

AMENDED IN SENATE JUNE 25, 2012

AMENDED IN ASSEMBLY JANUARY 26, 2012

AMENDED IN ASSEMBLY JUNE 3, 2011

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AMENDED IN ASSEMBLY MAY 27, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 970

**Introduced by Assembly Members Fong and Block
(Principal coauthor: Assembly Member John A. Pérez)
(Coauthors: Assembly Members Brownley, Galgiani, and
Portantino)**

February 18, 2011

An act to add Article 3.7 (commencing with Section 66028) to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 970, as amended, Fong. University of California and California State University: systemwide student fees; ~~student financial aid report; fees.~~

~~(1) Existing~~

Existing law, known as the Donahoe Higher Education Act, sets forth the missions and functions of the segments of public postsecondary education in the state. The California State University, which is governed by the Trustees of the California State University (trustees), and the University of California, which is governed by the Regents of the

University of California (regents), are 2 of the segments of public postsecondary education. The provisions of the Donahoe Higher Education Act apply to the University of California only to the extent that the regents act by resolution to make them applicable.

Under existing law, the California State University and the University of California are authorized to charge fees to students attending their respective institutions.

This bill would establish the Working Families Student Fee Transparency and Accountability Act as a part of the Donahoe Higher Education Act, and would establish various policies relating to student fees and student financial aid at the University of California and the California State University.

~~The bill would require any mandatory systemwide fees charged to resident students at the California State University and the University of California to be known, and referred to, as “systemwide fees” or “fees,” and would provide that these fees shall not be known or referred to as “tuition.” The bill would require references to those fees in any policies, rules, or regulations of the California State University and the University of California to be consistent with the requirement that the fees be known and referred to as “fees” and not “tuition,” and would require corrections to be made when the policy, rule, or regulation is updated or reprinted.~~

~~The bill would prohibit any increase in the mandatory systemwide fees charged to resident students enrolled in the University of California or the California State University from being effective before 6 months have elapsed after the date on which the fee increase is adopted. The bill would require the regents and the trustees to comply with prescribed public notice and student consultation procedures prior to adopting an increase in mandatory systemwide fees charged to resident students enrolled in their respective segments, and would prohibit them from adopting a mandatory systemwide fee increase before specified dates, except as specified. The bill would require the regents and the trustees, by April 2, 2013, to develop methodologies for the adjustment of fees in accordance with a prescribed procedure. The bill would require 33% of revenues of an increase to existing mandatory systemwide student fees to be reserved for student financial support, as specified a list of factors that would be required to be taken into consideration when developing recommendations to adjust mandatory systemwide fees.~~

The bill, commencing with the 2012–13 academic year, would require the trustees and the regents to provide annual reports on expenditures

and financial aid to the Legislature, and would require the Legislative Analyst's Office to annually review and report to the Legislature its findings, conclusions, or recommendations regarding the implementation of policies implemented pursuant to the bill.

Because the provisions of the bill would be added to the Donahoe Higher Education Act, they would apply to the University of California only to the extent that the regents act by resolution to make them applicable.

~~(2) Existing law establishes various student financial aid 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 would require the commission, no later than July 31, 2013, to provide a report to the Legislature that details the policies and interactions between various state and federal financial aid programs, including the interaction between systemwide and campus-based student fees, institutional financial aid at the University of California and the California State University, Cal Grants, and federal financial aid 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. The Legislature finds and declares all of the
2 following:
3 (a) The California 1960 Master Plan for Higher Education
4 declared that a tuition-free higher education is in the best interest
5 of the state and should be continued for all California residents.
6 (b) The state has long recognized the value of providing broad
7 access to postsecondary education to the state's diverse residents
8 and ~~the state remains committed to ensuring affordability and~~
9 ~~access at the state's public colleges and universities.~~ *has*
10 *demonstrated that commitment by investing in postsecondary*
11 *education. This act seeks to continue the state's historic*
12 *commitment to ensuring affordability and access and maintaining*
13 *quality through the state's public universities, while recognizing*
14 *the fiscal challenges that confront both the state and postsecondary*
15 *education.*

1 (c) According to the 2012 Public Policy Institute of California
2 report, “Defunding Higher Education,” the University of
3 California and the California State University have responded to
4 funding cuts by reducing course offerings and limiting enrollment,
5 as well as increasing tuition and fees. Despite large increases in
6 the number of high school graduates, state general fund spending
7 on postsecondary education has declined notably. In 2010–11, the
8 state spent \$1.6 billion less on postsecondary education than it
9 did 10 years earlier.

10 (e)
11 (d) The state’s working families who have children ~~planning to~~
12 ~~attend the state’s public colleges and universities, or have children~~
13 ~~currently~~ attending the state’s public colleges and universities;
14 have endured ~~consistent and skyrocketing~~ significant increases in
15 mandatory systemwide student fees. While financial aid has
16 alleviated some of the impact from this increase in fees, the
17 increased cost of a college education remains of concern for
18 working families.

19 ~~(d)~~
20 (e) A report by the California Postsecondary Education
21 Commission, published in 2011 and entitled “College Costs and
22 Family Income: The Affordability Issue at the UC and the CSU,”
23 detailed that rising costs are ~~putting~~ making an education at
24 California’s public universities ~~out of reach~~ more of a financial
25 strain for many Californians, ~~and that as their incomes have not~~
26 kept pace with these rising costs, particularly for lower and
27 middle-income families who have seen little income growth in
28 recent years increasing costs.

29 (e)
30 (f) Between 1990 and 2009, costs for a University of California
31 student living on campus rose by 70 percent. Costs for a California
32 State University student living with his or her family rose by over
33 80 percent. In this period, median family income in California
34 grew by only 16 percent. *With rising costs, and flat or falling*
35 *incomes, the cost of supporting a student is taking an increasing*
36 *percentage of the incomes of these families.*

37 ~~(f) With rising costs, and flat or falling incomes, supporting a~~
38 ~~student is taking an increasing percentage of Californians’ incomes.~~
39 ~~In 2000, the cost of attendance for a University of California~~
40 ~~student living on campus was 25 percent of median family income~~

1 in California. By 2009, this cost grew to 39 percent of median
2 family income. Costs at California State University also grew
3 relative to incomes, from 19 percent of median family income in
4 2000 to 29 percent of median family income in 2009.

5 (g) In 2009, the total cost of attendance for a student living on
6 campus at the University of California was \$27,100, an increase
7 of 18 percent from three years earlier. Costs at the California State
8 University increased by 23 percent, to \$20,100, during that period.

9 (h) Even with grants and fee waivers, the net cost of a year of
10 attendance at a University of California or a California State
11 University campus is one-third of annual income for a lower
12 income family. Net costs for middle-income families are about
13 one-quarter of annual income. *As a result, students may have to*
14 *work additional hours or increase their debt burden to meet college*
15 *expenses.*

16 ~~(i) More and more students have to work longer hours and~~
17 ~~increase their debt burden during a particularly challenging~~
18 ~~economy and, as fees and other costs increase, the work and loan~~
19 ~~burden on students is increasing at a faster rate than grant aid.~~

20 ~~(j)~~

21 (i) Increased costs can hinder a student's progress toward a
22 degree, forcing students to cut their class load to work more hours,
23 leave for semesters at a time, or drop out of school entirely.

24 ~~(k)~~

25 (j) According to the "Student Expenses and Resources Survey"
26 conducted by the Student Aid Commission during the 2006–07
27 academic year, approximately 74 percent of all undergraduate
28 students in the California State University system worked for pay
29 for an average of 24 hours per week. Fifty-one percent of these
30 students reported working over 20 hours per week on average. In
31 the University of California system, approximately 54 percent of
32 all undergraduate students worked for pay for an average of 17
33 hours per week, and 23 percent of these students reported working
34 over 20 hours per week on average.

35 ~~(l)~~

36 (k) The Institute for College Access and Success, in its report
37 "Student Debt and the Class of 2009," showed that average debt
38 accumulation for California students at public universities has
39 risen by 18 percent since 2005. In California, the average student
40 debt for students who completed a bachelor's degree was \$17,326,

1 and national data show that some of the lowest income students
2 who generally have family incomes under \$50,000 are much more
3 likely to borrow, and borrow more than their higher income peers,
4 impacting job opportunities and choices after graduation.

5 ~~(m)~~

6 *(l)* The Regents of the University of California have raised
7 mandatory systemwide student fees by 68 percent since the
8 2007–08 academic year, and over 200 percent in the past decade.
9 The Trustees of the California State University have raised
10 mandatory systemwide student fees by 76 percent since the
11 2007–08 academic year, and over 242 percent in the past decade.

12 ~~(n)~~

13 *(m)* The state does not have a proper accounting of the total
14 costs of educating students at either the University of California
15 or the California State University, or the actual uses of student fee
16 revenues, and it is critical for the state’s public colleges and
17 universities to demonstrate transparency and accountability to the
18 general public.

19 ~~(o)~~

20 *(n)* The state, in partnership with the state’s colleges and
21 universities, is committed to ensuring that all financially needy
22 students have the financial assistance necessary for them to enroll
23 in institutions of higher education and complete their postsecondary
24 education objectives.

25 ~~(p)~~

26 *(o)* The principles expressed in this act seek to continue the
27 state’s historic commitment to ensuring access to the state’s public
28 universities for all Californians by ensuring sufficient notification
29 to the general public, students, and the state’s working families of
30 any increases in student fees, proper consultation with students,
31 and accountability and transparency with respect to student fee
32 revenue.

33 ~~(q)~~

34 *(p)* Changes in resident student fees or in student financial aid
35 funding or packaging policies should take into consideration the
36 total cost to the student of attending the university, including
37 mandatory campus-based student fees, housing and living expenses,
38 as well as all other expenses associated with university attendance.

39 ~~(r)~~

1 (q) Any increases in mandatory systemwide fees should be
2 accompanied by appropriate increases in funding for need-based
3 student financial aid.

4 ~~SEC. 2. (a) It is the intent of the Legislature that financially~~
5 ~~needy students be able to access public colleges and universities.~~

6 ~~(b) No later than July 31, 2013, the Student Aid Commission~~
7 ~~shall provide a report to the Legislature that details the policies~~
8 ~~and interactions between the various state and federal financial~~
9 ~~aid programs, including the interaction between systemwide and~~
10 ~~campus-based student fees, institutional financial aid at the~~
11 ~~University of California and the California State University, Cal~~
12 ~~Grants, and federal financial aid programs. The Trustees of the~~
13 ~~California State University shall, and the Regents of the University~~
14 ~~of California are requested to, cooperate with the Student Aid~~
15 ~~Commission and provide any information and data, including~~
16 ~~institutional financial aid information and data, requested by the~~
17 ~~commission for purposes of this section.~~

18 ~~(c) A report submitted pursuant to subdivision (b) shall be~~
19 ~~submitted in compliance with Section 9795 of the Government~~
20 ~~Code.~~

21 ~~(d) This section is repealed on January 1, 2017, pursuant to~~
22 ~~Section 10231.5 of the Government Code.~~

23 ~~SEC. 3.~~

24 ~~SEC. 2. Article 3.7 (commencing with Section 66028) is added~~
25 ~~to Chapter 2 of Part 40 of Division 5 of Title 3 of the Education~~
26 ~~Code, to read:~~

27
28 Article 3.7. Working Families Student Fee Transparency and
29 Accountability Act
30

31 66028. This article shall be known, and may be cited, as the
32 Working Families Student Fee Transparency and Accountability
33 Act.

34 66028.1. For purposes of this article, the following terms have
35 the following meanings:

36 (a) ~~“Campus-based fees” means the fees that are imposed on~~
37 ~~students at individual campuses of the University of California or~~
38 ~~the California State University, that must be paid by all registered~~
39 ~~students to whom the fees apply. “Campus-based fees” include~~
40 ~~fees to fund: (1) student-related services and programs, including,~~

1 ~~but not limited to, referenda-based student health insurance~~
2 ~~programs; (2) construction and renovation of student buildings~~
3 ~~and other facilities such as student centers and recreation facilities;~~
4 ~~and (3) authorized student governments, registered campus~~
5 ~~organizations, and student government-related and registered~~
6 ~~campus organization-related programs, events, and other activities.~~

7 *(a) “Consultation” or “consult” means a meeting between the*
8 *appropriate statewide student association representatives and*
9 *representatives from the University California or the California*
10 *State University, whichever is applicable, in which the*
11 *representatives from the institutions provide, at minimum, all the*
12 *following information at least five days before the meeting:*

13 *(1) A justification for a fee increase proposal, setting forth the*
14 *facts supporting the fee increase.*

15 *(2) A statement specifying the purposes for which revenue*
16 *derived from a fee increase will be used.*

17 *(3) A description of the efforts to mitigate the impact of the fee*
18 *increase on needy students.*

19 *(4) The potential impact to students, including, but not limited*
20 *to, the changes to the minimum workload burden for all students,*
21 *if applicable, institutional financial aid awards, and the average*
22 *student loan debt for undergraduates.*

23 *(5) Alternative proposals that can be considered in lieu of the*
24 *proposed net student fee revenue proposal.*

25 *(b) “Cost of attendance” means the tuition and fees, books and*
26 *supplies, room and board, transportation, and miscellaneous*
27 *personal expenses for an undergraduate California resident*
28 *student, as used in determining financial aid eligibility.*

29 ~~(b)~~

30 *(c) “Mandatory systemwide fees” means the fees that resident*
31 *students enrolled in the California State University or the*
32 *University of California, as applicable, are required to pay in order*
33 *to enroll in courses for the academic term pursuant to any law or*
34 *any policy adopted by the trustees or the regents, as applicable.*

35 ~~(c)~~

36 *(d) “Regents” means the Regents of the University of California.*

37 ~~(d)~~

38 *(e) “Resident” means a student who is exempt from paying*
39 *nonresident tuition pursuant to Chapter 1 (commencing with*
40 *Section 68000) of Part 41.*

1 (e)

2 (f) “Trustees” means the Trustees of the California State
3 University.

4 66028.2. The following state policies apply to student financial
5 aid for *resident students*, and mandatory systemwide fees charged
6 ~~to, resident students enrolled at the University of California and~~
7 the California State University:

8 (a) As any changes in ~~resident student~~ *mandatory systemwide*
9 fees and financial aid resources are considered, ~~the state should~~
10 ~~have an understanding of the impact that these changes will have~~
11 ~~on both current and prospective students. Any negative impact on~~
12 ~~financially needy students shall be mitigated~~ *impact on students*
13 *should be explained to students, including, but not limited to*
14 *changes to the minimum work or loan burden for all students, if*
15 *applicable, institutional financial aid awards, and the average*
16 *student loan debt for undergraduate students.*

17 (b) Students should be consulted before increases on ~~student~~
18 *mandatory systemwide* fees are proposed, so that students can
19 provide input and ask questions regarding the need for any
20 increases in *mandatory systemwide* fees.

21 (c) Adequate advance notice should be provided to students
22 regarding any future ~~student~~ *mandatory systemwide* fees, thereby
23 allowing the students and their families greater time to prepare for
24 the *mandatory systemwide* fees to be assessed.

25 (d) In order to ensure that access is not precluded for any eligible
26 student, and particularly for financially needy students, all current
27 and prospective students should be provided with timely
28 information concerning student financial aid, including the
29 processes associated with applying for and obtaining student
30 financial assistance.

31 ~~(e) To ensure that financially needy students are provided with~~
32 ~~assistance in managing the total cost of their university attendance,~~
33 ~~financial aid programs, including institutional aid, should be~~
34 ~~aligned with the distinct financial needs of the respective segment’s~~
35 ~~student populations and student fee levels.~~

36 (f)

37 (e) In order for the general public to maintain confidence in the
38 state’s public colleges and universities, every effort should be
39 made to ensure increased transparency in the uses of ~~any student~~

1 ~~mandatory systemwide~~ fee revenue and the rationale for making
2 ~~any student implementing mandatory systemwide~~ fee increases.

3 ~~66028.3. (a) Any mandatory systemwide fees charged to~~
4 ~~resident students at the California State University and the~~
5 ~~University of California shall be known, and shall be referred to,~~
6 ~~as “systemwide fees” or “fees” and shall not be known or referred~~
7 ~~to as “tuition.”~~

8 ~~(b) All references to mandatory systemwide fees charged to~~
9 ~~resident students by the California State University and the~~
10 ~~University of California, including references in any policies, rules,~~
11 ~~or regulations of those institutions, shall be consistent with~~
12 ~~subdivision (a).~~

13 ~~(c) In order to comply with the requirements of this section,~~
14 ~~references in any policy, rule, or regulation of the California State~~
15 ~~University and the University of California to “tuition” shall be~~
16 ~~corrected when the policy, rule, or regulation is updated or~~
17 ~~reprinted.~~

18 ~~66028.4. Any increase in the mandatory systemwide fees~~
19 ~~charged to resident students enrolled in the University of California~~
20 ~~or the California State University shall not be proposed by the~~
21 ~~trustees or the regents, unless, at least 90 days prior to providing~~
22 ~~public notice of a proposed increase in mandatory systemwide fees~~
23 ~~pursuant to subdivision (a) of Section 66028.5, the respective~~
24 ~~governing board consults with appropriate student representatives~~
25 ~~from the statewide student body organization representing the~~
26 ~~students at its respective segment.~~

27 ~~66028.5. (a) Prior to adopting any increase in mandatory~~
28 ~~systemwide fees charged to resident students, the regents or the~~
29 ~~trustees, as applicable, shall provide public notice of the proposed~~
30 ~~increase in a noticed public agenda for a meeting of the respective~~
31 ~~governing board. The public notice of the proposed student fee~~
32 ~~increase shall, at a minimum, include all of the following:~~

33 ~~(1) A justification for the fee increase setting forth facts~~
34 ~~supporting the fee increase.~~

35 ~~(2) A thorough analysis of impacts on access, persistence, and~~
36 ~~graduation of historically underrepresented students and low- to~~
37 ~~middle-income students, with a detailed description of measures~~
38 ~~to mitigate the impacts of the proposed increase in fees.~~

39 ~~(3) A statement specifying the purposes for which any revenues~~
40 ~~derived from an increase in fees will be used.~~

~~(b) The regents or the trustees shall not adopt any increase in mandatory systemwide fees charged to resident students until at least 60 days have passed after providing public notice of the proposed fee increase pursuant to subdivision (a). During the 60-day period, the regents or the trustees, as applicable, shall encourage, solicit, and receive public comments on the proposed increase in fees. The comments, with appropriate responses to each of the comments, shall be made available to the public at least 10 days prior to the meeting at which the regents or the trustees propose to adopt the increase in fees.~~

~~(c) Any increase in the mandatory systemwide fees charged to resident students enrolled at the University of California or the California State University shall not become effective until at least six months have elapsed after the date on which the fee increase is adopted.~~

~~(d) Following the adoption of an increase in mandatory systemwide fees in accordance with this section, the respective segment shall notify students of the student fees to be assessed in the upcoming academic year. In addition, the respective segment shall simultaneously inform students about the availability of student financial aid and the procedures for obtaining that aid in order to assist students with meeting the increased costs of attendance.~~

66028.3. (a) Ten days prior to holding a meeting to discuss or adopt an increase in mandatory systemwide fees, the University of California and the California State University shall provide public notice of the proposed mandatory systemwide fee increase as a discussion item in the public agenda for a meeting of the respective governing board. The public notice shall allow for comments to be received, both verbally and in writing, at the meeting and during the 45-day period required pursuant to subdivision (c). The public notice of the proposed mandatory systemwide fee increase shall, at a minimum, include all of the following:

(1) A justification for the fee increase proposal, setting forth the facts supporting the fee increase.

(2) A statement specifying the purposes for which revenue derived from a fee increase will be used.

(3) A description of the efforts to mitigate the impact of the fee increase on needy students.

1 (4) *The potential impact to students, including, but not limited*
2 *to, the changes to the minimum workload burden for all students,*
3 *if applicable, institutional financial aid awards, and the average*
4 *student loan debt for undergraduates.*

5 (5) *Alternative proposals that can be considered in lieu of the*
6 *proposed net student fee revenue proposal.*

7 (b) *The University of California and the California State*
8 *University shall consult with their respective statewide student*
9 *associations at least 30 days prior to providing public notice of*
10 *the proposed mandatory systemwide fee increase. The range of*
11 *potential mandatory systemwide fees under consideration for the*
12 *next fiscal year shall be discussed with appropriate student*
13 *representatives at the time of consultation before public notice of*
14 *the mandatory systemwide fee increase proposal.*

15 (c) *The regents and the trustees shall not act to adopt a*
16 *mandatory systemwide fee increase until at least 45 days after a*
17 *public meeting is held to discuss the fee. The regents and the*
18 *trustees shall provide a summary of the comments received*
19 *pursuant to subdivision (a) in the public notice provided before*
20 *the meeting to adopt a mandatory systemwide fee increase.*

21 (d) *The regents and the trustees shall not adopt an increase in*
22 *mandatory systemwide fees after the 90th day prior to the*
23 *commencement of classes for the academic year. This prohibition*
24 *shall not apply to an increase in mandatory systemwide fees for a*
25 *summer session.*

26 (e) (1) *In cases where the Governor's proposed budget reduces*
27 *appropriations from the prior annual Budget Act for the University*
28 *of California or California State University, the Legislature enacts*
29 *or authorizes reduced appropriations from the prior annual Budget*
30 *Act for the University of California or California State University,*
31 *or the Legislature enacts a budget reduction for the support of*
32 *University of California or California State University in the*
33 *middle of a fiscal year, subdivisions (a), (b), (c), and (d) shall not*
34 *apply.*

35 (2) *In the instances described in paragraph (1), the University*
36 *of California and the California State University shall discuss with*
37 *their respective statewide student associations proposals for*
38 *mandatory systemwide fee increases at least seven days before*
39 *posting notice of action to increase those fees. An increase in the*
40 *mandatory systemwide fees at the University of California or the*

1 *California State University shall not become effective until at least*
2 *30 days have elapsed after the date on which the fee increase was*
3 *adopted.*

4 *(f) Following the adoption of an increase in mandatory*
5 *systemwide fees in accordance with this act, the University of*
6 *California and the California State University shall notify*
7 *matriculated students of the mandatory systemwide fees to be*
8 *assessed in the upcoming academic year or the upcoming quarter*
9 *or semester. In addition, the respective institution shall*
10 *simultaneously inform students about the availability of student*
11 *financial aid and the procedures for obtaining that financial aid*
12 *in order to assist students with meeting the increased costs of*
13 *attendance.*

14 ~~66028.6:~~

15 ~~66028.4.~~ (a) On or before April 2, 2013, the regents and the
16 trustees each shall develop a transparent methodology for adjusting
17 list of factors that shall be taken into consideration when
18 developing recommendations to adjust mandatory systemwide
19 resident student fees consistent with the policies set forth in this
20 article. The methodology, at a minimum, shall consider impacts
21 on access, persistence, and graduation for historically
22 underrepresented students and low- to middle-income students,
23 and shall require the identification of measures to mitigate impacts
24 on those student populations. The factors shall include, at a
25 minimum, the level of state support, total cost of attendance, impact
26 on various categories of students, including historically
27 underrepresented students and low- to middle-income students,
28 as well as efforts to mitigate the impacts.

29 (b) The methodologies factors, and any subsequent amendments
30 to those methodologies factors, shall be developed in consultation
31 with the appropriate student representatives from statewide student
32 body organizations associations and shall be formally adopted by
33 the regents or the trustees in an open and public meeting.

34 (c) The annual budgets of the respective segments shall be
35 drafted on the basis that changes in fees are in accordance with
36 the methodology developed pursuant to this section and shall
37 specify the purposes for which any revenues derived from an
38 increase in mandatory systemwide fees will be used.

39 (d)

(c) Nothing in this section shall be construed to exempt any increase in mandatory systemwide fees from the requirements of Sections 66028.4 and 66028.5 Section 66028.4.

66028.7.

66028.5. (a) ~~At~~ *The regents and the trustees are urged to maintain their commitment to institutional financial aid program funding by ensuring that at least 33 percent of the revenues of an increase to existing mandatory systemwide fees charged to resident students shall be* is set aside by the regents or the trustees, as applicable, for institutional student aid to assist students and families in meeting the total cost of education.

(b) The regents and trustees shall report their compliance with this section in their respective annual reports on institutional financial aid pursuant to Section 66021.1.

66028.9.

66028.6. (a) Notwithstanding Section 10231.5 of the Government Code, commencing with the 2012–13 academic year, the regents and the trustees shall annually provide the Legislature, by February 1 of each year, with detailed information regarding expenditures of revenues derived from student fees and uses of institutional financial aid, and shall provide information regarding the *systemwide average* total cost of ~~education attendance~~ per student, ~~categorized specifically by undergraduate and graduate education costs, including fixed costs, variable costs, administrative costs, instructional costs, and student services costs.~~ For purposes of meeting the requirements of this section, the regents and the trustees may include this information in their respective annual report on institutional financial aid pursuant to Section 66021.1.

(b) Notwithstanding Section 10231.5 of the Government Code, commencing with the 2012–13 academic year, the Legislative Analyst’s Office shall annually review, by March 1 of each year, institutional compliance with the policies set forth in this article, and report, in writing, to the Legislature its findings, conclusions, or recommendations regarding the implementation of these policies. This report shall include an assessment of the information provided by the regents and the trustees pursuant to subdivision (a).

(c) A report submitted pursuant to this section shall be submitted in compliance with Section 9795 of the Government Code.

O