

AMENDED IN SENATE JUNE 10, 2008

AMENDED IN SENATE APRIL 16, 2008

AMENDED IN SENATE MARCH 24, 2008

**SENATE BILL**

**No. 1219**

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**Introduced by ~~Senator Cedillo~~ *Senators Cedillo and Wyland*  
(~~Coauthor: Senator Alquist~~ *Coauthors: Senators Alquist, Denham,  
Maldonado, and Runner*)**

*(Coauthors: Assembly Members Mendoza and Portantino)*

February 14, 2008

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An act to add Article 4.5 (commencing with Section 69436.70) to Chapter 1.7 of Part 42 of Title 3 of the Education Code, relating to student financial aid, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1219, as amended, Cedillo. Student financial aid: member and former members of the Armed Forces.

Existing law, known as the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Act, establishes, among other programs, 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. Existing law requires that a participant in the California Community College Transfer Cal Grant Entitlement Program, among other things, graduate from a California high school or its equivalent during or after the 2000–01 academic year.

This bill would, commencing with the 2009–10 award year, entitle a student who is a member or former member of the United States Armed

Forces, and who enrolls at a campus of the California Community Colleges, a career technical education program, or a qualifying undergraduate certificate or degree program, to a Cal Grant A or B award. The bill would also require the Student Aid 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 further 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.

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

Vote: ~~majority~~<sup>2/3</sup>. 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 United States Armed Forces that will be returning from these
- 11 conflicts.
- 12 (c) Increased access to financial aid to help returning members
- 13 of the United States Armed Forces afford the cost of tuition and
- 14 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

1 they choose to serve their country before pursuing a postsecondary  
2 education.

3 (e) Recent students have identified the need for a more educated  
4 workforce in order to meet the demands of California’s growing  
5 economy.

6 SEC. 2. Article 4.5 (commencing with Section 69436.70) is  
7 added to Chapter 1.7 of Part 42 of Title 3 of the Education Code,  
8 to read:

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10 Article 4.5. Cal Grants for Members and Former Members of  
11 the Armed Forces

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13 69436.70. (a) Commencing with the 2009–10 academic year,  
14 and each academic year thereafter, a student who is a member or  
15 former member of the United States Armed Forces, shall be entitled  
16 to a Cal Grant A or B award if he or she enrolls at a campus of the  
17 California Community Colleges, in a career technical education  
18 program, or a qualifying undergraduate certificate or degree  
19 program pursuant to paragraph (5) of subdivision (b) of Section  
20 69434, with respect to Cal Grant A, or paragraph (5) of subdivision  
21 (a) of Section 69435.3, with respect to Cal Grant B, within two  
22 years of leaving active duty, and meets all of the criteria in  
23 subdivision (b).

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

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

33 (2) The student demonstrates financial need pursuant to Section  
34 69433.

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

37 (4) The student is enrolled at a campus of the California  
38 Community Colleges or is pursuing a baccalaureate degree that is  
39 offered by a qualifying institution.

40 (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 2009–2010 award 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 United  
22 States Armed Forces by that student or by that student’s parent or  
23 guardian that required that student to be outside of California at  
24 the time of high school graduation.

25 (2) (A) Commencing with the 2009–10 award 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) of this section, and paragraph (1)  
32 of this subdivision. The commission shall notify each person who  
33 receives a preliminary award under this paragraph that his or her  
34 award is subject to an 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, prior to 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) of this section,

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

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

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

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

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

18 *SEC. 3. This act is an urgency statute necessary for the*  
19 *immediate preservation of the public peace, health, or safety within*  
20 *the meaning of Article IV of the Constitution and shall go into*  
21 *immediate effect. The facts constituting the necessity are:*

22 *In order to meet the need for a more educated workforce and*  
23 *the demands of California's growing economy at the earliest*  
24 *possible time, it is necessary that this act take effect immediately.*