

Introduced by Senator Cedillo

December 1, 2008

An act to add Article 4.5 (commencing with Section 69436.70) to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code, relating to student financial aid.

LEGISLATIVE COUNSEL'S DIGEST

SB 15, as introduced, Cedillo. Student financial aid: members and former members of the Armed Forces.

Existing law, known as the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program, establishes, among other programs, the California Community College Transfer Cal Grant Entitlement Program and the Competitive Cal Grant A and B award program, under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs. Existing law requires that a participant in the California Community College Transfer Cal Grant Entitlement Program, among other things, graduate from a California high school or its equivalent during or after the 2000–01 academic year.

This bill would, commencing with the 2010–11 academic year, entitle an otherwise eligible student who is a member or former member of the United States Armed Forces, and who enrolls at a campus of the California Community Colleges, in a career technical education program, or in a qualifying undergraduate certificate or degree program, to a Cal Grant A or B award. The bill also would require the Student Aid Commission to make preliminary awards to all applicants currently eligible for an award under the program, and would require each person who receives a preliminary award to affirm, in writing, that he or she meets specified requirements for eligibility in the program.

The bill would require the commission to randomly select at least 10% of the new and renewal awards made under the program and verify that the student meets specified requirements for eligibility. The bill would require the commission to seek repayment of any funds found to be improperly disbursed under the program, and would require the commission to submit an annual report to the Legislature and the Governor regarding, among other things, the number of awards made under this program.

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. The Legislature finds and declares all of the
2 following:
3 (a) The original G.I. Bill helped ward off post-World War II
4 economic depression by redirecting veterans from job hunting to
5 programs that provided job education and training.
6 (b) Over 30,000 United States troops have been wounded in
7 Iraq and Afghanistan since 2003, and many of these veterans will
8 need significant assistance with reintegration into civilian life.
9 California must prepare for the increasing number of members of
10 the United States Armed Forces that will be returning from these
11 conflicts.
12 (c) Increased access to financial aid to help returning members
13 of the United States Armed Forces afford the cost of tuition and
14 fees of California's universities and colleges will increase the
15 state's collective productivity and economic growth.
16 (d) California high school graduates who were eligible for the
17 Cal Grant Entitlement program may have lost their eligibility if
18 they chose to serve their country before pursuing a postsecondary
19 education.
20 (e) Recent studies have identified the need for a more educated
21 workforce in order to meet the demands of California's growing
22 economy.
23 SEC. 2. Article 4.5 (commencing with Section 69436.70) is
24 added to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the
25 Education Code, to read:

Article 4.5. Cal Grants for Members and Former Members of
the Armed Forces

69436.70. (a) Commencing with the 2010–11 academic year, and each academic year thereafter, a student who is a member or former member of the United States Armed Forces, shall be entitled to a Cal Grant A or B award if he or she enrolls at a campus of the California Community Colleges, in a career technical education program, or in a qualifying undergraduate certificate or degree program pursuant to paragraph (5) of subdivision (b) of Section 69434, with respect to Cal Grant A, or paragraph (5) of subdivision (a) of Section 69435.3, with respect to Cal Grant B, within two years of leaving active duty, and meets all of the criteria in subdivision (b).

(b) A California resident enrolling at a qualifying institution that offers a baccalaureate degree is entitled to receive, and the commission shall award, a Cal Grant A or B award depending on the eligibility determined pursuant to subdivision (c), if all of the following criteria are met:

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

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

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

(4) The student is enrolled at a campus of the California Community Colleges or is pursuing a baccalaureate degree that is offered by a qualifying institution.

(5) The student is enrolled at least part time.

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

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

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

(c) The amount and type of the award pursuant to this article 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) Commencing with the 2010–11 academic year, a student
8 meeting the requirements of paragraph (8) of subdivision (b) by
9 means of high school graduation, rather than its equivalent, shall
10 be required to have graduated from a California high school, unless
11 that California resident graduated from a high school outside of
12 California due solely to orders received from a branch of the United
13 States Armed Forces by that student or by that student’s parent or
14 guardian that required that student to be outside of California at
15 the time of high school graduation.

16 (2) (A) Commencing with the 2010–11 academic year, the
17 commission shall make preliminary awards to all applicants
18 currently eligible for an award under this article. At the time an
19 applicant receives a preliminary award, the commission shall
20 require that applicant to affirm, in writing, that he or she meets the
21 requirements set forth in subdivision (e) of Section 69433.9,
22 paragraph (8) of subdivision (b) of this section, and paragraph (1)
23 of this subdivision. The commission shall notify each person who
24 receives a preliminary award under this paragraph that his or her
25 award is subject to an audit pursuant to subparagraph (B).

26 (B) The commission shall select, at random, a minimum of 10
27 percent of the new and renewal awards made under subparagraph
28 (A), and shall require, prior to the disbursement of Cal Grant funds
29 to the affected postsecondary institution, that the institution verify
30 that the recipient meets the requirements of subdivision (e) of
31 Section 69433.9, paragraph (8) of subdivision (b) of this section,
32 and paragraph (1) of this subdivision. An award that is audited
33 under this paragraph and found to be valid shall not be subject to
34 a subsequent audit.

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

38 (D) By November 1 of each year, the commission shall submit
39 a report to the Legislature and the Governor including, but not
40 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.