

AMENDED IN ASSEMBLY MAY 6, 2010

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~~ *provide information on where to access* license examination passage rates for graduates of specified programs *if that data is electronically available through the Internet Web site of a state licensing or regulatory agency.*

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
 2 amended 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,” for purposes of Cal Grant eligibility, means 6
 21 to 11 semester units, inclusive, or the equivalent.
 22 (2) “Full time,” for purposes of Cal Grant eligibility, means 12
 23 or more semester units or the equivalent.
 24 (g) “Expected family contribution,” with respect to an applicant,
 25 shall be determined using the federal methodology pursuant to
 26 subdivision (a) of Section 69506 (as established by Title IV of the
 27 federal Higher Education Act of 1965, as amended (20 U.S.C. Sec.

1 1070 et seq.)) and applicable rules and regulations adopted by the
2 commission.

3 (h) “High school grade point average” means a grade point
4 average calculated on a 4.0 scale, using all academic coursework,
5 for the sophomore year, the summer following the sophomore
6 year, the junior year, and the summer following the junior year,
7 excluding physical education, reserve officer training corps
8 (ROTC), and remedial courses, and computed pursuant to
9 regulations of the commission. However, for high school graduates
10 who apply after their senior year, “high school grade point average”
11 includes senior year coursework.

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

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

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

28
29 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

	Cal Grant A, C, and T	Cal Grant B
Independent		
Single, no dependents	\$23,500	\$23,500
Married	\$26,900	\$26,900

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

CAL GRANT PROGRAM ASSET CEILINGS

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

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

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

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

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

(i) Federal Work-Study.

1 (ii) Perkins Loan Program.

2 (iii) Supplemental Educational Opportunity Grant Program.

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

16 (C) A California public postsecondary educational institution.

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

33 (B) The institution shall be responsible for certifying to the
34 commission compliance with the requirements of subparagraph
35 (A).

36 (m) “Satisfactory academic progress” means those criteria
37 required by applicable federal standards published in Title 34 of
38 the Code of Federal Regulations. The commission may adopt

- 1 regulations defining “satisfactory academic progress” in a manner
- 2 that is consistent with those federal standards.