ASSEMBLY BILL No. 2

Introduced by Assembly Members Santiago, Bonta, Cervantes, Chiu, Friedman, Gonzalez, McCarty, and Quirk-Silva
(Coauthors: Assembly Members Carrillo, Gipson, and Luz Rivas)
(Coauthor: Senator Portantino)

December 3, 2018

An act to amend Sections 76396.2 and Section 76396.3 of the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL’S DIGEST

AB 2, as amended, Santiago. Community colleges: California College Promise.

Existing law establishes the California College Promise, under the administration of the Chancellor of the California Community Colleges, to provide funding, upon appropriation by the Legislature, to each community college meeting prescribed requirements, including using evidence-based assessment and placement practices at the community college. Existing law authorizes a community college to use that funding to accomplish specified policy goals and to waive some or all of the fees for one 2 academic-year years for certain first-time students who are enrolled in 12 or more semester units or the equivalent
at the college and complete and submit either a Free Application for Federal Student Aid (FAFSA) or a California Dream Act application.

This bill would require that the use of evidence-based assessment and placement practices at the community colleges for participation in the California College Promise be consistent with certain existing requirements for assessments. This bill would authorize a community college to use California College Promise funding to waive fees for 2 academic years and would make ineligible for the fee waiver a community college student who has previously earned a degree or certificate from a postsecondary educational institution. The bill would authorize an institution to deem as full time, for the purposes of eligibility for a fee waiver, specified students who are not enrolled in 12 or more semester units. The bill would require the chancellor’s office to submit a report to the Legislature on or before July 1, 2024, evaluating the use of funding for the California College Promise to waive student fees, with specified content.


The people of the State of California do enact as follows:

1 SECTION 1. Section 76396.3 of the Education Code is amended to read:  
2 76396.3. (a) A community college that has been certified by the chancellor as meeting the requirements established under Section 76396.2 shall receive funding pursuant to Section 76396. (b) The community college may use funding appropriated pursuant to this article to waive some or all of the fees for first-time community college students who are enrolled at the college full time, and who complete and submit either a Free Application for Federal Student Aid or a California Dream Act application, except that a student who has previously earned a degree or certificate from a postsecondary educational institution is not eligible for this fee waiver. A fee waiver that a student receives pursuant to this subdivision shall only be for two academic years and fees shall only be waived for the summer term and each semester or quarter of an academic year in which the student maintains full-time status. A fee waiver provided pursuant to this subdivision shall not be available to a student who is charged a tuition fee pursuant to Section 76140.
(c) For purposes of this section, the following terms have the following meanings:

(1) “Academic year” means the total of the summer term that immediately precedes the first semester or quarter of the fall term, and the two consecutive semesters or three quarters that immediately follow that summer term. Each semester or quarter is approximately the same length.

(2) “Full time” means 12 or more semester units or the equivalent.

(B) A student enrolled in fewer than 12 units may be deemed “full time” at the discretion of the institution if the student has been certified as “full time” by a staff person in the disabled student services program at the institution who is qualified to make such a designation.

(d) It is the intent of the Legislature that funding provided to support the California College Promise be used by the community college to advance the goals outlined in Section 76396.1.

(e) On or before July 1, 2024, the chancellor’s office shall submit a report to the Legislature in compliance with Section 9795 of the Government Code evaluating the use of funding for the California College Promise to waive student fees. The report shall determine whether the goals outlined in Section 76396.1 are being met.

SECTION 1. Section 76396.2 of the Education Code is amended to read:

76396.2. The requirements for participation in the California College Promise shall advance the goals outlined in Section 76396.1 and shall include all of the following:

(a) Partnering with one or more local educational agencies to establish an Early Commitment to College Program that is consistent with the intent of former Article 6.3 (commencing with Section 54710) of Chapter 9 of Part 29 of Division 4 of Title 2 to provide K–12 students and families assistance that includes, but is not limited to, learning about college opportunities, visiting campuses, taking and completing college preparatory courses, and applying for college and financial aid:

(b) Partnering with one or more local educational agencies to support and improve high school student preparation for college and reduce postsecondary remediation through practices that may
include, but shall not be limited to, small learning communities, concurrent enrollment, and other evidence-based practices.

(c) Using evidence-based assessment and placement practices at the community college, consistent with Section 78213, that include multiple measures of student performance, which shall include, among other measures, overall grade point averages, including grades in high school courses, and using evidence-based practices to improve outcomes for underprepared students.

(d) Participating in the California Community College Guided Pathways Grant Program established pursuant to Part 54.81 (commencing with Section 88920) in order to clarify the academic path for students, help students enter a pathway, help students stay on an academic path, and ensure students are learning.

(e) Maximizing student access to need-based financial aid by leveraging the Board of Governors fee waiver established under Section 76300, commonly known as the California Promise Grant; ensuring students complete the Free Application for Federal Student Aid, Cal Grant application, or Dream Act application, and participating in a federal loan program authorized under Title IV of the federal Higher Education Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.). On or before January 1, 2018, a community college that does not participate in the federal loan program shall be provisionally eligible to participate in the California College Promise for one calendar year. The community college shall comply with the federal loan participation requirements in order to participate in the California College Promise on or after January 1, 2019.

SEC. 2. Section 76396.3 of the Education Code is amended to read:

76396.3. (a) A community college that has been certified by the chancellor as meeting the requirements established under Section 76396.2 shall receive funding pursuant to Section 76396.

(b) The community college may use funding appropriated pursuant to this article to waive all or some of the fees for first-time community college students who are enrolled at the college full time, and who complete and submit either a Free Application for Federal Student Aid or a California Dream Act application, except that a student who has previously earned a degree or certificate from a postsecondary educational institution is not eligible for this fee waiver. A fee waiver that a student receives pursuant to this
subdivision shall only be for two academic years and fees shall
only be waived for the summer term and each semester or quarter
of an academic year in which the student maintains full-time status.
A fee waiver provided pursuant to this subdivision shall not be
available to a student who is charged a tuition fee pursuant to
Section 76140.
(c) For purposes of this section, the following terms have the
following meanings:
(1) “Academic year” means the total of the summer term that
immediately precedes the first semester or quarter of the fall term,
and—the two—consecutive—semesters—or—three—quarters—that
immediately follow that summer term. Each semester or quarter
is approximately the same length.
(2) (A) Except as provided in subparagraph (B), “full time”
means 12 or more semester units or the equivalent.
(B) A student enrolled in fewer than 12 units may be deemed
“full time” at the discretion of the institution, if the student has
been certified as “full time” by a staff person in the disabled student
services program at the institution who is qualified to make such
designation.
(d) It is the intent of the Legislature that funding provided to
support the California College Promise be used by the community
college to advance the goals outlined in Section 76396.1.
(e) On or before July 1, 2024, the chancellor’s office shall
submit a report to the Legislature in compliance with Section 9795
of the Government Code evaluating the use of funding for the
California College Promise to waive student fees. The report shall
determine whether the goals outlined in Section 76396.1 are being
met.