

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1091

Introduced by Assembly Member Eduardo Garcia

February 27, 2015

An act to ~~amend Section 69436 of~~ *add Sections 69433.91 and 69519.2* to the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

AB 1091, as amended, Eduardo Garcia. Student financial aid: ~~California Community College Transfer Entitlement awards.~~ *Cal Grant Program.*

The Cal Grant Program establishes the Cal Grant A and Cal Grant B Entitlement awards, the California Community College Transfer Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C award, and the Cal Grant T award under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions.

This bill would ~~make nonsubstantive changes in provisions relating to the California Community College Transfer Entitlement awards.~~ *require the commission to: (1) develop and make available on its Internet Web Site to each school district, a graduation verification template for the school district to input and upload graduation data concerning its pupils for use by the commission, and a report that lists the names of all grade 12 pupils within a school district who have and have not completed the Free Application for Federal Student Aid or the California Dream Act application for use by the school district, and (2) align the collection and reporting of information between the United*

States Department of Education’s Free Application for Federal Student Aid system, the commission, and school districts, that is used to determine whether applicants are eligible for Cal Grants and whether to issue Cal Grant awards.

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 69433.92 is added to the Education Code,
2 to read:

3 69433.92. (a) The commission shall develop, and make
4 available on its Internet Web site to each school district, a
5 graduation verification template for use by the school district to
6 input and upload graduation verification data for its pupils, so
7 that the commission can determine if those pupils are eligible for
8 Cal Grants.

9 (b) The commission shall, to the greatest extent feasible, align
10 the collection and reporting of information between the United
11 States Department of Education’s Free Application for Federal
12 Student Aid system, the commission, and school districts that is
13 used to determine if applicants are eligible for Cal Grants and
14 whether to issue Cal Grant awards for students who attend
15 qualifying institutions.

16 SEC. 2. Section 69519.2 is added to the Education Code, to
17 read:

18 69519.2. The commission shall develop, and make available
19 on its Internet Web site to each school district for the district’s
20 use, a standard report that lists the names of all grade 12 pupils
21 within the school district who have and have not completed the
22 Free Application for Federal Student Aid or the California Dream
23 Act application.

24 SECTION 1. ~~Section 69436 of the Education Code is amended~~
25 ~~to read:~~

26 ~~69436. (a) A student who was not awarded a Cal Grant A or~~
27 ~~Cal Grant B award pursuant to Article 2 (commencing with Section~~
28 ~~69434) or Article 3 (commencing with Section 69435) at the time~~
29 ~~of his or her high school graduation but, at the time of transfer~~
30 ~~from a California community college to a qualifying baccalaureate~~

1 program, meets all of the criteria set forth in subdivision (b), shall
2 be entitled to a Cal Grant A or Cal Grant B award.

3 ~~(b) A California resident transferring from a California~~
4 ~~community college to a qualifying institution that offers a~~
5 ~~baccalaureate degree is entitled to receive, and the commission,~~
6 ~~or a qualifying institution pursuant to Article 8 (commencing with~~
7 ~~Section 69450), shall award, a Cal Grant A or Cal Grant B award~~
8 ~~depending on the eligibility determined pursuant to subdivision~~
9 ~~(c), if all of the following criteria are met:~~

10 ~~(1) A complete official financial aid application has been~~
11 ~~submitted or postmarked pursuant to Section 69432.9, no later~~
12 ~~than the March 2 of the year immediately preceding the award~~
13 ~~year.~~

14 ~~(2) The student demonstrates financial need pursuant to Section~~
15 ~~69433.~~

16 ~~(3) The student has earned a community college grade point~~
17 ~~average of at least 2.4 on a 4.0 scale and is eligible to transfer to~~
18 ~~a qualifying institution that offers a baccalaureate degree.~~

19 ~~(4) The student's household has an income and asset level not~~
20 ~~exceeding the limits set forth in Section 69432.7.~~

21 ~~(5) The student is pursuing a baccalaureate degree that is offered~~
22 ~~by a qualifying institution.~~

23 ~~(6) He or she is enrolled at least part time.~~

24 ~~(7) The student meets the general Cal Grant eligibility~~
25 ~~requirements set forth in Article 1 (commencing with Section~~
26 ~~69430).~~

27 ~~(8) The student will not be 28 years of age or older by December~~
28 ~~31 of the award year.~~

29 ~~(9) The student graduated from a California high school or its~~
30 ~~equivalent during or after the 2000-01 academic year.~~

31 ~~(10) (A) Except as provided for in subparagraph (B), the student~~
32 ~~attended a California community college in the academic year~~
33 ~~immediately preceding the academic year for which the award will~~
34 ~~be used.~~

35 ~~(B) A student otherwise eligible to receive an award pursuant~~
36 ~~to this section, who attended a California community college in~~
37 ~~the 2011-12 academic year, may use the award for the 2012-13~~
38 ~~and 2013-14 academic years.~~

39 ~~(e) The amount and type of the award pursuant to this article~~
40 ~~shall be determined as follows:~~

1 (1) ~~For applicants with income and assets at or under the Cal~~
2 ~~Grant A limits, the award amount shall be the amount established~~
3 ~~pursuant to Article 2 (commencing with Section 69434).~~

4 (2) ~~For applicants with income and assets at or under the Cal~~
5 ~~Grant B limits, the award amount shall be the amount established~~
6 ~~pursuant to Article 3 (commencing with Section 69435).~~

7 (d) (1) ~~A student meeting the requirements of paragraph (9) of~~
8 ~~subdivision (b) by means of high school graduation, rather than~~
9 ~~its equivalent, shall be required to have graduated from a California~~
10 ~~high school, unless that California resident graduated from a high~~
11 ~~school outside of California due solely to orders received from a~~
12 ~~branch of the United States Armed Forces by that student or by~~
13 ~~that student's parent or guardian that required that student to be~~
14 ~~outside of California at the time of high school graduation.~~

15 (2) ~~For the purposes of this article, both of the following are~~
16 ~~exempt from the requirements of subdivision (e) of Section 69433.9~~
17 ~~and paragraph (9) of subdivision (b) of this section:~~

18 (A) ~~A student for whom a claim under this article was paid prior~~
19 ~~to December 1, 2005.~~

20 (B) ~~A student for whom a claim under this article for the~~
21 ~~2004-05 award year or the 2005-06 award year was or is paid on~~
22 ~~or after December 1, 2005, but no later than October 15, 2006.~~

23 (3) (A) ~~The commission, or a qualifying institution pursuant~~
24 ~~to Article 8 (commencing with Section 69450), shall make~~
25 ~~preliminary awards to all applicants currently eligible for an award~~
26 ~~under this article. At the time an applicant receives a preliminary~~
27 ~~award, the commission, or a qualifying institution pursuant to~~
28 ~~Article 8 (commencing with Section 69450), shall require that~~
29 ~~applicant to affirm, in writing, under penalty of perjury, that he or~~
30 ~~she meets the requirements set forth in subdivision (e) of Section~~
31 ~~69433.9, paragraph (9) of subdivision (b) of this section, and~~
32 ~~paragraph (1) of this subdivision. The commission, or a qualifying~~
33 ~~institution pursuant to Article 8 (commencing with Section 69450),~~
34 ~~shall notify each person who receives a preliminary award under~~
35 ~~this paragraph that his or her award is subject to an audit pursuant~~
36 ~~to subparagraph (B).~~

37 (B) ~~The commission shall select, at random, a minimum of 10~~
38 ~~percent of the new and renewal awards made under subparagraph~~
39 ~~(A), and shall require, prior to the disbursement of Cal Grant funds~~
40 ~~to the affected postsecondary institution, that the institution verify~~

1 that the recipient meets the requirements of subdivision (c) of
2 Section 69433.9, paragraph (9) of subdivision (b) of this section,
3 and paragraph (1) of this subdivision. An award that is audited
4 under this paragraph and found to be valid shall not be subject to
5 a subsequent audit.

6 ~~(C) Pursuant to Section 69517.5, the commission shall seek~~
7 ~~repayment of any and all funds found to be improperly disbursed~~
8 ~~under this article.~~

9 ~~(D) On or before November 1 of each year, the commission~~
10 ~~shall submit a report to the Legislature and the Governor including,~~
11 ~~but not necessarily limited to, both of the following:~~

12 ~~(i) The number of awards made under this article in the~~
13 ~~preceding 12 months.~~

14 ~~(ii) The number of new and renewal awards selected, in the~~
15 ~~preceding 12 months, for verification under subparagraph (B), and~~
16 ~~the results of that verification with respect to students at the~~
17 ~~University of California, at the California State University, at~~
18 ~~independent nonprofit institutions, and at independent for-profit~~
19 ~~institutions.~~