

AMENDED IN ASSEMBLY APRIL 2, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1285

Introduced by Assembly Member Fong

February 22, 2013

An act to amend ~~Section~~ *Sections 66021.2 and 69435* of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

AB 1285, as amended, Fong. Student financial aid: Cal Grant Program.

Existing

(1) Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program (Cal Grant Program), establishes the Cal Grant A and B Entitlement Awards, the California Community College Transfer Cal Grant Entitlement Awards, the Competitive Cal Grant A and B Awards, the Cal Grant C Awards, and the Cal Grant T Awards under the administration of the Student Aid Commission, and establishes eligibility requirements and maximum levels for awards under these programs for participating students attending qualifying institutions, as defined. With Under the Cal Grant Program, the maximum Cal Grant B award for a student attending the University of California or the California State University equals the mandatory systemwide fees in the segment attended by the student, plus the award for access costs, and the maximum Cal Grant B award for a student attending a nonpublic institution equals the amount of the tuition award, as prescribed, plus the award for access costs, except that in the first year of enrollment in a qualifying institution, the maximum award is only for the amount of the access award.

This bill would delete the provisions that limit the maximum Cal Grant B award for a student attending the University of California, the California State University, or a nonpublic institution to the amount of the access award in the student’s first year of enrollment in the institution.

(2) *With respect to Cal Grant B Entitlement Awards, existing law requires that the award be used only for tuition, student fees, and access costs, as defined, in a for-credit instructional program that is not less than one academic year in length. Existing law requires that no more than 2% of new Cal Grant B recipients enrolling for the first time in an institution of postsecondary education are eligible for payments for tuition or fees, or both, in their first academic year of attendance.*

This bill would specify that any student who meets the requirements for a Cal Grant B Entitlement award is guaranteed to receive a Cal Grant B Entitlement award, and would also specify that the determination of the amount of any individual tuition and fee award under the Cal Grant B Entitlement Award depends on the cost of tuition or fees, or both, at the qualifying institution at which the student is enrolled. The bill would delete the 2% limit for receipt of payments for tuition or fees, or both, for new Cal Grant B Entitlement Award recipients in their first academic year of attendance at an institution of postsecondary education, thus making all of the Cal Grant B Entitlement Award recipients eligible for these payments.

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. Section 66021.2 of the Education Code is amended
- 2 to read:
- 3 66021.2. Consistent with the state’s historic commitment to
- 4 provide educational opportunity by ensuring both student access
- 5 to and selection of an institution of higher education for students
- 6 with financial need, the long-term policy of the
- 7 Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program
- 8 established pursuant to Chapter 1.7 (commencing with Section
- 9 69430) of Part 42 shall be as follows:
- 10 (a) Commencing with the 2001–02 academic year and every
- 11 year thereafter, an applicant for a Cal Grant A or B award shall
- 12 receive an award that is not in excess of the financial need amount

1 determined by the Student Aid Commission pursuant to Section
2 69432.9 if he or she complies with all of the following
3 requirements:

4 (1) Demonstrates financial need under the criteria adopted
5 pursuant to Section 69432.9.

6 (2) Attains a grade point average, as defined in Section 69432.7,
7 meeting the requirements of Chapter 1.7 (commencing with Section
8 69430) of Part 42.

9 (3) Complies with each of the eligibility criteria applicable to
10 the type of Cal Grant award for which he or she is applying.

11 (b) (1) The maximum Cal Grant A award for a student attending
12 the University of California or the California State University shall
13 equal the mandatory systemwide fees in each of those segments.

14 (2) The maximum Cal Grant B award for a student to which
15 this subdivision is applicable shall equal the mandatory systemwide
16 fees in the segment attended by the student, except for community
17 college students who receive waivers from the Board of Governors
18 of the California Community Colleges, plus the access award
19 calculated as specified in Article 3 (commencing with Section
20 69435) of Chapter 1.7 of Part 42, ~~except that in the first year of~~
21 ~~enrollment in a qualifying institution, the maximum award shall~~
22 ~~be only for the amount of the access award.~~

23 (c) The maximum Cal Grant awards for students attending
24 nonpublic institutions shall be as follows:

25 (1) The maximum Cal Grant A award shall equal the tuition
26 award level established in the Budget Act of 2000, or the amount
27 as adjusted in subsequent annual budget acts.

28 (2) The maximum Cal Grant B award shall equal the amount
29 of the tuition award as established in the Budget Act of 2000, or
30 the amount as adjusted in subsequent annual budget acts, plus the
31 amount of the access costs specified in Section 69435, ~~except that,~~
32 ~~in the first year of enrollment in a qualifying institution, the~~
33 ~~maximum award shall be only for the amount of the access award.~~

34 (d) Commencing with the 2000–01 academic year, and each
35 academic year thereafter, the Cal Grant C award shall be utilized
36 only for occupational or technical training.

37 (e) Commencing with the 2000–01 academic year, and each
38 academic year thereafter, the Cal Grant T award shall be used only
39 for one academic year of full-time attendance in a program of

1 professional preparation that has been approved by the California
2 Commission on Teacher Credentialing.

3 (f) An institution of higher education in this state that
4 participates in the Ortiz-Pacheco-Poochigian-Vasconcellos Cal
5 Grant Program shall not reduce its level of per capita need-based
6 institutional financial aid to undergraduate students, excluding
7 loans, below the total level awarded in the 2000–01 academic year.

8 (g) The implementation of the policy set forth in this section
9 shall maintain a balance between the state’s policy goals of
10 ensuring student access to and selection of an institution of higher
11 education for students with financial need and academic merit.

12 (h) It is the policy of the State of California that the
13 Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program
14 supplement the federal Pell Grant program.

15 (i) An award under the Ortiz-Pacheco-Poochigian-Vasconcellos
16 Cal Grant Program shall not guarantee admission to an institution
17 of higher education or admission to a specific campus or program.

18 **SECTION 1.**

19 *SEC. 2.* Section 69435 of the Education Code is amended to
20 read:

21 69435. (a) ~~(1)~~A Cal Grant B award shall be used only for
22 tuition, student fees, and access costs in a for-credit instructional
23 program that is not less than one academic year in length. *Each*
24 *student who meets the requirements for a Cal Grant B award as*
25 *set forth in this article shall be guaranteed to receive a Cal Grant*
26 *B award. The determination of the amount of any individual tuition*
27 *and fee award under this article depends on the cost of tuition or*
28 *fees, or both, at the qualifying institution at which the student is*
29 *enrolled.*

30 ~~(2) The commission, or a qualifying institution pursuant to~~
31 ~~Article 8 (commencing with Section 69450), shall award access~~
32 ~~grants in a student’s first academic year. In subsequent years, the~~
33 ~~award shall include an additional amount to pay tuition or fees, or~~
34 ~~both, to attend college at a public or private four-year college or~~
35 ~~university or other qualifying institution for all Cal Grant B awards~~
36 ~~pursuant to paragraph (2) of subdivision (b) of Section 66021.2.~~
37 ~~In no event shall the total award in any year exceed the applicant’s~~
38 ~~calculated financial need.~~

39 ~~(3) New Cal Grant B recipients enrolling for the first time in an~~
40 ~~institution of postsecondary education shall be eligible for~~

1 payments for tuition or fees, or both, in their first academic year
2 of attendance. The commission shall adopt regulations specifying
3 the criteria used to determine which applicants, if any, receive both
4 tuition and fees plus the access grant in the first year of enrollment.
5 Priority shall be given to students with the lowest expected family
6 contribution pursuant to Section 69432.7 and the highest level of
7 academic merit.

8 (b) An award for access costs under this article shall be in an
9 annual amount not to exceed one thousand five hundred fifty-one
10 dollars (\$1,551). This amount may be adjusted in the annual Budget
11 Act. *In no event shall the amount of the total award under this*
12 *article in any year exceed the applicant's calculated financial*
13 *need.*