

AMENDED IN SENATE MAY 21, 1996

CALIFORNIA LEGISLATURE—1995–96 REGULAR SESSION

ASSEMBLY BILL

No. 3031

Introduced by Assembly Member Baca

February 23, 1996

An act to amend Section 76300 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 3031, as amended, Baca. Postsecondary education: community college districts: contract education courses.

Existing law requires the governing board of each community college district to charge each student a fee of \$13 per unit per semester. Existing law exempts from this fee requirement students enrolled in specified noncredit courses and California State University and University of California students enrolled in remedial classes provided by a community college district under specified conditions.

This bill would also exempt from this fee requirement students enrolled in specified credit contract education courses, if the entire cost of the course, including administrative costs, is paid by the public or private agency, corporation, or association with which the district is contracting *and if these students are not included in the calculation of the average daily attendance of that district.*

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

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

1 SECTION 1. Section 76300 of the Education Code is
2 amended to read:

3 76300. (a) The governing board of each community
4 college district shall charge each student a fee pursuant
5 to this section.

6 (b) (1) The fee prescribed by this section shall be
7 thirteen dollars (\$13) per unit per semester.

8 (2) The chancellor shall proportionately adjust the
9 amount of the fee for term lengths based upon a quarter
10 system and also shall proportionately adjust the amount
11 of the fee for summer sessions, intersessions, and other
12 short-term courses. In making these adjustments, the
13 chancellor may round the per unit fee and the per term
14 or per session fee to the nearest dollar.

15 (c) For the purposes of computing apportionments to
16 community college districts pursuant to Section 84750,
17 the chancellor shall subtract from the total revenue owed
18 to each district, 98 percent of the revenues received by
19 districts from charging a fee pursuant to this section.

20 (d) The chancellor shall reduce apportionments by up
21 to 10 percent to any district that does not collect the fees
22 prescribed by this section.

23 (e) The fee requirement does not apply to any of the
24 following:

25 (1) Students enrolled in the noncredit courses
26 designated by Section 84711.

27 (2) California State University or University of
28 California students enrolled in remedial classes provided
29 by a community college district on a campus of the
30 University of California or a campus of the California
31 State University, for whom the district claims an
32 attendance apportionment pursuant to an agreement
33 between the district and the California State University
34 or the University of California.

35 (3) Students enrolled in credit contract education
36 courses pursuant to Section 78021, if the entire cost of the
37 course, including administrative costs, is paid by the
38 public or private agency, corporation, or association with



1 which the district is contracting *and if these students are*
2 *not included in the calculation of the average daily*
3 *attendance of that district.*

4 (f) The governing board of a community college
5 district may exempt special part-time students admitted
6 pursuant to Section 76001 from the fee requirement.

7 (g) The fee requirements of this section shall be
8 waived for any student who, at the time of enrollment, is
9 a recipient of benefits under the Aid to Families with
10 Dependent Children program, the Supplemental
11 Security Income/State Supplementary Program, or a
12 general assistance program or has demonstrated financial
13 need in accordance with the methodology set forth in
14 federal law or regulation for determining the expected
15 family contribution of students seeking financial aid. The
16 governing board of a community college district also shall
17 waive the fee requirements of this section for any student
18 who demonstrates eligibility according to income
19 standards established by the board of governors and
20 contained in Section 58620 of Title 5 of the California
21 Code of Regulations.

22 (h) The fee requirements of this section shall be
23 waived for any student who, at the time of enrollment is
24 a dependent, or surviving spouse who has not remarried,
25 of any member of the California National Guard who, in
26 the line of duty and while in the active service of the state,
27 was killed, died of a disability resulting from an event that
28 occurred while in the active service of the state, or is
29 permanently disabled as a result of an event that occurred
30 while in the active service of the state. "Active service of
31 the state," for the purposes of this subdivision, means a
32 member of the California National Guard activated
33 pursuant to Section 146 of the Military and Veterans
34 Code.

35 (i) (1) It is the intent of the Legislature that sufficient
36 funds be provided to support the provision of a fee waiver
37 for every student who demonstrates eligibility pursuant
38 to subdivisions (g) and (h).

39 (2) From funds provided in the annual Budget Act,
40 the board of governors shall allocate to community



1 college districts, pursuant to this subdivision, an amount
2 equal to 2 percent of the fees waived pursuant to
3 subdivisions (g) and (h). From funds provided in the
4 annual Budget Act, the board of governors shall allocate
5 to community college districts, pursuant to this
6 subdivision, an amount equal to 7 percent of the fee
7 waivers provided pursuant to subdivisions (g) and (h) for
8 determination of financial need and delivery of student
9 financial aid services, on the basis of the number of
10 students for whom fees are waived. Funds allocated to a
11 community college district for determination of financial
12 need and delivery of student financial aid services shall
13 supplement, and shall not supplant, the level of funds
14 allocated for the administration of student financial aid
15 programs during the 1992–93 fiscal year.
16 (j) The board of governors shall adopt regulations
17 implementing this section.

