

AMENDED IN ASSEMBLY APRIL 14, 2015

AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1307

Introduced by Assembly Member *Members McCarty and Medina*

February 27, 2015

An act to amend Sections 66028.2, 66028.4, and 66028.5 of, and to add ~~Section~~ *Sections* 66028.7 and 66028.8 to, the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1307, as amended, McCarty. 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.~~ *requirements*. 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 require the trustees and regents to comply with the Working Families Student Fee Transparency and Accountability Act as a condition of the receipt of state funding for student financial assistance.* The bill would change an inaccurate cross-reference in a provision of the Working Families Student Fee Transparency and Accountability Act.

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 66028.2 of the Education Code is
- 2 amended to read:
- 3 66028.2. The following requirements apply to student financial
- 4 aid for resident students, and mandatory systemwide fees charged
- 5 at the University of California and the California State University:
- 6 (a) As any changes in mandatory systemwide fees and financial
- 7 aid resources are considered, the impact on students shall be
- 8 explained to students, including, but not limited to, changes to the
- 9 minimum work or loan burden for all students, if applicable,
- 10 institutional financial aid awards, and the average student loan
- 11 debt for undergraduate students.
- 12 (b) Students shall be consulted before increases on mandatory
- 13 systemwide fees are proposed, so that students can provide input
- 14 and ask questions regarding the need for any increases in
- 15 mandatory systemwide fees.
- 16 (c) Adequate advance notice shall be provided to students
- 17 regarding any future mandatory systemwide fees, thereby allowing
- 18 the students and their families greater time to prepare for the
- 19 mandatory systemwide fees to be assessed.
- 20 (d) In order to ensure that access is not precluded for any eligible
- 21 student, and particularly for financially needy students, all current

1 and prospective students shall be provided with timely information
2 concerning student financial aid, including the processes associated
3 with applying for and obtaining student financial assistance.

4 (e) In order for the general public to maintain confidence in the
5 state's public colleges and universities, the state's public colleges
6 and universities shall ensure transparency in the uses of mandatory
7 systemwide fee revenue and the rationale for implementing
8 mandatory systemwide fee increases.

9 SEC. 2. Section 66028.4 of the Education Code is amended to
10 read:

11 66028.4. (a) On or before April 2, 2013, the regents and the
12 trustees each shall develop a list of factors that shall be taken into
13 consideration when developing recommendations to adjust
14 mandatory systemwide fees consistent with the policies set forth
15 in this article. The factors shall include, at a minimum, the level
16 of state support, total cost of attendance, impact on various
17 categories of students, including historically underrepresented
18 students and low- to middle-income students, as well as efforts to
19 mitigate the impacts.

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

24 (c) Nothing in this section shall be construed to exempt any
25 increase in mandatory systemwide fees from the requirements of
26 Section 66028.3.

27 SEC. 3. Section 66028.5 of the Education Code is amended to
28 read:

29 66028.5. (a) The regents and the trustees shall maintain their
30 commitment to institutional financial aid program funding by
31 ensuring that at least 33 percent of the revenues of an increase to
32 existing mandatory systemwide fees charged to resident students
33 is set aside by the regents or the trustees, as applicable, for
34 institutional student aid to assist students and families in meeting
35 the total cost of education.

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

39 SEC. 4. Section 66028.7 is added to the Education Code, to
40 read:

1 66028.7. (a) Notwithstanding any other law, the trustees shall
 2 not charge more than five thousand four hundred seventy-two
 3 dollars (\$5,472) in *mandatory* systemwide tuition and fees, except
 4 as authorized in the annual Budget Act, to a California resident
 5 student of the California State University.

6 (b) ~~Notwithstanding Section 67400, as a condition of the receipt~~
 7 ~~of state funding in the annual Budget Act, the~~ *The* regents shall
 8 not charge more than twelve thousand one hundred ninety-two
 9 dollars (\$12,192) in *mandatory* systemwide tuition and fees, except
 10 as authorized in the annual Budget Act, to a California resident
 11 student of the University of California.

12 *SEC. 5. Section 66028.8 is added to the Education Code, to*
 13 *read:*

14 66028.8. (a) *Notwithstanding Section 67400, as a condition*
 15 *of the receipt of state funding in the annual Budget Act, the regents*
 16 *shall comply with subdivision (b) of Section 66028.7.*

17 (b) *Notwithstanding Section 67400, in order to receive state*
 18 *funds for student financial assistance, the regents and trustees*
 19 *shall comply with this article.*