

Date of Hearing: May 13, 2020

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 3137 (Voepel) – As Amended May 04, 2020

SUBJECT: Community colleges: California College Promise: members of the Armed Forces of the United States

SUMMARY: Authorizes community colleges who participate in the California College Community Promise Program to permit members of the Armed Forces of the United States, who are called to serve, as specified, to withdraw and re-enroll in the California College Promise Program. Specifically, **this bill:**

- 1) Permits a student who is a member of the Armed Forces of the United States, as defined, and is called away to serve as defined, to take a leave or withdraw and resume participation in the California Community College Promise Program without losing eligibility for the fee waiver or any other benefit of the program.
- 2) Prohibits the time during which a student was obligated to withdraw due to military serve to be count towards the two years in which the student may participate and receive the tuition waiver associated with the California College Promise Program.
- 3) Defines Armed Forces of the United States for purposes of this section, to be the United States Air Force, Army, Coast Guard, Marine Corps, and Navy and the reserve components of each of those forces, and the California Army National Guard, the California State Guard, and the California Naval Militia.
- 4) Establishes, if the Commission on State Mandates determines that this bill contains cost mandated by the state, the state shall reimburse the applicable entities.
- 5) Makes clarifying and technical amendments to existing law.

EXISTING LAW:

- 1) Authorizes the governing board of each community college district to charge each student \$46 per unit per semester. Exempts the following from paying the prescribed fee:
 - a) Students enrolled in specific public benefit non-credit programs; and,
 - b) Students enrolled in or receiving benefits from Temporary Assistance for Needy Families program (TANF), the Supplemental Security Income/State Supplementary Payment Program, or a general assistance program, and;
 - c) Students who demonstrate eligibility according to income standards established by regulations of the CCC Board of Governors; and,
 - d) Demonstrates financial need according to the methodology set forth in federal law or regulations for determining the exempted family contribution of students seeking financial aid; and,

- e) Homeless or formerly homeless youth, as defined; and,
 - f) Students who were the dependent or surviving spouse of any member of the California National Guard who died or was permanently disabled while in the line of duty or while in active service of the state; and,
 - g) Students who were the dependent or surviving spouse of a California firefighter or law enforcement officer killed in the performance of their duties or who died as a result of performing duties related to law enforcement or fire suppression; and,
 - h) Students who were the dependent of a California resident who killed or who died as a result of injuries sustained in the September 11th, 2001 terrorist attacks; and,
 - i) Any child of any veteran of the United States military who has a service- connected disability, was killed in service, or has died of a service-connected disability; and,
 - j) The child of a recipient or the recipient of a Congressional Medal of Honor. (Education Code (EDC) Section 76300, 68120 , and 66025.3)
- 2) Establishes the California College Promise, under the administration of the Chancellor of the CCC, to provide funding, upon appropriation by the Legislature to each community college that:
- a) Partners with one or more local education agencies to establish an Early Commitment to College Program to provide K-12 students and families ample opportunities to learn about college and the necessary step in applying to college; and,
 - b) Partners with one or more local education agencies to support and improve high school students' preparation for college and reduce postsecondary remediation through best practices; and,
 - c) Utilizes evidence-based assessment and placement practices at the community college that include multiple measures of student performance and uses evidence-based practices to improve outcomes for underprepared students; and,
 - d) Participates in the California Community College Guided Pathways Grant Program; and,
 - e) Maximize students access to need-based financial aid by leveraging the Board of Governors fee waiver ensuring that students complete the Free Application for Student Aid (FASFA), Cal Grant application or the Dream Act application and participate in a federal loan program. (EDC Section 76396 and 76396.2)
- 3) Authorizes a community college, who meets all the criteria of (2), to offer a fee waiver for two academic years to first-time community college students who are California residents and enrolled at the college full time (12 or more units) unless otherwise specified. Requires the Chancellor of the CCC to submit a report to the Legislature by July 1, 2024, evaluating the use of funding for the California College Promise to waive student fees. (EDC Section 76396.3)
- 4) Requires the CCC and the California State University, and requests the University of California, to provide priority enrollment and priority registration to any member or former

member, as defined, of the Armed Forces of the United States, and who is a resident of California. Armed Forces of the United States is defined as the Air Force, Army, Coast Guard, Marine Corps, National Guard, Naval Militia, Navy, and the reserve components of each of those forces, including the California National Guard. (EDC Section 66025.8)

FISCAL EFFECT: Unknown.

COMMENTS: *Background.* Since the introduction of the California Community College (CCC) enrollment fee in 1984, the Legislature wished to ensure students were not denied access to higher education due to lack of financial means. At first, to alleviate financial pressure on students, the Legislature enacted the Board of Governors fee waiver program, which enabled students who qualify to receive a fee waiver for the full cost of attendance. Students were required to apply for a fee waiver by completing either a Free Application for Federal Student Aid (FASFA) or a shorter form developed by the Chancellor's office. Students received the fee waiver for any number of units taken and in 2017-2018, 41% of CCC students had their enrollment fees fully waived by this program.

In 2017, the Legislature created the California College Promise program, which was inspired by tuition-free college programs in other states. The mission of the program was to support the CCC in increasing college readiness, improving student outcomes, and reducing achievement gaps. The state originally provided \$46 million to the program in 2018-2019 and this was used to provide waivers to first-time, full-time students regardless of financial need during their first year of college. To be eligible, students must enroll in 12 or more units per semester, submit a FASFA, and have no previous postsecondary coursework. To receive the funding allocated to the program, participating CCC must:

- Partner with school districts on college outreach efforts.
- Partner with school districts to support practices that improve college readiness and reduce the need for remediation.
- Use evidence-based practices for the assessment and placement of incoming students.
- Implement Guided Pathways to help students enter and stay on a defined academic path.
- Ensure students complete the FASFA or the California Dream Act Application.
- Participate in federal student loan programs.

In its first year, 2018-2019, the California College Promise Program was implemented at 109 of the 115 CCC statewide, and provided 12,078 students fee waivers. Capitalizing on the success of the program, the Legislature expanded the program to include a second year of free tuition to encourage students to matriculate in their degree attainment.

Purpose of the bill. According to the author, a concern arose from one of his constituents who was afraid they might lose their eligibility and funding from the College Promise Program if either the Governor or the President of the United States calls them to active duty. According to CCC Chancellor's Office, the California College Promise Program is only available to students who maintain full-time enrollment, and therefore someone who is called away on active duty would lose their ability to participate in the program for the semester or year depending on the

length of deployment. The author advocates that “our military personnel fight for the freedom of everyday America. The least we can do is ensure they do not lose their eligibility to a program like the California College Promise Program in order to achieve a California education.” While the Community College system does not track active duty service members, of the 2.1 million students who are served by the system only 35,320 are veterans and therefore the CCC Chancellor’s Office has opined that this bill would impact a minimal number of students. Legal authority is required to ensure service men and women, who are called to active duty, can restart the semester or year with the fee waiver provided to them through the California College Promise Program without losing eligibility or time.

In recent months, the State of California has been combating Covid-19. One of the measures utilized was to place the National Guard and the State Guard on active duty in order to protect supply lines for the citizens of California. It is highly likely community college students were called to active duty and were unable to finish their term potentially losing their fee waiver under the California College Promise Program. This bill would provide an avenue for students to continue serving their country without jeopardizing their access to financial aid and a California Education.

Committee comments and amendments. The intent of the bill is to implement a waiver by which service men and women can take a leave of absence from the California Promise Program and return from active duty without losing any financial aid allocated to them through the participation in the California College Promise Program. However, the bill’s definition of a member of the Armed Service inadvertently out a branch of the Armed Forces, specifically the California Air National Guard. *The committee recommends and the author has agreed to accept, the following amendments:*

(c) (3) “Armed Forces of the United States” means the Air Force, Army, Coast Guard, Marine Corps, Navy, and the reserve components of each of those forces, the California ~~Army~~ National Guard, the California State Guard, and the California Naval Militia.

Arguments in Support. In referencing their support of the bill, the California Teachers Association, adjudicate the need for the bill as “many community college students who volunteer for military reserve programs or the California National Guard do so because they need to supplement income needed for education and/or to support their family. 24.1% of the Reserve and National Guard in California are ethnic minorities, according to the Pew Research Center. Currently eligibility for continued funding may be lost when these students are called to active duty. These students who are willing to defend their country should not be penalized for their services”. AB 3137 ensures these students will not be penalized for their service and is a step in providing equitable access to all students.

Prior legislation. AB 19 (Santiago), Chapter 734, Statutes of 2017, establishes, under the administration of the Chancellor of the CCC, the California College Promise Program which provides a tuition waiver for first-time, California residents who maintain a course load of 12 units or more, regardless of economic status. Provides the tuition waiver for one academic year for all qualifying students who attend participating CCC, as specified.

SB 77 (Committee on Budget and Fiscal Review), Chapter 53, Statutes of 2019, authorizes community colleges to use California College Promise funding to waive tuition fees for two academic years for first-time students, and would require the utilization of evidence-based

assessments 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.

AB 2 (Santiago), Chapter 509, Statutes of 2019, enables community colleges the flexibility to provide fee waivers, under the California College Promise Program, to specified students without requiring full-time enrollment. Requires the Chancellor's Office to submit a report to the Legislature on or before July 1, 2024, evaluating the use of funding for the California College Promise to waive student fees.

REGISTERED SUPPORT / OPPOSITION:**Support**

California Teachers Association

Faculty Association of California Community Colleges

Opposition

None on File.

Analysis Prepared by: Ellen Cesaretti-Monroy / HIGHER ED. / (916) 319-3960