

AMENDED IN SENATE APRIL 13, 2009

SENATE BILL

No. 647

Introduced by Senator Denham

February 27, 2009

~~An act to add Chapter 8 (commencing with Section 1007) to Division 4 of the Military and Veterans Code, relating to veterans. An act to add and repeal Article 20.7 (commencing with Section 69999.10) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, relating to postsecondary education.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 647, as amended, Denham. ~~Military and Veterans Education Assistance Award Program. California National Guard Education Assistance Award Program.~~

Existing law establishes various award programs under the administration of the Student Aid Commission, and establishes eligibility requirements for the receipt of awards under those programs for participating students attending qualifying institutions.

This bill, until January 1, 2016, would establish the California National Guard Education Assistance Award Program on behalf of qualifying members of the California National Guard, the State Military Reserve, and the Naval Militia under the administration of the commission. The commission would be required to report annually to the Legislature regarding program participation. The bill would require the Legislative Analyst, on or before January 1, 2014, to prepare and submit to the Legislature a report on the program.

~~Existing law provides certain benefits for qualifying veterans.~~

~~This bill would establish the Military and Veterans Education Assistance Award Program on behalf of qualifying members of the~~

~~United States Armed Forces, California National Guard, the State Military Reserve, or the Naval Militia, under the shared administration of the Military Department and the Student Aid Commission. This bill, under the award program, would offer education assistance benefits to qualifying students for approved programs of education, as defined, for a specified amount of time.~~

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. Article 20.7 (commencing with Section 69999.10)
 2 is added to Chapter 2 of Part 42 of Division 5 of Title 3 of the
 3 Education Code, to read:

4
 5 Article 20.7. California National Guard Education Assistance
 6 Award Program
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8 69999.10. This article shall be known, and may be cited, as
 9 the California National Guard Education Assistance Award
 10 Program.

11 69999.12. There is hereby established the California National
 12 Guard Education Assistance Award Program.

13 69999.14. (a) The Legislature finds and declares all of the
 14 following:

15 (1) The California National Guard exists to provide a military
 16 organization in California with the capability to protect the lives
 17 and property of the people of the state during periods of natural
 18 disaster and civil disturbances, and to perform other functions
 19 required by the Military and Veterans Code or as directed by the
 20 Governor.

21 (2) The California National Guard performs an essential public
 22 purpose in protecting the health, safety, and property of
 23 California’s citizens and, in order to fulfill its objectives, it is
 24 necessary for the California National Guard to have sufficient
 25 human resources to deal with natural or human-caused disasters
 26 and emergencies.

27 (3) An educational assistance award program for members of
 28 the California National Guard would enhance retention rates
 29 within the California National Guard. Similar educational

1 assistance programs have been highly successful in other states
2 and have resulted in substantially higher retention rates.

3 (b) It is, therefore, the intent of the Legislature that, in order to
4 fulfill the public program of maintaining required strength in the
5 California National Guard, an inducement be provided to members
6 of the California National Guard by making educational assistance
7 awards available to California National Guard members seeking
8 to improve themselves through higher education. It is the intent
9 of the Legislature that these assistance awards be available to
10 California National Guard members who serve the state faithfully.

11 69999.16. (a) Commencing with the 2010–11 academic year,
12 and each academic year thereafter, any qualifying member of the
13 California National Guard, the State Military Reserve, or the
14 Naval Militia may apply for a California National Guard
15 Education Assistance Award.

16 (b) A qualifying member shall meet all of the following
17 conditions to be eligible to receive a California National Guard
18 Education Assistance Award:

19 (1) The person is a resident within the meaning of Section 68017.

20 (2) The person is member of, and has served two or more years
21 in, the California National Guard, the State Military Reserve, or
22 the Naval Militia.

23 (3) The person has been accepted or registered at, or enrolled
24 in, a qualifying institution, as defined in subdivision (l) of Section
25 69432.7.

26 (4) The person agrees to use the award to obtain a certificate,
27 degree, or diploma that he or she does not hold at the time the
28 person applies for the award.

29 (c) Each person applying for a California National Guard
30 Education Assistance Award shall submit an application for an
31 award to the Adjutant General. The application form shall be the
32 Free Application for Federal Student Aid (FAFSA) form.

33 (d) The Adjutant General shall do both of the following:

34 (1) Review the applications for awards and certify the eligibility
35 of the qualifying members to the Student Aid Commission.

36 (2) Select award recipients from among eligible applicants.

37 (e) The number of awards issued in any one year shall be limited
38 to the number approved by the Legislature in the annual Budget
39 Act.

1 (f) *The Student Aid Commission shall issue the awards in*
2 *accordance with Section 69999.18.*

3 69999.18. (a) *The Student Aid Commission shall be responsible*
4 *for issuing awards, authorized by Section 69999.16, upon receipt*
5 *of a certificate from the Adjutant General verifying that the*
6 *applicant meets the eligibility requirements of this article, upon a*
7 *determination by the commission that the applicant has otherwise*
8 *met the requirements of this article, if funds are available for this*
9 *purpose.*

10 (b) *With the exception of any additional stipend given for books*
11 *and supplies, the amount of the award shall be equivalent to the*
12 *total of (1) the amount the recipient would otherwise be eligible*
13 *to receive for a Cal Grant A entitlement award and (2) the annual*
14 *amount of a Cal Grant B entitlement award authorized to be used*
15 *for access costs, as adjusted in the annual Budget Act.*

16 (c) *California National Guard Education Assistance Awards*
17 *may be renewed for each new academic year, for a maximum of*
18 *five years of full-time equivalent enrollment, if the Adjutant General*
19 *certifies the qualifying member's eligibility and the qualifying*
20 *member is making satisfactory academic progress at the qualifying*
21 *institution.*

22 69999.20. *Qualifying members may not receive both a*
23 *California National Guard Education Assistance Award and any*
24 *Cal Grant Award for the same academic year. A qualifying member*
25 *under this article who is also eligible for any Cal Grant Award*
26 *shall elect between an award under this article and any Cal Grant*
27 *Award for the same academic year.*

28 69999.22. (a) *The Student Aid Commission shall administer*
29 *this article, and, in consultation with the Adjutant General and*
30 *the Military Department, shall adopt rules and regulations for this*
31 *purpose. These rules and regulations shall include provisions that*
32 *establish priorities for allocating available money to applicants.*
33 *The initial regulations for the California National Guard Education*
34 *Assistance Award Program shall be adopted within one year of*
35 *the date of the initial appropriation funding the program. The*
36 *Student Aid Commission may solicit the advice of representatives*
37 *from postsecondary educational institutions regarding any*
38 *proposed rules and regulations.*

39 (b) *The Student Aid Commission may enter into contracts with*
40 *a public agency or a private entity to improve the processing and*

1 *distribution of awards through the use of electronic networks and*
2 *unified databases.*

3 *69999.24. The Student Aid Commission shall report annually*
4 *to the Legislature regarding program participation, including, but*
5 *not necessarily limited to, both of the following, as categorized on*
6 *the basis of age, ethnicity, and gender:*

7 *(a) The total number of participants in the program established*
8 *by this article.*

9 *(b) The number of participants who receive a California*
10 *National Guard Education Assistance Award, classified by*
11 *academic year.*

12 *69999.26. The Legislative Analyst shall, on or before January*
13 *1, 2014, prepare and submit to the Legislature a report on the*
14 *program established in this article. The report may include*
15 *recommendations for modifying or extending this article.*

16 *69999.28. This article shall remain in effect only until January*
17 *1, 2016, and as of that date is repealed, unless a later enacted*
18 *statute, that is enacted before January 1, 2016, deletes or extends*
19 *that date.*

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**All matter omitted in this version of the bill
appears in the bill as introduced in Senate,
February 27, 2009 (JR11)**