

AMENDED IN ASSEMBLY APRIL 7, 2010

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 2086

Introduced by Assembly Member Coto

February 18, 2010

~~An act to amend Section 67003 of the Education Code, relating to public postsecondary education.~~ *An act to amend Section 69432.7 of the Education Code, relating to postsecondary education.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2086, as amended, Coto. ~~Public postsecondary education: federal assistance: Cal Grant Program: qualifying institutions: publication of professional licensure license examination passage rates.~~

Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos 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 for awards under these programs for participating students attending qualifying institutions.

For purposes of the Cal Grant Program, existing law defines "qualifying institution" as a California private or independent postsecondary educational institution that participates in specified federal student aid programs, a nonprofit institution that is headquartered and operating in California that meets specified criteria, or a California public postsecondary educational institution.

This bill would redefine "qualifying institution" for purposes of the Cal Grant Program to mean an institution that is within any of those

3 categories and that complies with a requirement to annually publish license examination passage rates for graduates of specified programs.

~~Existing law, known as the Donahoe Higher Education Act, establishes the segments of the public postsecondary education system in the state, including the University of California administered by the Regents of the University of California, the California State University administered by the Trustees of the California State University, and the California Community Colleges administered by the Board of Governors of the California Community Colleges. Existing law also establishes the California Maritime Academy, under the administration of the trustees and a specified governing board, as a specialized institution within the California State University. The provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, make them applicable.~~

~~A provision of the act vests the regents, the trustees, and the boards of governors of the California Community Colleges and the California Maritime Academy, on behalf of each of their respective segments, with the authority to perform all acts necessary to receive the benefits and expend funds provided by specified federal laws. The act designates the California Postsecondary Education Commission as the state agency to carry out the purposes of those federal laws. The act designates the Treasurer as the custodian of all funds received by the state from the federal government under specified federal law and requires the Treasurer to pay out those funds to carry out the purposes of that federal law.~~

~~This bill would require the governing boards of each of the public postsecondary educational institutions to certify annually to the Legislature and the Governor that an Internet address for professional licensure examination passage rates has been published on all applications for enrollment, and would condition the authority of those governing boards to receive and expend specified federal funds upon making that annual certification.~~

~~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 69432.7 of the Education Code is amended*
- 2 *to read:*

1 69432.7. As used in this chapter, the following terms have the
2 following meanings:

3 (a) An “academic year” is July 1 to June 30, inclusive. The
4 starting date of a session shall determine the academic year in
5 which it is included.

6 (b) “Access costs” means living expenses and expenses for
7 transportation, supplies, and books.

8 (c) “Award year” means one academic year, or the equivalent,
9 of attendance at a qualifying institution.

10 (d) “College grade point average” and “community college
11 grade point average” mean a grade point average calculated on the
12 basis of all college work completed, except for nontransferable
13 units and courses not counted in the computation for admission to
14 a California public institution of higher education that grants a
15 baccalaureate degree.

16 (e) “Commission” means the Student Aid Commission.

17 (f) “Enrollment status” means part-time status or full-time status.

18 (1) ~~Part time~~, “*Part time*,” for purposes of Cal Grant eligibility,
19 ~~is defined as means~~ 6 to 11 semester units, inclusive, or the
20 equivalent.

21 (2) ~~Full time~~, “*Full time*,” for purposes of Cal Grant eligibility,
22 ~~is defined as means~~ 12 or more semester units or the equivalent.

23 (g) “Expected family contribution,” with respect to an applicant,
24 shall be determined using the federal methodology pursuant to
25 subdivision (a) of Section 69506 (as established by Title IV of the
26 federal Higher Education Act of 1965, as amended (20 U.S.C. Sec.
27 1070 et seq.)) and applicable rules and regulations adopted by the
28 commission.

29 (h) “High school grade point average” means a grade point
30 average calculated on a 4.0 scale, using all academic coursework,
31 for the sophomore year, the summer following the sophomore
32 year, the junior year, and the summer following the junior year,
33 excluding physical education, reserve officer training corps
34 (ROTC), and remedial courses, and computed pursuant to
35 regulations of the commission. However, for high school graduates
36 who apply after their senior year, “high school grade point average”
37 includes senior year coursework.

38 (i) “Instructional program of not less than one academic year”
39 means a program of study that results in the award of an associate
40 or baccalaureate degree or certificate requiring at least 24 semester

1 units or the equivalent, or that results in eligibility for transfer from
 2 a community college to a baccalaureate degree program.

3 (j) “Instructional program of not less than two academic years”
 4 means a program of study that results in the award of an associate
 5 or baccalaureate degree requiring at least 48 semester units or the
 6 equivalent, or that results in eligibility for transfer from a
 7 community college to a baccalaureate degree program.

8 (k) “Maximum household income and asset levels” means the
 9 applicable household income and household asset levels for
 10 participants in the Cal Grant Program, as defined and adopted in
 11 regulations by the commission for the 2001–02 academic year,
 12 which shall be set pursuant to the following income and asset
 13 ceiling amounts:

14
 15 CAL GRANT PROGRAM INCOME CEILINGS

	Cal Grant A, C, and T	Cal Grant B
19 Dependent and Independent students with 20 dependents*		
21 Family Size		
22 Six or more	\$74,100	\$40,700
23 Five	\$68,700	\$37,700
24 Four	\$64,100	\$33,700
25 Three	\$59,000	\$30,300
26 Two	\$57,600	\$26,900
27		
28 Independent		
29 Single, no dependents	\$23,500	\$23,500
30 Married	\$26,900	\$26,900

31
 32 CAL GRANT PROGRAM ASSET CEILINGS

	Cal Grant A, C, and T	Cal Grant B
37 Dependent**	\$49,600	\$49,600
38 Independent	\$23,600	\$23,600

39

1 **Applies to independent students with dependents other than a spouse.

2 The commission shall annually adjust the maximum household
3 income and asset levels based on the percentage change in the cost
4 of living within the meaning of paragraph (1) of subdivision (e)
5 of Section 8 of Article XIII B of the California Constitution. ~~Any~~
6 An applicant who qualifies to be considered under the simplified
7 needs test established by federal law for student assistance shall
8 be presumed to meet the asset level test under this section. Prior
9 to disbursing any Cal Grant funds, a qualifying institution shall
10 be obligated, under the terms of its institutional participation
11 agreement with the commission, to resolve any conflicts that may
12 exist in the data the institution possesses relating to that individual.

13 (l) (1) “Qualifying institution” means *an institution that*
14 *complies with paragraph (2) and is any of the following:*

15 ~~(1) Any~~

16 (A) A California private or independent postsecondary
17 educational institution that participates in the Pell Grant program
18 and in at least two of the following federal campus-based student
19 aid programs:

20 ~~(A)~~

21 (i) Federal Work-Study.

22 ~~(B)~~

23 (ii) Perkins Loan Program.

24 ~~(C)~~

25 (iii) Supplemental Educational Opportunity Grant Program.

26 ~~(2) Any~~

27 (B) A nonprofit institution headquartered and operating in
28 California that certifies to the commission that 10 percent of the
29 institution’s operating budget, as demonstrated in an audited
30 financial statement, is expended for the purposes of institutionally
31 funded student financial aid in the form of grants, that demonstrates
32 to the commission that it has the administrative capacity to
33 administer the funds, that is accredited by the Western Association
34 of Schools and Colleges, and that meets any other state-required
35 criteria adopted by regulation by the commission in consultation
36 with the Department of Finance. A regionally accredited institution
37 that was deemed qualified by the commission to participate in the
38 Cal Grant Program for the 2000–01 academic year shall retain its
39 eligibility as long as it maintains its existing accreditation status.

40 ~~(3) Any~~

1 (C) A California public postsecondary educational institution.
 2 (2) *The institution shall annually publish license examination*
 3 *passage rates for the most recent available year from graduates*
 4 *of programs leading to employment for which passage of a state*
 5 *licensing examination is required, if that data is available from a*
 6 *state licensing agency. For purposes of this paragraph, “publish”*
 7 *may exclusively include placement, on applications for enrollment*
 8 *or other program information distributed to prospective students,*
 9 *of an Internet address labeled as an access point for data on recent*
 10 *program graduates’ license examination passage rates.*

11 (m) “Satisfactory academic progress” means those criteria
 12 required by applicable federal standards published in Title 34 of
 13 the Code of Federal Regulations. The commission may adopt
 14 regulations defining “satisfactory academic progress” in a manner
 15 that is consistent with those federal standards.

16 SECTION 1. Section 67003 of the Education Code is amended
 17 to read:

18 ~~67003. (a) Subject to making the certification of transparency~~
 19 ~~pursuant to subdivision (b), the Trustees of the California State~~
 20 ~~University on behalf of the California State University, the Regents~~
 21 ~~of the University of California on behalf of the university, the~~
 22 ~~Board of Governors of the California Community Colleges on~~
 23 ~~behalf of the community colleges, and the Board of Governors of~~
 24 ~~the California Maritime Academy on behalf of the California~~
 25 ~~Maritime Academy, are vested with all power and authority to~~
 26 ~~perform all acts necessary to receive the benefits and to expend~~
 27 ~~the funds provided by the act of Congress described in Section~~
 28 ~~67000 and with all necessary power and authority to cooperate~~
 29 ~~with the government of the United States, or any agency or~~
 30 ~~agencies thereof, and with the California Postsecondary Education~~
 31 ~~Commission for the purpose of receiving the benefits and~~
 32 ~~expending the funds provided by the act of Congress, in accordance~~
 33 ~~with the act, or any rules or regulations adopted thereunder, or any~~
 34 ~~state plan or rules or regulations of the California Postsecondary~~
 35 ~~Education Commission adopted in accordance with the act of~~
 36 ~~Congress. Whenever necessary to secure the full benefits of the~~
 37 ~~act of Congress for loans or grants for academic facilities, the~~
 38 ~~trustees, regents, or boards of governors may give any required~~
 39 ~~security and may comply with any conditions imposed by the~~
 40 ~~federal government.~~

1 ~~(b) Each institution of higher education shall certify annually~~
2 ~~to the Legislature and the Governor that an Internet address has~~
3 ~~been conspicuously published on all hard copy and online~~
4 ~~applications for enrollment where prospective students will find~~
5 ~~rates of passage on specified professional licensure examinations~~
6 ~~by students of the institution or program.~~

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