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SB-305 Seymour-Campbell Student Success Act of 2012: Free Application for Federal Student Aid and California Dream Act application. (2025-2026)

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CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

SENATE BILL

NO. 305

Introduced by Senator Reyes

February 10, 2025

An act to add Section 78217 to the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

SB 305, as amended, Reyes. Seymour-Campbell Student Success Act of 2012: Free Application for Federal Student Aid and California Dream Act application.

Existing law, known as the Seymour-Campbell Student Success Act of 2012, provides that the act's purpose is to increase California community college student access and success by providing effective core matriculation services, including orientation, assessment and placement, counseling, and other education planning services, and academic interventions.

This bill would require, as part of the act, community colleges to provide, commencing with the 2026–27 academic year, students with specified information related to completing and submitting the Free Application for Federal Student Aid and the California Dream Act application, and to confirm, commencing with the 2027–28 academic year, that students who have not opted out have completed and submitted the Free Application for Federal Student Aid or the California Dream Act application, as specified. The bill would require community college districts to ensure that students are directed to services to assist students in complying with the bill's requirements, and that the information shared by students is handled in compliance with state and federal privacy laws. The bill would require the Student Aid Commission to adopt regulations that include model opt-out forms and acceptable use policies, as specified. By imposing new duties on community college districts, the bill would impose a state-mandated local program.

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.

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

SECTION 1. Section 78217 is added to the Education Code, to read:

78217. (a) For purposes of this section, the following definitions apply:

(1) "Opt-out form" means a form developed by the Student Aid Commission that enables a student, or a community college on a student's behalf, to opt out of completing the Free Application for Federal Student Aid or California Dream Act application.

(2) "Outreach program" means a nonprofit entity that is exempt from taxation pursuant to Section 501(c)(3) of the United States Internal Revenue Code or a public entity with experience in either or both of the following:

(A) Assisting students with completing a financial aid application.

(B) Serving students who are eligible to submit a California Dream Act application.

(3) "Student" means a student who is enrolled in a community college and has declared their educational goal to obtain a degree, certificate, or transfer to another institution.

(b) (1) Commencing with the 2026–27 academic year, each community college shall provide continuing students with information, as required by subparagraph (A) of paragraph (2) of subdivision (d).

(2) Commencing with the 2026–27 academic year, each community college shall provide during orientation newly enrolled students with information, as required by subparagraph (A) of paragraph (2) of subdivision (d).

(3) Commencing with the 2027–28 academic year, except for a student who has opted out pursuant to subdivision (c) or been exempted pursuant to subdivision (d), each community college shall confirm that each student complies with either or both of the following:

(A) The student completes and submits to the United States Department of Education a Free Application for Federal Student Aid.

(B) If the student is exempt from paying nonresident tuition pursuant to Section 68130.5, the student completes and submits to the Student Aid Commission a form established pursuant to Section 69508.5 for purposes of the California Dream Act.

(c) A student may opt out of the requirements of this section by completing and submitting an opt-out form to their community college. The Student Aid Commission shall make the opt-out form available to all community colleges pursuant to subdivision (f).

(d) (1) If a community college determines that a student is unable to complete a requirement of this section, the community college shall exempt the student from completing and submitting a Free Application for Federal Student Aid, a form established pursuant to Section 69508.5 for purposes of the California Dream Act, or an opt-out form pursuant to subdivision (c).

(2) (A) Before exempting a student pursuant to paragraph (1), a community college shall comply with both of the following:

(i) Provide the information described in subparagraph (B) to the student through a meeting between a community college financial aid ~~officer~~ *adviser, counselor, other campus staff, or a campus-based organization* and the ~~student or, if no financial aid officer is employed at the community college, between the student and other community college staff,~~ *student*, through written material, or by other means of communication.

(ii) Provide the student with the information described in subparagraph (B) and notify the student of the date by which the student will be opted out by the community college if no action is taken. This notice shall be provided with sufficient time for the student to act before the community college opts out the student.

(B) The information required to be provided pursuant to subparagraph (A) shall include all of the following:

(i) The purposes and benefits of the Free Application for Federal Student Aid or a form established pursuant to Section 69508.5, which ~~includes~~ *include* consideration for financial aid.

(ii) The consequences of not completing and submitting a Free Application for Federal Student Aid or a form established pursuant to Section 69508.5.

(iii) The option to complete a Free Application for Federal Student Aid or a form established pursuant to Section 69508.5 after an opt-out form has been submitted.

(3) If the community~~-college~~ college, after complying with the requirements of paragraph (2), exempts a student from having to complete the requirements of this section, the community college shall complete and submit the opt-out form described in subdivision (c) on the student's behalf.

(e) Each community college district shall ensure that both of the following occur:

(1) Each student is directed by their community college to any support or assistance services necessary to comply with the requirements of this section that may be available through outreach programs, including, but not limited to, those programs operated by the Student Aid Commission, postsecondary immigration resource centers, college readiness organizations, community-based organizations, and legal resource organizations.

(2) Information shared by students pursuant to this section is handled in compliance with the federal Family Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g) and applicable state laws, including Chapters 493 and 495 of the Statutes of 2017, regardless of any person's immigration status or other personal information, in order to protect all student data to the fullest extent possible so that schools and all personal data remain safe.

(f) (1) On or before July 1, 2026, the Student Aid Commission shall adopt regulations that include, but are not limited to, model opt-out forms and acceptable use policies for the purpose of providing guidance on complying with the requirements of paragraph (2) of subdivision (e).

(2) The Student Aid Commission shall post any model opt-out forms and acceptable use policies adopted pursuant to paragraph (1) on the commission's internet website.

(g) A student who does not fulfill the requirements of this section shall not be penalized or punished and this section shall not affect a student's ability to enroll.

SEC. 2. 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.