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SB-77 Higher education trailer bill. (2019-2020)

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Senate Bill No. 77

CHAPTER 53

An act to amend Sections 66021.2, 66749.6, 66749.7, 68075.7, 68130.7, 69432, 69434, 69434.5, 69435, 69437, 69437.6, 69508.5, 70023, 76396.2, 76396.3, 78042, 81130.5, 84750.4, and 92010 of, to add Article 5.5 (commencing with Section 69438) and Article 9 (commencing with Section 69465) to Chapter 1.7 of Part 42 of Division 5 of Title 3 of, to add Article 19.5 (commencing with Section 69996) to Chapter 2 of Part 42 of Division 5 of Title 3 of, to add Chapter 4 (commencing with Section 70115) to Part 42 of Division 5 of Title 3 of, to add Chapter 4.4 (commencing with Section 89420) to Part 55 of Division 8 of Title 3 of, to add Article 6 (commencing with Section 89775) to Chapter 6 of Part 55 of Division 8 of Title 3 of, to add Article 7 (commencing with Section 92665) to Chapter 6 of Part 57 of Division 9 of Title 3 of, and to add and repeal Section 66021.9 of, the Education Code, to amend Sections 22956, 22959.83, and 68926.3 of, and to add Sections 22874.8 and 22958.5 to, the Government Code, to amend Section 13 of Chapter 624 of the Statutes of 2012, and to amend the Budget Act of 2018 (Chapters 29 and 30 of the Statutes of 2018) by amending Items 6870-101-0001 and 6870-107-0001 of Section 2.00 of that act, relating to postsecondary education, and making an appropriation therefor, to take effect immediately, bill related to the budget.

[Approved by Governor July 01, 2019. Filed with Secretary of State July 01, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

SB 77, Committee on Budget and Fiscal Review. Higher education trailer bill.

(1) The Cal Grant Program establishes the Cal Grant A and B Entitlement awards, the California Community College Transfer 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, as defined. Under existing law, no more than a total of 25,750 Competitive Cal Grant A and B awards may be granted annually.

Commencing with the 2019–20 academic year, this bill would provide an additional award, as specified, to Cal Grant A and B Entitlement, Competitive Cal Grant A and B, and Cal Grant C recipients who are attending a public postsecondary educational institution and have dependent children, as defined. The bill would make conforming changes. The bill would increase the maximum number of Competitive Cal Grant A and B awards granted annually from 25,750 to 41,000.

(2) Existing law establishes the University of California, under the administration of the Regents of the University of California, as a segment of public postsecondary education in this state. The University of California comprises 10 campuses, which are located at Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz.

Existing law authorizes a state court, in any action in which that court finds that any of certain student financial aid or other specified programs, or any similar program adopted by the regents, is unlawful, to order the administering entity that is the subject

of the lawsuit to terminate any waiver awarded under that statute or action as equitable relief. This provision also prohibits the award of money damages, a tuition refund or waiver, or other retroactive relief, and provides that the segments of public postsecondary education, including the University of California, are immune from the imposition of any award of money damages, tuition refund or waiver, or other retroactive relief in a lawsuit.

This bill, until June 30, 2021, would authorize the University of California to provide a scholarship as established by the university or a campus of the university, derived from nonstate funds received for that purpose, to any of its enrolled students who meet the eligibility requirements for that scholarship. The bill would include this scholarship authorization as a program covered by the above-described law relating to relief available in state court actions.

(3) The Cal Grant Program specifies the amounts of the maximum Cal Grant A and B awards for students attending private nonprofit postsecondary educational institutions and private for-profit postsecondary educational institutions that are regionally accredited, as specified. Beginning with the 2019–20 award year, the maximum tuition award is either \$9,084 or \$8,056, depending upon whether the number of new unduplicated transfer students accepted by private nonprofit postsecondary educational institutions who have been given associate degree for transfer commitments, as defined, in the prior award year meets or exceeds specified targets.

This bill would recharacterize private nonprofit postsecondary educational institutions as independent institutions of higher education for purposes of these benefits under the Cal Grant Program and would instead set the 2019–20 award year amount for a new recipient at an independent institution of higher education at \$9,084. The bill would, for the 2020–21 to 2022–23 award years, inclusive, condition the maximum tuition award amount on changed target numbers of new unduplicated transfer students accepted by independent institutions of higher education who have been given associate degree for transfer commitments.

(4) Existing law provides that, effective for academic terms beginning after July 1, 2017, a student enrolled at a campus of the California Community Colleges or the California State University who resides in California, meets the definition of “covered individual” under federal law, as it read on July 1, 2017, and is eligible for education benefits as belonging to either of 2 specified categories of beneficiaries under the federal “GI Bill,” as it read on January 1, 2017, is exempt from paying nonresident tuition and any other fees exclusively applicable to nonresident students at that campus.

This bill would additionally exempt from nonresident tuition and those other nonresident fees individuals entitled to specified rehabilitation services under the GI Bill. To the extent that this bill would create new duties for community college districts by adding a category of student who would qualify for a waiver of nonresident tuition and other fees exclusively applicable to nonresident students at a campus, the bill would constitute a state-mandated local program.

(5) 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 exempts 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, 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.

This bill would establish, commencing with the 2019–20 academic year, the Cal Grant B Service Incentive Grant Program under the administration of the Student Aid Commission. The bill would require 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.

The bill would specify the amount of the grants to be awarded under the program, and would require that the grants awarded under this program not offset or replace any other source of grant aid. The bill would limit to 2,500 the number of eligible students simultaneously receiving grants under the program. The bill would specify the eligibility requirements for students participating in the program, including submitting 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. The bill would also specify the requirements for the community or volunteer service performed by participating students to be applied toward the earning of grant awards under the program.

(6) Existing law exempts a student, other than a nonimmigrant alien, as defined, from paying nonresident tuition at the California State University and the California Community Colleges if the student meets certain requirements. Existing law makes a student who meets these requirements for exemption from nonresident tuition, or who meets equivalent requirements adopted by the Regents of the University of California, eligible to apply for, and participate in, any student financial aid program administered by the state to the full extent permitted by federal law except, under specified circumstances, the Competitive Cal Grant A and B awards program.

This bill would repeal the limitation on those students' eligibility for Competitive Cal Grant A and B awards. The bill would also express the intent of the Legislature that all forms of state-based aid in California be made equally available to these students who are exempt from paying nonresident tuition and to all other students who qualify for state-based aid in this state.

(7) The Golden State Scholarshare Trust Act establishes the Golden State Scholarshare Trust, under the administration of the Scholarshare Investment Board.

This bill would establish the California Kids Investment and Development Savings Program, under the administration of the board, for the purposes of expanding access to higher education through savings. The program would establish the California Kids Investment and Development Savings Program Fund in the State Treasury to serve as the initial repository of all moneys received from state and private sources for the program, and would continuously appropriate moneys in the fund to the board for the program. Subject to available moneys in the fund, the bill would require the board to establish one or more Scholarshare 529 accounts and make a seed deposit of moneys from the fund into a Scholarshare 529 account established under the program in an amount of at least \$25, as determined by the board. Specifically, those moneys would be deposited in subaccounts, one designated for each California resident child born on or after July 1, 2020, who is a California resident at the time of birth and is a member of a low-income household, as defined, except for children whose parents or legal guardians have opted out, as specified. Subject to sufficient moneys in the fund, the bill would authorize additional incentive payments from the fund for children participating in the program. The bill would require the board to provide awards from these Scholarshare 529 accounts, as specified, for each participating child's higher education expenses at an eligible institution of higher education. The bill would prescribe the powers and duties of the board to administer and implement the program. The bill would authorize the board to consider marketing the program to California residents, as specified. On or before January 1, 2022, the bill would require the board to report to the Department of Finance and the Legislature information pertaining to the first year of the program's implementation, as specified.

(8) Existing law, the Middle Class Scholarship Program, provides that an undergraduate student enrolled at the University of California or the California State University, or enrolled in upper division coursework in a community college baccalaureate program, and meeting certain requirements, is eligible for a scholarship award that, combined with other federal, state, and institutionally administered grants and fee waivers, totals up to 40% of the systemwide tuition and fees.

Existing law transfers \$99,797,000 from the General Fund to the Middle Class Scholarship Fund for the 2017–18 fiscal year, \$101,380,000 from the General Fund to the Middle Class Scholarship Fund for the 2018–19 fiscal year, and \$117,000,000 from the General Fund to the Middle Class Scholarship Fund for the 2019–20 fiscal year and each fiscal year thereafter, and appropriates those sums to the Student Aid Commission for purposes of the scholarship program.

This bill would increase the appropriation for the 2017–18 fiscal year from \$99,797,000 to \$99,938,000, would increase the appropriation for the 2018–19 fiscal year from \$101,380,000 to \$107,037,000, and would decrease the appropriation for the 2019–20 fiscal year from \$117,000,000 to \$110,248,000.

(9) Existing law establishes the Student Aid Commission as the state agency primarily responsible for the administration and coordination of student financial aid programs at California postsecondary educational institutions.

This bill would establish the Child Savings Account Grant Program under the administration of the commission to support local governments and nonprofit organizations to establish or expand local child savings account programs. Subject to an appropriation by the Legislature in the Budget Act, the bill would require the commission to provide grants of at least \$100,000 to applicants meeting prescribed requirements for purposes of establishing or expanding local child savings account programs, as specified. The bill would require the commission to provide technical assistance to grant applicants, as specified. The bill would establish the Child Savings Account Grant Program Council to advise the commission and grantees on topics pertaining to local child savings account programs.

(10) Existing law establishes the Student Equity and Achievement Program for purposes of supporting the California Community Colleges in boosting achievement for all students with an emphasis on eliminating achievement gaps for students from traditionally underrepresented groups.

Existing law also 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. Those requirements include the utilization of evidence-based assessment and placement practices at the community college that include multiple measures of student performance, as specified. Existing law authorizes a community college to use that funding to waive some or all of the fees for one academic year 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 or a California Dream Act application.

This bill, with respect to the California College Promise, would authorize a community college to use California College Promise funding to waive fees for 2 academic years for these first-time students, and would require the utilization of evidence-based assessment and placement practices at the community college to be in compliance with the requirements for assessment instruments applicable under the Student Equity and Achievement Program. To the extent that these changes to the California College Promise would create new duties for community college districts, the bill would impose a state-mandated local program.

(11) Existing law authorizes the Board of Governors of the California Community Colleges, in consultation with the California State University and the University of California, to establish a statewide baccalaureate degree pilot program at not more than 15 community college districts, with one baccalaureate degree program each, to be determined by the chancellor and approved by the board of governors. Existing law requires the Legislative Analyst's Office to conduct and report to the Legislature and the Governor the results of a final evaluation of the pilot program, as specified, on or before July 1, 2021. Existing law also requires affected community college districts to submit the information necessary to conduct the evaluations required by this provision.

The bill would instead require the Legislative Analyst's Office to report the results of the final evaluation of the pilot program on or before February 1, 2020. By advancing the date by which affected community college districts would be required to submit information, the bill would impose a state-mandated local program.

(12) Existing law enacts the Seymour-Campbell Student Success Act of 2012 for the purpose of increasing California community college student access and success by providing effective core matriculation services, including orientation, assessment and placement, counseling, and other education planning services. Existing law requires the Legislative Analyst's Office to review and report designated information about the Seymour-Campbell Student Success Act of 2012 to the appropriate fiscal and policy committees of the Legislature by July 1, 2014, July 1, 2016, and September 30, 2019.

This bill would repeal the September 30, 2019, reporting requirement.

(13) Existing law, the Field Act, requires the Department of General Services, under the police power of the state, to supervise the design and construction of any school building, as defined to include buildings used for elementary, secondary, and community college purposes, or the reconstruction or alteration of or addition to any school building, as defined to include buildings used for elementary, secondary, and community college purposes, if not exempted, to ensure that plans and specifications comply with adopted rules and regulations and specified building standards and to ensure that the work of construction has been performed in accordance with the approved plans and specifications, for the protection of life and property.

Existing law exempts a building or a complex within which the building is located, operated by an official or board of a city, city and county, or county, where the primary use of the building or complex is other than educational, from the definition of a school building for purposes of the Field Act, as specified.

This bill would additionally exempt a building or complex within which the building is located, operated by a nonprofit foundation and located on land owned by the United States, where the primary use of the building or complex is other than educational, from the definition of a school building for purposes of the Field Act.

(14) Existing law establishes the California State University, which is administered by the Trustees of the California State University.

This bill would, within one year of an appropriation by the Legislature in the annual Budget Act or in another statute for this purpose, establish the Center to Close Achievement Gaps at a campus of the California State University to be chosen by the Chancellor of the California State University, or at the office of the chancellor, as specified. The bill would provide that the mission of the center is to provide resources and assistance to local educational agencies in order to eliminate gaps in academic achievement between subgroups of pupils of kindergarten and grades 1 to 12, inclusive, as identified on the California School Dashboard, through professional preparation of educators throughout the California State University system and by serving as a resource for local educational agencies on strategies to close achievement gaps. The bill would require the center to operate in partnership with the State Department of Education, the State Board of Education, the California Collaborative for Education Excellence, specified county offices of education, and the University of California. On or before January 30 of the year following the first full year of operation of the center, and on or before January 30 annually thereafter, the bill would require the center to submit a report to the Legislature prepared by a third party evaluating the center, as specified.

(15) The California State University comprises 23 institutions of higher education located throughout the state.

This bill would appropriate any remaining proceeds for the California State University in specified capital outlay bond funds to the California State University for the construction phase of the Los Angeles Physical Sciences Building Renovation project, as specified.

(16) Existing law establishes community college districts throughout the state, and authorizes these districts to provide instruction at the community college campuses they operate and maintain. Existing law provides for a formula for the calculation of general purpose apportionments of state funds to community colleges. Existing law provides for base allocations of state funds to be made to community college districts on a full-time equivalent student basis, in amounts differing according to fiscal year, and specified for certain community college districts. Existing law also provides, commencing with the 2018–19 fiscal year, that a supplemental allocation and a student success allocation be calculated for each community college district based on a point system, as prescribed.

This bill, for the 2019–20 fiscal year, would set the marginal funding rates for the base allocation, supplemental allocation, and student success allocation to align with the total computational revenue computed by the Department of Finance for community college apportionments. The bill would allocate that revenue, in specified percentages, to the base, supplemental, and student success components. Commencing with the 2020–21 fiscal year, the bill would require those rates to be adjusted for changes in the cost-of-living adjustment and other base adjustments in subsequent annual budget acts. The bill would require the metrics used for the student success allocation to be based on a 3-year rolling average instead of on prior-year data, and would revise certain metrics, as provided. The bill would revise the hold harmless provisions applicable to the 2019–20 fiscal year, as specified. The bill would require, commencing with the 2019–20 fiscal year, the Office of the Chancellor of the California Community Colleges to publicly post the data, by community college district, used to calculate the supplemental and student success allocations pursuant to these provisions on the internet website of the chancellor's office, as provided.

Under existing law, for the fiscal years 2018–19 to 2020–21, inclusive, each community college district that gets less funding pursuant to the currently applicable funding formula than under the previously applicable formula, as adjusted for change in the cost of living, receives discretionary resources in an amount needed to ensure that the community college district receives no less than the funding as calculated under that prior formula with the adjustment.

This bill would apply the requirement to provide discretionary resources calculated in that way to qualifying community college districts for the 2021–22 fiscal year.

(17) The California Constitution provides that the University of California constitutes a public trust administered by the Regents of the University of California, a corporation in the form of a board, with full powers of organization and government, subject to legislative control only for specified purposes. Existing law requests the University of California, by April 1 of each year, to report to the Legislature on the systemwide and presidential initiatives of the university, including a description of each initiative, justifications for each initiative explaining how it furthers the mission of the university, and the total expenditures and revenue sources for each initiative.

This bill would request the University of California, by April 1 of each year, to similarly report to the Legislature on the systemwide programs of the university.

(18) Existing law establishes the University of California under the administration of the Regents of the University of California and the California State University under the administration of the Trustees of the California State University as 2 of the segments of public postsecondary education in the state.

This bill would require the University of California, Los Angeles and the California State University, Dominguez Hills, along with California State University campuses serving the Los Angeles Basin selected by the trustees, to form a neurodiversity and learning collaborative to, among other things, identify and develop the links between brain research and classroom practice. The bill would require the collaborative to provide leadership for the development and testing of new classroom interventions and teaching practices for literacy learning based on brain research at public schools, as specified. The bill would require the collaborative to support the development of a progressive teacher training curriculum to be integrated into professional preparation programs leading to a preliminary teaching credential, approved by the Commission on Teacher Credentialing, that will have a long-term impact on supporting neurodiverse learners, as specified. The bill would provide that the operation of these provisions is contingent on the enactment of an appropriation in the annual Budget Act for these purposes, and that these provisions apply to the University of California only to the extent that the regents act, by appropriate resolution, to make these provisions applicable.

(19) The Public Employees' Medical and Hospital Care Act authorizes an employee or annuitant, as those terms are defined, of the state to enroll in a health benefit plan approved or maintained by the Board of Administration of the Public Employees' Retirement System. The act generally requires the state and each employee or annuitant to contribute a portion of the cost of providing the benefit coverage afforded under the approved health benefit plan in which the employee or annuitant is enrolled.

The act prohibits specified employees from receiving an employer contribution for these benefits for annuitants unless the person is credited with 10 or more years, or 15 or more years, of state service, depending on the date of first hire.

The State Employees' Dental Care Act authorizes the state, through the Department of Human Resources, the Trustees of the California State University, or the Regents of the University of California, to contract with carriers for dental care plans for employees, annuitants, and eligible family members, as provided. The act generally authorizes a person who was enrolled in a dental care plan at the time they became an annuitant under state or federal provisions to continue their enrollment. The act prohibits specified employees from receiving an employer contribution for these benefits for annuitants unless the person is credited with 10 or more years, or 15 or more years, of state service, depending on the date of first hire.

This bill, with respect to both the Public Employees' Medical and Hospital Care Act and the State Employees' Dental Care Act, would additionally prohibit an employee of the California State University who is first employed and becomes a member of the California Public Employees' Retirement System on or after July 1, 2019, and who is represented by California State University Bargaining Unit 11, from receiving any portion of the employer contribution for these benefits for annuitants unless the employee has 10 years of credited state service at the time of retirement. The bill would limit its application to employees of the California State University who retire for service. The operation of these provisions would be contingent upon their adoption by regulations of the Trustees of the California State University or, if required, in a memorandum of understanding reached pursuant to specified law.

(20) Existing law creates the Public Employees' Retirement System, the management and control of which is vested in its board of administration. Under existing law, the board of administration has no duty to locate or notify annuitants who may be eligible to enroll under the State Employees' Dental Care Act, or to provide names or addresses for the purpose of notifying those annuitants.

The California State University Annuitant Vision Care Program requires the California State University system to administer a vision care program for all participating annuitants, as defined, of that institution. Under existing law, the California State University has no duty to locate or notify annuitants who may be eligible to enroll in the vision care program, or to provide names or addresses for the purpose of notifying those annuitants.

Existing law creates the Public Employees' Retirement Fund, a continuously appropriated trust fund under the exclusive control of the board, to be administered in accordance with the Public Employees' Retirement Law solely for the benefit of the members and retired members of the system and their survivors and beneficiaries. That law prohibits expenditure of retirement fund moneys for other than specified purposes relating to the system.

This bill would require the Board of Administration of the Public Employees' Retirement System to assist the California State University, upon request, by providing it with annuitant names and addresses solely for the purpose of notifying those annuitants of eligibility for enrollment into a university-offered dental or vision care plan. The bill would require information provided to the California State University for this purpose to be confidential. By authorizing moneys in the Public Employees' Retirement Fund to be spent for a new purpose, the bill would make an appropriation.

(21) Existing law imposes a filing fee of \$605 to file a notice of appeal in a civil case. Existing law requires, until January 1, 2020, that \$65 of this fee be deposited into the California State Law Library Special Account for the support of the California State Law Library.

This bill would extend the operation of the latter provision regarding the support of the California State Law Library until January 1, 2025.

(22) Existing law establishes CalFresh within the State Department of Social Services to provide assistance to eligible persons in obtaining nutritious foods.

This bill would require the department, in consultation with the University of California, the California State University, and the California Community Colleges, to assess the effectiveness of CalFresh in addressing student food insecurity at the public postsecondary segments and submit a related report to the Department of Finance and relevant policy and fiscal committees of the Legislature on or before November 1, 2019.

(23) This bill would create a one-time reentry grant program for the 2019–20 fiscal year using funds to be appropriated in one of 2 specified bills in the 2019–20 Regular Session. Under the bill, the chancellor's office would allocate grants, on a competitive basis, to community colleges to provide support for currently and formerly incarcerated students. The bill would specify the activities and services that could be supported by the reentry grants. The bill would require the chancellor's office to report to the Legislature and the Department of Finance on the use of these funds on or before July 31, 2023.

(24) On or before March 1, 2020, this bill would require the Office of the Chancellor of the California Community Colleges to submit a report to the Department of Finance and relevant policy and fiscal committees of the Legislature on the use of different

funds to be appropriated in one of the same 2 specified bills referenced in (23) above to address student basic needs, as specified.

(25) The Budget Act of 2018 appropriated \$4,155,021,000 from the General Fund to the Board of Governors of the California Community Colleges for specified purposes.

This bill would increase the appropriation to the Board of Governors of the California Community Colleges to \$4,157,124,000.

(26) The Budget Act of 2018 appropriated \$570,000 from the General Fund to the Board of Governors of the California Community Colleges to reimburse the Fiscal Crisis and Management Assistance Team for costs incurred in specified activities, including the provision of technical assistance, training, and short-term institutional research necessary to address existing or potential accreditation deficiencies. The act restricted the amount of the appropriation to be used for that activity to \$150,000.

This bill would delete that restriction on the use of the appropriated funds.

(27) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

(28) This bill would declare that it is to take effect immediately as a bill providing for appropriations related to the Budget Bill.

Vote: majority Appropriation: yes Fiscal Committee: yes Local Program: yes

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

SECTION 1. Section 66021.2 of the Education Code is amended to read:

66021.2. Consistent with the state's historic commitment to provide educational opportunity by ensuring both student access to and selection of an institution of higher education for students with financial need, the long-term policy of the Ortiz-Pacheco-Poohigian-Vasconcellos Cal Grant Program established pursuant to Chapter 1.7 (commencing with Section 69430) of Part 42 shall be as follows:

(a) Commencing with the 2001–02 academic year and every year thereafter, an applicant for a Cal Grant A or B award shall receive an award that is not in excess of the financial need amount determined by the Student Aid Commission pursuant to Section 69432.9 if the applicant complies with all of the following requirements:

(1) Demonstrates financial need under the criteria adopted pursuant to Section 69432.9.

(2) Attains a grade point average, as defined in Section 69432.7, meeting the requirements of Chapter 1.7 (commencing with Section 69430) of Part 42.

(3) Complies with each of the eligibility criteria applicable to the type of Cal Grant award for which the applicant is applying.

(b) (1) (A) The maximum Cal Grant A award for a student attending the University of California or the California State University shall equal the mandatory systemwide fees in the segment attended by the student, plus the access award specified in Article 9 (commencing with Section 69465) of Chapter 1.7 of Part 42 if the student meets qualifying criteria pursuant to subdivision (b) of Section 69465.

(B) The maximum Cal Grant B award for a student who is attending the University of California, the California State University, or the California Community Colleges when not enrolled in upper division coursework as described in paragraph (2), shall equal the mandatory systemwide fees in the segment attended by the student, except for community college students who receive waivers from the Board of Governors of the California Community Colleges, plus the access award calculated as specified in Article 3 (commencing with Section 69435) or, if the student meets the qualifying criteria pursuant to subdivision (b) of Section 69465, Article 9 (commencing with Section 69465), of Chapter 1.7 of Part 42, except that in the first year of enrollment in a qualifying institution, the maximum award shall be only for the amount of the access award.

(2) (A) The maximum Cal Grant A award for a community college student enrolled in upper division coursework of a baccalaureate degree program, described in Article 3 (commencing with Section 78040) of Chapter 1 of Part 48 of Division 7, shall equal the per unit fees charged for the upper division coursework for the academic term, plus the access award specified in Article 9 (commencing with Section 69465) of Chapter 1.7 of Part 42 if the student meets the qualifying criteria pursuant to subdivision (b) of Section 69465.

(B) The maximum Cal Grant B award for a community college student enrolled in upper division coursework of a baccalaureate degree program, described in Article 3 (commencing with Section 78040) of Chapter 1 of Part 48 of Division 7, shall equal the per unit fees charged for the upper division coursework for the academic term, plus the access award calculated as specified in Article 3 (commencing with Section 69435) or, if the student meets the qualifying criteria pursuant to subdivision (b) of Section 69465, Article 9 (commencing with Section 69465) of Chapter 1.7 of Part 42.

(c) The maximum Cal Grant awards for students attending nonpublic institutions shall be as follows:

(1) The maximum Cal Grant A award shall equal the tuition award level established in the Budget Act of 2000, or the amount as adjusted in subsequent annual budget acts.

(2) The maximum Cal Grant B award shall equal the amount of the tuition award as established in the Budget Act of 2000, or the amount as adjusted in subsequent annual budget acts, plus the amount of the access costs specified in Section 69435, except that, in the first year of enrollment in a qualifying institution, the maximum award shall be only for the amount of the access award.

(d) Commencing with the 2000–01 academic year, and each academic year thereafter, the Cal Grant C award shall be utilized only for occupational or technical training.

(e) Commencing with the 2000–01 academic year, and each academic year thereafter, the Cal Grant T award shall be used only for one academic year of full-time attendance in a program of professional preparation that has been approved by the California Commission on Teacher Credentialing.

(f) An institution of higher education in this state that participates in the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program shall not reduce its level of per capita need-based institutional financial aid to undergraduate students, excluding loans, below the total level awarded in the 2000–01 academic year.

(g) The implementation of the policy set forth in this section shall maintain a balance between the state's policy goals of ensuring student access to and selection of an institution of higher education for students with financial need and academic merit.

(h) It is the policy of the State of California that the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program supplement the federal Pell Grant program.

(i) An award under the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program shall not guarantee admission to an institution of higher education or admission to a specific campus or program.

SEC. 2. Section 66021.9 is added to the Education Code, to read:

66021.9. (a) The University of California may provide a scholarship as established by the university or a campus of the university, derived from nonstate funds received for that purpose, to any of its enrolled students who meet the eligibility requirements for that scholarship.

(b) The Legislature finds and declares that this section is a state law within the meaning of subdivision (d) of Section 1621 of Title 8 of the United States Code.

(c) This section shall remain in effect only until June 30, 2021, and as of that date is repealed.

SEC. 3. Section 66749.6 of the Education Code is amended to read:

66749.6. (a) (1) An independent institution of higher education that chooses to accept an associate degree for transfer does not guarantee admission to a particular campus or program.

(2) An independent institution of higher education that chooses to accept an associate degree for transfer, shall guarantee admission with junior status to a community college student who meets all of the requirements of Section 66746, with admission to a program or major and concentration, as applicable, that meets either of the following:

(A) Is similar to the student's community college transfer model curriculum-aligned associate degree for transfer, as determined by the independent institution of higher education to which the student is admitted.

(B) May be completed with not more than 68 additional semester units for majors at institutions requiring 128 semester units or not more than 102 quarter units at institutions requiring 192 quarter units for a degree. An independent institution of higher education admitting a community college student with an associate degree for transfer may require the student to take additional courses at the institution as long as the student is not required to take any more than the additional semester units or quarter units specified in this subparagraph. High unit majors and additional campus-specific courses or

requirements that an institution requires for graduation by all undergraduate students, and that would not otherwise be considered an educational requirement at a public institution, shall be exempt from this subparagraph.

(b) Community college transfer units shall not be applicable to upper division requirements at an independent institution of higher education unless agreed upon by the local academic senates of the independent institution of higher education and the California Community Colleges, and the transferred units do not exceed the required 68 semester units or 102 quarter units, pursuant to subparagraph (B) of paragraph (2) of subdivision (a).

(c) An independent institution of higher education shall not require students transferring pursuant to this article to repeat courses that are similar to those taken at the community college that counted toward the associate degree for transfer.

(d) Discussions concerning the associate degree for transfer program, including the development of new majors, shall include participation by the association representing the largest number of independent institutions of higher education.

SEC. 4. Section 66749.7 of the Education Code is amended to read:

66749.7. The Chancellor's Office of the California Community Colleges and those independent institutions of higher education that choose to commit to accept a student with an associate degree for transfer, in consultation with students, faculty, student service administrators, the State Department of Education, the California Education Round Table, and other key stakeholders, shall develop a student-centered communication and marketing strategy in order to increase the visibility of the associate degree for transfer pathway for all students in California that may include, but is not necessarily limited to, all of the following:

(a) Outreach to high schools relative to the associate degree for transfer pathway that build upon existing high school outreach programs and activities performed by the California State University and the University of California.

(b) Pathway information that may be prominently displayed in all community college counseling offices and transfer centers.

(c) Pathway information that may be provided to all first-year community college students developing an education plan to aid them in making informed educational choices.

(d) Targeted outreach on the pathway that may be provided to first-year community college students through campus orientations and student support services programs offered by the campus that may include, but are not necessarily limited to, Federal TRIO Programs, First-Generation Experience, MESA, and Puente.

(e) Information on the pathway that may be prominently displayed in community college course catalogs.

(f) Information on the pathway that may be prominently displayed on the internet website of each community college and independent institution of higher education that chooses to commit to accept a student with an associate degree for transfer, and on the California Colleges internet website, californiacolleges.edu.

SEC. 5. Section 68075.7 of the Education Code is amended to read:

68075.7. Notwithstanding any other law:

(a) Effective for academic terms beginning after July 1, 2019, a student enrolled at a campus of the California Community Colleges or the California State University who meets all of the following requirements shall be exempt from paying nonresident tuition or any other fee that is exclusively applicable to nonresident students:

(1) The student resides in California.

(2) The student meets the definition of "covered individual," as that term is defined in Section 3679(c)(2) of Title 38 of the United States Code.

(3) The student is eligible for education benefits under the federal Montgomery GI Bill–Active Duty program (Chapter 30 (commencing with Section 3001) of Title 38 of the United States Code), the Vocational Rehabilitation and Employment program (Chapter 31 (commencing with Section 3100) of Title 38 of the United States Code), or the Post-9/11 GI Bill program (Chapter 33 (commencing with Section 3301) of Title 38 of the United States Code), as each read on January 1, 2019.

(b) After the expiration of the three-year period following discharge as described in Section 3679(c)(2)(A) or (B)(ii)(I) of Title 38 of the United States Code, a student who qualifies for an exemption from paying nonresident tuition and other applicable fees under paragraph (2) of subdivision (a) shall be deemed to maintain "covered individual" status as long as the student remains continuously enrolled at a campus, even if the student enrolls in multiple programs, and the student shall continue to be exempt from paying nonresident tuition and other fees that are exclusively applicable to nonresident students. As used in this section, "continuously enrolled" means enrolled for at least the fall and spring semesters of an academic year, or for at least three of the quarters in an academic year for an institution using the quarter system.

(c) The attendance of a community college student who is exempt from paying nonresident tuition and other fees pursuant to this section may be reported by the community college district of attendance for apportionment purposes.

SEC. 6. Section 68130.7 of the Education Code is amended to read:

68130.7. If a state court finds that Section 66021.6, 66021.7, 66021.9, or 68130.5, or any similar provision adopted by the Regents of the University of California, is unlawful, the court may order, as equitable relief, that the administering entity that is the subject of the lawsuit terminate any waiver awarded under that statute or provision, but no money damages, tuition refund or waiver, or other retroactive relief, may be awarded. In any action in which the court finds that Section 66021.6, 66021.7, 66021.9, or 68130.5, or any similar provision adopted by the Regents of the University of California, is unlawful, the California Community Colleges, the California State University, and the University of California are immune from the imposition of any award of money damages, tuition refund or waiver, or other retroactive relief.

SEC. 7. Section 69432 of the Education Code is amended to read:

69432. (a) (1) Cal Grant Program awards shall be known as "Cal Grant A Entitlement Awards," "Cal Grant B Entitlement Awards," "California Community College Transfer Entitlement Awards," "Competitive Cal Grant A and B Awards," "Cal Grant C Awards," and "Cal Grant T Awards."

(2) For purposes of this section, "associate degree for transfer commitment" means a commitment by an independent institution of higher education that chooses to accept the California Community College associate degree for transfer pursuant to Section 66749.6.

(b) Maximum award amounts for students at independent institutions of higher education, private for-profit postsecondary educational institutions, and for Cal Grant C and T awards shall be identified in the annual Budget Act. Maximum award amounts for Cal Grant A and B awards for students attending public institutions shall be referenced in the annual Budget Act.

(c) (1) Notwithstanding subdivision (b), and subdivision (c) of Section 66021.2, commencing with the 2013–14 award year, the maximum tuition award amounts for Cal Grant A and B awards for students attending private for-profit postsecondary educational institutions shall be four thousand dollars (\$4,000).

(2) Notwithstanding paragraph (1) of this subdivision, subdivision (b) of this section, and subdivision (c) of Section 66021.2, commencing with the 2018–19 award year, the maximum tuition award amounts for Cal Grant A and B awards for students attending private for-profit postsecondary educational institutions accredited by the Western Association of Schools and Colleges shall be nine thousand eighty-four dollars (\$9,084) for new recipients, unless otherwise specified in the Budget Act of 2018.

(d) Notwithstanding subdivision (b) of this section, and subdivision (c) of Section 66021.2, the maximum tuition award amounts for Cal Grant A and B awards for students attending independent institutions of higher education shall be as follows:

(1) For the 2015–16, 2016–17, 2017–18, 2018–19, and 2019–20 award years, nine thousand eighty-four dollars (\$9,084) for new recipients.

(2) For the 2020–21 award year:

(A) (i) If the number of new unduplicated transfer students accepted by independent institutions of higher education who have been given associate degree for transfer commitments in the 2019–20 academic year meets or exceeds a target of 2,000, nine thousand eighty-four dollars (\$9,084) for new recipients.

(ii) The Fall 2019 cohort shall be reported showing progress towards the annual goal by April 2020. The association representing the largest number of independent colleges and universities shall provide, by April 2020, a list of campuses that have adopted, or are in the process of adopting, the associate degree for transfer pathway.

(B) If the number of new unduplicated transfer students accepted by independent institutions of higher education who have been given associate degree for transfer commitments in the 2019–20 academic year is fewer than 2,000, eight thousand fifty-six dollars (\$8,056) for new recipients.

(3) For the 2021–22 award year:

(A) If the number of new unduplicated transfer students accepted by independent institutions of higher education who have been given associate degree for transfer commitments in the prior award year meets or exceeds a target of 3,000, nine thousand eighty-four dollars (\$9,084) for new recipients.

(B) If the number of new unduplicated transfer students accepted by independent institutions of higher education who have been given associate degree for transfer commitments in the prior award year is fewer than 3,000, eight thousand fifty-six dollars (\$8,056) for new recipients.

(4) For the 2022–23 award year:

(A) If the number of new unduplicated transfer students accepted by independent institutions of higher education who have been given associate degree for transfer commitments in the prior award year meets or exceeds a target of 3,500, nine thousand eighty-four dollars (\$9,084) for new recipients.

(B) If the number of new unduplicated transfer students accepted by independent institutions of higher education who have been given associate degree for transfer commitments in the prior award year is fewer than 3,500, eight thousand fifty-six dollars (\$8,056) for new recipients.

(5) For the 2023–24 award year and each award year thereafter:

(A) If the number of new unduplicated transfer students accepted by independent institutions of higher education who have been given associate degree for transfer commitments in the prior award year meets or exceeds the target specified in subdivision (h), nine thousand eighty-four dollars (\$9,084) for new recipients.

(B) If the number of new unduplicated transfer students accepted by independent institutions of higher education who have been given associate degree for transfer commitments in the prior award year is less than the target specified in subdivision (h), eight thousand fifty-six dollars (\$8,056) for new recipients.

(e) The renewal award amount for a student whose initial award is subject to a maximum award amount specified in this section shall be calculated pursuant to paragraph (2) of subdivision (a) of Section 69433.

(f) It is the intent of the Legislature that independent institutions of higher education make a good faith effort to make the process for transferring from the California Community Colleges easier for resident students and a decision determining the maximum award amounts made pursuant to this section for students attending an independent institution of higher education will be made with consideration of the effort of the institution to make that process easier.

(g) The association representing the largest number of independent institutions of higher education shall submit a report relative to the implementation of this section to the Department of Finance and the Legislature, in conformity with Section 9795 of the Government Code, on or before April 15 of each year.

(h) For the 2023–24 award year and each award year thereafter, the target number of new unduplicated recipients accepted by independent institutions of higher education who have been given associate degree for transfer commitments shall be equal to the number of new transfer students attending independent institutions of higher education who were given associate degree for transfer commitments in the prior award year, adjusted by the percentage change in the total number of new transfer students from the year two years prior, compared to the prior year.

(i) For purposes of this section, "independent institution of higher education" has the same meaning as in Section 66010.

SEC. 8. Section 69434 of the Education Code is amended to read:

69434. (a) A Cal Grant A award shall be used only for tuition or student fees, or both, in a for-credit instructional program with a length of not less than two academic years. Each student who meets the Cal Grant A qualifications as set forth in this article shall be guaranteed an award. The amount of any individual award is dependent on the cost of tuition or fees, or both, at the qualifying institution at which the student is enrolled. For each applicant, the award amount shall not exceed the amount of the calculated financial need.

(b) Pursuant to Section 66021.2, any California resident is entitled to a Cal Grant A award, and the commission, or a qualifying institution pursuant to Article 8 (commencing with Section 69450), shall allocate that award, if all of the following criteria are met:

(1) The student has submitted, pursuant to Section 69432.9, a complete financial aid application, submitted or postmarked no later than March 2 of the academic year of high school graduation or its equivalent for the award year immediately following the academic year of high school graduation or its equivalent, or no later than March 2 of the academic year following high school graduation or its equivalent for the second award year following the year of high school graduation or its equivalent.

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

(3) The student attains a high school grade point average of at least 3.0 on a four-point scale.

(4) The student's household has an income and asset level that does not exceed the level for Cal Grant A recipients set forth in Section 69432.7.

(5) The student is pursuing an undergraduate academic program of not less than two academic years that is offered by a qualifying institution.

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

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

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

(c) (1) A student who meets the Cal Grant A Entitlement Program criteria specified in this article shall receive a Cal Grant A award for tuition or fees, or both, pursuant to Section 66021.2.

(2) A community college student participating in a baccalaureate degree program pursuant to Article 3 (commencing with Section 78040) of Chapter 1 of Part 48 of Division 7 who meets the Cal Grant A Entitlement Program criteria specified in this article shall receive a Cal Grant A award for upper division coursework fees pursuant to Section 66021.2.

(d) Students receiving a Cal Grant A award pursuant to this article who meet the qualifying criteria pursuant to subdivision (b) of Section 69465 shall also receive an access award pursuant to Article 9 (commencing with Section 69465).

SEC. 9. Section 69434.5 of the Education Code is amended to read:

69434.5. (a) An individual selected for a Cal Grant A award who enrolls in a California community college may elect to have the award held in reserve for a period not to exceed two academic years, except that the commission may extend the period in which the individual's award may be held in reserve for up to three academic years if, in the commission's judgment, the rate of academic progress has been as rapid as could be expected for the personal and financial conditions that the student has encountered. The commission shall, in this case, hold the award in reserve for the additional year. Upon receipt of a request to transfer the award to a tuition or fee charging qualifying institution, the individual shall be eligible to receive the Cal Grant A award previously held in reserve if, at the time of the request, the individual meets all of the requirements of this article. Upon receipt of the request, the commission shall reassess the financial need of the award recipient. The commission may prescribe the forms and procedures to be utilized for the purposes of this section. A recipient's years of eligibility for payment of benefits shall be based upon the recipient's grade level at the time the award is transferred to the tuition or fee charging qualifying institution.

(b) (1) Individuals who are selected for a Cal Grant A award that is held in reserve pursuant to this section and who meet the qualifying criteria pursuant to subdivision (b) of Section 69465 shall receive an award for access costs pursuant to Article 9 (commencing with Section 69465) of Chapter 1.7 of Part 42.

(2) The access award referenced in paragraph (1) shall be provided annually to a qualifying individual during the period of time that the individual's Cal Grant A award is held in reserve and upon transfer to a tuition or fee charging qualifying institution, provided that the individual continues to meet the qualifying criteria pursuant to subdivision (b) of Section 69465.

SEC. 10. Section 69435 of the Education Code is amended to read:

69435. (a) (1) A Cal Grant B award shall be used only for tuition, student fees, and access costs in a for-credit instructional program that is not less than one academic year in length.

(2) The commission, or a qualifying institution pursuant to Article 8 (commencing with Section 69450), shall award access grants in a student's first academic year. In subsequent years, the award shall include an additional amount to pay tuition or fees, or both, to attend college at a public or private four-year college or university or other qualifying institution for all Cal Grant B awards pursuant to paragraph (2) of subdivision (b) of Section 66021.2. In no event shall the total award in any year exceed the applicant's calculated financial need.

(3) Not more than 2 percent of new Cal Grant B recipients enrolling for the first time in an institution of postsecondary education shall be eligible for payments for tuition or fees, or both, in their first academic year of attendance. The commission shall adopt regulations specifying the criteria used to determine which applicants, if any, receive both tuition and fees plus the access grant in the first year of enrollment. Priority shall be given to students with the lowest expected family contribution pursuant to Section 69432.7 and the highest level of academic merit.

(b) An award for access costs under this article shall be in an annual amount not to exceed one thousand five hundred fifty-one dollars (\$1,551) or, if the recipient meets the qualifying criteria pursuant to subdivision (b) of Section 69465, the amount of the award provided pursuant to Article 9 (commencing with Section 69465). These amounts may be adjusted in the annual Budget Act.

SEC. 11. Section 69437 of the Education Code is amended to read:

69437. (a) Commencing with the 2001–02 academic year, and each academic year thereafter, there shall be established the Competitive Cal Grant A and B award program for students who did not receive a Cal Grant A or B entitlement award pursuant to Article 2 (commencing with Section 69434), Article 3 (commencing with Section 69435), or Article 4 (commencing with Section 69436). Awards made under this section are not entitlements. The submission of an application by a student under this section shall not entitle that student to an award. The selection of students under this article shall be determined pursuant to subdivision (c) and other relevant criteria established by the commission.

(b) Commencing with the 2019–20 academic year, a total of 41,000 Cal Grant A and B awards shall be granted annually under this article on a competitive basis for applicants who meet the general eligibility criteria established in Article 1 (commencing with Section 69430) and the priorities established by the commission pursuant to subdivision (c).

(1) Fifty percent of the awards referenced in this subdivision are available to all students, including California community college students, who meet the financial need and academic requirements established pursuant to this article. A student enrolling at a qualifying baccalaureate degree granting institution shall apply by the March 2 deadline. A California community college student is eligible to apply at the March 2 or the September 2 deadline.

(2) Fifty percent of the awards referenced in this subdivision are reserved for students who will be enrolled at a California community college. The commission shall establish a second application deadline of September 2 for community college students to apply for these awards effective with the fall term or semester of the 2001–02 academic year.

(3) If any awards are not distributed pursuant to paragraphs (1) and (2) upon initial allocation of the awards under this article, the commission shall make awards to as many eligible students as possible, beginning with the students with the lowest expected family contribution and highest academic merit, consistent with the criteria adopted by the commission pursuant to subdivision (c), as practicable without exceeding an annual cumulative total of 41,000 awards.

(c) (1) On or before February 1, 2001, acting pursuant to a public hearing process that is consistent with the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code), the commission shall establish selection criteria for Cal Grant A and B awards under the competitive program that give special consideration to disadvantaged students, taking into consideration those financial, educational, cultural, language, home, community, environmental, and other conditions that hamper a student's access to, and ability to persist in, postsecondary education programs.

(2) Additional consideration shall be given to both of the following:

(A) Students pursuing Cal Grant B awards who reestablish their grade point averages.

(B) Students who did not receive awards pursuant to Article 2 (commencing with Section 69434), Article 3 (commencing with Section 69435), or Article 4 (commencing with Section 69436).

(d) All other students who meet the eligibility requirements pursuant to Article 1 (commencing with Section 69430) are eligible to compete for an award pursuant to this article.

SEC. 12. Section 69437.6 of the Education Code is amended to read:

69437.6. (a) An applicant competing for an award under this article shall meet all the requirements of Article 1 (commencing with Section 69430).

(b) To compete for a competitive Cal Grant A award, an applicant shall, at a minimum, meet all of the requirements of Article 2 (commencing with Section 69434), with the exception of paragraphs (1) and (8) of subdivision (b) of Section 69434. However, in lieu of meeting the grade point average requirement set forth in paragraph (3) of subdivision (b) of Section 69434, an applicant may submit a community college or college grade point average of at least 2.4 on a 4.0 scale.

(c) To compete for a competitive Cal Grant B award, an applicant shall, at a minimum, meet all of the requirements of Article 3 (commencing with Section 69435), with the exception of paragraphs (1) and (8) of subdivision (a) of Section 69435.3. However, in lieu of meeting the grade point average requirements of paragraph (3) of subdivision (a) of Section 69435.3, a student may do either of the following:

(1) Demonstrate attainment of a community college or college grade point average of at least 2.0 on a 4.0 scale.

(2) Reestablish the student's grade point average by completing at least 16 cumulative units of credit for academic coursework at an accredited California community college, as defined by the commission, by regulation, with at least a 2.0 community

college grade point average.

(d) To compete for a competitive California Community College Transfer Cal Grant Award, an applicant shall, at a minimum, meet the requirements of Article 4 (commencing with Section 69436), with the exception of paragraphs (8) and (9) of subdivision (b) of Section 69436.

(e) All other competitors shall, at a minimum, comply with all of the requirements of subdivision (b) of Section 69432.9.

(f) (1) An individual selected for a competitive Cal Grant A award who enrolls in a California community college may elect to have the award held in reserve for a period not to exceed two academic years, except that the commission may extend the period in which the individual's award may be held in reserve for up to three academic years if, in the commission's judgment, the rate of academic progress has been as rapid as could be expected for the personal and financial conditions that the student has encountered. The commission shall, in this case, hold the award in reserve for the additional year. Upon receipt of a request to transfer the award to a tuition or fee charging qualifying institution, the individual shall be eligible to receive the Cal Grant A award previously held in reserve if, at the time of the request, the individual meets all of the requirements of this article. Upon receipt of the request, the commission shall reassess the financial need of the award recipient. The commission may prescribe the forms and procedures to be utilized for the purposes of this section. A recipient's years of eligibility for payment of benefits shall be based upon the recipient's grade level at the time the award is transferred to the tuition or fee charging qualifying institution. Any award so held in reserve shall only be counted once toward the 41,000 awards authorized by this article.

(2) Individuals who are selected for a Cal Grant A award that is held in reserve pursuant to this subdivision and who meet the qualifying criteria pursuant to subdivision (b) of Section 69465 shall receive an award for access costs pursuant to Article 9 (commencing with Section 69465).

(3) The access award referenced in paragraph (2) shall be provided annually to qualifying individuals during the period of time that their Cal Grant A award is held in reserve and upon transfer to a tuition or fee charging qualifying institution, provided that the individual continues to meet the qualifying criteria pursuant to subdivision (b) of Section 69465.

SEC. 13. Article 5.5 (commencing with Section 69438) is added to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code, to read:

Article 5.5. Cal Grant B Service Incentive Grant Program

69438. The Cal Grant B 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 Cal Grant B Service Incentive Grant Program established by this section.

69438.3. (a) In order to receive a grant under the program, a student shall be a recipient of a Cal Grant B award, and shall perform at least 100 hours per quarter or 150 hours per semester of community or volunteer service, as appropriate. The community or volunteer service shall be performed through organizations meeting the requirements of Section 69438.7. The organizations shall report the hours of service performed by participating students to the commission in a timely manner.

(b) A participating student is eligible to receive a grant under the program for a maximum of eight semesters or 12 quarters. Once a student has met the minimum service requirement, the student is eligible for an award of up to one thousand five hundred dollars (\$1,500) per semester or one thousand dollars (\$1,000) per quarter. The amount of a grant made to an individual participating student shall be calculated as follows:

(1) Fifty percent of the unmet need of up to one thousand five hundred dollars (\$1,500) of a student enrolled in a semester-based system, or 33.33 percent of the unmet need of up to one thousand dollars (\$1,000) of a student enrolled in a quarter-based system, as appropriate, shall be multiplied as follows:

(A) For half-time students, multiplied by five tenths (0.5).

(B) For three-fourths full-time students, multiplied by seventy-five hundredths (0.75).

(C) For full-time students, multiplied by one (1).

(2) If a student is eligible to receive a grant under the program, the minimum amount awarded in a semester or quarter shall be determined as follows:

(A) For half-time students, one hundred fifty dollars (\$150).

(B) For three-fourths full-time students, two hundred twenty-five dollars (\$225).

(C) For full-time students, three hundred dollars (\$300).

(c) A grant awarded under the program shall not offset or replace any other source of grant aid, including, but not necessarily limited to, institutional aid and scholarships.

(d) No more than 2,500 students who are eligible through meeting all of the requirements of Section 69438.5 shall simultaneously participate in the program. When award slots are available, grants under the program shall be awarded to eligible students on a first-come-first-served basis, with priority established in order of the date and time of the student's submission of a completed California Dream Act application pursuant to subdivision (a) of Section 69438.5.

(e) Of the funds appropriated in the Budget Act of 2019–20 for the purposes of the program, up to one million five hundred thousand dollars (\$1,500,000) shall be available on a one-time basis to the commission to support the costs to administer the program for the 2019–20 fiscal year.

69438.5. A student is eligible to participate in the program if the student meets all of the following requirements:

(a) The student has completed, and submitted to the commission, a California Dream Act application.

(b) The student meets all of the requirements for an exemption from paying nonresident tuition pursuant to Section 68130.5 or pursuant to a similar provision adopted by the Regents of the University of California.

(c) The student is a recipient of a Cal Grant B award.

(d) The student is determined by the commission to have unmet need.

(e) The student is enrolled 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 in Section 66010, that is a qualifying institution as defined in Section 69432.7.

(f) The student agrees to perform the number of hours of community or volunteer service required, pursuant to Section 69438.3, for participation in the program.

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.

SEC. 14. Article 9 (commencing with Section 69465) is added to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code, to read:

Article 9. Awards for Students with Dependent Children

69465. (a) For purposes of this article, "dependent child" or "dependent children" means a child or children, as applicable, under 18 years of age whose parent or legal guardian is the student, if the child or all the children collectively receive more than 50 percent of their support from the student.

(b) Commencing with the 2019–20 academic year and each academic year thereafter, the commission shall identify all individuals with a dependent child or dependent children who meet both of the following qualifying criteria for the award year:

(1) The student will receive either a new or renewal Cal Grant A, B, or C award.

(2) The student will attend a University of California, California State University, or California Community College campus.

(c) Individuals identified by the commission as meeting qualifying criteria pursuant to subdivision (b) and who are receiving a Cal Grant A award or Cal Grant B award shall receive a total annual access award not to exceed six thousand dollars (\$6,000). This amount may be adjusted in the annual Budget Act.

(d) Individuals identified by the commission as meeting qualifying criteria pursuant to subdivision (b) and who are receiving a Cal Grant C award shall receive a total annual book and supply award not to exceed four thousand dollars (\$4,000). This amount may be adjusted in the annual Budget Act. Consistent with subdivision (e) of Section 69439, awards issued pursuant to this subdivision may be used for living expenses, institutional fees, charges, and other costs, including tuition and training-related costs, such as special clothing, local transportation, and required tools, equipment, supplies, technology, and books.

(e) Notwithstanding any other law, expenses paid with access awards granted pursuant to subdivision (c), and book and supply awards granted pursuant to subdivision (d), shall be considered allowable educational expenses and shall not be considered for purposes of determining eligibility for state public assistance programs.

(f) Notwithstanding any other law, an award provided pursuant to this article shall be excluded from the calculation of the maximum annual award value for purposes of subparagraph (A) of paragraph (3) of subdivision (b) of Section 69432.9.

(g) The usage of awards provided pursuant to this article shall be consistent with existing statutes and regulations governing eligible expenditures.

(h) Notwithstanding subdivisions (c) and (d), both of the following shall apply for purposes of this article:

(1) The amount appropriated in the annual Budget Act, and any other appropriation for purposes of this article, shall not exceed one hundred twenty-five million dollars (\$125,000,000).

(2) The commission shall annually determine if the amount appropriated for each fiscal year is sufficient to cover the cumulative cost of the funding projected to be awarded for the fiscal year pursuant to this article. If the commission determines that the amount appropriated is not sufficient to meet the funding projection for a fiscal year, the commission shall reduce awards proportionately by an equal percentage for all new recipients under this article for that fiscal year.

SEC. 15. Section 69508.5 of the Education Code is amended to read:

69508.5. (a) Notwithstanding any other law, a student who meets the requirements of subdivision (a) of Section 68130.5, or who meets equivalent requirements adopted by the Regents of the University of California, is eligible to apply for, and participate in, any student financial aid program administered by the State of California to the full extent permitted by federal law. The Legislature finds and declares that this section is a state law within the meaning of Section 1621(d) of Title 8 of the United States Code.

(b) Notwithstanding any other law, the Student Aid Commission shall establish procedures and forms that enable students who are exempt from paying nonresident tuition under Section 68130.5, or who meet equivalent requirements adopted by the regents, to apply for, and participate in, all student financial aid programs administered by the State of California to the full extent permitted by federal law.

(c) It is the intent of the Legislature that all forms of state-based aid in California be made equally available to students who are exempt, pursuant to Section 68130.5, from paying nonresident tuition and to all other students who qualify for state-based aid in this state.

SEC. 16. Article 19.5 (commencing with Section 69996) is added to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code, to read:

Article 19.5. California Kids Investment and Development Savings Program

69996. This article shall be known, and may be cited, as the California Kids Investment and Development Savings Program or KIDS Program.

69996.1. The California Kids Investment and Development Savings Program is hereby established. The board shall administer the program for the purposes of expanding access to higher education through savings.

69996.2. For the purposes of this article, the following terms have the following meanings:

(a) "Account" means a Scholarshare 529 account established pursuant to this article under Article 19 (commencing with Section 69980).

(b) "Beneficiary" has the same meaning as "designated beneficiary," as provided in Section 529(e)(1) of the Internal Revenue Code.

(c) "Board" means the Scholarshare Investment Board established pursuant to Section 69984.

(d) "Fund" means the California Kids Investment and Development Savings Program Fund established pursuant to subdivision (a) of Section 69996.6.

(e) "Institution of higher education" has the same meaning as "eligible educational institution," as provided in Section 529(e)(5) of the Internal Revenue Code.

(f) "Internal Revenue Code" means the Internal Revenue Code of 1986, as it is amended from time to time, if, as determined by the board, the amendment is consistent with the purposes of this article.

(g) "Low-income households" means households with a total annual adjusted gross income less than seventy-five thousand dollars (\$75,000) or households identified by the board by other means as low-income for purposes of the program.

(h) "Participant" means a parent or legal guardian of an eligible child, or a parent or legal guardian of a child described in subdivision (d) of Section 69996.3, or any private individual or entity who contributes moneys to the program.

(i) "Program" means the California Kids Investment and Development Savings Program established pursuant to this article.

(j) "Qualified higher education expenses" means the expenses of attendance at an institution of higher education, as provided in Section 529(e)(3) of the Internal Revenue Code. Notwithstanding Section 529(c)(7) of the Internal Revenue Code, "qualified higher education expenses" shall not include any tuition expenses in connection with enrollment or attendance at an elementary or secondary public, private, or religious school.

(k) "Seed deposit" means an initial contribution into an account for a child born on or after July 1, 2020.

69996.3. (a) Each eligible child born on or after July 1, 2020, who is a California resident at the time of birth and is a member of a low-income household, is eligible for the program.

(b) No later than 90 days after a child described in subdivision (a) is born, the State Department of Public Health shall provide the board with identifiable birth data for the child in a file format as defined by the board. The birth data shall include, but not necessarily be limited to, the child's name and birth date and the name and contact information of each parent or guardian of the child, preferably the parent or guardian's street or email address. The birth data is confidential and shall not be disclosed except as necessary for the program. No more than 90 days after receiving the birth data from the department, the board shall notify each parent or guardian of each eligible child about the program. The notification shall include information on all of the following:

(1) How the parent or guardian may opt out of the program.

(2) The subaccount opened with for the child pursuant to subdivision (f).

(3) How the parent or guardian may establish a separate account pursuant to Article 19 (commencing with Section 69980) and contribution matching opportunities provided pursuant to that article.

(c) The board shall make a child's designated balance in a subaccount available to the child's parent or legal guardian through a secured internet link.

(d) The board may periodically inform a child's parent or legal guardian of account earnings designated for the child, information on how the parent or guardian may establish a separate account pursuant to Article 19 (commencing with Section 69980), and information on contribution matching opportunities provided pursuant to that article.

(e) The board shall translate notifications and information provided pursuant to subdivisions (b) to (d), inclusive, into languages pursuant to Section 7299.3 of the Government Code.

(f) Upon appropriation by the Legislature, the board shall establish one or more accounts and shall make a seed deposit from the fund into a subaccount established within an account in an amount determined by the board. Each seed deposit shall be designated for a particular child for whom the board receives birth data pursuant to subdivision (b), if no parent or legal guardian has opted that child out of the program. Moneys in a subaccount designated for a child, including any investment earnings attributed to the amount of the child's seed deposit since the date of the deposit as calculated by the board, shall be used for the purpose of providing awards for qualified higher education expenses associated with the attendance of the child at an eligible institution of higher education. Each seed deposit shall be at least twenty-five dollars (\$25). The board may provide additional seed funding designated for a child into a subaccount if the parent or guardian of the child engages with the subaccount by

verifying receipt of information provided pursuant to paragraph (2) of subdivision (b), establishing a separate account pursuant to Article 19 (commencing with Section 69980), or engaging with the subaccount by other means approved by the board.

(g) Upon receiving documentation of a child's enrollment as a student at an institution of higher education, the board shall make a payment to that institution in the amount of the seed deposit designated for the child pursuant to subdivision (f), plus any investment earnings attributed to that amount since the date of that deposit as calculated by the board, for qualified higher education expenses associated with the child's attendance at that institution.

(h) Subject to available money in the fund, the board may provide additional incentives from the fund for children participating in the program.

(i) (1) Subject to available funding, a parent or legal guardian, residing in California, of a child who meets the criteria in paragraph (2) may apply to the board to enroll the child into the program. Subject to available funding, the enrollee shall be eligible for any incentives described in subdivision (h), as applicable, but is not eligible for a seed deposit.

(2) The child resides in a low-income household and is a current California resident under 10 years of age who was either of the following:

(A) Born a California resident before July 1, 2020.

(B) Not a California resident at the time of birth.

(j) (1) If a beneficiary does not use any portion, or all, of the funds intended for the beneficiary in an account for a qualified higher education expense for any reason, including death or disability of the beneficiary, before the beneficiary turns 26 years of age, all contributions made for the beneficiary into the account and any earnings from those funds shall be forfeited and deposited into the fund for the program.

(2) Notwithstanding paragraph (1), subject to available funding, the board may establish an appeal process to allow a beneficiary to use moneys designated for the beneficiary in an account after the beneficiary turns 26 years of age.

(3) All contributions made into an account for a child who has opted out of the program pursuant to subdivision (b), including any investment earnings attributed to the amount of the child's seed deposit since the date of the deposit as calculated by the board, shall be forfeited and deposited into the fund for the program in a timely manner.

(k) The board shall encourage each parent and legal guardian of a beneficiary, including each parent and legal guardian of a child who applies to enroll the child into the program as a beneficiary pursuant to subdivision (i), to establish a separate account pursuant to Article 19 (commencing with Section 69980). The board shall provide assistance on how to establish the separate account.

(l) The board may use up to 5% of state appropriations provided for purposes of the program for administrative costs.

69996.4. The board shall have the power and authority to do all of the following:

(a) Sue and be sued.

(b) Make and enter into contracts necessary for the implementation and administration of the program.

(c) Cause moneys in the fund to be held and invested and reinvested.

(d) Enter into agreements with any institution of higher education or any federal or state agency or other entity as required for the effectuation of its rights and duties.

(e) Accept any grants, gifts, appropriations, and other moneys from any unit of federal, state, or local government or any other person, firm, partnership, or corporation for deposit to the fund.

(f) Make payments to institutions of higher education on behalf of beneficiaries.

(g) Make provisions for the payment of costs of administration and operation of the program.

(h) Carry out the duties and obligations of the program pursuant to this article and have all other powers as may be necessary for the effectuation of the purposes, objectives, and provisions of this article.

(i) Carry out studies and projections to advise participants regarding present and estimated future higher education expenses.

(j) Contract for goods and services and engage personnel, including consultants, actuaries, managers, counsel, and auditors, as necessary for the purpose of rendering professional, managerial, and technical assistance and advice.

- (k) Participate in any federal, state, or local governmental program for the benefit of the program.
- (l) Procure insurance against any loss in connection with the property, assets, or activities of the program.
- (m) Administer the funds of the program.
- (n) Adopt regulations for the implementation and administration of the program.

69996.5. The board may consider marketing the program to California residents. The board may include in its marketing efforts information designed to educate California residents about the benefits of saving for higher education and information to help them decide the combination of savings strategies that may be appropriate for them.

69996.6. (a) The California Kids Investment and Development Savings Program Fund is hereby established in the State Treasury. Notwithstanding Section 13340 of the Government Code, moneys in the fund shall be continuously appropriated, without regard to fiscal years, to the board for the program. The fund shall be the initial repository of all appropriations, gifts, or other financial assets received by the board in connection with operation of the program.

(b) (1) Subject to available funding, the program shall be implemented before January 1, 2021. The board may establish an implementation timeline for the program based on available funding. If the board does not secure adequate funds to implement the program before January 1, 2021, program implementation may be delayed while the board makes good faith efforts to secure necessary funding. The board may accept gifts, grants, awards, matching contributions, interest income, and appropriations from individuals, businesses, state and local governmental entities, and third-party sources for the program on terms the board deems advisable.

(2) Before the program is implemented and throughout the program's operation, the board may authorize a county, city, nonprofit organization, or any other entity operating a local child savings account program to provide input to the program established pursuant to this article. The input may include, but is not limited to, information on any of the following:

- (A) Infrastructure and systems development.
- (B) Outreach and coordination with local child savings account programs.
- (C) Program incentives to promote equity.
- (D) Administrative fees and caps.
- (E) Contribution strategies.
- (F) Program accessibility, including language, identification, and banking access.

(c) On or before January 1, 2022, the board shall report to the Department of Finance and the Legislature, pursuant to Section 9795 of the Government Code, information pertaining to the first year of the program's implementation. The report shall include all of the following:

- (1) Detailed program expenditure information.
- (2) The number of subaccounts opened and state and nonstate contributions made to subaccounts.
- (3) Information about how parents were notified pursuant to paragraph (2) of subdivision (b) of Section 69996.3.
- (4) Number of parents or legal guardians who engage with subaccounts by verifying receipt of information provided to them pursuant to paragraph (2) of subdivision (b), establishing separate accounts pursuant to Article 19 (commencing with Section 69980), or engaging with subaccounts by other means approved by the board.
- (5) A description of the board's efforts and success in soliciting philanthropic or nonstate money to support the program.
- (6) A description of the board's marketing of the program.
- (7) Recommendations for improving the program.

SEC. 17. Section 70023 of the Education Code is amended to read:

70023. (a) For each academic year, the commission shall determine an amount sufficient, when combined with other federal, state, or institutionally administered student grants or fee waivers received by eligible students from other sources, to provide scholarships to eligible students in the amounts described in paragraphs (2) and (3) of subdivision (a) of Section 70022. The

University of California, the California State University, and the Office of the Chancellor of the California Community Colleges shall provide the commission with any financial aid data that are necessary for the determination of these amounts.

(b) The commission shall annually determine if the amounts appropriated under this section in each fiscal year are sufficient to cover the costs of the scholarships as projected to be awarded pursuant to the program. If those amounts are not sufficient for this purpose, the scholarships shall be reduced proportionately by an equal percentage for all recipients of scholarships under this article.

(c) The commission may adopt regulations necessary to carry out the purposes of this article under subdivision (b) as emergency regulations in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. For purposes of the Administrative Procedure Act, including 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, notwithstanding subdivision (e) of Section 11346.1 of the Government Code. Notwithstanding subdivision (e) of Section 11346.1 of the Government Code, any regulation adopted pursuant to this section shall not remain in effect more than 180 days unless the commission complies with all provisions of Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code, as required by subdivision (e) of Section 11346.1 of the Government Code.

(d) The unencumbered balance, as of June 30 of each fiscal year, of the amount appropriated from the Middle Class Scholarship Fund pursuant to paragraph (1) of subdivision (e) shall revert to the General Fund.

(e) (1) Upon order of the Director of Finance, the following amounts shall be transferred from the General Fund to the Middle Class Scholarship Fund, and are hereby appropriated to the commission for allocation pursuant to this article:

(A) For the 2014–15 fiscal year, one hundred seven million dollars (\$107,000,000).

(B) For the 2015–16 fiscal year, eighty-two million dollars (\$82,000,000).

(C) For the 2016–17 fiscal year, seventy-one million two hundred forty-four thousand dollars (\$71,244,000).

(D) For the 2017–18 fiscal year, ninety-nine million nine hundred thirty-eight thousand dollars (\$99,938,000).

(E) For the 2018–19 fiscal year, one hundred seven million thirty-seven thousand dollars (\$107,037,000).

(F) For the 2019–20 fiscal year, one hundred ten million two hundred forty-eight thousand dollars (\$110,248,000).

(G) For the 2020–21 fiscal year and for each fiscal year thereafter, one hundred seventeen million dollars (\$117,000,000).

(2) An annual appropriation to the commission is hereby established in the amounts and for the fiscal years described in paragraph (1) to carry out the purposes of this section and Section 70022.

(3) It is the intent of the Legislature that any savings realized from changes made to the allocations under this subdivision by a bill providing for appropriations related to the Budget Bill for the 2015–16 fiscal year shall be used to support higher education.

(4) The funds transferred and appropriated pursuant to paragraph (1) shall only be available for encumbrance in the fiscal year in which they are transferred, and the General Fund shall have no liability or any obligation beyond the transfers explicitly authorized in paragraph (1) unless a subsequent transfer or allocation is required pursuant to statute.

(5) In any fiscal year, additional appropriations may be enacted pursuant to statute to carry out the purposes of this article.

(6) (A) Beginning with the Governor's Budget proposal for the 2014–15 fiscal year, and in the Governor's Budget for each fiscal year thereafter, the Department of Finance shall include a fund condition statement for the Middle Class Scholarship Fund for the fiscal year of the proposed budget and the two immediately preceding fiscal years prepared in accordance with existing law.

(B) Upon order of the Director of Finance and commencing with the 2013–14 fiscal year, if the May Revision projects a budget deficit for the next fiscal year, the amount specified in paragraph (1) for the fiscal year for which the budget deficit is projected may be reduced by up to 33 percent.

(f) Subject to an appropriation in the annual Budget Act for its purposes, the commission may begin implementation of, and establish outreach services relating to, this article.

SEC. 18. Chapter 4 (commencing with Section 70115) is added to Part 42 of Division 5 of Title 3 of the Education Code, to read:

CHAPTER 4. Child Savings Account Grant Program

70115. (a) There is hereby established the Child Savings Account Grant Program under the administration of the commission.

(b) The commission shall implement and administer the Child Savings Account Grant Program to support local governments and nonprofit organizations that sponsor or collaborate on one or more comprehensive citywide or regional child savings account programs.

70115.1. (a) Subject to an appropriation in the Budget Act, the commission shall distribute grants to qualifying entities based on how many of them are eligible to receive a grant pursuant to subdivisions (b) to (d), inclusive, the amount of available funding under the Child Savings Account Grant Program to award grants, the number of students that each participating entity intends to serve under the program, and the percentage of low-income families residing in the community served by each participating entity. The amount of each grant award to a participating entity shall be, at a minimum, one hundred thousand dollars (\$100,000). Funds appropriated in the Budget Act of 2019 for this purpose shall be available for encumbrance or expenditure by the commission until June 30, 2022.

(b) (1) The commission shall award a grant to a qualifying entity for one of the following purposes:

(A) For funding to initiate a new local child savings account program.

(B) For funding to expand an existing local child savings account program.

(2) Up to 74 percent of any appropriation to support the Child Savings Account Grant Program shall be expended pursuant to subparagraph (A) of paragraph (1).

(3) A minimum of 24 percent of any appropriation to support the Child Savings Account Grant Program shall be expended pursuant to subparagraph (B) of paragraph (1).

(4) Two percent of any appropriation to support the Child Savings Account Grant Program shall be used by the commission for outreach and administration of the program, to establish the Child Savings Account Grant Program Council pursuant to subdivision (d) of Section 70115.2, and to provide technical assistance to applicants pursuant to subdivision (b) of Section 70115.2.

(c) (1) A qualifying entity seeking a grant pursuant to subparagraph (A) of paragraph (1) of subdivision (b) shall meet all of the following requirements to receive the grant:

(A) Not have a local child savings account program in operation or under development.

(B) Seek the grant to establish a local child savings account program that primarily targets children who are 0 to 10 years of age, inclusive.

(C) Have or develop a plan to augment funding it receives under this chapter to provide continued financial support for its proposed program.

(D) Indicate in its application that its proposed program has the capacity to enroll eligible children into the program or that the program has the ability to automatically enroll eligible children.

(2) (A) The commission shall give grant priority to an applicant meeting the qualifications described in paragraph (1) based upon the following:

(i) Higher percentages of students in the local program's geographic region who are eligible to receive free or reduced-price meals.

(ii) Lower average and median incomes of families living in the local program's geographic region.

(iii) Lower college-going rates for students in the local program's geographic region.

(iv) A higher amount of funding secured, or planned to be secured, through local budget commitments, philanthropy, or other funding sources.

(v) Greater fiscal soundness of the applicant's long-term plan to sustain its local program.

(vi) A higher number of children who would have access to a college savings account under the local program.

(vii) The extent to which the applicant has a more detailed and effective plan to inform local families about the importance of establishing a college savings account, provide local families with college savings fiscal literacy assistance, and establish a college-going culture.

(B) The commission shall give grant priority to an applicant meeting the qualifications described in paragraph (1) that has a plan to invest a minimum of one hundred dollars (\$100), through a combination of initial deposits and incentive payments,

into each college savings account opened under the local program.

(d) (1) A qualifying entity seeking a grant pursuant to subparagraph (B) of paragraph (1) of subdivision (b) shall meet all of the following requirements to receive the grant:

(A) Have a local child savings account program in operation or under development that primarily targets children who are 0 to 10 years of age, inclusive.

(B) Have moneys, in addition to grants received under this chapter, to support its program.

(C) Indicate in its application that its program has the capacity to enroll eligible children into the program or that the program has the ability to automatically enroll eligible children.

(2) (A) The commission shall give grant priority to an entity meeting the qualifications of paragraph (1) based upon the following:

(i) Higher percentages of students in the local program's geographic region who are eligible to receive free or reduced-price meals.

(ii) Lower average and median incomes of families living in the local program's geographic region.

(iii) Lower college-going rates for students in the local program's geographic region.

(iv) A higher amount of funding secured through local budget commitments, philanthropy, or other funding sources.

(v) A higher total amount of funds saved for the local program.

(vi) A higher number of outreach events demonstrated by the applicant in its application to cultivate a college-going culture and encourage contributions to child savings accounts.

(vii) Demonstrated ability to sustain and potentially expand its program.

(B) The commission shall give grant priority to an applicant meeting the qualifications described in paragraph (1) that has a plan to invest a minimum of one hundred dollars (\$100), through a combination of initial deposits and incentive payments, into each child savings account opened under the local program.

(e) The commission shall adopt, as necessary, application procedures, forms, administrative guidelines, and other requirements for purposes of implementing and administering the Child Savings Account Grant Program.

70115.2. (a) The commission shall use the majority of the 2 percent allocated for purposes of paragraph (4) of subdivision (b) of Section 70115.1 to provide outreach to potential grantees, to review, score, and select grantees, and to oversee and evaluate grant implementation. The commission shall give outreach priority to underrepresented regions of the state that are not already offering a local child savings account program.

(b) The commission shall provide technical assistance to applicants that includes, but is not necessarily limited to, developing a toolkit for qualifying entities seeking to successfully launch a new local child savings account program, establishing a working group of grantees to share best practices, and assisting qualifying entities that are not offering a local child savings account program in developing an application to receive a grant.

(c) The commission shall encourage potential applicants to use the technical assistance made available by the commission to develop their program plans.

(d) (1) The Child Savings Account Grant Program Council is hereby established to advise the commission and grantees on topics that include, but are not necessarily limited to, all of the following:

(A) The development of systems and infrastructure to facilitate the successful implementation and operation of local child savings account programs.

(B) Outreach and coordination with local child savings account programs.

(C) Incentives to assist in the development of sustainable and expandable local child savings account programs.

(D) Strategies to minimize grantees' administrative fees and to cap administrative costs to better ensure that local child savings account programs are of low or no cost to participants.

(E) Contribution strategies, including recordkeeping and cash deposit strategies.

(F) The development of strategies to address local child savings account program accessibility issues, such as language barriers, identification of eligible students, and banking access.

(2) The Child Savings Account Grant Program Council may include representatives of the Governor's office, the commission, successful local child savings account programs, experts in relevant fields such as taxation, savings, and outreach, and interested researchers.

SEC. 19. 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. These requirements 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) Utilizing evidence-based assessment and placement practices at the community college that comply with Section 78213 and 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 that 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 that 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. 20. 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 some or all of the fees for first-time community college students who are enrolled at the college full time, and complete and submit either a Free Application for Federal Student Aid or a California Dream Act application. 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.

(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.

SEC. 21. Section 78042 of the Education Code is amended to read:

78042. (a) A district shall seek approval to offer a baccalaureate degree program through the appropriate accreditation body.

- (b) When seeking approval from the Board of Governors of the California Community Colleges, a district shall maintain the primary mission of the California Community Colleges specified in paragraph (3) of subdivision (a) of Section 66010.4. The district, as part of the baccalaureate degree pilot program, shall have the additional mission to provide high-quality undergraduate education at an affordable price for students and the state.
- (c) As a condition of eligibility for consideration to participate in the statewide baccalaureate degree pilot program, a district shall have a written policy that requires all potential students who wish to apply for a Board of Governors Fee Waiver pursuant to Section 76300 to complete and submit either a Free Application for Federal Student Aid or a California Dream Act application in lieu of completing the Board of Governors Fee Waiver application.
- (d) A district shall not offer more than one baccalaureate degree program, as determined by the governing board of the district and approved by the Board of Governors of the California Community Colleges, and subject to the following limitations:
- (1) A district shall identify and document unmet workforce needs in the subject area of the baccalaureate degree to be offered and offer a baccalaureate degree at a campus in a subject area with unmet workforce needs in the local community or region of the district.
 - (2) A baccalaureate degree pilot program shall not offer a baccalaureate degree program or program curricula already offered by the California State University or the University of California.
 - (3) A district shall have the expertise, resources, and student interest to offer a quality baccalaureate degree in the chosen field of study.
 - (4) A district shall not offer more than one baccalaureate degree program within the district, which shall be limited to one campus within the district.
 - (5) A district shall notify a student who applies to the district's baccalaureate degree pilot program that the student is required to commence the student's baccalaureate degree by the beginning of the 2022–23 academic year, as specified in Section 78041.
- (e) A district shall maintain separate records for students who are enrolled in courses classified in the upper division and lower division of a baccalaureate program. A student shall be reported as a community college student for enrollment in a lower division course and as a baccalaureate degree program student for enrollment in an upper division course.
- (f) A governing board of a district seeking authorization to offer a baccalaureate degree pilot program shall submit all of the following for review by the Chancellor of the California Community Colleges and approval by the Board of Governors of the California Community Colleges:
- (1) Documentation of the district's written policy required by subdivision (c).
 - (2) The administrative plan for the baccalaureate degree pilot program, including, but not limited to, the governing board of the district's funding plan for its specific district.
 - (3) A description of the baccalaureate degree pilot program's curriculum, faculty, and facilities.
 - (4) The enrollment projections for the baccalaureate degree pilot program.
 - (5) Documentation regarding unmet workforce needs specifically related to the proposed baccalaureate degree pilot program, and a written statement supporting the necessity of a four-year degree for that program.
 - (6) Documentation of consultation with the California State University and the University of California regarding collaborative approaches to meeting regional workforce needs.
- (g) (1) On or before March 31, 2015, the Board of Governors of the California Community Colleges shall develop, and adopt by regulation, a funding model for the support of the statewide baccalaureate degree pilot program that is based on a calculation of the number of full-time equivalent students enrolled in all district pilot programs.
- (2) Funding for each full-time equivalent student shall be at a marginal cost calculation, as determined by the Board of Governors of the California Community Colleges, that shall not exceed the community college credit instruction marginal cost calculation for a full-time equivalent student, as determined pursuant to paragraph (2) of subdivision (d) of Section 84750.5.
 - (3) A student in a baccalaureate degree pilot program authorized by this article shall not be charged fees higher than the mandatory systemwide fees charged for baccalaureate degree programs at the California State University.
 - (4) Fees for coursework in a baccalaureate degree pilot program shall be consistent with Article 1 (commencing with Section 76300) of Chapter 2 of Part 47.

(5) A district shall, in addition to the fees charged pursuant to paragraph (4), charge a fee for upper division coursework in a baccalaureate degree pilot program of eighty-four dollars (\$84) per unit.

(h) (1) The Legislative Analyst's Office shall conduct both an interim and a final statewide evaluation of the statewide baccalaureate degree pilot program implemented pursuant to this article.

(2) The results of the interim evaluation shall be reported as a progress report, in writing, to the Legislature and the Governor on or before July 1, 2018. The interim evaluation shall include, but is not limited to, all of the following:

(A) How many, and which specific, districts applied for a baccalaureate degree pilot program, and the baccalaureate degree pilot programs they applied for.

(B) Which potential four-year baccalaureate degrees were denied and why they were denied.

(C) Baccalaureate degree pilot program costs and the funding sources that were used to finance these programs.

(D) Current trends in workforce demands that require four-year degrees in the specific degree programs being offered through the statewide baccalaureate degree pilot program.

(E) Current completion rates, if available, for each cohort of students participating in a baccalaureate degree pilot program.

(F) Information on the impact of the baccalaureate degree pilot program on underserved and underprepared students.

(3) The results of the final evaluation shall be reported, in writing, to the Legislature and the Governor on or before February 1, 2020. The final evaluation shall include, but is not limited to, all of the following:

(A) The number of new district baccalaureate degree pilot programs implemented, including information identifying the number of new programs, applicants, admissions, enrollments, and degree recipients.

(B) The extent to which the baccalaureate degree pilot programs established under this article fulfill identified workforce needs for new baccalaureate degree programs, including statewide supply and demand data that considers capacity at the California State University, the University of California, and in California's independent colleges and universities.

(C) Information on the place of employment of students and the subsequent job placement of graduates.

(D) Baccalaureate degree program costs and the funding sources that were used to finance these programs, including a calculation of cost per degree awarded.

(E) The costs of the baccalaureate degree programs to students, the amount of financial aid offered, and student debt levels of graduates of the programs.

(F) Time-to-degree rates and completion rates for the baccalaureate degree pilot programs.

(G) The extent to which the programs established under this article are in compliance with the requirements of this article.

(H) Information on the impact of the baccalaureate degree pilot program on underserved and underprepared students.

(I) Recommendations on whether and how the statewide baccalaureate degree pilot program can or should be extended and expanded.

(4) A district shall submit the information necessary to conduct the evaluations required by paragraph (1), as determined by the Legislative Analyst's Office, to the Chancellor of the California Community Colleges, who shall provide the information to the Legislative Analyst's Office upon request.

(5) A report to be submitted pursuant to paragraph (2) or (3) shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 22. Section 81130.5 of the Education Code is amended to read:

81130.5. (a) This article does not apply to an offsite building during the time the building is used wholly or in part for community college purposes, if the building is neither owned by a community college district nor leased by a community college district under a lease containing an option to purchase that building. For the purposes of this section, an "offsite building" is a building that is situated on land that is neither owned by a community college district nor leased by a community college district under a lease containing an option to purchase the land.

(b) "School building," as used in this article, means and includes any building used, or designed to be used, for community college purposes and constructed, reconstructed, altered, or added to, by the state or by any city or city and county, by any

political subdivision, by any district of any kind within the state, by any regional occupational center or program created by or authorized to act by an agreement under joint exercise of power, or by the United States government, or any agency thereof.

(c) Where the primary use of either a building or complex within which the building is situated, operated by an official or board of a city, city and county, or county, or by a nonprofit foundation for a building or complex located on land owned by the United States, is for purposes other than educational, such as, but not necessarily limited to, correctional, forestry, or hospital purposes, the building shall not be considered to be a "school building" as defined in this section, notwithstanding any educational use thereof incidental to the primary purpose.

(d) For the purposes of this article and Article 8 (commencing with Section 81160), "school building" does not include any of the following:

(1) Any building of a community college district that is used solely for classes or programs in outdoor science, conservation, and forestry and that does not occupy, in whole or in part, the same parcel of land upon which there is situated any school maintained by the district.

(2) Agricultural facilities that were not built for classroom purposes and that are used primarily for plant and animal production or the storage of materials, equipment, and supplies involved in that production.

(3) Animal kennels and facilities used to house animals as part of an animal health instruction program.

(e) "Construction or alteration," as used in this article, includes any construction, reconstruction, or alteration of, or addition to, any school building.

SEC. 23. Section 84750.4 of the Education Code is amended to read:

84750.4. (a) (1) The board of governors, in accordance with this section, and in consultation with institutional representatives of the California Community Colleges and statewide faculty and staff organizations, so as to ensure their participation in the development and review of policy proposals, shall develop criteria and standards for the purpose of making the annual budget request for the California Community Colleges to the Governor and the Legislature, and for the purpose of allocating the state general apportionment revenues.

(2) It is the intent of the Legislature in enacting this section to adopt a formula for general purpose apportionments that encourages access for underrepresented students, provides additional funding in recognition of the need to provide additional support for low-income students, rewards colleges' progress on improving student success metrics, and improves overall equity and predictability so that community college districts may more readily plan and implement instruction and programs.

(3) It is the intent of the Legislature to determine the amounts appropriated for purposes of this section through the annual Budget Act. This section shall not be construed as limiting the authority of either the Governor to propose, or the Legislature to approve, appropriations for the California Community Colleges programs or purposes.

(b) (1) Commencing with the 2018–19 fiscal year, and each fiscal year thereafter, the chancellor's office shall annually calculate a base allocation, a supplemental allocation, and a student success allocation for each community college district in the state pursuant to this section. This calculation applies only to the allocation of credit revenue. Noncredit instruction, and instruction in career development and college preparation full-time equivalent students (FTES) shall be funded pursuant to the requirements of paragraphs (3) and (4), respectively, of subdivision (d) of Section 84750.5, as that section read on January 1, 2018.

(2) For the 2019–20 fiscal year, the marginal funding rates for the base allocation, supplemental allocation, and student success allocation shall be set to align with the total computational revenue computed by the Department of Finance for community college apportionments as computed for purposes of the 2019–20 Budget Act, in the following manner, after accounting for funding for the hold harmless provisions in subdivisions (g) and (h):

(A) Seventy percent of the total computational revenue shall be distributed to the base allocation pursuant to subdivision (c) and subparagraph (C) of paragraph (1) of subdivision (d).

(B) Twenty percent of the total computational revenue shall be distributed to the supplemental allocation pursuant to subdivision (e).

(C) (i) Ten percent of the total computational revenue shall be distributed to the student success allocation pursuant to subdivision (f).

(ii) Of the funding distributed pursuant to clause (i), 75 percent shall be allocated for purposes of paragraph (1) of subdivision (f) and 25 percent shall be allocated for purposes of paragraph (2) of subdivision (f).

(3) It is the intent of the Legislature that the final rates set pursuant to paragraph (2) be established in statute for the 2020–21 fiscal year.

(c) For purposes of computing the base allocation, the marginal funding rate for credit revenue per FTES shall be as follows:

(1) For the 2018–19 fiscal year, three thousand seven hundred twenty-seven dollars (\$3,727).

(2) For the 2019–20 fiscal year, the rate set for this purpose pursuant to subparagraph (A) of paragraph (2) of subdivision (b).

(3) Commencing with the 2020–21 fiscal year, the rate specified in paragraph (2) adjusted for changes in the cost-of-living adjustment and other base adjustments in subsequent annual budget acts.

(d) (1) The base allocation shall be computed for each community college district as follows:

(A) Each community college district shall receive a basic allocation based on the number of colleges and comprehensive centers in the community college district that is consistent with the basic allocation formula established by the board of governors pursuant to paragraph (2) of subdivision (d) of Section 84750.5 as of the 2015–16 fiscal year.

(B) Unless otherwise specified in subparagraph (C), each community college district shall receive an allocation based on credit base revenues associated with funded FTES as computed pursuant to subparagraph (A) of paragraph (2) at the rate pursuant to subdivision (c).

(C) Notwithstanding the rate in subdivision (c), for community college districts that had higher rates used to calculate their 2017–18 general purpose apportionments, the following rates shall be used to calculate their base allocations:

(i) For the 2018–19 year, as follows:

(I) For Foothill-De Anza Community College District, the rate shall be no less than three thousand seven hundred forty-five dollars (\$3,745).

(II) For Lake Tahoe Community College District, the rate shall be no less than three thousand eight hundred eighteen dollars (\$3,818).

(III) For Lassen Community College District, the rate shall be no less than three thousand seven hundred ninety-four dollars (\$3,794).

(IV) For Marin Community College District, the rate shall be no less than four thousand two hundred sixty-one dollars (\$4,261).

(V) For MiraCosta Community College District, the rate shall be no less than three thousand seven hundred thirty-four dollars (\$3,734).

(VI) For San Francisco Community College District, the rate shall be no less than three thousand seven hundred fifty-six dollars (\$3,756).

(VII) For San Jose-Evergreen Community College District, the rate shall be no less than three thousand seven hundred forty-four dollars (\$3,744).

(VIII) For Santa Monica Community College District, the rate shall be no less than three thousand seven hundred seventy-six dollars (\$3,776).

(IX) For South Orange Community College District, the rate shall be no less than three thousand eight hundred twenty-six dollars (\$3,826).

(X) For West Kern Community College District, the rate shall be no less than four thousand nine hundred thirty-four dollars (\$4,934).

(ii) For the 2019–20 fiscal year, the rates set for this purpose pursuant to subparagraph (A) of paragraph (2) of subdivision (b).

(iii) Commencing with the 2020–21 fiscal year, the rates specified in clause (ii) adjusted for changes in the cost-of-living adjustment and other base adjustments in subsequent annual budget acts.

(2) To calculate the base allocation for each community college district, the chancellor's office shall calculate the three-year rolling average comprised of funded FTES from the current year, the prior year, and the year prior to the prior year, as follows:

(A) Commencing with the 2018–19 fiscal year, the chancellor's office shall compute the sum of annually funded credit FTES from the current year, the prior year, and the year prior to the prior year, and divide the sum by three.

(B) (i) In computing the three-year average pursuant to subparagraph (A), credit FTES associated with enrollment growth proposed in the annual Budget Act shall be excluded from the three-year average and shall instead be added to the computed three-year rolling average.

(ii) In computing the three-year average pursuant to subparagraph (A), credit FTES generated by students who meet the requirements of subdivision (a) of Section 84810.5 and special admit students pursuant to Sections 76002, 76003, and 76004 shall be excluded.

(C) The sum of a community college district's computed three-year FTES rolling average and current year funded FTES growth shall be multiplied by a community college district's applicable base allocation funding rate pursuant to subdivision (c), or subparagraph (C) of paragraph (1), as applicable, to compute a community college district's base allocation.

(D) Community college districts are entitled to the restoration of any reductions in their base allocation due to decreases in FTES during the three years following the initial year of decrease if there is a subsequent increase in FTES.

(3) In addition to the amounts computed pursuant to paragraphs (1) and (2), each community college district shall receive an allocation based on credit base revenues associated with funded FTES generated by students who meet the requirements of subdivision (a) of Section 84810.5 and special admit students pursuant to Sections 76002, 76003, and 76004. FTES generated by students who meet the requirements of subdivision (a) of Section 84810.5 and special admit students pursuant to Sections 76002, 76003, and 76004 shall be multiplied by a community college district's applicable credit revenue rate computed for the 2017–18 fiscal year pursuant to Section 84750.5, as that section read on January 1, 2018, as adjusted for 2018–19 fiscal year cost-of-living adjustment and other base adjustments, and adjusted for the changes in the cost-of-living and other base adjustments in subsequent annual budget acts.

(4) The chancellor shall allocate any funding appropriated in the Budget Act for enrollment growth to support the following:

(A) First, for the stated percentage of enrollment growth in the Budget Act and consistent with the growth formula used by the board of governors in the 2015–16 fiscal year.

(B) Second, for the amount of uncapped growth attributable to increases in the amount of a community college district's supplemental allocation.

(C) Third, for the amount of uncapped growth attributable to increases in the amount of a community college district's student success allocation.

(e) Commencing with the 2018–19 fiscal year, a supplemental allocation shall be computed for each community college district based on the total points calculated for each community college district in accordance with all of the following:

(1) The marginal funding rate per point for computing a supplemental allocation shall be as follows:

(A) For the 2018–19 fiscal year, nine hundred nineteen dollars (\$919).

(B) For the 2019–20 fiscal year, the rate set for this purpose pursuant to subparagraph (B) of paragraph (2) of subdivision (b).

(C) Commencing with the 2020–21 fiscal year, the rate specified in subparagraph (B) adjusted for changes in the cost-of-living adjustment and other base adjustments in subsequent annual budget acts.

(2) Each community college district shall be granted one point for each student who is a recipient of financial aid under the Federal Pell Grant program (20 U.S.C. Sec. 1070a) based on headcount data of students in the prior year.

(3) Each community college district shall be granted one point for each student who is granted an exemption from nonresident tuition pursuant to Section 68130.5, based on headcount data of students in the prior year.

(4) Each community college district shall be granted one point for each student who receives a fee waiver pursuant to Section 76300, based on headcount data of students in the prior year.

(5) For the purposes of calculating the supplemental allocation, the number of students shall be defined as the number of students served by the community college district.

(6) It is the intent of the Legislature that the annual Budget Act fully fund increases in the supplemental allocations computed under this section.

(f) Commencing with the 2018–19 fiscal year, a student success allocation shall be computed for each community college district based on the total points calculated for each community college district in accordance with all of the following:

(1) (A) (i) The marginal funding rate per point for computing student success allocation revenue shall be as follows:

(I) For the 2018–19 fiscal year, four hundred forty dollars (\$440).

(II) For the 2019–20 fiscal year, the rate set for this purpose pursuant to subparagraph (C) of paragraph (2) of subdivision (b).

(III) Commencing with the 2020–21 fiscal year, the rate specified in subclause (II) adjusted for changes in the cost-of-living adjustment and other base adjustments in subsequent annual budget acts.

(ii) Commencing with the 2019–20 fiscal year, to calculate the student success allocation for each community college district, the chancellor's office shall calculate a three-year rolling average for each metric described in this paragraph. To compute the three-year average for each metric, the chancellor's office shall compute the sum of data for that metric from the prior year, the year prior to the prior year, and the year prior to the year prior to the prior year, and divide the sum by three.

(B) Each community college district shall be granted, for each student, points for one of the following, with the community college district receiving points based on the outcome that would generate the highest number of points and with the points counted only if the student was enrolled in the community college district in the academic year in which the award was granted:

(i) Three points for each chancellor's office approved associate degree or approved baccalaureate degree granted, excluding an associate degree for transfer granted pursuant to Article 3 (commencing with Section 66745) of Chapter 9.2 of Part 40 of Division 5, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(ii) Four points for each chancellor's office approved associate degree for transfer degree granted pursuant to Article 3 (commencing with Section 66745) of Chapter 9.2 of Part 40 of Division 5, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(iii) (I) Two points for each chancellor's office approved credit certificate requiring 18 or more units granted, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(II) Chancellor's office approved credit certificates requiring 16 or more units granted may be used to compute these points if the chancellor's office adopts regulations authorizing the approval and issuance of certificates requiring 16 or more units.

(C) Each community college district shall be granted two points for each student who successfully completes both transfer-level mathematics and English courses within the student's first academic year of enrollment, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(D) (i) Each community college district shall be granted one and one-half points for each student who successfully transfers to a four-year university, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(ii) The chancellor's office may reduce a community college district's transfer points if a community college district enters into, or expands, a transfer partnership with a private for-profit college that has not demonstrated a track record of providing its students with a baccalaureate degree that leads to a majority of the private for-profit college's baccalaureate degree program students obtaining a regional living wage within one year of completing their degree program.

(iii) The chancellor's office may reduce a community college district's transfer points if a community college district enters into, or expands, a transfer partnership with a private for-profit college that does not meet the qualifications to offer its students federal financial aid.

(iv) (I) For the 2018–19 fiscal year, the data for this metric shall be compiled using publicly available data on transfer students to in-state private and out-of-state institutions, based upon the definition of transfer students reflected in the Transfer Volume to In-State Private and Out-of-State Baccalaureate Granting Institutions Report from the community college management information system as of January 1, 2019, publicly reported transfer data from the California State University, and publicly reported transfer data from the University of California.

(II) Commencing with the 2019–20 fiscal year, the data for this metric shall be based upon a student meeting the following criteria:

- (ia) The student has an enrollment record in a community college district in the year prior to the prior year.
- (ib) The student has completed 12 or more semester units, or the equivalent, systemwide through the end of the prior year.
- (ic) The student does not have an enrollment record systemwide in the prior year.
- (id) The student enrolled in a four-year university in the prior year.
- (ie) The student has completed 12 or more semester units, or the equivalent, in the community college district in the year prior to the prior year.

(E) Each community college district shall be granted one point for each student who successfully completes nine or more career technical education units, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(F) Each community college district shall be granted one point for each student who obtains a regional living wage within one year of community college completion, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(2) (A) (i) Each community college district shall also be granted additional points for an equity component of the student success allocation. The marginal funding per point for the equity component of the student success allocation revenue shall be as follows:

(I) For the 2018–19 fiscal year, one hundred eleven dollars (\$111).

(II) For the 2019–20 fiscal year, the rate set for this purpose pursuant to subparagraph (C) of paragraph (2) of subdivision (b).

(III) Commencing with the 2020–21 fiscal year, the rate specified in subclause (II) adjusted for changes in the cost-of-living adjustment and other base adjustments in subsequent annual budget acts.

(ii) Commencing with the 2019–20 fiscal year, to calculate the equity component of the student success allocation for each community college district, the chancellor's office shall calculate a three-year rolling average for each metric described in this paragraph. To compute the three-year average for each metric, the chancellor's office shall compute the sum of data for that metric from the prior year, the year prior to the prior year, and the year prior to the year prior to the prior year, and divide the sum by three.

(B) Each community college district shall receive points for a student who received a fee waiver pursuant to Section 76300 and generated points for any of the metrics described in paragraph (1), based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A). For each student identified pursuant to this subparagraph, the community college district shall receive the number of points equal to the number of points that the community college was granted for that student for each of the metrics described in paragraph (1).

(C) (i) Each community college district shall receive points for a student who received financial aid under the Federal Pell Grant program (20 U.S.C. Sec. 1070a) and generated points for any of the metrics described in paragraph (1), based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(ii) Each community college district shall receive, for each student identified pursuant to clause (i), points for one of the following, with the community college district receiving points based on the outcome that would generate the highest number of points and with the points counted only if the student was enrolled in the community college district in the academic year in which the award was granted:

(I) Four and one-half points for each chancellor's office approved associate degree or approved baccalaureate degree granted, excluding an associate degree for transfer granted pursuant to Article 3 (commencing with Section 66745) of Chapter 9.2 of Part 40 of Division 5, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(II) Six points for each chancellor's office approved associate for transfer degree granted pursuant to Article 3 (commencing with Section 66745) of Chapter 9.2 of Part 40 of Division 5, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(III) Three points for each chancellor's office approved credit certificate requiring 16 or more units granted, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(iii) Each community college district shall receive, for each student identified pursuant to clause (i), the number of points equal to the following:

(I) Three points for each student who successfully completes transfer-level mathematics and English courses within the student's first academic year of enrollment, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(II) Two and one-quarter points for each student who successfully transfers to a four-year university, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(III) One and one-half points for each student who successfully completes nine or more career technical education units, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(IV) One and one-half points for each student who obtains a regional living wage within one year of community college completion, based on the three-year rolling average for this metric calculated pursuant to clause (ii) of subparagraph (A).

(3) It is the intent of the Legislature that the annual Budget Act fully fund increases in the student success allocations computed under this section.

(g) To establish a hold harmless protection for community college districts pursuant to the funding allocation established in this section, a minimum funding level for all community college districts shall be computed as follows:

(1) For the 2018–19 and 2019–20 fiscal years, a level of funding to ensure that all community college districts receive at a minimum the total computational revenue the district received in the 2017–18 fiscal year, defined as a district's final entitlement for general purpose apportionment based on FTES and the number of colleges and comprehensive centers the district operates.

(2) Commencing with the 2020–21 fiscal year, and each year thereafter, community college districts shall receive the higher of (A) the funding level determined by the formula established in this section, or (B) the level of funding determined by multiplying the community college district's new FTES by the associated credit, noncredit, and career development and college preparation rate received by the district in the 2017–18 fiscal year. The level of funding shall be adjusted to include a basic allocation based on the number of colleges and comprehensive centers in the district consistent with the basic allocation rates used in the 2017–18 fiscal year.

(3) (A) From the 2019–20 fiscal year to the 2023–24 fiscal year, inclusive, for the San Francisco Community College District and the Compton Community College District, the rates for computing the hold harmless provisions pursuant to paragraphs (1) and (2) shall be multiplied each year by the cost-of-living adjustment identified in the annual Budget Act and adjusted for increases to FTES. The level of funding for the San Francisco Community College District and the Compton Community College District shall be adjusted to include a basic allocation based on the number of colleges and comprehensive centers in the district consistent with the basic allocation rates used in the 2017–18 fiscal year multiplied by the 2018–19 fiscal year cost-of-living adjustment, and adjusted for changes in the cost-of-living in subsequent annual budget acts. The intent of these adjustments is to provide the San Francisco Community College District and the Compton Community College District with the greater of the amount that would have been calculated pursuant to the requirements of Section 84750.5, as that section read on January 1, 2018, adjusted for annual changes in the cost-of-living adjustment identified in the annual Budget Act and adjusted for increases in FTES, or the amount computed pursuant to the funding formula established in this section.

(B) For purposes of computing the FTES attributable to this paragraph and subdivision (d), for five fiscal years beginning in the 2017–18 fiscal year, the San Francisco Community College District shall be entitled to restoration of any reduction in apportionment revenue due to decreases in FTES, up to the level of attendance of FTES funded in the 2012–13 fiscal year, if there is a subsequent increase in FTES.

(C) (i) For purposes of computing the FTES attributable to this paragraph and subdivision (d), for five fiscal years beginning in the fiscal year the Compton Community College District is accredited under the governing authority of the Board of Trustees of the Compton Community College District, the board of governors shall provide allocations to the Compton Community College District in an amount not less than the total amount that the district would receive if the level of attendance of FTES was the same level of attendance as in the 2017–18 fiscal year. The amount shall be adjusted to reflect cost-of-living adjustments, deficits in apportionments, or both, as appropriate for the applicable fiscal years.

(ii) For purposes of computing the FTES attributable to this paragraph and subdivision (d), for five fiscal years beginning in the fiscal year the Compton Community College District is accredited under the governing authority of the Board of Trustees of the Compton Community College District, the Compton Community College District shall be entitled to restoration of any reduction in apportionment revenue due to decreases in FTES, up to the level of attendance of FTES funded in the 2017–18 fiscal year, if there is a subsequent increase in FTES.

(iii) In computing statewide entitlements to funding based upon the attendance of FTES, the Compton Community College District shall not be credited with more FTES than were actually enrolled and in attendance.

(4) (A) Commencing with the 2020–21 fiscal year, decreases in a community college district's total revenue computed pursuant to the sum of subdivisions (d), (e), and (f), or computed pursuant to this subdivision shall result in the associated reduction beginning in the year following the initial year of decreases.

(B) For the 2019–20 fiscal year, a community college district's total revenue computed pursuant to the sum of subdivisions (d), (e), and (f), or computed pursuant to this subdivision shall be no less than its 2017–18 general purpose apportionment funding computed pursuant to Section 84750.5 adjusted for the cost-of-living adjustments for fiscal years 2018–19 and 2019–20.

(h) For the fiscal years 2018–19 to 2021–22, inclusive, each community college district whose increase in 2017–18 general purpose apportionment funding computed pursuant to Section 84750.5, compared to apportionment funding computed pursuant to this section, is less than the year-over-year cost-of-living adjustments applicable to those fiscal years, shall receive discretionary resources in an amount needed to ensure that the community college district receives no less than its 2017–18 general purpose apportionment funding computed pursuant to Section 84750.5 adjusted for annual year-over-year cost-of-living adjustments.

(i) The board of governors shall develop the criteria and standards within the statewide minimum requirements established pursuant to this section.

(j) (1) Except as specifically provided in statute, regulations of the board of governors for determining and allocating the state general apportionment to the community college districts shall not require community college district governing boards to expend the allocated revenues in specified categories of operation.

(2) Except as otherwise provided by statute, current categorical programs providing direct services to students, including extended opportunity programs and services, and disabled student programs and services, shall continue to be funded separately through the annual Budget Act, and shall not be assumed under the budget formula otherwise specified by this section.

(k) It is the intent of the Legislature to allow for changes to the criteria and standards developed pursuant to subdivisions (a) and (h) in order to recognize increased operating costs and to improve instruction.

(l) Notwithstanding Subchapter 1 (commencing with Section 51000) of Chapter 2 of Division 6 of Title 5 of the California Code of Regulations and Section 84751, the chancellor shall allocate the ongoing funds first appropriated to paragraph (1) of subdivision (e) of provision (2) of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2015 (Chapters 10 and 11 of the Statutes of 2015) to all community college districts, including districts that have offsetting local revenues that exceed the funding calculated pursuant to the district's budget formula, on a per FTES basis by modifying each district's budget formula pursuant to this section. Any revisions to the budget formula made for the purposes of this subdivision shall be made and reported consistent with the requirements of subdivision (i).

(m) (1) (A) The governing board of each community college district shall certify it will do all the following, no later than January 1, 2019:

(i) Adopt goals for the community college district that meet the following requirements:

(I) Are aligned with the systemwide goals identified in the Vision for Success, which were adopted by the Board of Governors of the California Community Colleges in 2017.

(II) Are measurable numerically.

(III) Specify the specific timeline for achievement.

(ii) For the meeting when the goals are considered for adoption, include in the written agenda an explanation of how the goals are consistent and aligned with the systemwide goals.

(iii) Submit the written item and summary of action to the chancellor's office.

(B) The chancellor's office shall make available guidance to assist governing boards of community college districts in meeting the requirements of this section. The funds apportioned to a community college district pursuant to this section, and for excess tax districts, the Student Equity and Achievement Program, shall be available to implement the activities required pursuant to this paragraph.

(2) Each community college district shall align its comprehensive plan pursuant to paragraph (9) of subdivision (b) of Section 70901 with the adopted local plan goals and align its budget with the comprehensive plan. The funds apportioned to a community college district pursuant to this section, and for excess tax districts, the Student Equity and Achievement Program, shall be available to implement the activities required pursuant to this paragraph.

(3) If a community college district is identified as needing further assistance to make progress towards achieving specified goals, the chancellor's office, with the approval from the board of governors, may direct the community college district to use up to 1 percent of the district's apportionments allocation on technical assistance and professional development to support efforts to meet the district's efforts towards their goals.

(4) (A) The chancellor's office shall develop processes to monitor the approval of new awards, certificates, and degree programs. The chancellor's office shall also develop a process to monitor the number of students who transfer to for-profit postsecondary educational institutions and report on the growth of transfer to these institutions compared to four-year public postsecondary educational institutions.

(B) The chancellor's office shall also develop minimum standards, in consultation with the oversight committee established pursuant to Section 84750.41, for the approval of certificates and awards that would count towards the funding formula pursuant to this section.

(C) The board of governors shall include instructions in the audit report required by Section 84040 related to the implementation of the funding formula pursuant to this section. The chancellor may require a community college district to repay any funding associated with an audit exception identified in a community college district's audit report pursuant to this subparagraph.

(5) Notwithstanding Section 10231.5 of the Government Code, on or before October 15, 2019, and each year thereafter, the chancellor's office shall report to the Legislature, consistent with Section 9795 of the Government Code, on the course sections and FTES added at each community college that received apportionment growth funding in the prior fiscal year, including the number of course sections and if any course sections and FTES were added that are within the primary missions of the segment and those that are not within the primary missions of the segment.

(6) (A) On or before July 1, 2022, the chancellor's office shall report to the Legislature and the Department of Finance, consistent with Section 9795 of the Government Code, a description on how community college districts are making progress on advancing the goals outlined in the system's strategic vision plan.

(7) Commencing with the 2019–20 fiscal year, the chancellor's office shall publicly post the data, by community college district, used to calculate the supplemental and student success allocations pursuant to subdivisions (e) and (f) on the internet website of the chancellor's office. The chancellor's office shall publicly post a preliminary version of the data for the most recently completed fiscal years by November 15 of each year, and a final version of that data by March 15 of each year.

(B) The requirement for submitting a report imposed under subparagraph (A) is inoperative on July 1, 2026, pursuant to Section 10231.5 of the Government Code.

(n) For purposes of this section, the following terms have the following meanings:

(1) "Career development and college preparation" means courses in programs that conform to the requirements of Section 84760.5.

(2) "Chancellor's office" means the Office of the Chancellor of the California Community Colleges.

(3) "Primary missions of the segment" means credit courses and those noncredit courses specified in paragraphs (2) to (6), inclusive, of subdivision (a) of Section 84757.

SEC. 24. Chapter 4.4 (commencing with Section 89420) is added to Part 55 of Division 8 of Title 3 of the Education Code, to read:

CHAPTER 4.4. Center To Close Achievement Gaps

89420. The Center to Close Achievement Gaps is hereby established, to be located at a campus in the California State University system to be chosen by the Chancellor of the California State University, or at the office of the chancellor. If considering a campus for the location of the center, the chancellor shall use all of the following criteria in choosing the campus:

(a) Its graduation rates for both undergraduate programs and programs of professional preparation of educators.

(b) Its capacity to establish and maintain the center.

(c) Its capacity to operate in partnership with the State Department of Education, the State Board of Education, the California Collaborative for Education Excellence, each county office of education engaged in assisting schools as part of the statewide system of support, established pursuant to Section 52059.5, and the University of California.

89422. The mission of the center is to provide resources and assistance to local educational agencies in order to eliminate gaps in academic achievement between subgroups of pupils enrolled in kindergarten and grades 1 to 12, inclusive, as identified on the California School Dashboard, pursuant to Section 52064.5, through both of the following:

(a) Providing professional preparation of educators in the California State University system.

(b) Serving as a resource for local educational agencies on strategies for closing achievement gaps.

89424. (a) The center shall seek to fulfill its mission and improve the capacity of teachers, education specialists, and school administrators to close gaps in academic achievement through both of the following:

(1) Strengthening professional preparation on effective instructional practices, effective school leadership practices, effective local educational agency leadership practices, and the use of data and continuous improvement strategies.

(2) Serving local educational agencies as a clearinghouse for evidence-based strategies and promising practices for closing academic achievement gaps.

(b) In addition to its duties pursuant to subdivision (a), the center shall also do all of the following:

(1) Engage in and disseminate research on evidence-based strategies and promising practices to close academic achievement gaps.

(2) Develop and disseminate tools and resources to implement evidence-based strategies for closing academic achievement gaps.

(3) Document and promote effective practices used in higher performing, high-poverty schools and local educational agencies.

(c) The center shall operate in partnership with the State Department of Education, the State Board of Education, the California Collaborative for Education Excellence, each county office of education engaged in assisting schools as part of the statewide system of support, established pursuant to Section 52059.5, and the University of California.

(d) (1) On or before January 30 of the year following the first full year of operation, and on or before January 30 annually thereafter, the center shall submit to the Legislature a report prepared by a third party evaluating the support provided to local educational agencies by the center during the previous year.

(2) The report specified in paragraph (1) shall be submitted pursuant to Section 9795 of the Government Code.

(e) The center shall be established no later than one year after an appropriation is made for the purposes of this section by the Legislature.

89426. (a) The provisions of this chapter shall be operative only upon appropriation by the Legislature in the annual Budget Act or in another statute for this purpose.

(b) For purposes of this chapter, "local educational agency" means a school district, county office of education, or charter school.

SEC. 25. Article 6 (commencing with Section 89775) is added to Chapter 6 of Part 55 of Division 8 of Title 3 of the Education Code, to read:

Article 6. California State University, Los Angeles Physical Sciences Renovation Project

89775. Any remaining proceeds for the California State University deposited in the 1996 Higher Education Capital Outlay Bond Fund created by Section 100115, the 2002 Higher Education Capital Outlay Bond Fund established by subdivision (b) of Section 100650, the 2004 Higher Education Capital Outlay Bond Fund established by subdivision (b) of Section 100850, and the 2006 University Capital Outlay Bond Fund established by subdivision (b) of Section 101040 is hereby appropriated and allocated to the California State University for the construction phase of the Los Angeles Physical Sciences Building Renovation project, the expenditure of which is not subject to subdivision (b) of Section 89772.

SEC. 26. Section 92010 of the Education Code is amended to read:

92010. (a) By April 1 of each year, the University of California is requested to report to the Legislature on the systemwide programs, systemwide initiatives, and presidential initiatives of the university. The report is requested to include all of the following:

- (1) A description of each program or initiative and a justification for the program or initiative that explains how it furthers the mission of the university.
- (2) The total expenditures from the previous fiscal year for each program or initiative, including carryover funds.
- (3) The revenue sources for each program or initiative.

(b) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 27. Article 7 (commencing with Section 92665) is added to Chapter 6 of Part 57 of Division 9 of Title 3 of the Education Code, to read:

Article 7. The University of California and California State University Collaborative for Neurodiversity and Learning

92665. (a) This article shall be known, and may be cited, as the University of California and California State University Collaborative for Neurodiversity and Learning.

(b) The goal of this article is to establish a joint University of California and California State University initiative that will bring together the state's resources and leading experts in brain research and K–12 education to strengthen educational support and new teaching methods for children with diverse learning needs, including children with dyslexia and literacy issues.

92666. The University of California, Los Angeles and the California State University, Dominguez Hills, along with California State University campuses serving the Los Angeles Basin selected by the Trustees of the California State University, shall form a neurodiversity and learning collaborative to do all of the following:

- (a) Develop a network of brain researchers and educators to share new knowledge on neurodiversity.
- (b) Identify and develop links between brain research and classroom practice.
- (c) Create a framework for embedding neurodiversity knowledge into the teacher education programs at the University of California and the California State University.
- (d) Provide an opportunity for innovative experts in neuroscience and education to collaborate and develop new approaches for teaching and learning based on knowledge gained from brain research around learning differences, such as dyslexia.

92667. (a) (1) The collaborative formed pursuant to Section 92666 shall provide leadership on the development and testing of new classroom interventions and teaching practices for literacy learning issues based on brain research at public schools maintaining kindergarten or any of grades 1 to 12, inclusive.

(2) Schools described in paragraph (1) may include schools with existing partnerships with the California State University or the University of California.

(b) The collaborative shall establish an evaluation team, composed of participants from the California State University and the University of California, Los Angeles to measure the impact of the new classroom interventions and teaching practices at participating schools pursuant to subdivision (a) and identify which interventions and practices are most effective for neurodiverse learners.

(c) The collaborative may provide stipends for student teachers, teachers, and school leaders who participate in the work described in this section.

(d) The collaborative shall support the creation of professional development modules for current teachers based on the evaluation of tested interventions and practices pursuant to subdivision (b).

92668. (a) The collaborative formed pursuant to Section 92666 shall support the development of a progressive teacher training curriculum to be integrated into professional preparation programs leading to a preliminary teaching credential, approved by the Commission on Teacher Credentialing, that will have a long-term impact on supporting neurodiverse learners.

(b) The collaborative shall select public postsecondary educational institutions willing to participate voluntarily in implementing and testing the effects of the teacher training curriculum.

(c) The collaborative shall measure the success of the teacher training curriculum and intervention programs and shall share the results broadly with educators and policymakers throughout the state.

92669. (a) The operation of this article is contingent upon the enactment of an appropriation in the annual Budget Act for its purposes.

(b) For purposes of this article, participation of public schools maintaining kindergarten or any of grades 1 to 12, inclusive, shall be voluntary.

(c) This article shall not apply to the University of California except to the extent that the Regents of the University of California, by appropriate resolution, make it applicable.

SEC. 28. Section 22874.8 is added to the Government Code, to read:

22874.8. (a) Notwithstanding Section 22870, an employee who is first employed by the California State University and becomes a member of the system on or after July 1, 2019, and is represented by California State University Bargaining Unit 11, shall not receive any portion of the employer contribution payable for annuitants unless the person has 10 years of credited state service at the time of retirement.

(b) This section shall apply only to employees of the California State University who retire for service.

(c) This section shall become operative only if it is specifically adopted by regulation of the Trustees of the California State University or, if required, provided for in a memorandum of understanding reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4 of Title 1.

SEC. 29. Section 22956 of the Government Code is amended to read:

22956. (a) An annuitant who retires from the state may enroll in a dental care plan offered under this part, provided either of the following apply:

(1) The annuitant is not enrolled in a health benefit plan or a dental care plan, but was eligible for enrollment as an employee at the time of separation for retirement, and who retired within 120 days of the date of separation.

(2) The annuitant is receiving an allowance pursuant to Article 6 (commencing with Section 9359) of Chapter 3.5 of Part 1 of Division 2.

(b) Except as provided in subdivision (c), the board has no duty to locate or notify any annuitant who may be eligible to enroll, or to provide names or addresses to any person, agency, or entity for the purpose of notifying those annuitants.

(c) Notwithstanding any other law, the board shall assist the California State University upon request by providing annuitant names and addresses to the California State University solely for the purpose of notifying those annuitants of eligibility for enrollment in a dental care plan offered by the California State University under this part. Any information provided to the California State University for this purpose shall be treated as confidential by the California State University.

SEC. 30. Section 22958.5 is added to the Government Code, to read:

22958.5. (a) Notwithstanding Sections 22953 and 22957, an employee who is first employed by the California State University and becomes a member of the system on or after July 1, 2019, and is represented by California State University Bargaining Unit 11, shall not receive any portion of the employer contribution payable for annuitants unless the person has 10 years of credited state service at the time of retirement.

(b) This section shall apply only to employees of the California State University who retire for service.

(c) This section shall become operative only if it is specifically adopted by regulation of the Trustees of the California State University or, if required, provided for in a memorandum of understanding reached pursuant to Chapter 12 (commencing with Section 3560) of Division 4 of Title 1.

SEC. 31. Section 22959.83 of the Government Code is amended to read:

22959.83. (a) An annuitant who retires from a California State University campus or the office of the chancellor may enroll in a vision care plan offered under this part, if any of the following apply:

(1) The annuitant was enrolled in a health benefit plan, a dental care plan, or vision care plan at the time of separation for retirement, and retired within 120 days of the date of separation.

(2) The annuitant was not enrolled in a health benefit plan, a dental care plan, or vision care plan at the time of separation for retirement, but was eligible for enrollment as an employee at the time of separation for retirement, and retired within 120 days of the date of separation.

(b) The California State University has no duty to locate or notify any annuitant who may be eligible to enroll, or to provide names or addresses to any person, agency, or entity for the purpose of notifying those annuitants.

(c) Notwithstanding any other law, the Board of Administration of the Public Employees' Retirement System shall assist the California State University upon request by providing annuitant names and addresses to the California State University solely for the purpose of notifying those annuitants of eligibility for enrollment into a vision care plan offered by the California State University under this part. Any information provided to the California State University for this purpose shall be treated as confidential by the California State University.

SEC. 32. Section 68926.3 of the Government Code is amended to read:

68926.3. (a) Notwithstanding any other law, sixty-five dollars (\$65) of each fee collected in a civil case by the clerk of each court of appeal pursuant to subdivision (a) of Section 68926 shall be paid into the State Treasury for deposit in a special account in the General Fund to be known as the California State Law Library Special Account, which is hereby established.

(b) Moneys deposited in the California State Law Library Special Account shall be available for the support of the California State Law Library upon appropriation thereto by the Legislature in the annual Budget Act.

(c) This section shall remain in effect only until January 1, 2025, and as of that date, is repealed, unless a later statute that is enacted before that date extends or repeals that date.

SEC. 33. Section 13 of Chapter 624 of the Statutes of 2012, as amended by Section 26 of Chapter 23 of the Statutes of 2017, is amended to read:

Sec. 13. (a) The Legislative Analyst's Office shall review and report to the appropriate fiscal and policy committees of the Legislature by July 1, 2014, and July 1, 2016, all of the following:

(1) The extent to which the provisions of the Seymour-Campbell Student Success Act of 2012 are implemented consistent with the intent of the Legislature and the extent to which students have access to counseling and advising services.

(2) The overall progress on the implementation of the Student Success Task Force's recommendations provided pursuant to Chapter 409 of the Statutes of 2010.

(3) The impacts of the Seymour-Campbell Student Success Act of 2012 on student participation, progress, and completion, disaggregated by ethnicity, age, gender, disability, and socioeconomic status.

(4) A summary of community college campus implementation efforts for the Seymour-Campbell Student Success Act of 2012 and recommendations on whether and how these efforts can be improved.

(b) The Office of the Chancellor of the California Community Colleges shall work with the Legislative Analyst's Office to identify information that is necessary to provide the report required in subdivision (a), and shall provide this information to the Legislative Analyst's Office by April 1, 2014.

SEC. 34. The State Department of Social Services, in consultation with the University of California, the California State University, and the California Community Colleges, shall do both of the following:

(a) Assess the effectiveness of the CalFresh program established pursuant to Chapter 10 (commencing with Section 18900) of Part 6 of Division 9 of the Welfare and Institutions Code in addressing student food insecurity at the public postsecondary segments.

(b) Submit a report to the Department of Finance and relevant policy and fiscal committees of the Legislature on or before November 1, 2019. The report shall include, but not necessarily be limited to, all of the following:

(1) (A) An estimate of the number of public postsecondary students who are eligible to receive CalFresh benefits, the number of those students who are receiving those benefits, and recommendations on how best to reach eligible students who are not receiving CalFresh benefits so that they may receive those benefits.

(B) The data and recommendations provided pursuant to subparagraph (A) shall be disaggregated by public postsecondary segment.

(2) Findings and recommendations from the 2018–19 workgroup meetings organized pursuant to Section 18928 of the Welfare and Institutions Code.

SEC. 35. (a) (1) The funds appropriated pursuant to subparagraph (l) of paragraph (2) of subdivision (a) of Section 41207.47 of the Education Code, as added by either Assembly Bill 76 or Senate Bill 76 of the 2019–20 Regular Session, are for support of a one-time reentry grant program. The program shall provide grants to community colleges to provide support for currently and formerly incarcerated students and shall be focused on their reentry into their communities. The chancellor's office may allocate grants under the program to community colleges on a competitive basis.

(2) As used in this section:

(A) "Chancellor's office" means the Chancellor's Office of the California Community Colleges.

(B) "Program" means the one-time reentry grant program.

(b) The chancellor's office shall administer the program and distribute grants to applicants that satisfy the requirements of this section. The chancellor's office shall develop application criteria, administrative guidelines, and other requirements for the purpose of administering the program.

(c) To obtain a grant pursuant to this program, a community college shall submit an application to the chancellor's office in a format and by a date determined by the chancellor's office. The application shall contain, at a minimum, all of the following:

(1) A description of the community college's need for educational services to support reentry of currently incarcerated students, formerly incarcerated students, or both.

(2) An estimate of the number of currently incarcerated and formerly incarcerated students enrolled in the community college.

(3) A description of the student support services that would be offered by the community college and supported by grant funding, and evidence that indicates those services would be effective in supporting reentry.

(4) A long-term plan that describes measures the community college will implement to ensure specific services funded by the grant are sustainable.

(5) The amount of matching funds that the community college would provide. The amount of matching funds provided by the community college shall be no less than fifty thousand dollars (\$50,000).

(6) If the community college received a one-time reentry grant pursuant to Section 72 of Chapter 33 of the Statutes of 2018, a description of how additional funding would supplement and enhance the activities and services funded by the previous grant.

(d) Activities and services that may be supported by the grant include, but are not necessarily limited to, all of the following:

(1) Academic counseling and tutoring support.

(2) Peer-to-peer support and mentoring services.

(3) Financial aid information and application assistance.

(4) Referral to on- and off-campus resources.

(5) Computer access.

(6) Career counseling and placement assistance.

(e) Funds made available pursuant to this section shall supplement, not supplant, existing funds used to support formerly incarcerated students and face-to-face instruction for students in custody, including any college-related funds or expenditures of the Department of Corrections and Rehabilitation.

(f) (1) On or before July 31, 2023, the chancellor's office shall report to the Legislature and the Department of Finance on the use of the funds made available pursuant to this section, including all of the following:

(A) The types of activities supported by the funds, including services and training being offered and the number of students being served or trained.

(B) Data related to the evaluation of the training or services, if available.

(C) Other outcome metrics and data developed by the chancellor's office to evaluate the efficacy and success of the program.

(2) The report required by this section shall be submitted in compliance with Section 9795 of the Government Code.

SEC. 36. (a) On or before March 1, 2020, the Office of the Chancellor of the California Community Colleges shall report to the Department of Finance and relevant policy and fiscal committees of the Legislature on the use of funds to address student basic needs, including housing and food needs, appropriated pursuant to subparagraph (H) of paragraph (2) of subdivision (a) of Section 41207.47 of the Education Code, as added by either Assembly Bill 76 or Senate Bill 76 of the 2019–20 Regular Session. The report shall include, but not necessarily be limited to, all of the following information pertaining to this appropriation:

(1) The amount of funds distributed to colleges, and identification of which colleges received funds.

(2) For each college that received funds, a programmatic budget summarizing how the funds were spent. The programmatic budget shall include any other funding used to supplement funds received pursuant to the appropriation.

(3) A description of the types of programs at each college that received funds.

(4) A list of colleges that accept or plan to accept electronic benefit transfer.

(5) A list of colleges that participate or plan to participate in the CalFresh Restaurant Meal Program.

(6) A list of colleges that offer or plan to offer students emergency housing, assistance with long-term housing arrangements, or both.

(7) A description of how colleges used other state or local resources to address student housing and food insecurity.

(8) An analysis describing how funds reduced student food insecurity and homelessness, and, if feasible, how funds impacted student outcomes, such as persistence or completion.

(9) Other findings and best practices that colleges have implemented.

SEC. 37. Item 6870-101-0001 of Section 2.00 of the Budget Act of 2018 is amended to read:

6870-101-0001—For local assistance, Board of Governors of the
California Community Colleges (Proposition 98) 4,157,124,000

Schedule:

(1)	5670015-Appportionments	2,760,086,000
(2)	5670019-Apprenticeship	42,848,000
(3)	5670023-Apprenticeship Training and Instruction	34,696,000
(5)	5675019-Student Financial Aid Administration	78,383,000
(6)	5675027-Disabled Students	120,364,000
(7)	5675031-Student Services for CalWORKs Recipients	45,459,000
(8)	5675035-Foster Care Education Program	5,254,000
(9)	5675039-Student Success and Support Program	54,744,000
(10)	5675061-Academic Senate for the Community Colleges	1,685,000
(11)	5675069-Equal Employment Opportunity	2,767,000
(12)	5675073-Part-Time Faculty Health Insurance	490,000
(13)	5675077-Part-Time Faculty Compensation	24,907,000

(14)	5675081-Part-Time Faculty Office Hours	12,172,000
(15)	5675098-Integrated Technology	41,890,000
(16)	5675119-Economic Development	272,929,000
(17)	5675123-Transfer Education and Articulation	698,000
(18)	5675023-Extended Opportunity Programs and Services	128,502,000
(19)	5675115-Fund for Student Success	8,658,000
(20)	5675150-Campus Childcare Tax Bailout	3,530,000
(21)	5675156-Nursing Program Support	13,378,000
(22)	5670035-Expand the Delivery of Courses through Technology	23,000,000
(24)	5675133-Physical Plant and Instructional Support	5,464,000
(25)	5675040-Student Equity and Achievement Program	475,220,000

Provisions:

1. The funds appropriated in this item are for transfer by the Controller during the 2018–19 fiscal year to Section B of the State School Fund.
2. (a) The funds appropriated in Schedule (1) shall be allocated using the budget formula established pursuant to Section 84750.4 of the Education Code. The budget formula shall be adjusted to reflect the following:
 - (1) Of the funds appropriated in Schedule (1), \$59,657,000 shall be used to increase statewide growth of full-time equivalent students (FTES) by 1.00 percent.
 - (2) Of the funds appropriated in Schedule (1), \$173,101,000 shall be used to reflect a cost-of-living adjustment of 2.71 percent.
 - (3) Notwithstanding paragraph (1), the Chancellor's Office may allocate unused growth funding to backfill any unanticipated shortfalls in the total amount of funding appropriated and support the budget formula established pursuant to Section 84750.4 of the Education Code.
- (b) Funds allocated to a community college district from funds included in Schedule (1) shall directly offset any mandated costs claimed for the Minimum Conditions for State Aid (02-TC-25 and 02-TC-31) program or any costs of complying with Section 84754.5 of the Education Code.
- (c) Of the funds appropriated in Schedule (1):
 - (1) \$100,000 is for a maintenance allowance, pursuant to Section 54200 of Title 5 of the

California Code of Regulations.

- (2) Up to \$500,000 is to reimburse colleges for the costs of federal aid repayments related to assessed fees for fee waiver recipients. This reimbursement only applies to students who completely withdraw from college before the census date pursuant to Section 58508 of Title 5 of the California Code of Regulations.
- (e) Of the funds appropriated in Schedule (1), \$46,000,000 shall be allocated to support the California College Promise pursuant to Chapter 735 of the Statutes of 2017.
 - (g) Of the funds appropriated in Schedule (1), \$50,000,000 shall be used to hire new full-time faculty for community college districts to increase their percentage of full-time faculty, toward meeting the 75 percent full-time faculty target. The Chancellor's Office of the California Community Colleges shall consult with representatives from the Department of Finance, the Legislature, and the Legislative Analyst's Office before distributing these funds to community college districts.
- 3.
 - (a) The funds appropriated in Schedule (2) shall be available pursuant to Article 3 (commencing with Section 79140) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code.
 - (b) Pursuant to Section 79149.3 of the Education Code, the reimbursement rate shall be \$6.26 per hour.
 - (c) Of the funds appropriated in Schedule (2), \$15,000,000 shall be used for the California Apprenticeship Initiative pursuant to Section 79148 of the Education Code. Funds appropriated pursuant to this subdivision shall be available for encumbrance or expenditure until June 30, 2021.
- 4.
 - (a) The funds appropriated in Schedule (3) shall be available pursuant to Article 8 (commencing with Section 8150) of Chapter 1 of Part 6 of Division 1 of Title 1 of the Education Code.
 - (b) Pursuant to Section 8152 of the Education Code, the reimbursement rate shall be \$6.26 per hour.
- 6.
 - (a) Of the funds appropriated in Schedule (5):
 - (1) Not less than \$16,352,000 is available to provide \$0.91 per unit reimbursement to community college districts for the provision of California College Promise Grants pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.

- (2) Not less than \$16,531,000 is available for the Board Financial Assistance Program to provide reimbursement of 2 percent of total waiver value to community college districts for the provision of California College Promise Grants pursuant to paragraph (2) of subdivision (m) of Section 76300 of the Education Code.
- (3) (A) \$5,300,000 shall be allocated to a community college district to conduct a statewide media campaign to promote the following message: (i) the California Community Colleges are affordable, (ii) financial aid is available to cover fees and help with books and other costs, and (iii) an interested student should contact the student's local community college financial aid office. The campaign should target efforts to reach low-income and disadvantaged students who must overcome barriers in accessing postsecondary education. The community college district awarded the contract shall consult regularly with the chancellor and the Student Aid Commission.

(B) Of the amount identified in subparagraph (A), \$2,500,000 shall be allocated to expand: (i) outreach for students from non-English speaking households and bilingual households, (ii) marketing and outreach aimed at baccalaureate degree pilot programs, and (iii) marketing and outreach aimed at increasing current and future student awareness of the California College Promise Grant. Bilingual efforts shall target areas of the state that meet at least one of the following conditions: (i) have concentrations of non-English speaking and bilingual households, or (ii) have underserved populations, a history of declining community college attendance, or both.
- (4) Not more than \$35,200,000 shall be for direct contact with potential and current financial aid applicants. Each California Community College campus shall receive a minimum allocation of \$50,000. The remainder of the funding shall be allocated to campuses based upon a formula reflecting FTES weighted by a measure of low-income populations demonstrated by the California College Promise Grant program participation within a district.
- (5) Funds allocated to a community college district pursuant to paragraphs (1) and (2) shall supplement, not supplant, the level of funds allocated for the administration of student financial aid programs during the 2001–02 or 2006–07 fiscal year, whichever is greater.

- (6) Funding allocated to a community college district pursuant to paragraphs (1) and (2) shall directly offset any costs claimed by that district for any of the following mandates: Enrollment Fee Collection (99-TC-13), Enrollment Fee Waivers (00-TC-15), Cal Grants (02-TC-28), and Tuition Fee Waivers (02-TC-21).
 - (7) Notwithstanding subdivision (m) of Section 76300 of the Education Code or any other provision of law, the amount of funds appropriated for the purpose of administering fee waivers for the 2018–19 fiscal year shall be determined in this act.
 - (8) Not more than \$5,000,000 shall be for ongoing maintenance, subscription, and training costs for financial aid technology advancements and innovations that streamline the financial aid verification process and enable colleges to more efficiently process state and federal financial aid grants. It is the intent of the Legislature that system improvements supported by this funding have the effect of reducing the manual processing of financial aid applications, thereby enabling financial aid program staff to provide additional technical assistance and guidance to students seeking financial aid. The Chancellor's Office shall determine the methodology for allocating these funds to community college districts.
7. (a) The funds appropriated in Schedule (6) shall be used to assist districts in funding the excess direct instructional cost of providing special support services or instruction, or both, to disabled students enrolled at community colleges and for state hospital programs, as mandated by federal law.
- (b) Of the amount appropriated in Schedule (6):
- (1) At least \$3,945,000 shall be used to address deficiencies identified by the United States Department of Education Office for Civil Rights.
 - (2) At least \$943,000 shall be used to support the High Tech Centers for activities including, but not limited to, training of district employees, staff, and students in the use of specialized computer equipment for the disabled.
 - (3) At least \$9,600,000 shall be allocated to community college districts for sign language interpreter services, real-time captioning equipment, or other communication accommodations for hearing-impaired students. A community college district is required to spend \$1 from local or other resources for every \$4 received pursuant to this paragraph.
 - (4) \$642,000 shall be allocated for state hospital adult education programs at the

hospitals served by the Coast and Kern
Community College Districts.

8.
 - (a) The funds appropriated in Schedule (7) shall be allocated pursuant to Article 5 (commencing with Section 79200) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code.
 - (b) Of the amount appropriated in Schedule (7):
 - (1) \$9,188,000 is for child care, except that a community college district may request that the chancellor approve the use of funds for other purposes.
 - (2) No less than \$4,900,000 shall be used to provide direct workstudy wage reimbursement for students served under this program, and \$613,000 is available for campus job development and placement services.
 - (c) A community college district is required to spend \$1 from local or other resources for every \$1 received pursuant to this provision, except for any funds received pursuant to paragraph (1) of subdivision (b).
9.
 - (a) The funds appropriated in Schedule (8) shall be allocated to community college districts to provide foster and relative or kinship care education and training pursuant to Article 8 (commencing with Section 79420) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code. A community college district shall ensure that education and training required pursuant to Sections 1529.1 and 1529.2 of the Health and Safety Code and Section 16003 of the Welfare and Institutions Code receive priority.
10.
 - (a) Of the amount included in Schedule (9):
 - (1) Consistent with the intent of Chapter 771 of the Statutes of 2014 and Chapter 772 of the Statutes of 2017, the chancellor shall enter into agreements with 20 community college districts to provide additional services in support of postsecondary education for foster youth. Up to \$20,000,000 of the funds shall be prioritized for services pursuant to Chapter 771 of the Statutes of 2014 and Chapter 772 of the Statutes of 2017. Further, the chancellor shall ensure that the list of eligible expenditures developed pursuant to subdivision (d) of Section 78221 of the Education Code includes expenditures that are consistent with the intent of Chapter 771 of the Statutes of 2014 and Chapter 772 of the Statutes of 2017.
 - (2) \$7,244,000, of which \$2,244,000 shall be available on a one-time basis, of the funds shall be for support of Veteran Resource Centers. To the extent funding is provided in the annual Budget Act,

the Chancellor shall only allocate funding to community colleges that commit to either meeting or making progress towards meeting the minimum standards developed by the Chancellor's Office.

- (3) (A) \$7,500,000 may be used by the chancellor to provide technical assistance to community college districts that demonstrate low performance in any area of operations. It is the intent of the Legislature that technical assistance providers be contracted in a cost-effective manner, that they primarily consist of experts who are current and former employees of the California Community Colleges, and that they provide technical assistance consistent with the vision for the California Community Colleges.
- (B) Technical assistance funded pursuant to this paragraph that is initiated by the chancellor may be provided at no cost to the district. If a community college district requests technical assistance, the district is required to spend at least \$1 from local or other resources for every \$2 received as determined by the chancellor.
- (4) (A) \$20,000,000 may be used by the chancellor to provide regional and online workshops and trainings to community college personnel to promote statewide priorities, including, but not limited to, strategies to improve student achievement; strategies to improve community college operations; and system leadership training to better coordinate planning, implementation, and outcomes of statewide initiatives. To the extent possible, the chancellor shall partner with existing statewide initiatives with proven results of improving student success and institutional effectiveness. Each fiscal year, the chancellor shall submit a report on the use of funds appropriated pursuant to paragraphs (3) and (4) of this provision in the prior year to the Department of Finance and the Joint Legislative Budget Committee no later than December 31 of each year. This report shall include information regarding California Community Colleges' participation in the activities funded pursuant to paragraphs (3) and (4) of this provision, and the California Community Colleges' progress toward their goals for each of the institutional effectiveness indicators.
- (B) Funding available pursuant to this paragraph may be utilized by the chancellor to coordinate with community college districts to develop and disseminate effective practices through the establishment of an online clearinghouse

of information. The development of effective practices shall include, but not be limited to, statewide priorities such as the development of educational programs or courses for the incarcerated adults in prisons and jails, and the formerly incarcerated, educational programs or courses for California Conservation Corps members, and other effective practices. The online clearinghouse of information shall also reflect effective practices, guidance, policies, curriculum, courses, and programs developed by local community colleges in support of the Strong Workforce Program established pursuant to Part 54.5 (commencing with Section 88820) of Division 7 of Title 3 of the Education Code.

- (C) It is the intent of the Legislature to encourage the chancellor to facilitate the development of local community college courses for the California Conservation Corps and the incarcerated adults in prisons and jails, and the formerly incarcerated. The Department of Corrections and Rehabilitation and the California Conservation Corps are encouraged to partner with the chancellor's office in the development and dissemination of local community college courses and effective practices pursuant to this subparagraph and subparagraph (B).

- 11. The funds in Schedule (13) shall be allocated to increase compensation for part-time faculty. Funds shall be allocated to districts based on the total actual number of FTES in the previous fiscal year, with an adjustment to the allocations provided to small districts. These funds shall be used to assist districts in making part-time faculty salaries more comparable to full-time salaries for similar work, as determined through collective bargaining in each community college district. If a community college district achieves parity between compensation for full-time faculty and part-time faculty, funds received pursuant to this provision may be used for any other educational purpose.
- 12.
 - (a) The funds appropriated in Schedule (15) shall be allocated by the chancellor for the following purposes:
 - (1) Procurement, development, evaluation, and upgrading of high priority systemwide technology tools and infrastructure including, but not limited to, e-transcript, e-planning, and other tools to assist colleges to implement multiple measures of assessment pursuant to Chapter 745 of the Statutes of 2017, and technologies that facilitate portability of education credentials.
 - (2) Provision of access to statewide multimedia hosting and delivery services for colleges and districts.

- (3) Provision of systemwide Internet, audio bridging, data security, and telephony.
 - (4) Services related to technology use, including accessibility guidance and information security.
 - (5) Technology product development and program management, technical assistance and planning, and cooperative purchase agreements.
 - (6) Ongoing faculty and staff development related to technology use and adoption.
 - (7) Ongoing support of the California Partnership for Achieving Student Success (Cal-PASS) program.
 - (8) Ongoing support for programs designed to use technology in assisting accreditation and the alignment of curricula across K–20 segments in California, as well as to support integration and interoperability toward an improved student experience.
 - (9) Support for technology pilots and ongoing technology programs and applications that serve to maximize the utility and economy of scale of the technology investments of the community college system toward improving learning outcomes.
 - (10) Up to 5 percent of the funds may be allocated by the chancellor to a community college district for statewide activities, not limited to statewide technical assistance to evaluate, plan, and continuously improve the system's data and technology roadmap and deployment.
- (b) Any funds not allocated pursuant to subdivision (a) of this provision shall be available for allocations to districts to maintain technology capabilities.

13. Of the funds appropriated in Schedule (16):

- (a) \$22,929,000 is available for the following purposes:
- (1) Up to 10 percent may be allocated for state-level technical assistance, including statewide network leadership, organizational development, coordination, and information and support services.
 - (2) All remaining funds shall be allocated for programs that target investments in priority and emergent sectors, including statewide and/or regional centers, hubs, collaborative communities, advisory bodies, and short-term grants. Short-term grants may include industry-driven regional education and training, Responsive Incumbent Worker Training, and Job Development Incentive Training. Funds allocated pursuant to this provision may be used to provide substantially similar services in support of the Strong Workforce Program.

- (3) Funds applied to performance-based training shall be matched by a minimum of \$1 contributed by private businesses or industry for each \$1 of state funds. The chancellor shall consider the level of involvement and financial commitments of business and industry in making awards for performance-based training.
- (b)
 - (1) \$248,000,000 shall be available to support the Strong Workforce Program pursuant to Part 54.5 (commencing with Section 88820) of Division 7 of Title 3 of the Education Code.
 - (2) \$2,000,000 shall be available on a one-time basis to increase the number of certified nurse assistant programs or increase the number of certified nurse assistants completing a certified nurse assistant program. Notwithstanding Part 54.5 (commencing with Section 88820) of Division 7 of Title 3 of the Education Code, the Chancellor's Office shall determine a methodology for allocating these one-time funds to Strong Workforce Program regional consortiums.
- 14.
 - (a) The funds appropriated in Schedule (17) shall be used to support transfer and articulation projects and common course numbering projects.
 - (b) Funding provided to community college districts shall directly offset any costs claimed by community college districts to be mandates pursuant to Chapter 737 of the Statutes of 2004.
- 15.
 - (a) Of the funds appropriated in Schedule (18):
 - (1) \$112,209,000 shall be used pursuant to Article 8 (commencing with Section 69640) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code. Funds provided in this item for Extended Opportunity Programs and Services shall be available to students on all campuses within the California Community Colleges system.
 - (2) \$16,293,000 shall be used for funding, at all colleges, the Cooperative Agencies Resources for Education program in accordance with Article 4 (commencing with Section 79150) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code. The chancellor shall allocate these funds to local programs on the basis of need for student services.
 - (b) Of the amount allocated pursuant to subdivision (a), no less than \$4,972,000 shall be available to support additional textbook assistance grants to community college students.
- 16. The funds appropriated in Schedule (19) shall be used for the following purposes:
 - (a) \$1,921,000 shall be used for the Puente Project to support up to 75 colleges. These funds are available if matched by \$200,000 of private funds and if the participating community colleges and

University of California campuses maintain their 1995–96 fiscal year support level for the Puente Project. All funding shall be allocated directly to participating districts in accordance with their participation agreement.

- (b) Up to \$2,459,000 is for the Mathematics, Engineering, Science Achievement (MESA) program. A community college district is required to spend \$1 from local or other resources for every \$1 received pursuant to this subdivision.
 - (c) No less than \$1,778,000 is for the Middle College High School Program. With the exception of special part-time students at the community colleges pursuant to Sections 48802 and 76001 of the Education Code, student workload based on participation in the Middle College High School Program shall not be eligible for community college state apportionment.
 - (d) No less than \$2,500,000 is for the Umoja program.
- 17. The funds appropriated in Schedule (20) shall be allocated by the chancellor to community college districts that levied child care permissive override taxes in the 1977–78 fiscal year pursuant to Sections 8329 and 8330 of the Education Code in an amount proportional to the property tax revenues, tax relief subventions, and state aid required to be made available by the district to its child care and development program for the 1979–80 fiscal year pursuant to Section 30 of Chapter 1035 of the Statutes of 1979, increased or decreased by any cost-of-living adjustment granted in subsequent fiscal years. These funds shall be used only for the purpose of community college child care and development programs.
- 18. Of the funds appropriated in Schedule (21):
 - (a) \$8,475,000 shall be used to provide support for nursing programs.
 - (b) \$4,903,000 shall be used for diagnostic and support services, preentry coursework, alternative program delivery model development, and other services to reduce the incidence of student attrition in nursing programs.
- 19. Of the funds appropriated in Schedule (22):
 - (a) \$20,000,000 shall be allocated to the chancellor to increase the number of courses available through the use of technology, provide alternative methods for students to earn college credit, and support the California Virtual Campus Distance Education Program. These funds may be used to pay for a consistent learning management system to help implement this program. The chancellor shall ensure, to the extent possible, that the following conditions are satisfied:
 - (1) These courses can be articulated across all community college districts.
 - (2) These courses are made available to students systemwide, regardless of the campus at which a student is enrolled.

- (3) Students who complete these courses are granted degree-applicable credit across community colleges.
 - (4) These funds shall be used for those courses that have the highest demand, fill quickly, and are prerequisites for many different degrees.
 - (b) By September 1 of each fiscal year, up to \$3,000,000 shall be disbursed by the Office of the Chancellor of the California Community Colleges to one or more community college districts to provide textbooks or digital course content to inmates under the jurisdiction of the Department of Corrections and Rehabilitation who are enrolled in one or more California Community College courses. The provision of this material is expected to enable community college districts to provide instruction to incarcerated adults.
 - (1) To the extent possible, community college districts providing textbooks or digital course content pursuant to this paragraph are encouraged to first use open educational resources.
 - (2) Notwithstanding any other law, a contract between the Office of the Chancellor of the California Community Colleges and a community college district for purposes of this subdivision is not subject to any competitive bidding requirements of Section 10340 of the Public Contract Code.
- 20. The Office of the Chancellor of the California Community Colleges shall annually report by December 1 of each year through 2021, on the racial or ethnic and gender composition of faculty, and efforts to assist campuses in providing equal employment opportunity in faculty recruitment and hiring practices as well as systemwide training, monitoring, and compliance activities.
- 22. (a) Any funds appropriated in Schedule (24) are available for the following purposes:
 - (1) Scheduled maintenance and special repairs of facilities. The Chancellor of the California Community Colleges shall allocate funds to districts on the basis of actual reported FTES, and may establish a minimum allocation per district. As a condition for receiving and expending these funds for maintenance or special repairs, a district shall certify that it will increase its operations and maintenance spending from the 1995–96 fiscal year by the amount it allocates from this appropriation for maintenance and special repairs. A district's compliance with its resolution shall be reviewed under the annual audit of that district.
 - (2) Hazardous substances abatement, cleanup, and repairs.
 - (3) Architectural barrier removal projects that meet the requirements of the federal Americans with Disabilities Act of 1990 (42

U.S.C. Sec. 12101 et seq.) and seismic retrofit projects limited to \$709,000.

- (4) Water conservation projects to reduce water consumption in cooperation with the Governor's Executive Order B-37-16. Projects may include any of the following:

- (A) Replacement of water intensive landscaping with drought tolerant landscaping, synthetic turf, provided that the turf is used only in nonathletic areas, and other nonplant materials.
- (B) Drip or low-flow irrigation systems.
- (C) Building improvements to reduce water usage.
- (D) Installation of meters for wells to allow for monitoring of water usage.

- (b) Any funds appropriated in Schedule (24) are available for replacement of instructional equipment and library materials. The funds provided for instructional equipment and library materials shall not be used for personal services costs or operating expenses. The chancellor shall allocate funds to districts on the basis of actual reported FTES and may establish a minimum allocation per district. A district's compliance with its resolution shall be reviewed under the annual audit of that district.

- (c) Any funds appropriated in Schedule (24) shall be available for one-time use until June 30, 2020.

23. The funds appropriated in Schedule (25) shall be apportioned to community college districts pursuant to Section 78222 of the Education Code.

24. Of the amount appropriated in Schedule (10), \$685,000 is available to support the Academic Senate of the California Community Colleges course identification numbering system efforts and shall be subject to the requirements of subparagraph (B) of paragraph (5) of subdivision (b) of Section 70901 of the Education Code.

SEC. 38. Item 6870-107-0001 of Section 2.00 of the Budget Act of 2018 is amended to read:

6870-107-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98), for local district financial oversight and evaluation 570,000

Schedule:

- (1) 5670015-Apportionments 570,000

Provisions:

1. The funds appropriated in this item are for transfer by the Controller to Section B of the State School Fund for the Board of Governors of the California Community Colleges to reimburse the Fiscal Crisis and Management Assistance Team (FCMAT) for costs incurred by FCMAT for the following activities:

- (a) The performance of audits, examinations, or reviews of any community college district

pursuant to Section 84041 of the Education Code.

- (b) The provision of technical assistance, training, and short-term institutional research necessary to address existing or potential accreditation deficiencies.
- 2. The Board of Governors of the California Community Colleges may request an unsolicited review of a community college district if the board of governors determines that there is an imminent threat to the fiscal integrity of the district as a result of fraud, misappropriation of funds, or other illegal fiscal practices.
- 3. All proposed contracts and reimbursements for FCMAT services shall be subject to the approval of the Department of Finance.

SEC. 39. With respect to Section 27 of this act, the Legislature finds and declares all of the following:

(a) About 20 percent of children in every classroom have some type of learning difference that is not adequately being identified or supported.

(b) New brain research informs us that diversity of learning types represents natural brain wiring variation and that each learner's brain is uniquely wired.

(c) Without early identification and effective intervention, the impact of learning issues can be significant and long lasting not only for the learner, but for the state at large. The long-term effects include school failure, depression, and an increased risk of suicide, delinquency, and other antisocial behavior.

(d) All kinds of brains are needed in the state's innovation economy. Therefore, the state has an inherent need to improve the way it supports neurodiversity in K–12 classrooms.

(e) The Legislature believes neurodiversity is one of the civil rights issues of this generation and that Californians must work together to secure equal access to quality learning for neurodiverse children.

SEC. 40. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.

SEC. 41. This act is a bill providing for appropriations related to the Budget Bill within the meaning of subdivision (e) of Section 12 of Article IV of the California Constitution, has been identified as related to the budget in the Budget Bill, and shall take effect immediately.