

AMENDED IN ASSEMBLY APRIL 22, 2010

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 69432.7 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 2086, as amended, Coto. Cal Grant Program: qualifying institutions: publication of 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.

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:
3 69432.7. As used in this chapter, the following terms have the
4 following meanings:
5 (a) An “academic year” is July 1 to June 30, inclusive. The
6 starting date of a session shall determine the academic year in
7 which it is included.
8 (b) “Access costs” means living expenses and expenses for
9 transportation, supplies, and books.
10 (c) “Award year” means one academic year, or the equivalent,
11 of attendance at a qualifying institution.
12 (d) “College grade point average” and “community college
13 grade point average” mean a grade point average calculated on the
14 basis of all college work completed, except for nontransferable
15 units and courses not counted in the computation for admission to
16 a California public institution of higher education that grants a
17 baccalaureate degree.
18 (e) “Commission” means the Student Aid Commission.
19 (f) “Enrollment status” means part-time status or full-time status.
20 (1) ~~Part time~~, “*Part time*,” for purposes of Cal Grant eligibility,
21 ~~is defined as means~~ 6 to 11 semester units, inclusive, or the
22 equivalent.
23 (2) ~~Full time~~, “*Full time*,” for purposes of Cal Grant eligibility,
24 ~~is defined as means~~ 12 or more semester units or the equivalent.
25 (g) “Expected family contribution,” with respect to an applicant,
26 shall be determined using the federal methodology pursuant to
27 subdivision (a) of Section 69506 (as established by Title IV of the
28 federal Higher Education Act of 1965, as amended (20 U.S.C. Sec.
29 1070 et seq.)) and applicable rules and regulations adopted by the
30 commission.
31 (h) “High school grade point average” means a grade point
32 average calculated on a 4.0 scale, using all academic coursework,
33 for the sophomore year, the summer following the sophomore

1 year, the junior year, and the summer following the junior year,
 2 excluding physical education, reserve officer training corps
 3 (ROTC), and remedial courses, and computed pursuant to
 4 regulations of the commission. However, for high school graduates
 5 who apply after their senior year, “high school grade point average”
 6 includes senior year coursework.

7 (i) “Instructional program of not less than one academic year”
 8 means a program of study that results in the award of an associate
 9 or baccalaureate degree or certificate requiring at least 24 semester
 10 units or the equivalent, or that results in eligibility for transfer from
 11 a community college to a baccalaureate degree program.

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

17 (k) “Maximum household income and asset levels” means the
 18 applicable household income and household asset levels for
 19 participants in the Cal Grant Program, as defined and adopted in
 20 regulations by the commission for the 2001–02 academic year,
 21 which shall be set pursuant to the following income and asset
 22 ceiling amounts:

23
 24 CAL GRANT PROGRAM INCOME CEILINGS

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

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

3
4 CAL GRANT PROGRAM ASSET CEILINGS

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

11
12 **Applies to independent students with dependents other than a
13 spouse.

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

25 (l) (1) "Qualifying institution" means *an institution that*
26 *complies with paragraph (2) and is any of the following:*

27 ~~(1) Any~~

28 (A) A California private or independent postsecondary
29 educational institution that participates in the Pell Grant program
30 and in at least two of the following federal campus-based student
31 aid programs:

32 ~~(A)~~

33 (i) Federal Work-Study.

34 ~~(B)~~

35 (ii) Perkins Loan Program.

36 ~~(C)~~

37 (iii) Supplemental Educational Opportunity Grant Program.

38 ~~(2) Any~~

1 (B) A nonprofit institution headquartered and operating in
2 California that certifies to the commission that 10 percent of the
3 institution’s operating budget, as demonstrated in an audited
4 financial statement, is expended for the purposes of institutionally
5 funded student financial aid in the form of grants, that demonstrates
6 to the commission that it has the administrative capacity to
7 administer the funds, that is accredited by the Western Association
8 of Schools and Colleges, and that meets any other state-required
9 criteria adopted by regulation by the commission in consultation
10 with the Department of Finance. A regionally accredited institution
11 that was deemed qualified by the commission to participate in the
12 Cal Grant Program for the 2000–01 academic year shall retain its
13 eligibility as long as it maintains its existing accreditation status.

14 ~~(3) Any~~

15 (C) A California public postsecondary educational institution.

16 (2) (A) *The institution shall annually publish license*
17 *examination passage rates for the most recent available year from*
18 *graduates of programs leading to employment for which passage*
19 *of a state licensing examination is required, if that data is available*
20 *from a state licensing agency. For purposes of this paragraph,*
21 *“publish” may exclusively include placement, on applications for*
22 *enrollment or other program information distributed to prospective*
23 *students, of an Internet Web site address labeled as an access point*
24 *for data on recent program graduates’ license examination passage*
25 *rates.*

26 (B) *The institution shall be responsible for certifying to the*
27 *commission compliance with the requirements of subparagraph*

28 (A).

29 (m) “Satisfactory academic progress” means those criteria
30 required by applicable federal standards published in Title 34 of
31 the Code of Federal Regulations. The commission may adopt
32 regulations defining “satisfactory academic progress” in a manner
33 that is consistent with those federal standards.

34 ~~SECTION 1. Section 69432.7 of the Education Code is~~
35 ~~amended to read:~~

36 ~~69432.7. As used in this chapter, the following terms have the~~
37 ~~following meanings:~~

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39 ~~starting date of a session shall determine the academic year in~~
40 ~~which it is included.~~

- 1 (b) ~~“Access costs” means living expenses and expenses for~~
2 ~~transportation, supplies, and books.~~
- 3 (c) ~~“Award year” means one academic year, or the equivalent,~~
4 ~~of attendance at a qualifying institution.~~
- 5 (d) ~~“College grade point average” and “community college~~
6 ~~grade point average” mean a grade point average calculated on the~~
7 ~~basis of all college work completed, except for nontransferable~~
8 ~~units and courses not counted in the computation for admission to~~
9 ~~a California public institution of higher education that grants a~~
10 ~~baccalaureate degree.~~
- 11 (e) ~~“Commission” means the Student Aid Commission.~~
- 12 (f) ~~“Enrollment status” means part-time status or full-time status.~~
- 13 (1) ~~“Part time,” for purposes of Cal Grant eligibility, means 6~~
14 ~~to 11 semester units, inclusive, or the equivalent.~~
- 15 (2) ~~“Full time,” for purposes of Cal Grant eligibility, means 12~~
16 ~~or more semester units or the equivalent.~~
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18 ~~shall be determined using the federal methodology pursuant to~~
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20 ~~federal Higher Education Act of 1965, as amended (20 U.S.C. Sec.~~
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7 which shall be set pursuant to the following income and asset
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10 CAL GRANT PROGRAM INCOME CEILINGS

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Independent	-	-
— Single, no dependents	\$23,500	\$23,500
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38 of living within the meaning of paragraph (1) of subdivision (e)
39 of Section 8 of Article XIII B of the California Constitution. An

1 applicant who qualifies to be considered under the simplified needs
2 test established by federal law for student assistance shall be
3 presumed to meet the asset level test under this section. Prior to
4 disbursing any Cal Grant funds, a qualifying institution shall be
5 obligated, under the terms of its institutional participation
6 agreement with the commission, to resolve any conflicts that may
7 exist in the data the institution possesses relating to that individual.

8 (b) (1) “Qualifying institution” means an institution that
9 complies with paragraph (2) and is any of the following:

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11 educational institution that participates in the Pell Grant program
12 and in at least two of the following federal campus-based student
13 aid programs:

14 (i) Federal Work-Study.
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17 (B) A nonprofit institution headquartered and operating in
18 California that certifies to the commission that 10 percent of the
19 institution’s operating budget, as demonstrated in an audited
20 financial statement, is expended for the purposes of institutionally
21 funded student financial aid in the form of grants, that demonstrates
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30 (C) A California public postsecondary educational institution.

31 (2) The institution shall annually publish license examination
32 passage rates for the most recent available year from graduates of
33 programs leading to employment for which passage of a state
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35 state licensing agency. For purposes of this paragraph, “publish”
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