions regarding this memorandum, please reach out to Thalia Marroquin, Community College Program Specialist at TMarroquin@CCCCO.edu.

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