

AMENDED IN ASSEMBLY MAY 1, 2001

AMENDED IN ASSEMBLY APRIL 23, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 726

**Introduced by Assembly ~~Member Correa~~ Members *Correa and Alquist*
(*Coauthors: Assembly Members Bogh and Wyman*)**

February 22, 2001

An act ~~relating to community colleges to amend, repeal, and add Section 69437 of the Education Code, relating to student financial aid, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 726, as amended, Correa. ~~Community colleges: health insurance for part-time faculty~~ *Student financial aid: Competitive Cal Grant A and B Awards.*

~~Existing law establishes the California Community Colleges under the administration of the Board of Governors of the California Community Colleges.~~

~~Existing law authorizes the establishment of community college districts under the administration of community college governing boards, and authorizes these districts to provide instruction at community college campuses throughout the state.~~

~~Existing law establishes the Part-Time Community College Faculty Health Insurance Program as a state incentive program to encourage community college districts to offer health insurance to part-time~~

~~faculty. Existing law also expresses legislative intent that ongoing funding for the purposes of the program be subject to annual Budget Act appropriations, known as the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Act, establishes, among other programs, the Cal Grant A Entitlement Program, the Cal Grant B Entitlement Program, and the Competitive Cal Grant A and B Awards, under the administration of the Student Aid Commission. Existing law provides that a total of 22,500 Competitive Cal Grant A and B Awards are to be granted annually.~~

~~This bill would appropriate an unspecified sum from the General Fund to the Board of Governors of the California Community Colleges for allocation for the 2001–02 fiscal year for the purposes of this program~~ instead provide that, up to and including the 2004–05 fiscal year, a total of 42,500 Competitive Cal Grant A and B Awards would be granted annually. The bill would further provide that the annual total would return to 22,500 awards as of July 1, 2005.

The bill would provide that any funds appropriated to the Student Aid Commission for the 2000–01 fiscal year for the purposes of the Cal Grant A Entitlement Program or the Cal Grant B Entitlement Program that are unencumbered as of June 30, 2001, shall be reappropriated to the Student Aid Commission for the 2001–02 fiscal year for the purposes of the Competitive Cal Grant A and B Awards.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote: ²/₃. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

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

1 ~~SECTION 1.~~ (a) The sum of _____ dollars (\$_____) is hereby
 2 SECTION 1. Section 69437 of the Education Code is
 3 amended to read:
 4 69437. (a) Commencing with the 2001–02 academic year,
 5 and each academic year thereafter, there shall be established the
 6 Competitive Cal Grant A and B award program for students who
 7 did not receive a Cal Grant A or B entitlement award pursuant to
 8 Article 2 (commencing with Section 69434), Article 3
 9 (commencing with Section 69435), or Article 4 (commencing
 10 with Section 69436). Awards made under this section are not
 11 entitlements. The submission of an application by a student under
 12 this section shall not entitle that student to an award. The selection



1 of students under this article shall be determined pursuant to
2 subdivision (c) and other relevant criteria established by the
3 commission.

4 (b) A total of ~~22,500~~ 42,500 Cal Grant A and B awards shall be
5 granted annually under this article on a competitive basis for
6 applicants who meet the general eligibility criteria established in
7 Article 1 (commencing with Section 69430) and the priorities
8 established by the commission pursuant to subdivision (c).

9 (1) Fifty percent of the awards referenced in this subdivision
10 are available to all students, including California community
11 college students, who meet the financial need and academic
12 requirements established pursuant to this article. A student
13 enrolling at a qualifying baccalaureate degree granting institution
14 shall apply by the March 2 deadline. A California community
15 college student is eligible to apply at the March 2 or the September
16 2 deadline.

17 (2) Fifty percent of the awards referenced in this subdivision
18 are reserved for students who will be enrolled at a California
19 community college. The commission shall establish a second
20 application deadline of September 2 for community college
21 students to apply for these awards effective with the fall term or
22 semester of the 2001–02 academic year.

23 (3) If any awards are not distributed pursuant to paragraphs (1)
24 and (2) upon initial allocation of the awards under this article, the
25 commission shall make awards to as many eligible students as
26 possible, beginning with the students with the lowest expected
27 family contribution and highest academic merit, consistent with
28 the criteria adopted by the commission pursuant to subdivision (c),
29 as practicable without exceeding an annual cumulative total of
30 ~~22,500~~ 42,500 awards.

31 (c) (1) On or before February 1, 2001, acting pursuant to a
32 public hearing process that is consistent with the Bagley-Keene
33 Open Meeting Act (Article 9 (commencing with Section 11120)
34 of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government
35 Code), the commission shall establish selection criteria for Cal
36 Grant A and B awards under the competitive program that give
37 special consideration to disadvantaged students, taking into
38 consideration those financial, educational, cultural, language,
39 home, community, environmental, and other conditions that



1 hamper a student's access to, and ability to persist in,
2 postsecondary education programs.

3 (2) Additional consideration shall be given to each of the
4 following:

5 (A) Students who graduated from high school or its equivalent
6 prior to the 2000–01 academic year. This subparagraph shall not
7 be applicable after the 2004–05 academic year.

8 (B) Students pursuing Cal Grant B awards who reestablish
9 their grade point averages.

10 (C) Students who did not receive awards pursuant to Article 2
11 (commencing with Section 69434), Article 3 (commencing with
12 Section 69435), or Article 4 (commencing with Section 69436).

13 (d) All other students who meet the eligibility requirements
14 pursuant to Article 1 (commencing with Section 69430) are
15 eligible to compete for an award pursuant to this article.

16 (e) *This section shall become inoperative on July 1, 2005, and,
17 as of January 1, 2006, is repealed, unless a later enacted statute,
18 that is enacted on or before January 1, 2006, deletes or extends the
19 dates on which it becomes inoperative and is repealed.*

20 SEC. 2. *Section 69437 is added to the Education Code, to
21 read:*

22 69437. (a) *Commencing with the 2001–02 academic year,
23 and each academic year thereafter, there shall be established the
24 Competitive Cal Grant A and B award program for students who
25 did not receive a Cal Grant A or B entitlement award pursuant to
26 Article 2 (commencing with Section 69434), Article 3
27 (commencing with Section 69435), or Article 4 (commencing with
28 Section 69436). Awards made under this section are not
29 entitlements. The submission of an application by a student under
30 this section shall not entitle that student to an award. The selection
31 of students under this article shall be determined pursuant to
32 subdivision (c) and other relevant criteria established by the
33 commission.*

34 (b) *A total of 22,500 Cal Grant A and B awards shall be granted
35 annually under this article on a competitive basis for applicants
36 who meet the general eligibility criteria established in Article 1
37 (commencing with Section 69430) and the priorities established by
38 the commission pursuant to subdivision (c).*

39 (1) *Fifty percent of the awards referenced in this subdivision
40 are available to all students, including California community*



1 college students, who meet the financial need and academic
2 requirements established pursuant to this article. A student
3 enrolling at a qualifying baccalaureate degree granting institution
4 shall apply by the March 2 deadline. A California community
5 college student is eligible to apply at the March 2 or the September
6 2 deadline.

7 (2) Fifty percent of the awards referenced in this subdivision
8 are reserved for students who will be enrolled at a California
9 community college. The commission shall establish a second
10 application deadline of September 2 for community college
11 students to apply for these awards effective with the fall term or
12 semester of the 2001–02 academic year.

13 (3) If any awards are not distributed pursuant to paragraphs
14 (1) and (2) upon initial allocation of the awards under this article,
15 the commission shall make awards to as many eligible students as
16 possible, beginning with the students with the lowest expected
17 family contribution and highest academic merit, consistent with
18 the criteria adopted by the commission pursuant to subdivision (c),
19 as practicable without exceeding an annual cumulative total of
20 22,500 awards.

21 (c) (1) On or before February 1, 2001, acting pursuant to a
22 public hearing process that is consistent with the Bagley-Keene
23 Open Meeting Act (Article 9 (commencing with Section 11120) of
24 Chapter 1 of Part 1 of Division 3 of Title 2 of the Government
25 Code), the commission shall establish selection criteria for Cal
26 Grant A and B awards under the competitive program that give
27 special consideration to disadvantaged students, taking into
28 consideration those financial, educational, cultural, language,
29 home, community, environmental, and other conditions that
30 hamper a student's access to, and ability to persist in,
31 postsecondary education programs.

32 (2) Additional consideration shall be given to each of the
33 following:

34 (A) Students who graduated from high school or its equivalent
35 prior to the 2000–01 academic year. This subparagraph shall not
36 be applicable after the 2004–05 academic year.

37 (B) Students pursuing Cal Grant B awards who reestablish
38 their grade point averages.



1 (C) Students who did not receive awards pursuant to Article 2
2 (commencing with Section 69434), Article 3 (commencing with
3 Section 69435), or Article 4 (commencing with Section 69436).

4 (d) All other students who meet the eligibility requirements
5 pursuant to Article 1 (commencing with Section 69430) are
6 eligible to compete for an award pursuant to this article.

7 (e) This section shall become operative on July 1, 2005.

8 SEC. 3. Notwithstanding any other provision of law, any funds
9 appropriated to the Student Aid Commission for the 2000–01 fiscal
10 year for the purposes of the Cal Grant A Entitlement Program
11 (Article 2 (commencing with Section 69434) of Chapter 1.7 of Part
12 42 of the Education Code) or the Cal Grant B Entitlement Program
13 (Article 3 (commencing with Section 69435) of Chapter 1.7 of Part
14 42 of the Education Code) that are unencumbered as of June 30,
15 2001, shall be reappropriated to the Student Aid Commission for
16 the 2001–02 fiscal year for the purposes of the Competitive Cal
17 Grant A and B Awards (Article 5 (commencing with Section
18 69437) of Chapter 1.7 of Part 42 of the Education Code).

19 SEC. 4. This act is an urgency statute necessary for the
20 immediate preservation of the public peace, health, or safety
21 within the meaning of Article IV of the Constitution and shall go
22 into immediate effect. The facts constituting the necessity are:

23 In order to make the most efficient use of funds set aside for the
24 purposes of the Ortiz-Pacheco-Poochigian-Vasconcellos Cal
25 Grant Program (Chapter 1.7 (commencing with Section 69430) of
26 Part 42 of the Education Code), it is necessary that this act take
27 effect immediately.

28 ~~appropriated from the General Fund to the Board of Governors of~~
29 ~~the California Community Colleges for allocation for the 2001–02~~
30 ~~fiscal year for the purposes of the Part-Time Community College~~
31 ~~Faculty Health Insurance Program (Article 9 (commencing with~~
32 ~~Section 87860) of Chapter 3 of Part 51 of the Education Code).~~

33 ~~(b) Any and all amounts allocated pursuant to subdivision (a)~~
34 ~~shall be counted towards the state's minimum funding obligation~~
35 ~~to school districts and community college districts pursuant to~~
36 ~~Section 8 of Article XVI of the California Constitution for the~~
37 ~~2001–02 fiscal year.~~

38 ~~SEC. 2. This act is an urgency statute necessary for the~~
39 ~~immediate preservation of the public peace, health, or safety~~



1 ~~within the meaning of Article IV of the Constitution and shall go~~
2 ~~into immediate effect. The facts constituting the necessity are:~~
3 ~~In order for the Part-Time Community College Faculty Health~~
4 ~~Insurance Program to be fully funded for the 2001-02 fiscal year,~~
5 ~~it is necessary that this act take effect immediately.~~

O

