

AMENDED IN SENATE AUGUST 16, 2016

AMENDED IN SENATE JUNE 20, 2016

AMENDED IN ASSEMBLY JANUARY 13, 2016

AMENDED IN ASSEMBLY JANUARY 5, 2016

AMENDED IN ASSEMBLY JANUARY 4, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 1449

Introduced by Assembly Member Lopez

February 27, 2015

An act to amend Section 69436 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

AB 1449, as amended, Lopez. Student financial aid: California Community College Transfer Cal Grant Entitlement Program.

Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program, establishes the Cal Grant A and B Entitlement awards, the California Community College Transfer Cal Grant Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C awards, and the Cal Grant T awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions.

Under the California Community College Transfer Cal Grant Entitlement Program, a student who transfers from a California community college to a qualifying institution that offers a baccalaureate

degree receives a Cal Grant A or B award if the student meets specified requirements, among which is that the student graduate from a California high school or its equivalent during or after the 2000–01 academic year.

This bill would, commencing with the 2017–18 academic year, exempt a student from the requirement that the student graduate from a California high school or its equivalent if he or she did not graduate from high school or its equivalent and was a California resident, as determined pursuant to specified provisions of law, on his or her 18th birthday.

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 69436 of the Education Code is amended
2 to read:

3 69436. (a) A student who was not awarded a Cal Grant A or
4 B award pursuant to Article 2 (commencing with Section 69434)
5 or Article 3 (commencing with Section 69435) at the time of his
6 or her high school graduation but, at the time of transfer from a
7 California community college to a qualifying baccalaureate
8 program, meets all of the criteria set forth in subdivision (b), shall
9 be entitled to a Cal Grant A or B award.

10 (b) Any California resident transferring from a California
11 community college to a qualifying institution that offers a
12 baccalaureate degree is entitled to receive, and the commission,
13 or a qualifying institution pursuant to Article 8 (commencing with
14 Section 69450), shall award, a Cal Grant A or B award depending
15 on the eligibility determined pursuant to subdivision (c), if all of
16 the following criteria are met:

17 (1) A complete official financial aid application has been
18 submitted or postmarked pursuant to Section 69432.9, no later
19 than the March 2 of the year immediately preceding the award
20 year.

21 (2) The student demonstrates financial need pursuant to Section
22 69433.

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

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

3 (5) The student is pursuing a baccalaureate degree that is offered
4 by a qualifying institution.

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

6 (7) The student meets the general Cal Grant eligibility
7 requirements set forth in Article 1 (commencing with Section
8 69430).

9 (8) The student will not be 28 years of age or older by December
10 31 of the award year.

11 (9) The student graduated from a California high school or its
12 equivalent during or after the 2000–01 academic year.

13 (10) (A) Except as provided for in subparagraph (B), the student
14 attended a California community college in the academic year
15 immediately preceding the academic year for which the award will
16 be used.

17 (B) A student otherwise eligible to receive an award pursuant
18 to this section, who attended a California community college in
19 the 2011–12 academic year, may use the award for the 2012–13
20 and 2013–14 academic years.

21 (c) The amount and type of the award pursuant to this article
22 shall be determined as follows:

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

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

29 (d) (1) A student meeting the requirements of paragraph (9) of
30 subdivision (b) by means of high school graduation, rather than
31 its equivalent, shall be required to have graduated from a California
32 high school, unless that California resident graduated from a high
33 school outside of California due solely to orders received from a
34 branch of the United States Armed Forces by that student or by
35 that student's parent or guardian that required that student to be
36 outside of California at the time of high school graduation.

37 (2) For the purposes of this article, all of the following are
38 exempt from the requirements of subdivision (e) of Section 69433.9
39 and paragraph (9) of subdivision (b) of this section:

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

3 (B) A student for whom a claim under this article for the
4 2004–05 award year or the 2005–06 award year was or is paid on
5 or after December 1, 2005, but no later than October 15, 2006.

6 (C) ~~A~~*Commencing with the 2017–18 academic year, a student*
7 who did not graduate from high school or its equivalent and was
8 a California resident, as determined pursuant to Article 5
9 (commencing with Section 68060) of Chapter 1 of Part 41, on his
10 or her 18th birthday.

11 (3) (A) The commission, or a qualifying institution pursuant
12 to Article 8 (commencing with Section 69450), shall make
13 preliminary awards to all applicants currently eligible for an award
14 under this article. At the time an applicant receives a preliminary
15 award, the commission, or a qualifying institution pursuant to
16 Article 8 (commencing with Section 69450), shall require that
17 applicant to affirm, in writing, under penalty of perjury, that he or
18 she meets the requirements set forth in subdivision (e) of Section
19 69433.9, paragraph (9) of subdivision (b) of this section, and
20 paragraph (1) of this subdivision. The commission, or a qualifying
21 institution pursuant to Article 8 (commencing with Section 69450),
22 shall notify each person who receives a preliminary award under
23 this paragraph that his or her award is subject to an audit pursuant
24 to subparagraph (B).

25 (B) The commission shall select, at random, a minimum of 10
26 percent of the new and renewal awards made under subparagraph
27 (A), and shall require, prior to the disbursement of Cal Grant funds
28 to the affected postsecondary institution, that the institution verify
29 that the recipient meets the requirements of subdivision (e) of
30 Section 69433.9, paragraph (9) of subdivision (b) of this section,
31 and paragraph (1) of this subdivision. An award that is audited
32 under this paragraph and found to be valid shall not be subject to
33 a subsequent audit.

34 (C) Pursuant to Section 69517.5, the commission shall seek
35 repayment of any and all funds found to be improperly disbursed
36 under this article.

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

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

3 (ii) The number of new and renewal awards selected, in the
4 preceding 12 months, for verification under subparagraph (B), and
5 the results of that verification with respect to students at the
6 University of California, at the California State University, at
7 independent nonprofit institutions, and at independent for-profit
8 institutions.

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