



Home	Bill Information	California Law	Publications	Other Resources	My Subscriptions	My Favorites
------	------------------	----------------	--------------	-----------------	------------------	--------------

AB-540 Postsecondary education: student financial aid: California Dreamer Service Incentive Grant Program. (2019-2020)

SHARE THIS:  

Date Published: 10/07/2019 02:00 PM

Assembly Bill No. 540

CHAPTER 513

An act to amend Sections 69438 and 69438.7 of, to amend the heading of Article 5.5 (commencing with Section 69438) of Chapter 1.7 of Part 42 of Division 5 of Title 3 of, and to add Section 69438.8 of, the Education Code, relating to postsecondary education.

[Approved by Governor October 04, 2019. Filed with Secretary of State October 04, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 540, Limón. Postsecondary education: student financial aid: California Dreamer Service Incentive Grant Program.

Existing law establishes the Student Aid Commission to administer state student financial aid programs, including, among other programs, the Cal Grant Program, the Assumption Program of Loans for Education, and the Middle Class Scholarship Program.

Existing law also requires that a person, other than a nonimmigrant alien, as defined, who has attended high school in California for 3 or more years, who has graduated from a California high school or attained the equivalent thereof, who has registered at or attends an accredited institution of higher education in California not earlier than the fall semester or quarter of the 2001–02 academic year, and who, if the person is an alien without lawful immigration status, has filed a prescribed affidavit, is exempt from paying nonresident tuition at the California Community Colleges and the California State University.

Existing law, known as the California Dream Act of 2011, provides that a student attending the California State University, the California Community Colleges, or the University of California who is exempt from paying nonresident tuition under the provision described above is eligible to receive a scholarship derived from nonstate funds received, for the purpose of scholarships, by the public postsecondary educational segment that the student attends.

Existing law establishes, commencing with the 2019–20 academic year, the Cal Grant B Service Incentive Grant Program under the administration of the Student Aid Commission. This program requires a participating student, in order to receive a grant award under the program, among other requirements, to be a recipient of a Cal Grant B award; to be enrolled as a student at a campus of the University of California, the California State University, or the California Community Colleges, or at an independent institution of higher education, as defined; and to perform at least 100 hours per quarter or 150 hours per semester of community or volunteer service, as provided.

Existing law establishes the eligibility requirements for students participating in the program, including submission of a California Dream Act application to the commission and meeting all of the requirements for an exemption from paying nonresident tuition as described above. Existing law also specifies the requirements for the community or volunteer service performed by participating students to be applied toward the earning of grant awards under the program.

This bill would change the name of the Cal Grant B Service Incentive Grant Program to the California Dreamer Service Incentive Grant Program. The bill would require that an organization at which the community or volunteer service is performed by a participating student under the program to have been established for a minimum of 2 years before the first date on which a participating student begins performing service hours to qualify for the program.

The bill would also authorize the commission to adopt regulations necessary to carry out the purposes of the program as emergency regulations, as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The heading of Article 5.5 (commencing with Section 69438) of Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code is amended to read:

Article 5.5. California Dreamer Service Incentive Grant Program

SEC. 2. Section 69438 of the Education Code is amended to read:

69438. The California Dreamer Service Incentive Grant Program is hereby established, commencing with the 2019–20 academic year, under the administration of the Student Aid Commission. As used in this article, “program” means the California Dreamer Service Incentive Grant Program established by this section.

SEC. 3. Section 69438.7 of the Education Code is amended to read:

69438.7. In order for the community or volunteer service performed by a participating student to be applied to the minimum hours required for eligibility for this program, the organization and service shall meet all of the following requirements, as determined by the commission:

(a) The organization shall register with the commission, and report the service hours of the participating students.

(b) The organization shall be one of the following:

(1) A federal, state, or local governmental entity.

(2) A qualifying institution as defined in Section 69432.7.

(3) An organization exempt from federal income tax pursuant to Section 501(c)(3) of the Internal Revenue Code.

(c) The community or volunteer service performed by the participating student is not advocacy of a political, social, or religious nature.

(d) The community or volunteer service is related to the participating student's field of study, or is in furtherance of community service or a community need.

(e) The organization shall have been established for a minimum of two years before the first date on which a participating student begins performing service hours to qualify for this program.

SEC. 4. Section 69438.8 is added to the Education Code, to read:

69438.8. (a) The commission may adopt regulations necessary to carry out the purposes of this article as emergency regulations in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). For purposes of Section 11349.6 of the Government Code, the adoption of those regulations shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare.

(b) Notwithstanding subdivision (e) of Section 11346.1 of the Government Code, no regulation adopted by the commission pursuant to this section shall remain in effect for more than 180 days unless the commission complies with all relevant provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code.