

ASSEMBLY BILL

No. 303

Introduced by Assembly Member Ian Calderon

February 12, 2013

An act to add Article 4.5 (commencing with Section 69436.70) to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

AB 303, as introduced, Ian Calderon. Student financial aid: Cal Grant Program: members and former members of the Armed Forces of the United States.

Existing law, known as the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program, establishes, among other programs, the Cal Grant A Entitlement Program, the Cal Grant B Entitlement Program, the California Community College Transfer Cal Grant Entitlement Program, and the Competitive Cal Grant A and B award program, under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs.

This bill would, commencing with the 2014–15 academic year, entitle an otherwise eligible student who is a member or former member of the Armed Forces of the United States, as defined, who meets prescribed requirements, including, but not limited to, enrollment in a qualifying undergraduate certificate or degree program, to a Cal Grant A Entitlement Award or a Cal Grant B Entitlement Award. The bill also would require the commission to make preliminary awards to all applicants currently eligible for an award under the program, and would require each person who receives a preliminary award to affirm, in

writing, that he or she meets specified requirements for eligibility in the program.

The bill would require the commission to randomly select at least 10% of the new and renewal awards made under the program and verify that the student meets specified requirements for eligibility. The bill would require the commission to seek repayment of any funds found to be improperly disbursed under the program, and would require the commission to submit an annual report to the Legislature and the Governor regarding, among other things, the number of awards made under this program.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The original G.I. Bill helped ward off post-World War II
4 economic depression by redirecting veterans from job hunting to
5 programs that provided job education and training.

6 (b) Over 30,000 United States troops have been wounded in
7 Iraq and Afghanistan since 2003, and many of these veterans will
8 need significant assistance with reintegration into civilian life.
9 California must prepare for the increasing number of members of
10 the Armed Forces of the United States who will be returning from
11 these conflicts.

12 (c) Increased access to financial aid to help returning members
13 of the Armed Forces of the United States afford the cost of tuition
14 and fees of California’s universities and colleges will increase the
15 state’s collective productivity and economic growth.

16 (d) California high school graduates who were eligible for the
17 Cal Grant Entitlement Program may have lost their eligibility if
18 they chose to serve their country before pursuing a postsecondary
19 education.

20 (e) Recent studies have identified the need for a more educated
21 workforce in order to meet the demands of California’s growing
22 economy.

23 SEC. 2. Article 4.5 (commencing with Section 69436.70) is
24 added to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the
25 Education Code, to read:

1 Article 4.5. Cal Grants for Members and Former Members of
2 the Armed Forces
3

4 69436.70. (a) Commencing with the 2014–15 academic year,
5 and each academic year thereafter, a student who is a member or
6 former member of the Armed Forces of the United States shall be
7 entitled to a Cal Grant A Entitlement Award or a Cal Grant B
8 Entitlement Award if he or she meets all of the following
9 requirements:

10 (1) Enlisted in the Armed Forces of the United States within
11 one year of high school graduation.

12 (2) Was discharged from the Armed Forces of the United States
13 and received an honorable discharge, a general discharge, or an
14 other than honorable discharge. A person who received a
15 dishonorable discharge or a bad conduct discharge is not eligible
16 for an award pursuant to this article.

17 (3) Within one year of being discharged from active duty in the
18 Armed Forces of the United States, enrolls in a qualifying
19 undergraduate certificate or degree program pursuant to paragraph
20 (5) of subdivision (b) of Section 69434, with respect to Cal Grant
21 A, or paragraph (5) of subdivision (a) of Section 69435.3, with
22 respect to Cal Grant B.

23 (b) A California resident enrolling at a qualifying institution in
24 an eligible certificate or degree program is entitled to receive, and
25 the commission shall award, a Cal Grant A or B award depending
26 on the eligibility determined pursuant to subdivision (c), if all of
27 the following criteria are met:

28 (1) A complete official financial aid application has been
29 submitted or postmarked pursuant to Section 69432.9 no later than
30 March 2 of the year immediately preceding the award year.

31 (2) The student demonstrates financial need pursuant to Section
32 69433.

33 (3) The student’s household has an income and asset level not
34 exceeding the limits set forth in Section 69432.7.

35 (4) The student is enrolled at a campus of the California
36 Community Colleges or is pursuing a career technical education
37 program or a degree that is offered by a qualifying institution.

38 (5) The student is enrolled at least part time.

1 (6) The student meets the general Cal Grant eligibility
2 requirements set forth in Article 1 (commencing with Section
3 69430).

4 (7) The student will not be 28 years of age or older by December
5 31 of the award year.

6 (8) The student graduated from a California high school or its
7 equivalent during or after the 2000–01 academic year.

8 (c) The amount and type of the award pursuant to this article
9 shall be determined as follows:

10 (1) For applicants with income and assets at or under the Cal
11 Grant A limits, the award amount shall be the amount established
12 pursuant to Article 2 (commencing with Section 69434).

13 (2) For applicants with income and assets at or under the Cal
14 Grant B limits, the award amount shall be the amount established
15 pursuant to Article 3 (commencing with Section 69435).

16 (d) (1) Commencing with the 2014–15 academic year, a student
17 meeting the requirements of paragraph (8) of subdivision (b) by
18 means of high school graduation, rather than its equivalent, shall
19 be required to have graduated from a California high school, unless
20 that California resident graduated from a high school outside of
21 California due solely to orders received from a branch of the Armed
22 Forces of the United States by that student or by that student's
23 parent or guardian that required that student to be outside of
24 California at the time of high school graduation.

25 (2) (A) Commencing with the 2014–15 academic year, the
26 commission shall make preliminary awards to all applicants
27 currently eligible for an award under this article. At the time an
28 applicant receives a preliminary award, the commission shall
29 require that applicant to affirm, in writing, that he or she meets the
30 requirements set forth in subdivision (e) of Section 69433.9,
31 paragraph (8) of subdivision (b), and paragraph (1). The
32 commission shall notify each person who receives a preliminary
33 award under this paragraph that his or her award is subject to an
34 audit pursuant to subparagraph (B).

35 (B) The commission shall select, at random, a minimum of 10
36 percent of the new and renewal awards made under subparagraph
37 (A), and shall require, before the disbursement of Cal Grant funds
38 to the affected postsecondary institution, that the institution verify
39 that the recipient meets the requirements of subdivision (e) of
40 Section 69433.9, paragraph (8) of subdivision (b), and paragraph

1 (1). An award that is audited under this paragraph and found to be
2 valid shall not be subject to a subsequent audit.

3 (C) Pursuant to Section 69517.5, the commission shall seek
4 repayment of all funds found to be improperly disbursed under
5 this article.

6 (D) By November 1 of each year, the commission shall submit
7 a report to the Legislature and the Governor including, but not
8 necessarily limited to, both of the following:

9 (i) The number of awards made under this article in the
10 preceding 12 months.

11 (ii) The number of new and renewal awards selected, in the
12 preceding 12 months, for verification under subparagraph (B), and
13 the results of that verification with respect to students at the
14 University of California, the California State University, the
15 California Community Colleges, independent nonprofit
16 postsecondary institutions, and at independent for-profit
17 postsecondary institutions.

18 (e) For purposes of this section, “Armed Forces of the United
19 States” means the Air Force, Army, Coast Guard, Marine Corps,
20 and Navy.