

AMENDED IN ASSEMBLY JUNE 1, 2015  
AMENDED IN ASSEMBLY APRIL 23, 2015  
AMENDED IN ASSEMBLY APRIL 14, 2015  
AMENDED IN ASSEMBLY MARCH 26, 2015  
CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1307**

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**Introduced by Assembly Members McCarty and Medina**

February 27, 2015

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An act to amend Sections 66028.2, 66028.4, and 66028.5 of, and to add ~~Sections 66028.7 and~~ *Section* 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. ~~The bill would 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 the University of California if the Legislative Analyst determines that the respective segment has not complied with these requirements.~~ The bill would require the regents to comply with the Working Families Student Fee Transparency and Accountability Act as a condition of the receipt of state funding in the annual Budget Act. 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.

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

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

11 SEC. 2. Section 66028.4 of the Education Code is amended to  
12 read:

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

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

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

29 SEC. 3. Section 66028.5 of the Education Code is amended to  
30 read:

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

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

1     ~~SEC. 4.~~ Section 66028.7 is added to the Education Code, to  
2 read:

3     ~~66028.7. (a) Notwithstanding any other law, the trustees shall~~  
4 ~~not implement an increase in mandatory systemwide tuition and~~  
5 ~~fees to a California resident student of the California State~~  
6 ~~University if the Legislative Analyst determines in its report~~  
7 ~~required in subdivision (b) of Section 66028.6, that the trustees~~  
8 ~~failed to comply with the requirements of this article before~~  
9 ~~approving the increase.~~

10     ~~(b) The regents shall not implement an increase in mandatory~~  
11 ~~systemwide tuition and fees to a California resident student of the~~  
12 ~~University of California if the Legislative Analyst determines in~~  
13 ~~its report required in subdivision (b) of Section 66028.6, that the~~  
14 ~~regents failed to comply with the requirements of this article before~~  
15 ~~approving the increase.~~

16     ~~(c) An increase in systemwide tuition and fees for California~~  
17 ~~resident students adopted by the trustees or regents pursuant to~~  
18 ~~subdivision (a) or (b), respectively, may be rescinded with the~~  
19 ~~adoption of the annual Budget Act.~~

20     ~~SEC. 5.~~

21     ~~SEC. 4.~~ Section 66028.8 is added to the Education Code, to  
22 read:

23     ~~66028.8. Notwithstanding Section 67400, as a condition of the~~  
24 ~~receipt of state funding in the annual Budget Act, the regents shall~~  
25 ~~comply with this article.~~