

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1307

Introduced by Assembly Member McCarty

February 27, 2015

An act to amend ~~Section 66011~~ of Sections 66028.2, 66028.4, and 66028.5 of, and to add Section 66028.7 to, the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1307, as amended, McCarty. ~~Postsecondary education. Working Families Student Fee Transparency and Accountability Act.~~

The Donahoe Higher Education Act sets forth the missions and functions of the segments of the higher education system in the state. The public segments include the University of California, administered by the Regents of the University of California, and the California State University, administered by the Trustees of the California State University. The provisions of the act apply to the University of California only to the extent that the Regents of the University of California, by appropriate resolution, make them applicable. Under existing law, the regents have all the powers necessary or convenient for the administration of the university, including the power to set mandatory systemwide fees.

Existing law establishes the Working Families Student Fee Transparency and Accountability Act, which suggests policies relating to mandatory systemwide student fees charged and student financial aid for resident students at the University of California and the California State University.

This bill would instead make these policy suggestions requirements, subject to a resolution of the regents as to the University of California. The bill would, except as provided, prohibit a fee increase for a California resident student from the fees established for the 2014–15 academic year at the California State University and, as a condition of the receipt of state funding in the annual Budget Act, the University of California. The bill would change an inaccurate cross-reference in a provision of the Working Families Student Fee Transparency and Accountability Act.

~~Existing law declares the policy of the Legislature that all resident applicants to California institutions of public higher education, who are determined to be qualified by law or by admission standards established by the respective governing boards, should be admitted to a district of the California Community Colleges, the California State University, or the University of California.~~

~~This bill would make a nonsubstantive change to this provision.~~

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 66028.2 of the Education Code is amended
2 to read:

3 66028.2. The following ~~state policies~~ *requirements* apply to
4 student financial aid for resident students, and mandatory
5 systemwide fees charged at the University of California and the
6 California State University:

7 (a) As any changes in mandatory systemwide fees and financial
8 aid resources are considered, the impact on students ~~should~~ *shall*
9 be explained to students, including, but not limited to, changes to
10 the minimum work or loan burden for all students, if applicable,
11 institutional financial aid awards, and the average student loan
12 debt for undergraduate students.

13 (b) Students ~~should~~ *shall* be consulted before increases on
14 mandatory systemwide fees are proposed, so that students can
15 provide input and ask questions regarding the need for any
16 increases in mandatory systemwide fees.

17 (c) Adequate advance notice ~~should~~ *shall* be provided to students
18 regarding any future mandatory systemwide fees, thereby allowing

1 the students and their families greater time to prepare for the
2 mandatory systemwide fees to be assessed.

3 (d) In order to ensure that access is not precluded for any eligible
4 student, and particularly for financially needy students, all current
5 and prospective students ~~should~~ *shall* be provided with timely
6 information concerning student financial aid, including the
7 processes associated with applying for and obtaining student
8 financial assistance.

9 (e) In order for the general public to maintain confidence in the
10 state's public colleges and universities, ~~every effort should be~~
11 ~~made to the state's public colleges and universities shall~~ ensure
12 ~~increased~~ transparency in the uses of mandatory systemwide fee
13 revenue and the rationale for implementing mandatory systemwide
14 fee increases.

15 *SEC. 2. Section 66028.4 of the Education Code is amended to*
16 *read:*

17 66028.4. (a) On or before April 2, 2013, the regents and the
18 trustees each shall develop a list of factors that shall be taken into
19 consideration when developing recommendations to adjust
20 mandatory systemwide fees consistent with the policies set forth
21 in this article. The factors shall include, at a minimum, the level
22 of state support, total cost of attendance, impact on various
23 categories of students, including historically underrepresented
24 students and low- to middle-income students, as well as efforts to
25 mitigate the impacts.

26 (b) The factors, and any subsequent amendments to those
27 factors, shall be developed in consultation with the appropriate
28 statewide student body associations and shall be formally adopted
29 by the regents or the trustees in an open and public meeting.

30 (c) Nothing in this section shall be construed to exempt any
31 increase in mandatory systemwide fees from the requirements of
32 ~~Section 66028.4.~~ 66028.3.

33 *SEC. 3. Section 66028.5 of the Education Code is amended to*
34 *read:*

35 66028.5. (a) The regents and the trustees ~~are urged to~~ *shall*
36 maintain their commitment to institutional financial aid program
37 funding by ensuring that at least 33 percent of the revenues of an
38 increase to existing mandatory systemwide fees charged to resident
39 students is set aside by the regents or the trustees, as applicable,

1 for institutional student aid to assist students and families in
2 meeting the total cost of education.

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

6 *SEC. 4. Section 66028.7 is added to the Education Code, to*
7 *read:*

8 *66028.7. (a) Notwithstanding any other law, the trustees shall*
9 *not charge more than five thousand four hundred seventy-two*
10 *dollars (\$5,472) in systemwide tuition and fees, except as*
11 *authorized in the annual Budget Act, to a California resident*
12 *student of the California State University.*

13 *(b) Notwithstanding Section 67400, as a condition of the receipt*
14 *of state funding in the annual Budget Act, the regents shall not*
15 *charge more than twelve thousand one hundred ninety-two dollars*
16 *(\$12,192) in systemwide tuition and fees, except as authorized in*
17 *the annual Budget Act, to a California resident student of the*
18 *University of California.*

19 ~~SECTION 1. Section 66011 of the Education Code is amended~~
20 ~~to read:~~

21 ~~66011. (a) It is the policy of the Legislature that all resident~~
22 ~~applicants to California institutions of public higher education,~~
23 ~~who are determined to be qualified by law or by admission~~
24 ~~standards established by the respective governing boards, should~~
25 ~~be admitted to either (1) a district of the California Community~~
26 ~~Colleges, in accordance with Section 76000, (2) the California~~
27 ~~State University, or (3) the University of California.~~

28 ~~(b) As used in this part, "governing boards" means the local~~
29 ~~boards of trustees and the Board of Governors of the California~~
30 ~~Community Colleges, the Trustees of the California State~~
31 ~~University, and the Regents of the University of California.~~