

AMENDED IN ASSEMBLY JUNE 29, 2021

SENATE BILL

No. 132

Introduced by Committee on Budget and Fiscal Review

January 8, 2021

~~An act relating to the Budget Act of 2021. An act to amend Section 1798.24 of the Civil Code, to amend Sections 10851, 10852, 10855, 10858, 10859, 44230, 60900, 66021.2, 66021.9, 66744, 69432, 69432.9, 69434, 69434.5, 69435, 69437, 69437.6, 69465, 69617, 69951, 69952, 69954, 69956, 69958, 69959, 69960, 69962, 69963, 69964, 69967, 69996.2, 69996.3, 69996.6, 70022, 70023, 76300, 78052, 84321.62, 84750.4, and 94892.6 of, to amend the heading of Article 18 (commencing with Section 69950) of Chapter 2 of Part 42 of Division 5 of Title 3 of, to add Sections 51225.7, 60900.5, 66023.5, 69996.7, 69996.8, 69996.9, and 92103 to, to add the heading of Article 1 (commencing with Section 10850) to, to add Article 2 (commencing with Section 10860) to, Chapter 8.5 of Part 7 of Division 1 of Title 1 of, to add Article 3.5 (commencing with Section 69435.5) to, to add Article 10 (commencing with Section 69470) to, Chapter 1.7 of, to add Article 9 (commencing with Section 69670) to Chapter 2 of, Part 42 of Division 5 of, to add Article 6.4 (commencing with Section 92657) to Chapter 6 of, to add Chapter 16 (commencing with Section 93000) to Part 57 of Division 9 of, to add Chapter 5.7 (commencing with Section 99275) to Part 65 of Division 14 of, and to add Part 53.5 (commencing with Section 88750) to Division 7 of, Title 3 of, to add and repeal Sections 66744.1 and 66744.2 of, to repeal Sections 69965, 69966, 69968, 69969.5, 89007.7, 89780, and 92060 of, and to repeal and add Sections 69950 and 69969 of, the Education Code, to add the heading of Part 1 (commencing with Section 32000) to, and to add Part 2 (commencing with Section 32100) to, Division 14.8 of the Food and Agricultural Code, to add Section 8334.1 to the Government Code, to~~

amend Section 20662 of the Public Contract Code, to amend Section 1095 of the Unemployment Insurance Code, and to amend Items 6870-101-0001, 6870-121-0001, 6980-101-0001, and 6980-101-3263 of Section 2.00 of the Budget Act of 2020 (Chapters 6 and 7 of the Statutes of 2020 and Chapter 4 of the Statutes of 2021), relating to postsecondary education, and making an appropriation therefor, to take effect immediately, bill related to the budget.

LEGISLATIVE COUNSEL'S DIGEST

SB 132, as amended, Committee on Budget and Fiscal Review.
~~Budget Act of 2021. Postsecondary education trailer bill.~~

(1) Existing law establishes the California Longitudinal Pupil Achievement Data System, which is maintained by the State Department of Education and consists of pupil data regarding demographic, program participation, enrollment, and statewide assessments.

Existing law establishes the California Cradle-to-Career Data System Workgroup to assess, recommend, and advise about statewide data infrastructure that integrates data from state entities responsible for elementary and secondary education data, entities responsible for early learning data, segments of public higher education, private colleges and universities, state entities responsible for student financial aid, childcare providers, state labor and workforce development agencies, and state departments administering health and human services programs.

Existing law requires the Office of Planning and Research to contract with entities with expertise in managing data for specified purposes relating to the workgroup's activities. Existing law requires those contracted entities to submit reports to the Department of Finance and the Legislature concerning the establishment of the California Cradle-to-Career Data System, as specified.

This bill would establish the Cradle-to-Career Data System for the purpose of connecting individuals and organizations to trusted information and resources, as a source for actionable data and research on education, economic, and health outcomes for individuals, families, and communities, and to provide for expanded access to tools and services that support the education-to-employment pipeline, as specified.

The bill would establish the California Cradle-to-Career Data System Governing Board in state government, composed of certain representatives from state agencies, educational organizations, and

members of the public, who would, among other things, be responsible for strategic direction and implementation of the data system, including ensuring that the data system is serving its intended purposes. The bill would establish the Data and Tools Advisory Board and the Community Engagement Advisory Board to perform certain tasks and make recommendations to the governing board, as specified.

The bill would require the governing board to also provide operational oversight of the Office of Cradle-to-Career Data that the bill would establish within the Government Operations Agency under the direction of the Department of General Services to serve as the managing entity of the data system, as provided.

The bill would authorize information to be provided to the data system by local educational agencies with respect to operational tools, as defined, the Committee for the Protection of Human Subjects for the California Health and Human Services Agency, the Commission on Teacher Credentialing, the State Department of Education, and the California College Guidance Initiative with respect to longitudinal pupil achievement data, the Student Aid Commission with respect to grade point average and other data, the Bureau for Private Postsecondary Education, and the Employment Development Department.

The bill would authorize the Director of Finance to transfer \$2,452,000 from a designated item of the Budget Act of 2021 to the State Department of Education, the California Community Colleges, the California State University, the University of California, the Student Aid Commission, and the Employment Development Department, as scheduled, therefore making an appropriation.

The bill would also include numerous conforming changes.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(2) Existing law establishes a system of public elementary and secondary education in this state. Under this system, local educational agencies throughout the state provide instruction and other services to pupils in kindergarten and grades 1 to 12, inclusive. Pupils who seek to continue their education in postsecondary educational institutions, and who wish to apply for financial aid, are generally required to apply

for this aid through certain standardized forms, which, for most pupils, include the Free Application for Federal Student Aid and, for certain pupils, include the California Dream Act application.

This bill would require a school district, county office of education, or charter school to ensure that a grade 12 pupil who has not opted out, as specified, completes and submits a Free Application for Federal Student Aid or, if the pupil is exempt from paying nonresident tuition under existing law, completes and submits a form for purposes of the California Dream Act. The bill would require the Student Aid Commission, on or before July 1, 2022, to adopt regulations that include model opt-out forms and acceptable use policies for the purpose of providing guidance with applicable state laws. The bill would require the school district, county office of education, or charter school to exempt a pupil or the pupil's parent or legal guardian from completing a form if the local educational agency determines the pupil is unable to complete the form, and would prohibit a pupil's ability to graduate from being affected by a pupil's failure to fill out a form. By imposing additional duties on local educational agencies, the bill would impose a state-mandated local program.

(3) 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.

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.

Existing law, until June 30, 2021, authorizes 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. Existing law, until June 30, 2021, includes this scholarship authorization as a program covered by the above-described law relating to relief available in state court actions.

This bill would extend those end dates by 2 years, thereby making those scholarship provisions operative until June 30, 2023.

(4) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, as one of the 3 segments of public postsecondary education in this state. Existing law establishes community college districts throughout the state, and authorizes them to provide instruction to students at community college campuses.

This bill would require each campus of the California Community Colleges, no later than July 1, 2022, to establish the position of Basic Needs Coordinator and designate a staff person as the Basic Needs Coordinator. The bill would require a basic needs coordinator to act as a broker in identifying, supporting, and linking students to on- and off-campus housing, food, mental health, and other basic needs services and resources, among other responsibilities. The bill would also require each campus, no later than July 1, 2022, to establish a Basic Needs Center, which would be a central location on campus where basic needs services, resources, and staff would be made available to students, as specified. The bill would require each Basic Needs Center, among other duties, to help students to have the information needed to enroll in CalFresh and other relevant government benefit programs.

This bill would further require each campus, no later than February 1, 2022, to develop a document to be made available to students online that clearly lists all on- and off-campus basic needs services and resources, as specified. The bill would require each campus to provide the document to students as a part of campus orientations in either electronic format or paper form, and to provide to faculty, and encourage the faculty to include in their syllabi, the online link to the electronic format of the document, the location of the Basic Needs Center once established, and the contact information for the coordinator once designated. The bill would also require each campus, no later than February 1, 2022, to streamline the application and intake process for on-campus basic needs services and resources, to develop and implement a plan to identify and provide outreach to students who have basic needs insecurity, and to develop a student basic needs tab that is clearly visible and easily accessible from a drop-down menu on the home page of the internet website of the campus, as specified.

This bill would require each community college campus to report specified information to the office of the Chancellor of the California Community Colleges, and would require the office to develop and submit

to the Governor and the Legislature every year beginning on or before May 1, 2023, a report based on the data and information reported by campuses under the bill and information on the use of funds made available to implement the requirements of the bill. Because the paragraph would impose new duties on community college districts, it would constitute a state-mandated local program.

(5) Existing law establishes the California Community Colleges, under the administration of the Board of Governors of the California Community Colleges, the California State University, under the administration of the Trustees of the California State University, and the University of California, under the administration of the Regents of the University of California, as the 3 segments of public postsecondary education in the state. Existing law requires the trustees, and requests the regents, to establish a dual admissions program for eligible freshman applicants, authorizing a guarantee of admission to a campus of the California State University or University of California contingent on successful completion of lower-division transfer requirements at a campus of the California Community Colleges, as specified. Existing law provides that the agreement shall include specified incentives, and that student participation in the dual admissions program is voluntary.

This bill instead, commencing with the 2023–24 academic year, until the 2026–27 academic year, would require the trustees and the regents to offer for first-time freshman applicants meeting certain criteria a dual admissions program, and would authorize eligible first-time freshman applicants to enter into a dual admissions agreement with the California State University or University of California that guarantees the student’s admission to a specific campus of the segment selected by the student at the time of the agreement if the student completes transfer requirements, which may include completion of an associate degree for transfer, within 2 academic years at a California Community College. These requirements would apply to the University of California only if the regents adopt a resolution to make them applicable.

(6) The Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program provides grant funding for California postsecondary students. Existing law specifies the amounts of the maximum Cal Grant A and B awards for students attending independent institutions of higher education. Existing law authorizes community colleges to award an associate degree for transfer, and provides that the amount of Cal Grant A and

B tuition awards for future years for students at independent institutions of higher education depends on the number of commitments those institutions make to accept associate degrees for transfer. Specifically, beginning with the 2021–22 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 those institutions who have been given associate degree for transfer commitments in the prior award year exceeds statutory targets.

This bill would fix the 2021–22 award year amount for a new recipient at an independent institution of higher education at \$9,220. The bill would, for the 2022–23 award year and beyond, set the maximum tuition award amount as either \$9,220 or \$8,056, conditioned on the achievement of the target numbers for associate degree for transfer commitments that apply in existing law for the prior award year, thereby delaying for one year the applicable targets.

(7) Under existing law, the Student Aid Commission administers the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program, among other duties. The Cal Grant Program comprises 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. Existing law establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions, as defined. Under the program, a Cal Grant student's financial need is determined to establish a student's initial eligibility for a Cal Grant award and a renewing recipient's continued eligibility using the federal financial need methodology established under Title IV of the federal Higher Education Act of 1965.

This bill would require that, for the 2020–21 and 2021–22 award years, a student with an initial or renewal Cal Grant A award impacted by a change in the student's living status due to the COVID-19 pandemic have the student's eligibility for an initial or renewal Cal Grant A award calculated based on what it would have been had the change in the student's living status due to the COVID-19 pandemic not occurred.

This bill would establish a California Community College Expanded Entitlement Award for students who were not awarded a Cal Grant A or B award at the time of the student's high school graduation but who will be enrolled at a California community college during the award year and who meet all of the criteria, as specified.

Under existing law, no more than a total of 41,000 Competitive Cal Grant A and B awards may be granted annually. Existing law additionally requires 50% of the awards be available to all students, including California community college students, and 50% of the awards be reserved for students who will be enrolled at a California community college.

This bill would reduce the total number of Competitive Cal Grant A and B awards that may be granted annually to 13,000 and would make all of the Competitive Cal Grant A and B awards available to students who will be enrolled at an institution other than a California community college.

Existing law, commencing with the 2019–20 academic year, provides 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. Under existing law, the amount appropriated in the annual Budget Act, and any other appropriation for these purposes, shall not exceed \$125,000,000.

This bill would increase the amount that can be appropriated for these purposes to \$250,000,000.

Commencing with the 2021–22 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 foster youth or former foster youth, as defined, attending a public postsecondary educational institution.

(8) Existing law establishes the Golden State Teacher Grant Program under the administration of the Student Aid Commission to provide a grant to each student enrolled in an approved teacher credentialing program within an accredited California institution of higher education who commits to working in a high-need field, as defined, at a priority school for 4 years after the student receives a preliminary teaching credential. Existing law makes funds appropriated for the program in the Budget Act of 2020 available for encumbrance or expenditures by the commission until June 30, 2023. Existing law requires the Commission on Teacher Credentialing to publish a list of priority schools by January 1 of each year for which money has been appropriated to support grants under the program. Existing law defines a priority school as a school with a high percentage of teachers holding emergency-type permits over the last 3 years.

This bill instead would require the Student Aid Commission, in coordination with the State Department of Education, to publish the list of priority schools and would make funds appropriated for the program in the Budget Acts of 2020 and 2021 available for encumbrance or expenditure until June 30, 2024. The bill would redefine a priority school under the program to mean a school with at least 55% of its pupils being unduplicated pupils, as defined. The bill would delete the requirement for the professional preparation program to be within an accredited California institution of higher education and would add transitional kindergarten to the definition of a high-need field.

(9) Existing law establishes the California State Work-Study Program under the administration of the Student Aid Commission to provide University of California, California State University, and California Community College students meeting certain criteria with the opportunity to earn money to help defray their educational costs, while gaining experience in educationally beneficial or career-related employment. Existing law includes out-of-state employers licensed to conduct business in their home state, subject to prior approval of the commission, among the eligible entities to employ participating students under the program.

This bill would revise and recast various provisions of the California State Work-Study Program. Among these changes, the bill would: (A) rename the program as the Learning-Aligned Employment Program, (B) have the commission administer the Learning-Aligned Employment Program in consultation with the office of the President of the University of California, the office of the Chancellor of the California State University, and the office of the Chancellor of the California Community Colleges, (C) remove those out-of-state employers from the eligible entities that may employ participating students under the program, (D) limit eligibility to participate in the program to eligible students from underrepresented backgrounds, (E) require participating campuses to prioritize for available learning-aligned employment positions under the program eligible students who are first generation college students, current or former foster youth, homeless, or at risk of being homeless, and (F) require participating campuses to further prioritize these eligible students who are also majoring in a science, technology, engineering, or mathematics discipline.

(10) Existing law establishes the Golden State Scholarshare College Savings Trust under the administration of the Scholarshare Investment Board. Existing law establishes the California Kids Investment and

Development Savings (KIDS) Program, under the administration of the board, for the purposes of expanding access to higher education through savings. Existing law establishes 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 KIDS Program, and continuously appropriates moneys in the fund to the board for the KIDS Program. Subject to available moneys in the fund, existing law requires 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 KIDS Program in an amount of at least \$25, as determined by the board. Specifically, those moneys are deposited in subaccounts, called KIDS Accounts, one designated for each California resident child born on or after July 1, 2020, who is a California resident at the time of birth, except for children whose parents or legal guardians have opted out, as specified. Existing law requires the board to provide awards from these KIDS Accounts, as specified, for each recipient child's qualified higher education expenses at an eligible institution of higher education. Existing law authorizes the board to periodically inform a child's parent or legal guardian of the balance of their KIDS Account, including earnings designated for the child.

This bill would make programmatic changes to the KIDS Program, including authorizing the board to establish child savings plans other than Scholarshare 529 accounts for participating children. The bill would instead require moneys to be deposited in KIDS accounts, one designated for each California resident child born on or after a date to be determined by the board that is no later than July 1, 2022. The bill would instead require the board to establish rules and regulations for notifying a KIDS Account recipient child and the child's parents or legal guardians of the moneys deposited and accrued in the child's KIDS Account, and rules and regulations regarding the establishment and operation of program components, as specified. The bill would establish KIDS Accounts for all unduplicated pupils in the 2021–22 fiscal year, and for unduplicated pupils who are entering first grade commencing with the 2022–23 fiscal year, if one has not already been established for them under the KIDS Program. The bill would allocate \$500 into each new and existing KIDS Account of an unduplicated pupil, an additional \$500 into the KIDS Accounts of those unduplicated pupils who are also foster youth, and an additional \$500 into the KIDS Accounts of those unduplicated pupils who are also homeless pupils.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(11) Under existing law, the Middle Class Scholarship Program, 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, upon order of the Director of Finance, transfers \$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 that sum to the Student Aid Commission for purposes of the scholarship program.

This bill would revise provisions of the Middle Class Scholarship Program. Among the changes, the bill would provide, commencing with the 2022–23 academic year, an eligible student with a scholarship award in an amount that equals the difference between the student's cost of attendance, as determined by the commission, and the sum of contributions from sources, including federal, state, and institutionally administered student scholarships, grants, or fee waivers, to fund the student's cost of attendance. The bill would decrease the appropriations of \$117,000,000 for the 2019–20 fiscal year to \$116,557,000 and for the 2020–21 fiscal year to \$116,956,000, and would set the appropriation for the 2021–22 fiscal year and each fiscal year thereafter at \$117,000,000.

(12) Existing law authorizes community college districts to charge students a fee of \$46 per unit per semester, and also authorizes the waiver of this fee for students who meet specified criteria.

This bill would authorize a community college district to use available emergency relief funds provided by the federal government to waive this fee, if it is unpaid by a student due to the impacts of the COVID-19 pandemic, as specified.

(13) The Zero-Textbook-Cost Degree Grant Program requires the Chancellor of the California Community Colleges to distribute grants to community college districts that meet specified criteria for developing

and implementing associate degrees and career technical education certificate programs earned entirely by completing courses that eliminate conventional textbook costs by using alternative instructional materials and methodologies.

Existing law requires a community college district, as a condition of receiving funding appropriated in the annual Budget Act, to develop and implement zero-textbook-cost degrees, among other things, to strive to implement zero-textbook-cost degrees by the first term of the 2018–19 academic year, or sooner, as determined by the office of the Chancellor of the California Community Colleges. Existing law requires the chancellor to report, by June 30, 2019, to the Legislature, the Legislative Analyst’s Office, and the Department of Finance specified information on the development and implementation of zero-textbook-cost degrees pursuant to the program, including the estimated annual savings to students. Existing law authorizes funds not awarded in the 2016–17 fiscal year in the annual Budget Act for the program to be awarded in the 2017–18 fiscal year. Existing law requires the chancellor’s office to award an initial round of grants no later than January 1, 2017.

This bill, among other things, would require a community college district, as a condition of receiving funding, to strive to implement zero-textbook-cost degrees within 3 academic years of receiving funding. Of the funding appropriated in the annual Budget Act, the bill would authorize the chancellor to distribute grants to a community college district for the development and curation of open educational resources for coursework. As a condition of receiving funding for the development and curation of open educational resources for coursework, the bill would require a community college district to comply with certain requirements, including to strive to complete development and curation of open educational resources within 2 academic years of receiving funding. The bill would require the chancellor to report, by June 30, 2027, to the Legislature, the Legislative Analyst’s Office, and the Department of Finance specified information on the development and implementation of zero-textbook-cost degrees and the development and curation of open educational resources pursuant to the program, including the estimated annual savings to colleges. The bill would authorize funds not awarded in a fiscal year for which funds are appropriated to be awarded in the following fiscal year, and would require the chancellor to award an initial round of grants no later than January 1 of a fiscal year for which funds are appropriated.

This bill would appropriate \$115,000,000 from the General Fund to the Board of Governors of the California Community Colleges to provide grants to community college districts to develop zero-textbook-cost degrees using open educational resources pursuant to the Zero-Textbook-Cost Degree Grant Program.

(14) Existing law establishes the Student Aid Commission to administer various state-funded student financial aid programs.

This bill would establish the Golden State Education and Training Grant Program Act, to be administered by the Student Aid Commission. The bill would make available one-time grants to California resident workers who have been displaced from their employment due to the COVID-19 pandemic, are not already accessing an educational or training program, can demonstrate financial need, as specified, and agree to use the grant funds to access an educational or qualified training program at a public postsecondary educational institution, as specified, or to obtain training from an eligible training provider.

The bill would specify the duties of the commission in setting grant award amounts and establishing priorities and procedures for the award of grants to applicants. The bill would require the commission to collaborate with participating institutions of higher education to facilitate the offering of grant opportunities at campuses. The bill would require the commission to report designated information about the grant program to the Legislature and the Governor no later than December 31, 2023. The bill would declare that undocumented persons are eligible to receive these grants.

To the extent that this paragraph would impose new duties on community college districts, it would constitute a state-mandated local program.

(15) Existing law requires the Board of Governors of the California Community Colleges to adopt regulations providing for the payment of apportionments to community college districts on a specified schedule. Existing law, notwithstanding the provisions referenced above, adjusts the payment of apportionments to community college districts commencing with the 2020–21 fiscal year to defer \$1,453,243,000 of those payments to the subsequent fiscal year in accordance with a designated schedule.

This bill would limit the deferral of the payment of \$1,453,243,000 of apportionments to community college districts to only the 2020–21 fiscal year, and would revise the schedule of payments.

(16) 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 provides specified cost-of-living adjustments to the amounts calculated described above. Existing law requires, for the 2018–19 to 2023–24, inclusive, fiscal years, each community college district with a specified increase in 2017–18 general purpose apportionment funding when computed pursuant to an existing law that is less than the year-over-year cost-of-living adjustments applicable to those fiscal years to 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 the existing law adjusted for annual year-over-year cost-of-living adjustments.

This bill would extend, until the 2024–25 fiscal year, application of the above provision providing discretionary resources based on a community college district's 2017–18 general purpose apportionment funding, thereby extending application of the provision by one year.

(17) Existing law authorizes the governing board of a community college district to enter into a College and Career Access Pathways partnership with the governing board of a school district with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness.

This bill would, upon appropriation in the annual Budget Act or other statute, require allocation of funds by the office of the Chancellor of the California Community Colleges to community college districts for the purpose of expanding pathways to law school programs. The bill would authorize the board of governors to contract with a third party entity to provide administrative support for the expansion of these pathways.

(18) Existing law requires the Legislative Analyst's Office to submit a report to the Legislature detailing the impact of policy changes required pursuant to the California State University Executive Order No. 1110 relative to incoming California State University freshmen identified as in need of remediation. Under existing law, the report is

due by December 1, 2021, but the law requiring the report becomes inoperative on July 1, 2021, 5 months earlier.

This bill would instead repeal these provisions, which would take effect immediately.

(19) Existing law requires that funding provided to the California State University in the annual budget act to provide summer term financial aid to any student who is eligible for state financial aid and who is a California resident, as specified, be suspended on December 31, 2021, unless estimates accompanying the May Revision to the 2021–22 Governor’s Budget reflect excess state General Fund revenues for the 2021–22 and 2022–23 fiscal years, as specified.

This bill would repeal the provision that would conditionally suspend that California State University summer term financial aid funding on December 31, 2021.

(20) Existing law requires funding provided to the University of California in the annual Budget Act for summer term financial aid to any student who is eligible for state financial aid and who is a California resident to be suspended on December 31, 2021, unless a specified condition is satisfied relating to estimated General Fund revenues and expenditures for the 2021–22 and 2022–23 fiscal years.

This bill would repeal the conditional suspension of the funding provided to the university in the annual Budget Act for summer term financial aid to any student who is eligible for state financial aid and who is a California resident.

(21) The University of California Dormitory Revenue Bond Act of 1947 authorizes the University of California to issue revenue bonds, secured by a specified pledge of revenues. Existing law authorizes the university to pledge its annual General Fund support appropriation, less certain amounts, to secure the payment of its general revenue bonds or commercial paper associated with the general revenue bond program. Existing law authorizes the university to fund debt service for capital expenditures and pay-as-you-go capital outlay projects from its General Fund support appropriation, as specified. Existing law authorizes the university to proceed with capital expenditures or capital outlay projects only upon certification that all work traditionally performed by persons with University of California Service Unit (SX) job classifications is performed only by employees of the university at each beneficially affected facility, building, or other property.

This bill would require the university, as a condition of receipt of public funds to pay costs associated with a capital expenditure or capital

outlay project, to complete prospective certifications, as defined, and retrospective certifications, as defined, as applicable, for direct employment of workers who perform work traditionally performed by persons with SX job classifications. The bill would require the Controller to make payment on a university claim or warrant of public funds to the university for a capital expenditure or capital outlay project only upon receiving from the university a copy of the applicable prospective and retrospective certifications for the capital expenditure or capital outlay project. The bill would prohibit the university, as a condition of receipt of public funds to pay costs associated with a capital expenditure or capital outlay project, from using or pledging any public funds to pay costs associated with the capital expenditure or capital outlay project before providing the applicable prospective and retrospective certifications and complying with other existing requirements, as applicable. The bill would authorize the university to proceed with a new or ongoing capital expenditure or capital outlay project only after submission of the applicable prospective and retrospective certifications to the Controller and making the certifications available on the university's internet website.

(22) This bill would enact the Animal Shelter Assistance Act. The bill would express the intent of the Legislature that the regents establish a 5-year program, known as the Animal Shelter Assistance Program, to support the state's policy goal that no adoptable or treatable animal is euthanized by providing grants to government animal control agencies or shelters, societies for the prevention of cruelty to animals, and humane societies, as specified. The bill would request the regents to establish the program in accordance with specified principles and goals, to be administered by the University of California, Davis, Koret Shelter Medicine Program.

(23) This bill would require the University of California to annually report, as specified, to the Department of Finance and the budget committees of the Legislature its share of undergraduate enrollment that is nonresident by campus, as specified, and a fiscal estimate of the projected cost to make progress on reducing the share of nonresident students and increasing the share of resident students at campuses of the university, as provided.

(24) This bill would establish the California Bench to School Initiative to create the California Institute on Law, Neuroscience, and Education to promote a collaborative focus on neuroscience, law, education, and social justice to improve literacy outcomes in school settings for youth.

The institute would include the Memory and Aging Center of UCSF, the UCSF/UC Hastings Consortium on Law, Science, and Health Policy, and the UC/CSU California Collaborative for Neurodiversity and Learning.

The bill would specify the duties to be performed by the institute, including the submission of an annual report to the Legislature on specified topics. The bill would require UCSF, UC Hastings College of the Law, and the UC/CSU California Collaborative for Neurodiversity and Learning, upon receiving funding under the bill, to each appoint one member from their respective institutions to a management committee charged with the development and oversight of the initiative, as specified. The bill would provide for the establishment of an advisory board, with designated membership, to serve as an oversight body for the initiative in order to monitor progress and provide leadership from the perspectives of their respective institutions, organizations, agencies, and groups, and to facilitate collaboration among researchers, practitioners, administrators, legislators, and community stakeholders.

(25) Existing law requires the Office of Emergency Services, in coordination with all interested state agencies with designated response roles in the state emergency plan and interested local emergency management agencies, to jointly establish by regulation a standardized emergency management system for use by all emergency response agencies, and to include specified components. Existing law requires the office to approve, adopt, and incorporate the California Animal Response Emergency System (CARES) program developed under the oversight of the Department of Food and Agriculture into the standardized emergency management system.

This bill would require the University of California, Davis, School of Veterinary Medicine to develop a program called the California Veterinary Emergency Team, and would require the program to assist in the support and training of a network of government agencies, nongovernmental organizations, and individuals to assist in the evacuation and care of household and domestic animals and livestock in emergencies statewide, including disaster preparedness, response, recovery, and mitigation. The bill would also require the program to conduct or support research on best practices for the evacuation and care of the animals in disasters. The bill would require the university, the Secretary of Food and Agriculture, and the Director of Emergency Services to develop a memorandum of understanding for the university to consult with the secretary and the director regarding the coordination

of the program's activities with the state government's disaster response practices and the deployment of the program's participants during disasters. The bill would require these provisions to apply to the university only to the extent that the Regents of the University of California, by resolution, make any of these provisions applicable to the university.

(26) Existing law requires the California State Library, on or before July 1, 2020, to create a funding opportunities internet web portal that provides a centralized location for grant seekers to find state grant opportunities. Existing law require each state agency, on or before July 1, 2020, to register every grant the state agency administers with the California State Library before commencing a solicitation or award process for distribution of the grant. Existing law requires each state agency, on or before July 1, 2020, to provide for the acceptance of electronic applications for any grant administered by the state agency, as appropriate. Existing law requires the California State Library to create an annual report to the Legislature relating to the effectiveness of the internet web portal, as specified.

This bill would require every state agency to provide the California State Library for every grant administered by the state agency postaward data, as specified.

(27) Existing provisions of the Local Agency Public Construction Act govern contracting by community college districts. Existing law authorizes the Chancellor of the California Community Colleges to enter into a contract or other agreement with the governing board of any community college district whereby the district performs services or acts as a fiscal agent on behalf of the California Community Colleges, if the funds for the contract or agreement are in satisfaction of the state obligation to provide funding under Section 8 of Article XVI of the California Constitution, which sets forth a formula for computing the minimum amount of General Fund revenues that the state is required to appropriate for the support of school districts and community college districts for each fiscal year.

Existing law, until July 1, 2022, exempts the chancellor from the requirement to advertise for or invite bids for those contracts or other agreements that are no more than \$20,000,000. Existing law, until July 1, 2022, also exempts from that requirement the renewal of existing contracts or other agreements that the chancellor has entered into with a governing board, regardless of the amount.

This bill would extend those end dates by one year, thereby making the exemptions operative until July 1, 2023.

(28) The Budget Act of 2020 made appropriations for the support of state government for the 2020–21 fiscal year.

This bill would amend the Budget Act of 2020 by reducing certain appropriations for local assistance to the Board of Governors of the California Community Colleges, as provided, and increasing certain appropriations for local assistance to the Student Aid Commission, as specified.

(29) This bill would appropriate \$511,014,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to community college districts to address specified purposes, including scheduled maintenance and special repairs of facilities, at community colleges.

(30) Existing law establishes the California Community College Guided Pathways Grant Program under the administration of the office of the Chancellor of the California Community Colleges and requires the chancellor's office to distribute grants, upon appropriation by the Legislature, to community colleges that meet certain requirements, to integrate existing student-success programs and develop clearly structured, coherent guided pathways programs.

This bill would appropriate \$50,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to community college districts to support the continued implementation of guided pathways programs pursuant to the California Community College Guided Pathways Grant Program.

(31) This bill would appropriate \$100,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to community colleges to support efforts to increase student retention rates and enrollment by primarily engaging former community college students who may have withdrawn from a community college due to the impacts of the COVID-19 pandemic, current community college students who may be hesitant to remain in a community college due to the impacts of the COVID-19 pandemic, and prospective students who may be hesitant to enroll in a community college due to the impacts of the COVID-19 pandemic. The bill would authorize a community college to use allocated funds to provide a fiscal incentive for students who have withdrawn to reenroll, and for prospective students to enroll, at the college.

(32) *This bill would appropriate \$100,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to community college districts to support students in addressing food insecurity, food pantries serving students, enrollment in the Supplemental Nutrition Assistance Program, known in California as CalFresh, or other means of directly providing nutrition assistance to students.*

(33) *This bill would appropriate \$20,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to community college districts to support the implementation of best practices for success in promoting equal employment opportunity and faculty and staff diversity at California community colleges, as specified.*

(34) *Existing law establishes the California Workforce Development Board, and assigns to the board the responsibility for assisting the Governor in the development, oversight, and continuous improvement of California's workforce investment system and the alignment of the education and workforce investment systems to the needs of the 21st century economy and workforce.*

This bill would appropriate \$20,000,000 from the General Fund to the Board of Governors of the California Community Colleges to strengthen the alignment of California community colleges with workforce initiatives administered by the California Workforce Development Board.

(35) *This bill would appropriate \$20,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation to one or more community college districts to support a systemwide effort to, or as grants to community college districts to support district efforts to, provide culturally competent professional development for community college faculty, including leveraging 21st century technology to improve learning outcomes.*

(36) *This bill would appropriate \$10,000,000 from the General Fund to the Board of Governors of the California Community Colleges for allocation by the office of the Chancellor of the California Community Colleges to community college districts to provide additional funds to support lesbian, gay, bisexual, transgender, queer, and plus students at community colleges.*

(37) *This bill would appropriate \$72,852,000 from the General Fund to the Board of Governors of the California Community Colleges for*

allocation to community college districts and community colleges for various specified purposes.

(38) Certain funds appropriated under this bill would be applied toward the minimum funding requirements for school districts and community college districts imposed by Section 8 of Article XVI of the California Constitution.

(39) 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.

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

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2021.~~

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~ yes. State-mandated local program: ~~no~~-yes.

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

1 SECTION 1. Section 1798.24 of the Civil Code is amended to
2 read:

3 1798.24. An agency shall not disclose any personal information
4 in a manner that would link the information disclosed to the
5 individual to whom it pertains unless the information is disclosed,
6 as follows:

7 (a) To the individual to whom the information pertains.

8 (b) With the prior written voluntary consent of the individual
9 to whom the information pertains, but only if that consent has been
10 obtained not more than 30 days before the disclosure, or in the
11 time limit agreed to by the individual in the written consent.

12 (c) To the duly appointed guardian or conservator of the
13 individual or a person representing the individual if it can be proven
14 with reasonable certainty through the possession of agency forms,
15 documents, or correspondence that this person is the authorized
16 representative of the individual to whom the information pertains.

1 (d) To those officers, employees, attorneys, agents, or volunteers
2 of the agency that has custody of the information if the disclosure
3 is relevant and necessary in the ordinary course of the performance
4 of their official duties and is related to the purpose for which the
5 information was acquired.

6 (e) To a person, or to another agency if the transfer is necessary
7 for the transferee agency to perform its constitutional or statutory
8 duties, and the use is compatible with a purpose for which the
9 information was collected and the use or transfer is in accordance
10 with Section 1798.25. With respect to information transferred from
11 a law enforcement or regulatory agency, or information transferred
12 to another law enforcement or regulatory agency, a use is
13 compatible if the use of the information requested is needed in an
14 investigation of unlawful activity under the jurisdiction of the
15 requesting agency or for licensing, certification, or regulatory
16 purposes by that agency.

17 (f) To a governmental entity if required by state or federal law.

18 (g) Pursuant to the California Public Records Act (Chapter 3.5
19 (commencing with Section 6250) of Division 7 of Title 1 of the
20 Government Code).

21 (h) To a person who has provided the agency with advance,
22 adequate written assurance that the information will be used solely
23 for statistical research or reporting purposes, but only if the
24 information to be disclosed is in a form that will not identify any
25 individual.

26 (i) Pursuant to a determination by the agency that maintains
27 information that compelling circumstances exist that affect the
28 health or safety of an individual, if upon the disclosure notification
29 is transmitted to the individual to whom the information pertains
30 ~~at his or her~~ *the individual's* last known address. Disclosure shall
31 not be made if it is in conflict with other state or federal laws.

32 (j) To the State Archives as a record that has sufficient historical
33 or other value to warrant its continued preservation by the
34 California state government, or for evaluation by the Director of
35 General Services or ~~his or her~~ *the director's* designee to determine
36 whether the record has further administrative, legal, or fiscal value.

37 (k) To any person pursuant to a subpoena, court order, or other
38 compulsory legal process if, before the disclosure, the agency
39 reasonably attempts to notify the individual to whom the record
40 pertains, and if the notification is not prohibited by law.

1 (l) To any person pursuant to a search warrant.

2 (m) Pursuant to Article 3 (commencing with Section 1800) of
3 Chapter 1 of Division 2 of the Vehicle Code.

4 (n) For the sole purpose of verifying and paying government
5 health care service claims made pursuant to Division 9
6 (commencing with Section 10000) of the Welfare and Institutions
7 Code.

8 (o) To a law enforcement or regulatory agency when required
9 for an investigation of unlawful activity or for licensing,
10 certification, or regulatory purposes, unless the disclosure is
11 otherwise prohibited by law.

12 (p) To another person or governmental organization to the extent
13 necessary to obtain information from the person or governmental
14 organization for an investigation by the agency of a failure to
15 comply with a specific state law that the agency is responsible for
16 enforcing.

17 (q) To an adopted person and *disclosure* is limited to general
18 background information pertaining to the adopted person's
19 biological parents, if the information does not include or reveal
20 the identity of the biological parents.

21 (r) To a child or a grandchild of an adopted person and
22 disclosure is limited to medically necessary information pertaining
23 to the adopted person's biological parents. However, the
24 information, or the process for obtaining the information, shall not
25 include or reveal the identity of the biological parents. The State
26 Department of Social Services shall adopt regulations governing
27 the release of information pursuant to this subdivision. The
28 regulations shall require licensed adoption agencies to provide the
29 same services provided by the department as established by this
30 subdivision.

31 (s) To a committee of the Legislature or to a Member of the
32 Legislature, ~~or his or her~~ *the member's* staff if authorized in writing
33 by the member, if the member has permission to obtain the
34 information from the individual to whom it pertains or if the
35 member provides reasonable assurance that ~~he or she~~ *the member*
36 is acting on behalf of the individual.

37 (t) (1) To the University of California, a nonprofit educational
38 institution, *the Cradle-to-Career Data System, for purposes*
39 *consistent with the creation and execution of the Cradle-to-Career*
40 *Data System Act pursuant to Article 2 (commencing with Section*

1 10860) of Chapter 8.5 of Part 7 of Division 1 of Title 1 of the
2 Education Code, or, in the case of education-related data, another
3 nonprofit entity, conducting scientific research, if the request for
4 information is approved by the Committee for the Protection of
5 Human Subjects (CPHS) for the California Health and Human
6 Services Agency (CHHSA) or an institutional review board, as
7 authorized in paragraphs ~~(4) and (5)~~. (5) and (6). The approval
8 shall include a review and determination that all the following
9 criteria have been satisfied:

10 (A) The researcher has provided a plan sufficient to protect
11 personal information from improper use and disclosures, including
12 sufficient administrative, physical, and technical safeguards to
13 protect personal information from reasonable anticipated threats
14 to the security or confidentiality of the information.

15 (B) The researcher has provided a sufficient plan to destroy or
16 return all personal information as soon as it is no longer needed
17 for the research project, unless the researcher has demonstrated
18 an ongoing need for the personal information for the research
19 project and has provided a long-term plan sufficient to protect the
20 confidentiality of that information.

21 (C) The researcher has provided sufficient written assurances
22 that the personal information will not be reused or disclosed to
23 any other person or entity, or used in any manner, not approved
24 in the research protocol, except as required by law or for authorized
25 oversight of the research project.

26 (2) *The CPHS shall enter into a written agreement with the*
27 *Office of Cradle-to-Career Data, as defined in Section 10862 of*
28 *the Education Code, to assist the managing entity of that office in*
29 *its role as the institutional review board for the Cradle-to-Career*
30 *Data System.*

31 ~~(2)~~

32 (3) The CPHS or institutional review board shall, at a minimum,
33 accomplish all of the following as part of its review and approval
34 of the research project for the purpose of protecting personal
35 information held in agency databases:

36 (A) Determine whether the requested personal information is
37 needed to conduct the research.

38 (B) Permit access to personal information only if it is needed
39 for the research project.

1 (C) Permit access only to the minimum necessary personal
2 information needed for the research project.

3 (D) Require the assignment of unique subject codes that are not
4 derived from personal information in lieu of social security
5 numbers if the research can still be conducted without social
6 security numbers.

7 (E) If feasible, and if cost, time, and technical expertise permit,
8 require the agency to conduct a portion of the data processing for
9 the researcher to minimize the release of personal information.

10 ~~(3)~~

11 (4) Reasonable costs to the agency associated with the agency's
12 process of protecting personal information under the conditions
13 of CPHS approval may be billed to the researcher, including, but
14 not limited to, the agency's costs for conducting a portion of the
15 data processing for the researcher, removing personal information,
16 encrypting or otherwise securing personal information, or assigning
17 subject codes.

18 ~~(4)~~

19 (5) The CPHS may enter into written agreements to enable other
20 institutional review boards to provide the data security approvals
21 required by this subdivision, if the data security requirements set
22 forth in this subdivision are satisfied.

23 ~~(5)~~

24 (6) Pursuant to paragraph ~~(4)~~, (5), the CPHS shall enter into a
25 written agreement with the institutional review board established
26 pursuant to former Section 49079.6 of the Education Code. The
27 agreement shall authorize, commencing July 1, 2010, or the date
28 upon which the written agreement is executed, whichever is later,
29 that board to provide the data security approvals required by this
30 subdivision, if the data security requirements set forth in this
31 subdivision and the act specified in subdivision (a) of Section
32 49079.5 of the Education Code are satisfied.

33 (u) To an insurer if authorized by Chapter 5 (commencing with
34 Section 10900) of Division 4 of the Vehicle Code.

35 (v) Pursuant to Section 450, 452, 8009, or 18396 of the Financial
36 Code.

37 (w) For the sole purpose of participation in interstate data
38 sharing of prescription drug monitoring program information
39 pursuant to the California Uniform Controlled Substances Act
40 (Division 10 (commencing with Section 11000) of the Health and

1 Safety Code), if disclosure is limited to prescription drug
2 monitoring program information.

3 This article does not require the disclosure of personal
4 information to the individual to whom the information pertains if
5 that information may otherwise be withheld as set forth in Section
6 1798.40.

7 *SEC. 2. The heading of Article 1 (commencing with Section*
8 *10850) is added to Chapter 8.5 of Part 7 of Division 1 of Title 1*
9 *of the Education Code, to read:*

10
11 *Article 1. Cradle-to-Career Data System Workgroup*
12

13 *SEC. 3. Section 10851 of the Education Code is amended to*
14 *read:*

15 10851. For purposes of this ~~chapter~~, *article*, the following
16 definitions apply:

17 (a) “Data system” means statewide data infrastructure that
18 integrates data from various partner entities and supports the
19 purposes identified in this ~~chapter~~. *article*.

20 (b) “Director” means the Director of State Planning and
21 Research, or the director’s designee.

22 (c) “Partner entity” means an organization that can provide
23 information to the data system to advance the purposes identified
24 in this ~~chapter~~ *article* and includes, but is not limited to, state
25 entities responsible for elementary and secondary education data,
26 entities responsible for early learning ~~data~~, *data and care*, segments
27 of public higher education, private colleges and universities, state
28 entities responsible for *overseeing private colleges*, student
29 financial aid, childcare providers, state labor and workforce
30 development agencies, and state departments administering health
31 and human services programs.

32 (d) “Planning facilitator” means an entity with expertise in data
33 governance, privacy, security, quality, reporting, and user-centered
34 design.

35 (e) “Workgroup” means the California Cradle-to-Career Data
36 System Workgroup established pursuant to Section 10853.

37 *SEC. 4. Section 10852 of the Education Code is amended to*
38 *read:*

39 10852. It is the intent of the Legislature in enacting this ~~chapter~~
40 *article* to do all of the following:

1 (a) Build a data system to enable partner entities to share
2 information in a manner that promotes data privacy and security.

3 (b) Design a data system that minimizes the need for new
4 infrastructure, is adaptable, and is flexible to meet future needs.

5 (c) Serve students and families by doing all of the following:

6 (1) Identifying and tracking predictive indicators to enable
7 parents, teachers, health and human services providers, and
8 policymakers to provide appropriate interventions and supports to
9 address disparities in opportunities and improve outcomes for all
10 students.

11 (2) Creating direct support tools for teachers, parents, advisors,
12 and students.

13 (3) Enabling agencies to plan for and optimize educational,
14 workforce, and health and human services programs.

15 (4) *Enabling and streamlining the administration of student*
16 *financial aid.*

17 ~~(4)~~

18 (5) Advancing academic and governmental research on
19 improving policies from birth through career.

20 (d) Improve the quality and reliability of data reported, and
21 ensure consistency of key data definitions.

22 (e) Identify additional data points and metrics that can be
23 developed and integrated into the data system to support the goals
24 of this ~~chapter~~ *article*.

25 *SEC. 5. Section 10855 of the Education Code is amended to*
26 *read:*

27 10855. (a) The director shall lead the workgroup.

28 (b) The Office of Planning and Research shall contract with
29 planning facilitators to perform all of the following duties:

30 (1) Provide facilitation and staff support to the workgroup.

31 (2) Conduct research and gather relevant information for
32 consideration by the workgroup in fulfilling its responsibilities
33 pursuant to paragraph (1) of subdivision (a) of Section 10853.

34 (3) Produce the reports required pursuant to Sections 10856 and
35 10857.

36 (4) Support the partner entities in advancing the purposes of
37 this ~~chapter~~ *article*, including, but not limited to, by assisting the
38 partner entities to complete the activities specified in Section
39 10858.

(c) For purposes of subdivision (b), the Office of Planning and Research may enter into exclusive or nonexclusive contracts with planning facilitators on a bid or negotiated basis. A contract entered into or amended pursuant to subdivision (b) shall be exempt from Chapter 6 (commencing with Section 14825) of Part 5.5 of Division 3 of Title 2 of the Government Code, Section 19130 of the Government Code, and Part 2 (commencing with Section 10100) of Division 2 of the Public Contract Code, and shall be exempt from the review or approval of any division of the Department of General Services.

(d) Notwithstanding any other law, a planning facilitator may subcontract as necessary in the performance of its duties, subject to approval of the director.

(e) The Office of Planning and Research shall report to the Department of Finance and relevant subcommittees of the Legislature on awarded contracts described in this section within 30 days of awarding any contract. The report shall include information about funding amounts provided to contractors and subcontractors.

(f) (1) A planning facilitator that contracts with the Office of Planning and Research pursuant to subdivision (b) shall, in consultation with the director, convene one or more advisory groups to obtain additional input from potential end users of the data system and other interested stakeholders and to inform the planning facilitator's work in fulfilling its responsibilities pursuant to subdivision (b).

(2) At a minimum, the advisory groups convened pursuant to paragraph (1) shall be comprised of representatives of students, parents, labor, business and industry, equity and social justice organizations, researchers, privacy experts, early education experts, school districts, charter schools, and county offices of education, as selected by the director within 60 days of contracting with the planning facilitator.

(3) In selecting the membership of the advisory groups, the director is encouraged to seek representation broadly reflective of the state's population.

(4) The planning facilitator shall initially meet with the advisory groups within 30 days of the director selecting its membership, and then at least once every quarter, and, if approved by the

1 director, within 15 days upon request of a majority of the advisory
2 group.

3 *SEC. 6. Section 10858 of the Education Code is amended to*
4 *read:*

5 10858. (a) The partner entities shall, and the University of
6 California is requested to, enter into memoranda of understanding
7 or participation agreements for data sharing purposes, as necessary,
8 for the implementation of this ~~chapter~~ article.

9 ~~(b) (1) By the 2020–21 academic year, the Office of the~~
10 ~~Chancellor of the California State University and the Office of the~~
11 ~~Chancellor of the California Community Colleges shall, and the~~
12 ~~University of California is requested to, identify and track currently~~
13 ~~and newly enrolled students in their respective data systems with~~
14 ~~the statewide student identifier assigned to pupils in the data system~~
15 ~~maintained by the department for each student who attended a~~
16 ~~local educational agency in California in a manner that maximizes~~
17 ~~efficiencies and limits the need for multiple memoranda of~~
18 ~~understanding.~~

19 ~~(2) To the extent feasible, the Office of the Chancellor of the~~
20 ~~California State University and the Office of the Chancellor of the~~
21 ~~California Community Colleges shall, and the University of~~
22 ~~California is requested to, prospectively identify and track each~~
23 ~~applicant for admission in their respective data systems with the~~
24 ~~statewide student identifier assigned to pupils in the data system~~
25 ~~maintained by the department for each applicant for admission~~
26 ~~who attended a local educational agency in California in a manner~~
27 ~~that maximizes efficiencies and limits the need for multiple~~
28 ~~memoranda of understanding.~~

29 ~~(c) For purposes of subdivision (b), the department shall~~
30 ~~collaborate with the Office of the Chancellor of the California~~
31 ~~Community Colleges, the Office of the Chancellor of the California~~
32 ~~State University, and the University of California to ensure the~~
33 ~~appropriate assignment and match of a statewide student identifier~~
34 ~~from the data system maintained by the department.~~

35 *SEC. 7. Section 10859 of the Education Code is amended to*
36 *read:*

37 10859. The sum of ten million dollars (\$10,000,000) is hereby
38 appropriated from the General Fund in the 2019–20 fiscal year to
39 the Office of Planning and Research on a one-time basis, available

1 for encumbrance and expenditure through the 2021–22 fiscal year,
2 subject to all of the following:

3 (a) Two million dollars (\$2,000,000) for the Office of Planning
4 and Research to contract with planning facilitators pursuant to
5 Section 10855.

6 (b) Two million dollars (\$2,000,000) to be allocated as follows:

7 (1) Five hundred thousand dollars (\$500,000) to be retained by
8 the Office of Planning and Research to lead the workgroup
9 established pursuant to Section 10853 and perform other
10 administrative functions to implement this ~~chapter~~ *article*.

11 (2) (A) One million three hundred thousand dollars (\$1,300,000)
12 for the Office of Planning and Research to allocate one hundred
13 thousand dollars (\$100,000) to each of the state entities identified
14 in paragraphs (1) to (3), inclusive, of subdivision (a) of Section
15 10854 for workgroup and planning activities.

16 (B) Upon order of the Director of Finance, the funds in
17 subparagraph (A) shall be provided to the state entities identified
18 in paragraphs (1) through (3), inclusive, of subdivision (a) of
19 Section 10854.

20 (3) Two hundred thousand dollars (\$200,000) for the Office of
21 Planning and Research to provide one hundred thousand dollars
22 (\$100,000) to each of the entities identified in paragraphs (4) and
23 (5) of subdivision (a) of Section 10854 for workgroup and planning
24 activities.

25 ~~(c) (1) Three hundred thousand dollars (\$300,000) for the Office
26 of Planning and Research, to be transferred as follows:~~

27 ~~(A) Upon order of the Director of Finance, one hundred
28 thousand dollars (\$100,000) to the California Community Colleges,
29 contingent upon submission of an expenditure plan to the
30 Department of Finance and notification to the Joint Legislative
31 Budget Committee.~~

32 ~~(B) Upon order of the Director of Finance, one hundred thousand
33 dollars (\$100,000) to the California State University, contingent
34 upon submission of an expenditure plan to the Department of
35 Finance and notification to the Joint Legislative Budget Committee.~~

36 ~~(C) Upon order of the Director of Finance, one hundred thousand
37 dollars (\$100,000) to the University of California, contingent upon
38 submission of an expenditure plan to the Department of Finance
39 and notification to the Joint Legislative Budget Committee.~~

1 ~~(2) The funds provided in paragraph (1) shall be available to~~
2 ~~implement statewide student identifiers pursuant to Section 10858.~~

3 ~~(d)~~

4 (c) The remaining funds shall only be released to the Office of
5 Planning and Research with the approval of an expenditure plan
6 by the Department of Finance and notification to the Joint
7 Legislative Budget Committee based upon reporting from the
8 planning facilitators pursuant to Sections 10856 and 10857.

9 *SEC. 8. Article 2 (commencing with Section 10860) is added*
10 *to Chapter 8.5 of Part 7 of Division 1 of Title 1 of the Education*
11 *Code, to read:*

12
13 *Article 2. California Cradle-to-Career Data System*

14
15 *10860. (a) There is hereby established in state government*
16 *the California Cradle-to-Career Data System for the purpose of*
17 *connecting individuals and organizations to trusted information*
18 *and resources. The data system shall be considered a source for*
19 *actionable data and research on education, economic, and health*
20 *outcomes for individuals, families, and communities, and provide*
21 *for expanded access to tools and services that support the*
22 *navigation of the education-to-employment pipeline.*

23 *(b) (1) The data system shall be used to provide access to data*
24 *and information necessary to provide insights into critical*
25 *milestones in the education-to-employment pipeline, including*
26 *insight regarding early learning and care to grade 12, inclusive,*
27 *and into higher education, skills training opportunities, and*
28 *employment to better enable individuals to maximize their*
29 *educational and career opportunities, and to foster evidence-based*
30 *decisionmaking to help the state build a more equitable future.*

31 *(2) The information contained in the data system shall be used*
32 *to accomplish all of the following:*

33 *(A) Address disparities in opportunities and outcomes.*

34 *(B) Support student guidance.*

35 *(C) Foster continuous improvement.*

36 *(D) Address the needs of researchers.*

37 *(c) The data system shall do all of the following:*

38 *(1) Enable the linkage, management, and monitoring of*
39 *information on student progress through education, workforce*
40 *training, employment, health, and social services.*

1 (2) *Ensure that information contained, and available through,*
2 *the data system is kept secure and that individual privacy is*
3 *protected.*

4 (3) *Provide for access to actionable data on education,*
5 *economic, and health outcomes for use by individuals, students,*
6 *families, and communities to, among other things, illustrate*
7 *inequities in opportunities and outcomes.*

8 (4) *Provide support for professional development opportunities*
9 *to further policy making and to improve the functionality of the*
10 *system by end users, including state agencies, schools, colleges*
11 *and universities, social service providers, and students and*
12 *families.*

13 (5) *Provide support for opportunities to enhance the state's*
14 *system of public education, educational programs, and educational*
15 *services.*

16 (6) *Advance academic, nonprofit, and governmental research*
17 *to enhance the development of policies focused on birth through*
18 *career.*

19 (7) *Support the creation of user-facing tools and services, and*
20 *access to information necessary to do all of the following:*

21 (A) *Provide tailored supports to students, educators, parents,*
22 *and advisors, and better enable students to navigate the*
23 *education-to-employment pipeline.*

24 (B) *Enable the streamlining and administration of college*
25 *application processes and student financial aid programs.*

26 (C) *Allow researchers and policymakers to explore policy*
27 *problems and solutions.*

28 (d) *At all times, the data system shall act in furtherance of the*
29 *public good and shall be held accountable thereto.*

30 (e) *The planning of the data system shall be subject to the*
31 *Project Approval Lifecycle of the Department of Technology,*
32 *pursuant to Section 4819.35 of the State Administrative Manual*
33 *and all other relevant sections. The development and*
34 *implementation of the data system shall be subject to the reporting*
35 *and oversight requirements of the Department of Technology,*
36 *pursuant to Section 4819.36 of the State Administrative Manual*
37 *and all other relevant sections. The planning, development, and*
38 *implementation of any additions to, or revisions of, the data system*
39 *shall also be subject to these requirements.*

1 (f) *At all times, the data system shall comply with federal and*
2 *state laws to protect individual privacy, including, but not*
3 *necessarily limited to, all of the following:*

4 (1) *The federal Family Education Rights and Privacy Act of*
5 *1974 (Public Law 93-280, as amended).*

6 (2) *The federal Health Insurance Portability and Accountability*
7 *Act of 1996 (Public Law 104-191, as amended).*

8 (3) *The federal Higher Education Act of 1965 (Public Law*
9 *89-329, as amended).*

10 (g) *Any data collected pursuant to this article shall be treated*
11 *as personal information, as defined in Section 1798.3 of the Civil*
12 *Code, and shall be deidentified unless otherwise specified in this*
13 *article.*

14 10861. *For purposes of this article, the following definitions*
15 *apply:*

16 (a) *“Advisory boards” means the advisory boards established*
17 *pursuant to Section 10865.*

18 (b) *“A–G coursework” means the 15-unit pattern of courses*
19 *across seven subject areas that pupils must complete during high*
20 *school to meet minimum eligibility requirements for admission to*
21 *the California State University or the University of California.*

22 (c) *“Analytical tools” means the resources that provide for*
23 *access to information for research and evaluation purposes such*
24 *as dashboards, a query builder, summaries of key student and*
25 *employment outcomes, and a research library, including, but not*
26 *limited to, the P20W data set.*

27 (d) *“California College Guidance Initiative” (CCGI) means*
28 *the public-nonprofit partnership of Student Friendly Services,*
29 *established pursuant to Item 6100-172-0001 of the annual Budget*
30 *Act, authorized by Section 60900.5, and administered by the*
31 *Foundation for California Community Colleges established*
32 *pursuant to Section 72670.5, or a successor agent.*

33 (e) *“Data providers” means entities that submit the individual,*
34 *educational, academic, training, employment, social service,*
35 *health, and other information used to create the data system.*

36 (f) *“Data requests in the public interest” means those requests*
37 *that enable parents, educators, health and human services*
38 *providers, researchers, and policymakers to provide appropriate*
39 *interventions and supports to address disparities in opportunities*
40 *and improve outcomes for all students.*

1 (g) “Data system” means the Cradle-to-Career Data System
2 established pursuant to this chapter.

3 (h) “eTranscript California” means an electronic transcript
4 service administered by the California Community Colleges, or a
5 successor agent.

6 (i) “Governing board” means the governing board established
7 pursuant to Section 10864 that is subject to Sections 10865 and
8 10866.

9 (j) “Managing entity” means the office created in Section 10862
10 that is responsible for Section 10867.

11 (k) “Operational tools” means the publicly supported educator-,
12 student-, and parent-facing tools that use student-specific data to
13 support college planning and education transitions, including, but
14 not limited to, the CCGI and eTranscript California. All tools
15 under this definition shall comply with the student privacy
16 provisions of Section 49073.1. Pursuant to subdivision (d) of
17 Section 10870, a local educational agency shall not be required
18 to enter into a contract with a provider of publicly supported
19 “operational tools” as defined in this subdivision.

20 (l) “Participation agreement” means the legal framework used
21 by the state to establish the conditions under which data may be
22 shared and used, and may include the use of a master data
23 exchange agreement or other agreements between partner entities,
24 data providers, and the managing entity.

25 (m) “P20W data set” means the data set adopted by the
26 governing board and requested from the data providers, including,
27 but not limited to, the approximately 160 data points described in
28 the report to the Department of Finance and the Legislature
29 required by subdivision (a) of Section 10856 and as adjusted by
30 the governing board. The governing board may add or remove
31 requested data points based on changes in the usage of the element.
32 As required by the Information Practices Act of 1977 (Chapter 1
33 commencing with Section 1798) of Title 1.8 of Part 4 of Division
34 3 of the Civil Code) and the federal Family Educational Rights
35 and Privacy Act (20 U.S.C. Sec. 1232g), data providers shall retain
36 sole control over their source data and may reject, add, or remove
37 data elements contributed to the P20W data set, as reflected in its
38 participation agreement with the managing entity.

39 10862. (a) The Office of Cradle-to-Career Data is hereby
40 created within the Government Operations Agency.

1 ***(b) The office shall also be known as the “managing entity,”***
2 ***and shall serve as a neutral administrative body, consistent with***
3 ***the purpose and intent of this chapter, to do all of the following:***

4 ***(1) Initiate the data system during the startup process.***

5 ***(2) Ensure wide, appropriate, and legal use of the data system***
6 ***as a one-stop shop for cradle-to-career data to support policy***
7 ***researchers. In order to ensure individual privacy, and in***
8 ***accordance with federal law, control of the data available through***
9 ***the data system shall be retained by the data providers who***
10 ***contributed the data through their participation agreement, and***
11 ***disclosed to and by the managing entity only to the extent permitted***
12 ***by federal law.***

13 ***(3) Scale operational tools to better serve educators, students,***
14 ***and families.***

15 ***(4) Implement communications, professional development, and***
16 ***technical assistance that supports data system use.***

17 ***(c) (1) The managing entity shall operate until July 1, 2026,***
18 ***or a later date, as approved by the governing board, contingent***
19 ***on a review of the appropriateness and efficacy of the Government***
20 ***Operations Agency continuing to house the managing entity after***
21 ***July 1, 2026.***

22 ***(2) A recommendation to move the managing entity under the***
23 ***administration of another state department or agency shall be***
24 ***submitted by the governing board to the Legislature and the***
25 ***Governor through the governing board’s annual budget***
26 ***submission.***

27 ***10863. In fulfilling their roles, all governing board members,***
28 ***advisory board members, and managing entity employees shall***
29 ***do all of the following:***

30 ***(a) Prioritize the needs of students and families.***

31 ***(b) Comply with federal and state laws to protect individual***
32 ***privacy, including, but not necessarily limited to, all of the***
33 ***following:***

34 ***(1) The federal Family Educational Rights and Privacy Act of***
35 ***1974 (Public Law 93-280, as amended).***

36 ***(2) The federal Health Insurance Portability and Accountability***
37 ***Act of 1996 (Public Law 104-191, as amended).***

38 ***(3) The federal Higher Education Act of 1965 (Public Law***
39 ***89-329, as amended).***

1 (c) Any data collected pursuant to this article shall be treated
2 as personal information, as defined in Section 1798.3 of the Civil
3 Code, and shall be deidentified unless otherwise specified in this
4 article.

5 (d) Consider and respond to stakeholder input.

6 (e) Promote and foster an environment and culture of
7 collaboration and cooperation.

8 (f) Promote a culture of data-informed decisionmaking by
9 consulting with data experts and intended data users, including
10 members of the public, when developing data use priorities.

11 10864. (a) The data system shall be governed by a governing
12 board composed of the following 21 members:

13 (1) The Superintendent of Public Instruction or the
14 Superintendent's designee.

15 (2) The Chancellor of the California Community Colleges or
16 the chancellor's designee.

17 (3) The Chancellor of the California State University or the
18 chancellor's designee.

19 (4) The President of the University of California or the
20 president's designee.

21 (5) The President of the Association of Independent California
22 Colleges and Universities or the president's designee.

23 (6) The Chief of the Bureau for Private Postsecondary Education
24 or the chief's designee.

25 (7) The Executive Director of the Student Aid Commission or
26 the executive director's designee.

27 (8) The Executive Director of the Commission on Teacher
28 Credentialing or the executive director's designee.

29 (9) The Secretary of California Health and Human Services or
30 the secretary's designee.

31 (10) The Secretary of Labor and Workforce Development or
32 the secretary's designee.

33 (11) Four public members, to be appointed by the Governor,
34 as follows:

35 (A) Two elementary and secondary education practitioners to
36 serve as a representative of elementary and secondary educators,
37 counselors, and administrators.

38 (B) Two members of the public who meet the requirements of
39 paragraph (1) of subdivision (c).

1 (12) *Four members of the public, to be appointed by the*
2 *Legislature, as follows:*

3 (A) *Two members of the public to be appointed by the Speaker*
4 *of the Assembly.*

5 (B) *Two members of the public to be appointed by the President*
6 *Pro Tempore of the Senate.*

7 (13) *One Senator appointed by the President Pro Tempore of*
8 *the Senate, or the Senator's designee.*

9 (14) *One Assembly Member appointed by the Speaker of the*
10 *Assembly or the Assembly Member's designee.*

11 (15) *The Chief Operations Officer of California School*
12 *Information Services.*

13 (b) *A designee serving at the pleasure of a governing board*
14 *described in paragraphs (1) to (10), inclusive, of subdivision (a)*
15 *shall be qualified and authorized to make decisions on behalf of*
16 *the appointed member.*

17 (c) *All of the following shall apply to the public member*
18 *appointments made pursuant to paragraphs (11) and (12) of*
19 *subdivision (a):*

20 (1) *It is the intent of the Legislature that, in appointing members,*
21 *the appointing authority shall make every effort to ensure the*
22 *membership of the governing board is reflective of the cultural,*
23 *racial, geographical, economic, and social diversity of California,*
24 *taking into consideration factors including, but not limited to,*
25 *diversity in data user experience, diversity in expertise with*
26 *educational data, diversity in professional experience, and*
27 *representation from different geographical and socioeconomic*
28 *backgrounds.*

29 (2) *The public members shall represent the public beneficiaries*
30 *of the data system, including, but not limited to, practitioners,*
31 *families, students, adult learners and workers, community*
32 *organizations, research organizations, or advocates.*

33 (3) *A public member shall serve a term of no more than three*
34 *years, and shall not serve more than two consecutive terms or*
35 *more than six years.*

36 (4) *The public members shall have staggered terms.*

37 (5) *For the first appointment of public members to the governing*
38 *board only, to create staggered terms, the terms of those members*
39 *shall be as follows:*

1 (A) The terms of the public members appointed pursuant to
2 subparagraph (A) of paragraph (11) of subdivision (a) shall be
3 for three years.

4 (B) The terms of the public members appointed pursuant to
5 subparagraph (B) of paragraph (11) of subdivision (a) shall be
6 for one year.

7 (C) The terms of the public members appointed pursuant to
8 paragraph (12) of subdivision (a) shall be for two years.

9 (d) Notwithstanding subdivisions (b) and (c), the governing
10 board may expand membership on the governing board to include
11 new data contributors and ex officio governing board members.

12 (e) Notwithstanding the governing board representatives
13 designated in paragraphs (5), (11), and (12) of subdivision (a),
14 all other institutions represented on the governing board shall be
15 data providers.

16 (f) The governing board shall be subject to the Bagley-Keene
17 Open Meeting Act (Article 9 (commencing with Section 11120) of
18 Chapter 1 of Part 1 of Division 3 of Title 2 of the Government
19 Code).

20 10865. (a) The governing board shall provide the governance
21 structure for the data system by developing and revising, from time
22 to time, a self-governance process to ensure that the governing
23 board, among other actions, does all of the following:

24 (1) Convenes on a regular basis, but no less than quarterly.

25 (2) Selects a chairperson.

26 (3) Develops conflict of interest policies in accordance with
27 applicable statutes.

28 (4) Allows governing board members to receive per diem and
29 reimbursement of travel expenses.

30 (5) Adopts a vote threshold for decision-making that requires
31 two-thirds of the voting membership to concur in the decision.

32 (6) Ensures multiagency cooperation.

33 (7) Develops policies and practices to expand the governing
34 board to include new data providers and ex officio members.

35 (b) (1) There are hereby established two advisory boards to
36 provide input and feedback to the governing board on topics as
37 follows:

38 (A) The Data and Tools Advisory Board, with responsibility for
39 examining whether the data system is providing actionable

1 *information and identifying ways to improve access to that*
2 *information.*

3 *(B) The Community Engagement Advisory Board, with*
4 *responsibility for examining whether the managing entity is*
5 *creating strong feedback loops with data users, supporting*
6 *evidence-based decision-making and analytical capacity, and*
7 *ensuring equitable access to actionable information.*

8 *(2) Members of each of the advisory boards shall be appointed*
9 *by the governing board, and shall serve three-year terms, with the*
10 *initial appointment term staggered such that one-third of the*
11 *positions expire each year.*

12 *(c) The governing board may establish and disband additional*
13 *ad hoc committees, as it sees fit and as is appropriate to further*
14 *the intent of this chapter.*

15 *(d) All advisory boards established by this section shall be*
16 *subject to the Bagley-Keene Open Meeting Act (Article 9*
17 *(commencing with Section 11120) of Chapter 1 of Part 1 of*
18 *Division 3 of Title 2 of the Government Code).*

19 *10866. (a) The governing board shall appoint an executive*
20 *officer to oversee the managing entity. The executive officer shall*
21 *be exempt from civil service consistent with subdivision (e) of*
22 *Section 4 of Article VII of the California Constitution, including*
23 *setting the terms of employment, and annual compensation shall*
24 *be commensurate with other like positions in state government.*
25 *The executive officer shall employ such other employees as they*
26 *deem necessary for the effective conduct of the work of the*
27 *managing entity.*

28 *(b) The governing board shall be responsible for, in consultation*
29 *with the advisory boards, the strategic direction and*
30 *implementation of the data system, including, but not limited to,*
31 *all of the following:*

32 *(1) Adopting a timeline for phasing in the data system, including*
33 *a timeline for the development of analytical tools, operational*
34 *tools, and offering professional development and technical*
35 *assistance.*

36 *(2) Ensuring that the data system is serving its intended purposes*
37 *by submitting recommendations to the Governor and the*
38 *Legislature to adjust the data system's vision, mission, and*
39 *strategic objectives, particularly recommendations related to*
40 *improving educational outcomes and reducing opportunity gaps.*

1 (3) Adopting and adjusting as necessary a data dictionary, data
2 standards, and security protocols to ensure interoperability
3 between the data system, the source data, and other state data
4 systems using the same source data.

5 (4) Expanding the collected data set, beyond the P20W data
6 set, by doing both of the following:

7 (A) Approving additional data providers.

8 (B) Requesting additional data points from data providers, in
9 the context of data quality, legal concerns, costs, and preserving
10 the neutrality of the data system. The governing board shall not
11 require a data provider to collect data that the data provider is
12 not legally allowed, under other applicable laws, to collect.

13 (5) Creating new analytical and operational tools that would
14 help the public interact with the data.

15 (6) Creating, and revising from time to time, in consultation
16 with the advisory boards, a data request process for use by
17 researchers, policymakers, education systems, schoolsites, and
18 college campuses for information that is all of the following:

19 (A) In compliance with federal and state laws to protect
20 individual privacy.

21 (B) Not otherwise available via the public query tools
22 maintained by the managing entity.

23 (C) Allows for expedited access to summary data that has been
24 properly deidentified.

25 (D) Allows for data providers to approve data requests in the
26 public interest, as defined pursuant to Section 10861.

27 (c) (1) The governing board shall be responsible for adopting
28 best practice policies related to privacy and security, including
29 creating policies, in accordance with federal and state law,
30 governing the collection and use of personally identifiable
31 information from data providers, which may include the creation
32 of an “opt out” policy for students and families.

33 (2) This section does not hinder the use of personally identifiable
34 information for educator- and student-facing college guidance
35 and planning tools, defined as operational tools in Section 10851.

36 (d) The governing board shall provide oversight of the data
37 system and operational direction to the managing entity to ensure
38 the data system is serving its intended purpose. This may include,
39 but is not limited to, all of the following activities:

1 (1) Adopting an annual strategic plan and reviewing and
2 revising that plan as needed.

3 (2) Approving budget requests for inclusion in the governing
4 board's annual budget request.

5 (3) Ensuring continued use of a user-centered design approach
6 by the managing entity.

7 (4) Reviewing and approving all of the following:

8 (A) End user professional development, and technical assistance
9 and communications plans, as developed by the managing entity.

10 (B) An operational tools implementation plan, as developed by
11 the managing entity.

12 (C) Recommendations for topics to be included in reports to
13 provide a neutral summary of information available in the data
14 system.

15 (D) Significant content changes to the analytical tools, such as
16 dashboard visualizations and query builder data points.

17 (5) Conducting data quality audits.

18 (6) Providing for other audits and evaluations.

19 (7) Adopting rules and exercising authority to promulgate
20 regulations, including emergency regulations.

21 (8) Any other activities necessary to further the intent of this
22 chapter.

23 (9) Providing regular reports to the Legislature and Governor
24 related to the implementation of this chapter. The reports to the
25 Legislature shall be submitted in compliance with Section 9795
26 of the Government Code.

27 (e) The governing board may create any other policies and
28 procedures necessary to further the intent of this chapter.

29 10867. (a) The managing entity shall implement and manage
30 the data system based on the direction set by the governing board.

31 (b) The managing entity shall be responsible for all of the
32 following:

33 (1) Supporting the governing board, advisory boards, and data
34 providers, including, but not limited to, all of the following:

35 (A) Staffing the governing board, advisory boards, and
36 associated meetings and processes.

37 (B) Supporting the development and updating of the governance
38 manual.

39 (C) Onboarding new data providers, in partnership with the
40 governing board chairperson.

- 1 (D) Supporting the development of regulations and policies
- 2 required to implement this chapter.
- 3 (E) Providing analysis and recommendations, as necessary and
- 4 appropriate, regarding all of the following:
- 5 (i) Data points.
- 6 (ii) Analytical and operational tools.
- 7 (iii) Professional development, technical assistance, and
- 8 communication plans.
- 9 (F) Escalating issues regarding compliance, technical
- 10 infrastructure, and data system implementation to the governing
- 11 board, as appropriate and necessary for the furtherance of this
- 12 chapter.
- 13 (2) Managing administrative functions of the data system,
- 14 including, but not limited to, all of the following:
- 15 (A) Developing annual work plans, budget requests, and
- 16 operational budgets.
- 17 (B) Overseeing personnel and compensation, except for the
- 18 appointment and compensation of the executive officer pursuant
- 19 to Section 10866.
- 20 (C) Ensuring regular reporting and external evaluations of the
- 21 efficacy of the data system in fulfilling its purpose.
- 22 (D) Entering into contracts and agreements, as needed to further
- 23 this chapter.
- 24 (3) Managing the technical infrastructure for analytical tools,
- 25 including, but not limited to, doing all of the following:
- 26 (A) Creating, procuring, managing, securing, and maintaining
- 27 the infrastructure necessary to compile, match, store, access, and
- 28 visualize information from data providers.
- 29 (B) Creating data sets tailored to processes approved by the
- 30 governing board.
- 31 (C) Ensuring both of the following:
- 32 (i) The availability, reliability, and performance of the technical
- 33 infrastructure.
- 34 (ii) Data privacy and security in accordance with state and
- 35 federal law.
- 36 (4) Implementing public educator- and researcher-facing tools
- 37 and supporting their use by, including, but not limited to, doing
- 38 all of the following:
- 39 (A) Leading user-centered design and testing processes.

1 (B) Providing information to the public using, among other
2 tools, dashboards, query builders, and research libraries.

3 (C) Providing information and resources that do both of the
4 following:

5 (i) Fosters evidence-based decisionmaking, strengthens
6 analytical capacity to use available data tools, and enables users
7 to understand structural factors that influence outcomes.

8 (ii) Takes into account the needs of various users.

9 (D) Engaging users by providing an ongoing channel for public
10 input about the data system.

11 (E) Providing neutral written summaries of information
12 available through the data system related to the public good and
13 fostering equitable opportunities and outcomes.

14 (F) Monitoring and taking into account best practices related
15 to longitudinal data systems, including participating in intrastate,
16 interstate, and national data collection and policy efforts.

17 (5) Scaling, expanding, operating, and maintaining operational
18 tools, including, but not limited to, by doing all of the following:

19 (A) Conducting an annual student experience audit related to
20 navigating the transition from secondary education to higher
21 education.

22 (B) Addressing the requirements of paragraph (2) of subdivision
23 (c) of Section 69432.9 relating to submitting pupil grade point
24 averages for the purpose of evaluating eligibility for state and
25 federal student financial aid.

26 (C) Entering into a memorandum of understanding with the
27 CCGI to deliver college planning and transition tools, which may
28 include integrating college admissions and student financial aid
29 applications and other integrations that streamline processes for
30 students.

31 (D) Entering into a memorandum of understanding with
32 eTranscript California to deliver electronic transcripts and
33 verification of eligibility for social services.

34 (E) Within five years of the operative date of the act that adds
35 this section, assessing the feasibility of subsuming the operation
36 of operational tools that are currently administered by other
37 agencies, and reporting findings to the governing board, the
38 Legislature, and the Governor. The report to the Legislature shall
39 be submitted in compliance with Section 9795 of the Government
40 Code.

1 (6) *Providing training and technical assistance, including, but*
2 *not limited to, all of the following:*

3 (A) *Developing and curating all necessary technical*
4 *documentation and resources to facilitate data submission.*

5 (B) *Ensuring that all data-enabled tools are used by the intended*
6 *audiences.*

7 (C) *Promoting and training related to data literacy for use of*
8 *the analytical tools.*

9 (7) *Supporting data requests, among other activities, including,*
10 *but not limited to, all of the following:*

11 (A) *Determining if the content and the purpose of the request*
12 *is sufficiently clear.*

13 (B) *Aligning the request with available data and tools and*
14 *advising the requestor of other similar analyses that have been*
15 *conducted using the data system.*

16 (C) *Advising the requestor on how best to access the*
17 *information.*

18 (D) *Determining and advising the requestor as to whether there*
19 *are any legal impediments to the request, and supporting the*
20 *requestor to identify legally appropriate options.*

21 (E) *Coordinating the execution of legal agreements with data*
22 *providers.*

23 (F) *Contracting with the Committee for the Protection of Human*
24 *Subjects for the California Health and Human Services Agency to*
25 *serve as the institutional review board regarding the use of*
26 *personally identifiable information.*

27 (G) *Facilitating the timely resolution of concerns and the*
28 *provision of data.*

29 (H) *Ensuring that the data request process is accessible and*
30 *transparent. This includes making the criteria for requests, the*
31 *status for requests, and written responses to any requests that have*
32 *been denied, publicly available and posted in a prominent location*
33 *on the data system's internet website.*

34 (8) *Improving data quality by, among other activities, including,*
35 *but not limited to, doing all of the following:*

36 (A) *Coordinating issues related to data points and definitions*
37 *to ensure the quality and reliability of source data provided by the*
38 *data providers.*

1 (B) Consulting with the Chief Data Officer and data providers
2 to identify standards that would improve the ability to share data
3 across systems.

4 (C) Regularly reviewing the efficacy and usability of tools,
5 reports, and the user interface.

6 (D) Working with the advisory boards established pursuant to
7 subdivision (b) of Section 10865 to identify data points with data
8 quality questions.

9 (9) Ensuring routine and ongoing compliance with all applicable
10 federal, state, and data provider specific laws and regulations.

11 (10) Seeking opportunities to increase government efficiency
12 that may include identifying duplications of effort across state
13 agencies and public education systems, and identifying
14 opportunities for clearer or more consistent messaging to students
15 and families related to education pathways and transitions.

16 10868. In furtherance of Section 10867, the managing entity
17 may exercise all powers reasonably necessary to carry out and
18 comply with the duties, requirements, and responsibilities of this
19 chapter, including, but not limited to, both of the following:

20 (a) Notwithstanding any other law, extending, expanding, or
21 otherwise applying an alternative to existing state procurements
22 for goods and services to further the intent of this chapter.

23 (b) Contracting with national data service providers on behalf
24 of data providers and the entities managing operational tools in
25 order to provide for economies of scale and streamline processes
26 for students.

27 10869. Notwithstanding Section 11010 of the Government
28 Code, and the State Administrative Manual, the governing board
29 and the managing entity may implement a data request fee policy
30 to compensate for excessive use of the data system, to recover costs
31 that would otherwise typically be borne by the requesting data
32 researcher, or both. A data request fee policy implemented
33 pursuant to this section shall be reviewed and approved by the
34 governing board, revised periodically, and made publicly available
35 and posted in a prominent location on the data system's internet
36 website.

37 10870. (a) This section is intended to reduce redundancy,
38 improve efficiency and transparency, and provide students, parents,
39 and counselors with an easy to use, and simple to understand,
40 one-stop automated process to provide all of the following:

1 (1) Clear, concise, and consistent messaging and tools to
2 increase and monitor student readiness for college admission and
3 attendance.

4 (2) A single point of entry to submit California college and
5 university applications and applications for student financial aid,
6 including the Free Application for Student Financial Aid and the
7 California Dream Act Application.

8 (3) Other technological efficiencies that shift the burden away
9 from students and families and to the institutions serving them.

10 (b) Operational tools, as defined by Section 10861, shall be
11 provided by the data system for use by both of the following:

12 (1) Public schools offering any of grades 6 to 12, inclusive, to
13 facilitate college readiness and transition.

14 (2) Institutions of higher education in the state, to facilitate
15 streamlined application, admissions, assessments, and placements.

16 (c) The requirements of subdivision (a) shall be phased in within
17 five years of the enactment of Article 1 (commencing with Section
18 10850), based on a timeline to be developed by the governing
19 board pursuant to subdivision (d) of Section 10866.

20 (d) Notwithstanding Section 49073.1, a local educational agency
21 shall not be required to issue a formal contract with a provider of
22 operational tools, as defined in Section 10861.

23 10871. (a) (1) Data providers, as defined in Section 10861,
24 shall contribute to the data system, at least annually, the data
25 points contained in the P20W data set that each data provider
26 agrees to contribute under the terms of its participation agreement
27 with the managing entity.

28 (2) Source data shall be consistent with data definitions and
29 standards adopted by the governing board. Data providers shall
30 make every effort to ensure source data is of the highest quality
31 before submitting the data to the managing entity for inclusion in
32 the data system.

33 (b) The managing entity shall work with data providers to ensure
34 data quality, in furtherance of paragraph (8) of subdivision (b) of
35 Section 10867.

36 10872. Notwithstanding any other law, records or source data
37 contained in the data system shall not be subject to disclosure
38 under the California Public Records Act (Chapter 3.5 (commencing
39 with Section 6250) of Division 7 of Title 1 of the Government
40 Code).

1 10873. (a) (1) *The managing entity shall submit to the*
2 *Department of Justice fingerprint images and related information*
3 *required by the Department of Justice of all employees, prospective*
4 *employees, contractors, subcontractors, volunteers, and vendors*
5 *whose duties include or would include access to nonanonymized*
6 *confidential information, personally identifiable information,*
7 *personal health information, or financial information contained*
8 *in the information systems and devices of the managing entity*
9 *provided by the data providers for the purposes of creating*
10 *longitudinal datasets in service of the data system. This information*
11 *shall be submitted for purposes of obtaining information as to the*
12 *existence and content of a record of state or federal convictions*
13 *and also information as to the existence and content of a record*
14 *of state or federal arrests for which the Department of Justice*
15 *establishes that the person is free on bail or on their recognizance*
16 *pending trial or appeal.*

17 (2) *The managing entity shall require a services contract,*
18 *interagency agreement, or public entity agreement that includes*
19 *or would include access to information described in paragraph*
20 *(1), and entered into, renewed, or amended on or after July 1,*
21 *2021, to include a provision requiring the contractor to agree to*
22 *criminal background checks on its employees, contractors, agents,*
23 *or subcontractors who will have access to information described*
24 *in paragraph (1) as part of their services contract, interagency*
25 *agreement, or public entity agreement with the managing entity.*

26 (b) *The Department of Justice shall forward to the Federal*
27 *Bureau of Investigation requests for federal summary criminal*
28 *history information received pursuant to paragraph (1) of*
29 *subdivision (a). The Department of Justice shall review the*
30 *information returned from the Federal Bureau of Investigation*
31 *and compile and disseminate a response to the managing entity.*

32 (c) *The Department of Justice shall provide a state or federal*
33 *level response to the managing entity pursuant to subdivision (p)*
34 *of Section 11105 of the Penal Code.*

35 (d) *The managing entity shall request from the Department of*
36 *Justice subsequent notification service, as provided pursuant to*
37 *Section 11105.2 of the Penal Code, for persons listed in paragraph*
38 *(1) of subdivision (a).*

39 (e) *The Department of Justice shall charge a fee sufficient to*
40 *cover the cost of processing requests pursuant to this section.*

1 10874. *Of the funds appropriated pursuant to Schedule (3) of*
2 *Item 0511-001-0001 of the Budget Act of 2021, upon the order of*
3 *the Director of Finance, two million four hundred fifty-two*
4 *thousand dollars (\$2,452,000) shall be transferred as follows:*

5 *(a) One million seven hundred two thousand dollars*
6 *(\$1,702,000) to the State Department of Education.*

7 *(b) One hundred fifty thousand dollars (\$150,000) to the*
8 *California Community Colleges.*

9 *(c) One hundred fifty thousand dollars (\$150,000) to the*
10 *California State University.*

11 *(d) One hundred fifty thousand dollars (\$150,000) to the*
12 *University of California.*

13 *(e) One hundred fifty thousand dollars (\$150,000) to the Student*
14 *Aid Commission.*

15 *(f) One hundred fifty thousand dollars (\$150,000) to the*
16 *Employment Development Department.*

17 SEC. 9. *Section 44230 of the Education Code is amended to*
18 *read:*

19 44230. (a) (1) The commission shall maintain for public
20 record, and may disclose, only the following information relating
21 to the credentials, certificates, permits, or other documents that it
22 issues: the document number, title, term of validity, subjects,
23 authorizations, effective dates, renewal requirements, and
24 restrictions. The commission may also disclose the last known
25 business address of any applicant or credentialholder.

26 (2) Notwithstanding any other ~~provision of~~ law, except as
27 provided for in Sections ~~44230.6~~ 10871, 44230.6, and 44248, no
28 information, other than that set forth in paragraph (1), may be
29 disclosed by the commission absent an order from a court of
30 competent jurisdiction.

31 (b) In order to expedite the application process for the benefit
32 of applicants for credentials, certificates, permits, or other
33 documents issued by the commission, the commission may receive
34 from, or transmit to, the agency that submitted the application,
35 either electronically or by printed copy, the information set forth
36 in that application. For purposes of this subdivision, “agency”
37 means a school district, county office of education, or institution
38 of higher education having a commission-approved program of
39 professional preparation.

1 *SEC. 10. Section 51225.7 is added to the Education Code, to*
2 *read:*

3 *51225.7. (a) For purposes of this section, the following*
4 *definitions apply:*

5 *(1) “Local educational agency” means a school district, county*
6 *office of education, or charter school.*

7 *(2) “Opt-out form” means a form developed by the Student Aid*
8 *Commission that permits parents, legal guardians, a legally*
9 *emancipated pupil, a pupil who is 18 years of age or older, or a*
10 *local educational agency on a pupil’s behalf to not fill out a Free*
11 *Application for Federal Student Aid or California Dream Act*
12 *Application for any reason.*

13 *(3) “Pupil” means a pupil in grade 12 attending a high school*
14 *maintained by a local educational agency.*

15 *(b) Commencing with the 2022–23 school year, except as*
16 *provided in subdivisions (c) and (d), the governing body of a local*
17 *educational agency shall confirm that a pupil complies with at*
18 *least one of the following:*

19 *(1) The pupil completes and submits to the United States*
20 *Department of Education a Free Application for Federal Student*
21 *Aid.*

22 *(2) If the pupil is exempt from paying nonresident tuition*
23 *pursuant to Section 68130.5, the pupil completes and submits to*
24 *the Student Aid Commission a form established pursuant to Section*
25 *69508.5 for purposes of the California Dream Act.*

26 *(c) The parent or legal guardian of the pupil, or the pupil if the*
27 *pupil is a legally emancipated minor or 18 years of age or older,*
28 *may opt out of the requirements of this section by filling out and*
29 *submitting an opt-out form to the local educational agency. The*
30 *Student Aid Commission shall make the opt-out form available to*
31 *all local educational agencies pursuant to subdivision (f).*

32 *(d) If the local educational agency determines that a pupil is*
33 *unable to complete a requirement of this section, the local*
34 *educational agency shall exempt the pupil or, if applicable, the*
35 *pupil’s parent or legal guardian from completing and submitting*
36 *a Free Application for Federal Student Aid, a form established*
37 *pursuant to Section 69508.5 for purposes of the California Dream*
38 *Act, or an opt-out form pursuant to subdivision (c). If the local*
39 *educational agency exempts the pupil from having to complete the*

1 *requirements of this section, the local educational agency shall*
2 *complete and submit an opt-out form on the pupil's behalf.*

3 *(e) The governing board or body of the local educational agency*
4 *shall ensure both of the following:*

5 *(1) The local educational agency directs each high school pupil*
6 *and, if applicable, the pupil's parent or legal guardian to any*
7 *support and assistance services necessary to comply with the*
8 *requirement described in subdivision (b) that may be available*
9 *through outreach programs, including, but not limited to, those*
10 *programs operated by the Student Aid Commission, postsecondary*
11 *immigration resource centers, college readiness organizations,*
12 *community-based organizations, and legal resource organizations.*

13 *(2) Information shared by parents, legal guardians, and pupils*
14 *under this section is handled in compliance with the federal Family*
15 *Educational Rights and Privacy Act of 2001 (20 U.S.C. Sec. 1232g)*
16 *and applicable state laws, including Chapters 493 and 495 of the*
17 *Statutes of 2017, regardless of any person's immigration status*
18 *or other personal information, in order to protect all pupil and*
19 *parent data to the fullest extent possible so that schools and all*
20 *personal data remain safe.*

21 *(f) The Student Aid Commission shall, on or before July 1, 2022,*
22 *adopt regulations that include, but are not limited to, model opt-out*
23 *forms and acceptable use policies for the purpose of providing*
24 *guidance on the requirements relating to state law in paragraph*
25 *(2) of subdivision (e). The Student Aid Commission shall post and*
26 *make available any model opt-out forms and policies established*
27 *pursuant to this subdivision on its internet website.*

28 *(g) A pupil who does not fulfill the requirements of this section*
29 *shall not be penalized or punished and this section shall not affect*
30 *a pupil's ability to graduate.*

31 *SEC. 11. Section 60900 of the Education Code is amended to*
32 *read:*

33 *60900. (a) The department shall contract for the development*
34 *of proposals that will provide for the retention and analysis of*
35 *longitudinal pupil achievement data on the tests administered*
36 *pursuant to Chapter 5 (commencing with Section 60600), Chapter*
37 *7 (commencing with Section 60810), and Chapter 9 (commencing*
38 *with Section 60850). The longitudinal data shall be known as the*
39 *California Longitudinal Pupil Achievement Data System.*

1 (b) The proposals developed pursuant to subdivision (a) shall
2 evaluate and determine whether it would be most effective, from
3 both a fiscal and a technological perspective, for the state to own
4 the system. The proposals shall additionally evaluate and determine
5 the most effective means of housing the system.

6 (c) The California Longitudinal Pupil Achievement Data System
7 shall be developed and implemented in accordance with all state
8 rules and regulations governing information technology projects.

9 (d) The system or systems developed pursuant to this section
10 shall be used to accomplish all of the following goals:

11 (1) To provide school districts and the department access to
12 data necessary to comply with federal reporting requirements
13 delineated in the federal No Child Left Behind Act of 2001 (20
14 U.S.C. Sec. 6301 et seq.).

15 (2) To provide a better means of evaluating educational progress
16 and investments over time.

17 (3) To provide local educational agencies *with the information*
18 *and data needed to inform operational tools, as defined in Section*
19 *10861*, that can be used to improve pupil—~~achievement~~.
20 *achievement, including college and career readiness.*

21 (4) To provide an efficient, flexible, and secure means of
22 maintaining longitudinal statewide pupil level ~~data~~. *data between*
23 *and among the state's educational segments and operational tools,*
24 *as defined in Section 10861, including, but not limited to, all of*
25 *the following:*

26 (A) *Pupil level data from all elementary and secondary schools,*
27 *including, but not limited to, juvenile court schools, alternative*
28 *schools, continuation schools, special education schools, and adult*
29 *educational programs offering a high school diploma or*
30 *equivalency.*

31 (B) *Pupil level data collected in both detention and nondetention*
32 *settings.*

33 (C) *Pupil level data to postsecondary educational institutions*
34 *and the Student Aid Commission.*

35 (5) To facilitate the ability of the state to publicly report data,
36 as specified in Section 6401(e)(2)(D) of the federal America
37 COMPETES Act (20 U.S.C. Sec. 9871) and as required by the
38 federal American Recovery and Reinvestment Act of 2009 (Public
39 Law 111-5).

(6) To ensure that any data access provided to researchers, as required pursuant to the federal Race to the Top regulations and guidelines is provided, only to the extent that the data access is in compliance with the federal Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Sec. 1232g).

(e) In order to comply with federal law as delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), the local educational agency shall retain individual pupil records for each test taker, including all of the following:

(1) All demographic data collected from the California Assessment of Student Performance and Progress (CAASPP) and English language development tests.

(2) Pupil achievement data from assessments administered pursuant to the CAASPP and English language development testing programs. To the extent feasible, data should include subscore data within each content area.

(3) A unique pupil identification ~~number~~ *number*, to be identical to the pupil identifier developed pursuant to the California School Information Services, ~~which~~ *that* shall be retained by each local educational agency and used to ensure the accuracy of information on the header sheets of the CAASPP tests and the English language development test.

(4) All data necessary to compile reports required by the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), including, but not limited to, dropout and graduation rates.

(5) Other data elements deemed necessary by the Superintendent, with the approval of the state board, to comply with the federal reporting requirements delineated in the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.), and the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), after review and comment by the advisory board convened pursuant to subdivision (h). Before the implementation of this paragraph with respect to adding data elements to the California Longitudinal Pupil Achievement Data System for the purpose of complying with the federal American Recovery and Reinvestment Act of 2009 (Public Law 111-5), the department and the appropriate postsecondary educational agencies shall submit an expenditure plan to the Department of Finance detailing any administrative costs to the department and costs to any local educational agency, if applicable. The Department of

1 Finance shall provide to the Joint Legislative Budget Committee
2 a copy of the expenditure plan within 10 days of receipt of the
3 expenditure plan from the department.

4 (6) To enable the department, the University of California, the
5 California State University, and the Chancellor of the California
6 Community Colleges to meet the requirements prescribed by the
7 federal American Recovery and Reinvestment Act of 2009 (Public
8 Law 111-5), these entities shall be authorized to obtain quarterly
9 wage data, commencing July 1, 2010, on students who have
10 attended their respective systems, to assess the impact of education
11 on the employment and earnings of those students, to conduct the
12 annual analysis of district-level and individual district or
13 postsecondary education system performance in achieving priority
14 educational outcomes, and to submit the required reports to the
15 Legislature and the Governor. The information shall be provided
16 to the extent permitted by federal statutes and regulations.

17 (f) The California Longitudinal Pupil Achievement Data System
18 shall have all of the following characteristics:

19 (1) The ability to sort by demographic element collected from
20 the CAASPP tests and English language development test.

21 (2) The capability to be expanded to include pupil achievement
22 data from multiple years.

23 (3) The capability to monitor pupil achievement on the CAASPP
24 tests and English language development test from year to year and
25 school to school.

26 (4) The capacity to provide data to the state and local educational
27 agencies upon their request.

28 (5) *The capability to provide data to support operational tools,*
29 *as defined in Section 10861.*

30 (g) Data elements and codes included in the system shall comply
31 with Sections 49061 to 49079, inclusive, and Sections 49602 and
32 56347, with Sections 430 to 438, inclusive, of Title 5 of the
33 California Code of Regulations, with the Information Practices
34 Act of 1977 (Chapter 1 (commencing with Section 1798) of Title
35 1.8 of Part 4 of Division 3 of the Civil Code), and with the federal
36 Family Educational Rights and Privacy Act of 1974 (20 U.S.C.
37 Sec. 1232g), Section 1232h of Title 20 of the United States Code,
38 and related federal regulations.

39 (h) The department shall convene an advisory board consisting
40 of representatives or designees from the state board, the Department

1 of Finance, the State Privacy Ombudsman, the Legislative
2 Analyst's Office, representatives of parent groups, school districts,
3 and local educational agencies, and education researchers to
4 establish privacy and access protocols, provide general guidance,
5 and make recommendations relative to data elements. The
6 department is encouraged to seek representation broadly reflective
7 of the general public of California.

8 (i) This section shall be implemented using federal funds
9 received pursuant to the federal No Child Left Behind Act of 2001
10 (20 U.S.C. Sec. 6301 et seq.), which are appropriated for purposes
11 of this section in Item 6110-113-0890 of Section 2.00 of the Budget
12 Act of 2002 (Chapter 379 of the Statutes of 2002). The release of
13 these funds is contingent on approval of an expenditure plan by
14 the Department of Finance.

15 (j) For purposes of this chapter, a local educational agency shall
16 include a county office of education, a school district, and a charter
17 school.

18 *SEC. 12. Section 60900.5 is added to the Education Code, to*
19 *read:*

20 *60900.5. (a) The California College Guidance Initiative*
21 *(CCGI), as defined in Section 10861, is hereby authorized to*
22 *provide its services to all California school districts.*

23 *(b) In furtherance of paragraph (5) of subdivision (b) of Section*
24 *10867, the department shall enter into a memorandum of*
25 *understanding with the CCGI, as authorized in subdivision (a), to*
26 *accomplish all of the following:*

27 *(1) Share course level data from each local educational agency*
28 *to validate, as they are submitted to the California Longitudinal*
29 *Pupil Achievement Data System (CalPADS), if the course meets*
30 *the requirements of A–G coursework, as defined in Section 10861.*

31 *(2) Share pupil course level data to inform individual pupil*
32 *accounts on the operational tools.*

33 *(3) Collect additional data elements to ensure proper functioning*
34 *and to incentivize use of the operational tools.*

35 *(4) Share pupil level data with the Student Aid Commission,*
36 *postsecondary educational institutions, and programs that support*
37 *college and career planning, application, and transition, as*
38 *permitted under the federal Family Educational Rights and Privacy*
39 *Act (20 U.S.C. Sec. 1232g).*

1 (5) Notwithstanding subdivision (g) of Section 10860 and
2 subdivision (c) of Section 10863, fully effectuate the intent of the
3 Cradle-to-Career Data System Act pursuant to Chapter 8.5
4 (commencing with Section 10850) of Part 7 of Division 1 of Title
5 1.

6 (c) The department shall provide guidance to local educational
7 agencies through CalPADS to clarify data standards and promote
8 best practices. The department shall refer local educational
9 agencies to CCGI for technical assistance in reconciling
10 discrepancies between A–G coursework, as listed in their local
11 pupil information system, and how those courses are registered
12 in the course management portal at the office of the President of
13 the University of California, or a successor A–G course
14 management portal.

15 (d) The department shall ensure that the notifications provided
16 by local educational agencies, as required by the federal Family
17 Educational Rights and Privacy Act (20 U.S.C. Sec. 1232g), include
18 appropriate content related to all of the following:

19 (1) CalPADS data shall be shared with the CCGI.

20 (2) CalPADS pupil level data shall be used to provide pupils
21 and families with direct access to online tools and resources.

22 (3) A pupil may transmit information shared with the CCGI to
23 both of the following:

24 (A) Postsecondary educational institutions for purposes of
25 admissions and academic placement.

26 (B) The Student Aid Commission for purposes of determining
27 eligibility for, and increasing uptake of, student financial aid.

28 (e) The Legislature finds and declares its intent that the CCGI,
29 upon full implementation of this section, provide all of the following
30 services:

31 (1) A free college and career planning curriculum and website
32 for grades 6 to 12, inclusive, designed to provide touch points
33 three to six times per year.

34 (2) Financial aid curriculum for grades 9 to 12, inclusive.

35 (3) Support to school districts to plan for and monitor use of
36 planning tools and curriculum.

37 (4) Tools to enable pupils and their families to determine if they
38 are on track to meet college qualifications, based on their
39 individual goals, and to allow authorized elementary and
40 secondary school counselors to view the progress of individual

1 *pupils on meeting California State University and University of*
2 *California eligibility requirements.*

3 (5) *Validation of data relating to A–G admission requirements*
4 *in local pupil information systems that is flagged with respect to*
5 *the University of California Course Management Portal.*

6 (6) *Technical assistance to school districts on data cleanup*
7 *processes.*

8 (7) *Providing statewide pupil identification numbers to the*
9 *California Community Colleges, the California State University,*
10 *the University of California, and the Student Aid Commission so*
11 *that information stored in local systems will improve matches for*
12 *research purposes and the Cradle-to-Career Data System.*

13 (8) *Transcripts processed in near real time with the California*
14 *Community Colleges, the California State University, the*
15 *University of California, and the Student Aid Commission, using*
16 *an application program interface.*

17 (9) *Allow elementary and secondary school pupils to give*
18 *permission to inform public colleges if they are a first-generation*
19 *college student, homeless, migrant, or economically disadvantaged.*

20 (10) *Provide information on race or ethnicity, grade point*
21 *average, high school graduation status, and where pupils applied*
22 *to college to the Student Aid Commission through a faster*
23 *application program interface format.*

24 (11) *Prepopulation of California Community Colleges,*
25 *California State University, and University of California*
26 *application fields related to statewide pupil identification numbers,*
27 *transcript data, demographic information, and other data elements*
28 *that can reduce barriers for pupils.*

29 (12) *Development of new planning tools related to career and*
30 *technical education pathways, apprenticeships, transfer options,*
31 *and regional labor markets.*

32 (13) *Potential shift of data provision from school districts to*
33 *the department.*

34 (f) *The scaling of the CCGI is further intended to address the*
35 *all of the following problems and state needs:*

36 (1) *Reduce equity gaps in college-going rates by ensuring that*
37 *all pupils and their families have the information needed to develop*
38 *college and career plans, starting in grade 6, and to secure*
39 *financial aid.*

1 (2) *Enable elementary and secondary school counselors to*
2 *monitor where pupils are applying and support them to complete*
3 *applications.*

4 (3) *Identify elementary and secondary school courses that are*
5 *incorrectly flagged as fulfilling California State University and*
6 *University of California eligibility requirements compared to the*
7 *University of California Course Management Portal.*

8 (4) *Reduce structural barriers by allowing pupils to launch*
9 *college and financial aid applications from a single location, using*
10 *one set of log on credentials.*

11 (5) *Ensure that pupils can easily and quickly transmit academic*
12 *records to public postsecondary educational institutions when*
13 *applying for admission.*

14 (6) *Share additional information with the Student Aid*
15 *Commission to validate and reduce the time to determine eligibility*
16 *for Cal Grant awards.*

17 (7) *Reduce the administrative burden on school districts and*
18 *colleges to transmit and validate records.*

19 (8) *Strengthen data that can be used to match pupil records.*

20 (g) *On or before April 1, 2022, and on or before April 1 of each*
21 *year thereafter, the Riverside County Office of Education shall*
22 *report to the Director of Finance and the Joint Legislative Budget*
23 *Committee regarding the annual budget for the CCGI as supported*
24 *through the annual Budget Act. The report shall include, but not*
25 *necessarily be limited to, all of the following information:*

26 (1) *All other public and private sources of revenue.*

27 (2) *How prior fiscal year funds were spent and current fiscal*
28 *year funds are budgeted to be spent.*

29 (3) *A budget change proposal, if any additional funds are being*
30 *requested for the budget year.*

31 (4) *The names and locations of local educational agencies that*
32 *have partnered with the CCGI, including identification of local*
33 *educational agencies that were added in the prior fiscal year and*
34 *are intended to be added in the budget year.*

35 (5) *The names of postsecondary educational agencies that have*
36 *partnered with the CCGI, including identification of postsecondary*
37 *educational agencies that were added in the prior fiscal year and*
38 *the budget year and identification of any postsecondary educational*
39 *agencies that terminated their partnership with the CCGI.*

1 (6) Website analytics on identifying the number of accounts,
2 types of activities completed, and the number of pupils that applied
3 to college via the CCGI.

4 (7) Information on progress towards meeting the deliverables
5 expected of the CCGI pursuant to subdivision (a).

6 (h) The first annual report due on April 1, 2022, also shall
7 contain a needs assessment that provides data on all of the
8 following:

9 (1) The existing usage of the CCGI's various features by pupils,
10 counselors, and others in the elementary, secondary, and
11 postsecondary segments of education.

12 (2) Survey data from users on the relative usefulness of the
13 existing features and other potential, desired features such as
14 additional college planning tools.

15 (3) Recommendations for modifying the CCGI's features
16 consistent with the survey results.

17 SEC. 13. Section 66021.2 of the Education Code is amended
18 to read:

19 66021.2. Consistent with the state's historic commitment to
20 provide educational opportunity by ensuring both student access
21 to and selection of an institution of higher education for students
22 with financial need, the long-term policy of the
23 Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program
24 established pursuant to Chapter 1.7 (commencing with Section
25 69430) of Part 42 shall be as follows:

26 (a) Commencing with the 2001–02 academic year and every
27 year thereafter, an applicant for a Cal Grant A or B award shall
28 receive an award that is not in excess of the financial need amount
29 determined by the Student Aid Commission pursuant to Section
30 69432.9 if the applicant complies with all of the following
31 requirements:

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

34 (2) Attains a grade point average, as defined in Section 69432.7,
35 meeting the requirements of Chapter 1.7 (commencing with Section
36 69430) of Part 42.

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

39 (b) (1) (A) The maximum Cal Grant A award for a student
40 attending the University of California or the California State

1 University shall equal the mandatory systemwide fees in the
2 segment attended by the student, plus the access award specified
3 in Article 9 (commencing with Section 69465) of Chapter 1.7 of
4 Part 42 if the student meets qualifying criteria pursuant to
5 subdivision (b) of Section ~~69465~~; *69465, or the access award*
6 *specified in Article 10 (commencing with Section 69470) of Chapter*
7 *1.7 of Part 42 if the student meets qualifying criteria pursuant to*
8 *subdivision (a) of Section 69470.*

9 (B) The maximum Cal Grant B award for a student who is
10 attending the University of California, the California State
11 University, or the California Community Colleges when not
12 enrolled in upper division coursework as described in paragraph
13 (2), shall equal the mandatory systemwide fees in the segment
14 attended by the student, except for community college students
15 who receive waivers from the Board of Governors of the California
16 Community Colleges, plus the access award calculated as specified
17 in Article 3 (commencing with Section 69435) or, if the student
18 meets the qualifying criteria pursuant to subdivision (b) of Section
19 69465, Article 9 (commencing with Section ~~69465~~); *69465) of*
20 *Chapter 1.7 of Part 42, or if the student meets qualifying criteria*
21 *pursuant to subdivision (a) of Section 69470, Article 10*
22 *(commencing with Section 69470) of Chapter 1.7 of Part 42, except*
23 *that in the first year of enrollment in a qualifying institution, the*
24 *maximum award shall be only for the amount of the access award.*

25 (2) (A) The maximum Cal Grant A award for a community
26 college student enrolled in upper division coursework of a
27 baccalaureate degree program, described in Article 3 (commencing
28 with Section 78040) of Chapter 1 of Part 48 of Division 7, shall
29 equal the per unit fees charged for the upper division coursework
30 for the academic term, plus the access award specified in Article
31 9 (commencing with Section 69465) of Chapter 1.7 of Part 42 if
32 the student meets the qualifying criteria pursuant to subdivision
33 (b) of Section ~~69465~~; *69465, or the access award specified in*
34 *Article 10 (commencing with Section 69470) of Chapter 1.7 of*
35 *Part 42 if the student meets the qualifying criteria pursuant to*
36 *subdivision (a) of Section 69470.*

37 (B) The maximum Cal Grant B award for a community college
38 student enrolled in upper division coursework of a baccalaureate
39 degree program, described in Article 3 (commencing with Section
40 78040) of Chapter 1 of Part 48 of Division 7, shall equal the per

1 unit fees charged for the upper division coursework for the
2 academic term, plus the access award calculated as specified in
3 Article 3 (commencing with Section 69435) or, if the student meets
4 the qualifying criteria pursuant to subdivision (b) of Section 69465,
5 Article 9 (commencing with Section 69465) of Chapter 1.7 of Part
6 ~~42. 42, or if the student meets qualifying criteria pursuant to~~
7 ~~subdivision (a) of Section 69470, Article 10 (commencing with~~
8 ~~Section 69470) of Chapter 1.7 of Part 42.~~

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

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

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

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

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

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

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

37 (h) It is the policy of the State of California that the
38 Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program
39 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. 14. Section 66021.9 of the Education Code is amended 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~~, 2023, and as of that date is repealed.

SEC. 15. Section 66023.5 is added to the Education Code, to read:

66023.5. (a) *As used in this section:*

(1) *“Basic needs services and resources” includes, but is not limited to, housing, food, clothing, feminine hygiene, diapers, technology, childcare, and mental health services and resources.*

(2) *“Coordinator” means a basic needs coordinator established pursuant to this section.*

(b) *Each campus of the California Community Colleges shall do all of the following:*

(1) *No later than July 1, 2022, establish the position of the Basic Needs Coordinator, and designate a staff person as the Basic Needs Coordinator to serve as the single point of contact for students experiencing basic needs insecurity related to basic needs services and resources. The coordinator shall act as a broker in identifying, supporting, and linking students to on- and off-campus housing, food, mental health, and other basic needs services and resources. To ensure the effectiveness and impact of this position, the coordinator shall be a dedicated position solely focused on addressing the basic needs of students and meet qualifications such as experience providing services to high-need and diverse populations. The coordinator shall oversee and coordinate with other staff tasked with addressing students’ basic needs, shall inform students of all on- and off-campus basic needs services and resources and how to access them, and shall develop on- and*

1 off-campus partnerships to provide basic needs services and
2 resources to their students.

3 (2) (A) No later than July 1, 2022, establish a Basic Needs
4 Center, which means a central location on campus where basic
5 needs services, resources, and staff are made available to students.
6 The Basic Needs Center is intended to be a one-stop, single
7 location and point of contact for students to more easily access
8 and gain awareness of basic needs services and resources. The
9 campus shall make a reasonable effort to locate all on-campus
10 basic needs services and resources at the Basic Needs Center. If
11 the campus cannot reasonably locate all basic needs services or
12 resources at the Basic Needs Center, the campus shall provide
13 students with the location and contact information, including name,
14 telephone number, and email address, for all basic needs services
15 and resources not located in the Basic Needs Center. The
16 coordinator shall be housed in the Basic Needs Center.

17 (B) Each Basic Needs Center shall help ensure that students
18 have the information they need to enroll in CalFresh and other
19 relevant government benefits programs. Each Basic Needs Center
20 shall coordinate with their campus financial aid department or
21 financial aid office. This section shall not be construed to require
22 or encourage the Basic Needs Center to be combined or colocated
23 with the financial aid department or financial aid office. The
24 funding made available by the Budget Act of 2021 to implement
25 this section, or any subsequent Budget Act or statute to implement
26 this section, shall not be used to combine or colocate the Basic
27 Needs Center with the financial aid department or financial aid
28 office and shall not be used for the administration of student
29 financial aid programs, including staffing. Each Basic Needs
30 Center shall connect students to the financial aid department or
31 financial aid office as appropriate to ensure that students are
32 receiving all available financial aid. Each Basic Needs Center
33 shall coordinate with their local homelessness response system to
34 refer students to community resources available to address
35 homelessness in addition to services and resources provided by
36 the campus. Basic Needs Centers shall be authorized to provide
37 support to students who can be reasonably expected to enroll in
38 the upcoming term and to provide support to students during
39 summer and winter breaks who were previously enrolled or are
40 enrolled for the upcoming fall or spring term.

1 (C) Campuses shall endeavor, to the extent feasible, to use a
2 portion of any funds made available for basic needs support for
3 providing funds directly to students to address urgent needs. To
4 the extent that a Basic Needs Center is already in place, that center
5 may be used to satisfy the requirements of this section. If the
6 existing Basic Needs Center fulfills only part of the requirements
7 of this section, basic needs services and resources shall be
8 expanded as needed to satisfy all the requirements of this section.

9 (3) (A) No later than February 1, 2022, develop a document
10 that shall be provided to students at the Basic Needs Center, once
11 established pursuant to paragraph (2), in either electronic format
12 or paper form, and that shall be made available to students online,
13 that clearly lists all on- and off-campus basic needs services and
14 resources that includes, but is not necessarily limited to, all of the
15 following:

- 16 (i) The description of the service or resource.
- 17 (ii) The location of where the service or resource is provided.
- 18 (iii) The point of contact for the service or resource, including
19 a name, telephone number, and email address.
- 20 (iv) Any eligibility restrictions on accessing the service or
21 resource.

22 (B) Provide the document to students as a part of campus
23 orientations in either electronic format or paper form.

24 (C) Provide to faculty the online link to the electronic format
25 of the document, the location of the Basic Needs Center, once
26 established pursuant to paragraph (2), and the contact information
27 for the coordinator, once designated pursuant to paragraph (1),
28 and encourage faculty to include the online link to the electronic
29 format of the document, the location of the Basic Needs Center,
30 and the contact information for the coordinator in their syllabi.

31 (D) To ensure that the document remains useful to students, the
32 document shall be reviewed, updated, and made available online
33 on both the internet website of the campus via the student basic
34 needs tab and the internet website-based student account
35 associated with a student's attendance at the institution, as
36 specified in paragraph (6), no later than the first day of every fall
37 and spring semester or no later than the first day of every fall and
38 spring quarter.

39 (4) No later than February 1, 2022, streamline the application
40 and intake process for on-campus basic needs services and

1 *resources to minimize duplication and eliminate barriers to access.*
2 *If an application is required, develop and use a single application*
3 *for students to receive on-campus basic needs services and*
4 *resources.*

5 *(5) No later than February 1, 2022, develop and implement a*
6 *plan to identify and provide outreach to students, including*
7 *nontraditional students, who have basic needs insecurity related*
8 *to housing, food, and mental health. Once the coordinator is*
9 *designated pursuant to paragraph (1) and the Basic Needs Center*
10 *is established pursuant to paragraph (2), the outreach shall include*
11 *information about the coordinator and the Basic Needs Center.*

12 *(6) No later than February 1, 2022, provide a student basic*
13 *needs tab that is clearly visible and easily accessible from a*
14 *drop-down menu on the home page of the campus' internet website*
15 *and include the information described in paragraph (3)*
16 *conspicuously on both the internet website of the campus via the*
17 *student basic needs tab and the internet website-based student*
18 *account associated with a student's attendance at the institution.*
19 *Once the coordinator is designated pursuant to paragraph (1) and*
20 *the Basic Needs Center is established pursuant to paragraph (2),*
21 *information about the coordinator and Basic Needs Center shall*
22 *also be included on both the internet website of the campus via*
23 *the student basic needs tab and the internet website-based student*
24 *account associated with a student's attendance at the institution.*

25 *(c) (1) Each campus of the California Community Colleges*
26 *shall report to the office of the Chancellor of the California*
27 *Community Colleges information that shall include, but not*
28 *necessarily be limited to, all of the following:*

29 *(A) The description and number of basic needs services and*
30 *resources, broken down by category.*

31 *(B) The number of students served by the basic needs services*
32 *and resources.*

33 *(C) The socioeconomic and demographic backgrounds of these*
34 *students.*

35 *(D) Challenges and best practices in the implementation of the*
36 *basic needs services and resources.*

37 *(E) Whether students who used the basic needs services and*
38 *resources remained enrolled or graduated from a campus*
39 *maintained by the district.*

(2) *The data and information reported under this subdivision shall be disaggregated by each basic needs service and resource, where applicable.*

(d) *The office of the Chancellor of the California Community Colleges shall develop and submit to the Governor and the Legislature every year beginning on or before May 1, 2023, a report based on the data and information reported by campuses pursuant to subdivision (c) and information on the use of funds made available to implement this section.*

SEC. 16. *Section 66744 of the Education Code is amended to read:*

66744. (a) (1) Commencing with the 2004–05 academic year, and each academic year thereafter, the Trustees of the California State University shall establish a dual admissions program for eligible freshman applicants. Under this program, eligible freshman applicants may be offered the opportunity to enter into a dual admissions agreement with the California State University.

(2) Student participation in the dual admissions program under this subdivision is voluntary. It is the intent of the Legislature that the incentives provided in paragraph (3) shall encourage students otherwise eligible for admission to the California State University to attend a campus of the California Community Colleges for their lower-division coursework.

(3) The agreement shall include, but is not necessarily limited to, all of the following incentives:

(A) A guarantee that the student will be admitted to a California State University campus during a future academic year, provided that the student successfully completes lower-division transfer requirements at a campus of the California Community Colleges.

(B) Notwithstanding Section 76300, for each student who enrolls under this subdivision at a campus of the California Community Colleges pursuant to the dual admissions program in the 2004–05 academic year, a guarantee that any campus of the California Community Colleges shall waive fees for up to two academic years, irrespective of financial need, while that student is enrolled at that campus.

(C) For each student who enrolls, under this subdivision, at a campus of the California Community Colleges pursuant to the dual admissions program in the 2005–06 academic year, or any academic year thereafter, a guarantee that any campus of the

1 California Community Colleges shall waive fees for each
2 financially needy student. For the purposes of this paragraph,
3 financial need shall be determined by the standards established by
4 the Board of Governors of the California Community Colleges in
5 Section 58620 of Title 5 of the California Code of Regulations or
6 in a successor regulation.

7 (D) A guarantee that the student will receive counseling services
8 from the California State University to ensure that the student is
9 informed of the appropriate course requirements to be eligible for
10 transfer to the California State University, and is also informed of
11 the various financial aid options.

12 (4) The Chancellor of the California State University shall
13 annually submit to the Director of Finance, as part of the budget
14 preparation process, an estimate of the number of students expected
15 to participate, under this subdivision, in the dual admissions
16 program in the succeeding academic year.

17 (b) (1) Commencing with the 2004–05 academic year, and each
18 academic year thereafter, the Legislature requests that the Regents
19 of the University of California establish a dual admissions program
20 for eligible freshman applicants. Under this program, eligible
21 freshman applicants may be offered the opportunity to enter into
22 a dual admissions agreement with the University of California.

23 (2) Student participation in the dual admissions program under
24 this subdivision is voluntary. It is the intent of the Legislature that
25 the incentives provided in paragraph (3) shall encourage students
26 otherwise eligible for admission to the University of California to
27 attend a campus of the California Community Colleges for their
28 lower-division coursework.

29 (3) The agreement shall include, but is not necessarily limited
30 to, all of the following incentives:

31 (A) A guarantee that the student will be admitted to a University
32 of California campus during a future academic year, provided that
33 the student successfully completes lower-division transfer
34 requirements at a campus of the California Community Colleges.

35 (B) Notwithstanding Section 76300, for each student who enrolls
36 under this subdivision at a campus of the California Community
37 Colleges pursuant to the dual admissions program in the 2004–05
38 academic year, a guarantee that any campus of the California
39 Community Colleges shall waive fees for up to two academic

years, irrespective of financial need, while that student is enrolled at that campus.

(C) For each student who enrolls, under this subdivision, at a campus of the California Community Colleges pursuant to the dual admissions program in the 2005–06 academic year, or any academic year thereafter, a guarantee that any campus of the California Community Colleges shall waive fees for each financially needy student. For the purposes of this paragraph, financial need shall be determined by the standards established by the Board of Governors of the California Community Colleges in Section 58620 of Title 5 of the California Code of Regulations or in a successor regulation.

(D) A guarantee that the student will receive counseling services from the University of California to ensure that the student is informed of the appropriate course requirements to be eligible for transfer to the University of California, and is also informed of the various financial aid options.

(4) The President of the University of California is requested to annually submit to the Director of Finance, as part of the budget preparation process, an estimate of the number of students expected to participate, under this subdivision, in the dual admissions program in the succeeding academic year.

(c) Commencing with first-time freshman applicants for admission in the 2023–24 academic year, and for admission in each academic year through the 2025–26 academic year, a dual admissions agreement shall not be entered into pursuant to this section.

SEC. 17. Section 66744.1 is added to the Education Code, to read:

66744.1. (a) As used in this section, unless the context requires otherwise, “university” means the California State University.

(b) It is the intent of the Legislature that the California State University establish a dual admissions program as a separate transfer pathway for first-time freshman applicants, and that the dual admissions program be designed to aid in achieving the following goals:

(1) Increasing access to the university for prospective underrepresented students experiencing limitations in high school curriculum offered, geographical constraints, or financial challenges.

1 (2) *Increasing graduation rates among underrepresented*
2 *students.*

3 (3) *Reducing student costs and time-to-degree completion.*

4 (4) *Improving transfer pathways between the California*
5 *Community Colleges, the University of California, and the*
6 *university.*

7 (5) *Increasing predictability for the purposes of student and*
8 *institutional planning.*

9 (c) *Commencing with the 2023–24 academic year, and each*
10 *academic year through the 2025–26 academic year, the Trustees*
11 *of the California State University shall offer a dual admissions*
12 *program for first-time freshman applicants who meet the criteria*
13 *described in paragraph (1) of subdivision (e). Under this program,*
14 *first-time freshman applicants may be offered the opportunity to*
15 *enter into a dual admissions agreement with the university. The*
16 *agreement shall include, but is not necessarily limited to, all of*
17 *the following:*

18 (1) (A) *A guarantee that the student will be admitted to a*
19 *university campus during a future academic year if the student*
20 *successfully completes an associate degree for transfer or another*
21 *established course of study for transfer within two academic years*
22 *at a California community college.*

23 (B) *The guarantee of admission shall be for a specific university*
24 *campus selected by the student at the time of the agreement. If the*
25 *student's desired major or selected university campus is impacted*
26 *or oversubscribed, the agreement may specify supplementary*
27 *criteria for the student to meet, such as required attainment of a*
28 *grade point average above the minimum defined in the general*
29 *admission requirements. The university shall specify in the*
30 *agreement any applicable supplementary criteria, including the*
31 *specific grade point average that the student must attain in*
32 *lower-division coursework. If the student plans to complete an*
33 *associate degree for transfer, the supplementary criteria shall not*
34 *alter the unit requirements applicable to the selected associate*
35 *degree for transfer.*

36 (2) *For students who are eligible to have their fees waived*
37 *pursuant to Article 1 (commencing with Section 76300) of Chapter*
38 *2 of Part 47 of Division 7, or under the California College Promise*
39 *pursuant to Article 3 (commencing with Section 76396) of Chapter*
40 *2 of Part 47 of Division 7, a guarantee that the applicable campus*

1 *of the California Community Colleges shall waive their fees while*
2 *they are participating in the dual admissions program and enrolled*
3 *at that campus.*

4 *(3) A guarantee that the student shall have access to library,*
5 *counseling, and other services from the applicable university*
6 *campus or the university campus nearest to the student's primary*
7 *residence, and the applicable California Community College to*
8 *ensure that the student is informed of the appropriate course*
9 *requirements to qualify for transfer to the university, and is also*
10 *informed of the various financial aid options. California*
11 *Community Colleges are requested to indicate on the student's*
12 *education plan developed pursuant to Section 78212 that the*
13 *student is participating in the dual admissions program.*

14 *(d) To the extent feasible, the university is requested to provide*
15 *each student who is offered the opportunity to enter into a dual*
16 *admissions agreement with a provisional financial aid letter*
17 *indicating the financial aid package the student may receive upon*
18 *transfer to the university. The letter shall include federal, state,*
19 *and institutional-based financial aid for which the student may*
20 *qualify. If providing this information, the university shall clearly*
21 *indicate that the financial aid package is subject to change based*
22 *on updated financial information provided on the Free Application*
23 *for Federal Student Aid (FAFSA) or the California Dream Act*
24 *application, as applicable, and potential changes in rules*
25 *governing the provision of federal, state, and institutional-based*
26 *financial aid.*

27 *(e) (1) In evaluating applications for dual admissions, the*
28 *university shall only consider applicants who meet all of the*
29 *following criteria:*

30 *(A) The applicant is a first-time freshman applicant who will*
31 *meet the university's admissions eligibility criteria only upon*
32 *completion of transfer requirements at a California community*
33 *college.*

34 *(B) The applicant provides supporting information regarding*
35 *the applicant's inability to meet freshman admissions eligibility*
36 *criteria due to limitations in the high school curriculum offered*
37 *or personal or financial hardship. For purposes of this*
38 *subparagraph, supporting information may include, but is not*
39 *necessarily limited to, a letter from a counselor or administrator*
40 *at the applicant's high school.*

1 (C) *The applicant plans to complete either of the following:*

2 (i) *An associate degree for transfer at a California community*
3 *college.*

4 (ii) *Another established course of study for transfer at a*
5 *California community college.*

6 (2) *The university shall prioritize offers of dual admissions*
7 *agreements for students who plan to complete an associate degree*
8 *for transfer at a California community college.*

9 (f) (1) *On or before April 1, 2026, the university shall submit*
10 *a progress report to the Department of Finance and the Legislature*
11 *pursuant to Section 9795 of the Government Code. The report*
12 *shall include, but not be limited to, all of the following information*
13 *for each participating university campus:*

14 (A) *The number and names of community colleges that partner*
15 *with the university campus on a dual admission program.*

16 (B) *A description of the support services the community college*
17 *and university campus partners each are providing to dual*
18 *admission students.*

19 (C) *The number of students who applied, were admitted, filed*
20 *a statement of intent to register, and enrolled at each university*
21 *campus pursuant to a dual admission program, disaggregated by*
22 *freshman eligibility, community college of attendance, and the*
23 *race, ethnicity, gender, and, as applicable, federal Pell Grant and*
24 *AB 540 status of these students.*

25 (D) *For Fall 2023, 2024, and 2025, the breakdown of all*
26 *transfer applicants, admits, students who submitted an intent to*
27 *register, and students who enrolled by community college, race*
28 *and ethnicity, gender, and Pell Grant or AB 540 status. The*
29 *universities can satisfy this requirement through any existing public*
30 *reporting, where applicable.*

31 (2) *The report to be submitted to the Legislature pursuant to*
32 *paragraph (1) shall be submitted in compliance with Section 9795*
33 *of the Government Code.*

34 (g) *This section shall remain in effect only until January 1, 2027,*
35 *and as of that date is repealed.*

36 SEC. 18. *Section 66744.2 is added to the Education Code, to*
37 *read:*

38 66744.2. (a) *As used in this section, unless the context requires*
39 *otherwise, “university” means the University of California.*

1 ***(b) It is the intent of the Legislature that the University of***
2 ***California establish a dual admissions program as a separate***
3 ***transfer pathway for first-time freshman applicants, and that the***
4 ***dual admissions program be designed to aid in achieving the***
5 ***following goals:***

6 ***(1) Increasing access to the university for prospective***
7 ***underrepresented students experiencing limitations in high school***
8 ***curriculum offered, geographical constraints, or financial***
9 ***challenges.***

10 ***(2) Increasing graduation rates among underrepresented***
11 ***students.***

12 ***(3) Reducing student costs and time-to-degree completion.***

13 ***(4) Improving transfer pathways between the California***
14 ***community colleges, the California State University, and the***
15 ***university.***

16 ***(5) Increasing predictability for the purposes of student and***
17 ***institutional planning.***

18 ***(c) Commencing with the 2023–24 academic year, and each***
19 ***academic year through the 2025–26 academic year, the Regents***
20 ***of the University of California shall offer a dual admissions***
21 ***program for first-time freshman applicants who meet the eligibility***
22 ***criteria described in paragraph (1) of subdivision (f). Under this***
23 ***program, first-time freshman applicants may be offered the***
24 ***opportunity to enter into a dual admissions agreement with the***
25 ***university. The agreement shall include, but is not necessarily***
26 ***limited to, all of the following:***

27 ***(1) (A) A guarantee that the student will be admitted to a***
28 ***university campus during a future academic year if the student***
29 ***successfully completes an associate degree for transfer or a***
30 ***university equivalent to an associate degree for transfer established***
31 ***pursuant to subdivision (d), or another established course of study***
32 ***for transfer within two academic years at a California Community***
33 ***College. For purposes of this paragraph, the regents are requested***
34 ***to collaborate with the Board of Governors of the California***
35 ***Community Colleges to develop processes leading to the alignment***
36 ***of associate degree for transfer requirements between the***
37 ***university, the California State University, and the California***
38 ***Community Colleges.***

39 ***(B) The guarantee of admission shall be for a specific university***
40 ***campus selected by the student at the time of the agreement. If the***

1 *student's desired major or selected university campus is impacted*
2 *or oversubscribed, the agreement may specify supplementary*
3 *criteria for the student to meet, such as required attainment of a*
4 *grade point average above the minimum defined in general*
5 *admission requirements. The university shall specify in the*
6 *agreement any applicable supplementary criteria, including the*
7 *specific grade point average that the student must attain in*
8 *lower-division coursework. If the student plans to complete an*
9 *associate degree for transfer, the supplementary criteria shall not*
10 *alter the unit requirements applicable to the selected associate*
11 *degree for transfer, or university equivalent.*

12 *(2) For students who are eligible to have their fees waived*
13 *pursuant to Article 1 (commencing with Section 76300) of Chapter*
14 *2 of Part 47 of Division 7, or under the California College Promise*
15 *pursuant to Article 3 (commencing with Section 76396) of Chapter*
16 *2 of Part 47 of Division 7, a guarantee that the applicable campus*
17 *of the California Community Colleges shall waive their fees while*
18 *they are participating in the dual admissions program and enrolled*
19 *at that campus.*

20 *(3) A guarantee that the student shall have access to library,*
21 *counseling, and other services from the applicable university*
22 *campus or the university campus nearest to the student's primary*
23 *residence, and the applicable California Community College to*
24 *ensure that the student is informed of the appropriate course*
25 *requirements to qualify for transfer to the university, and is also*
26 *informed of the various financial aid options. California*
27 *Community Colleges are requested to indicate on the student's*
28 *education plan developed pursuant to Section 78212 that the*
29 *student is participating in the dual admissions program.*

30 *(d) For purposes of establishing a dual admissions program*
31 *pursuant to this section, the university may establish a, or use an*
32 *existing, university equivalent to an associate degree for transfer*
33 *in lieu of establishing a dual admissions program that relies upon*
34 *participating students' completion of an associate degree for*
35 *transfer. If the university establishes a university equivalent to an*
36 *associate degree for transfer, or uses an existing university*
37 *equivalent to an associate degree for transfer, the university shall*
38 *identify the following for prospective dual admissions students:*

39 *(1) Courses that overlap between the existing associate degree*
40 *for transfer pathway and its university equivalent pathway.*

1 (2) *Courses that do not overlap between the existing associate*
2 *degree for transfer pathway and its university equivalent pathway.*

3 (e) *To the extent feasible, the university is requested to provide*
4 *each student who is offered the opportunity to enter into a dual*
5 *admissions agreement with a provisional financial aid letter*
6 *indicating the financial aid package the student may receive upon*
7 *transfer to the university. The letter shall include federal, state,*
8 *and institutional-based financial aid for which the student may*
9 *qualify. If providing this information, the university shall clearly*
10 *indicate that the financial aid package is subject to change based*
11 *on updated financial information provided on the Free Application*
12 *for Federal Student Aid (FAFSA) or the California Dream Act*
13 *application, as applicable, and potential changes in rules*
14 *governing the provision of federal, state, and institutional-based*
15 *financial aid.*

16 (f) (1) *In evaluating applications for dual admissions, the*
17 *university shall only consider applicants who meet all of the*
18 *following criteria:*

19 (A) *The applicant is a first-time freshman applicant who will*
20 *meet the university's admissions eligibility criteria only upon*
21 *completion of transfer requirements at a California community*
22 *college.*

23 (B) *The applicant provides supporting information regarding*
24 *the applicant's inability to meet freshman admissions eligibility*
25 *criteria due to limitations in the high school curriculum offered*
26 *or personal or financial hardship. For purposes of this*
27 *subparagraph, supporting information may include, but is not*
28 *necessarily limited to, a letter from a counselor or administrator*
29 *at the applicant's high school.*

30 (C) *The applicant plans to complete either of the following:*

31 (i) *An associate degree for transfer at a California community*
32 *college or a university equivalent established pursuant to*
33 *subdivision (d).*

34 (ii) *Another established course of study for transfer at a*
35 *California community college.*

36 (2) *The university shall prioritize offers of dual admissions*
37 *agreements for students who plan to complete an associate degree*
38 *for transfer at a California community college.*

39 (g) (1) *On or before April 1, 2026, the university shall submit*
40 *a progress report to the Department of Finance and the*

1 *Legislature. The report shall include, but not be limited to, all of*
2 *the following information for each participating university campus:*

3 *(A) The number and names of community colleges that partner*
4 *with the university campus on a dual admission program.*

5 *(B) A description of the support services the community college*
6 *and university campus partners each are providing to dual*
7 *admission students.*

8 *(C) The number of students who applied, were admitted, filed*
9 *a statement of intent to register, and enrolled at each university*
10 *campus pursuant to a dual admission program, disaggregated by*
11 *freshman eligibility, community college of attendance, and the*
12 *race, ethnicity, gender, and, as applicable, federal Pell Grant or*
13 *AB 540 status of these students.*

14 *(D) For Fall 2023, 2024, and 2025, the breakdown of all*
15 *transfer applicants, admits, students who submitted an intent to*
16 *register, and students who enrolled by community college of*
17 *attendance, race, ethnicity, gender, and, as applicable, federal*
18 *Pell Grant or AB 540 status. The universities can satisfy this*
19 *requirement through any existing public reporting, where*
20 *applicable.*

21 *(2) The report to be submitted to the Legislature pursuant to*
22 *paragraph (1) shall be submitted in compliance with Section 9795*
23 *of the Government Code.*

24 *(h) This section shall remain in effect only until January 1, 2027,*
25 *and as of that date is repealed.*

26 *SEC. 19. Section 69432 of the Education Code is amended to*
27 *read:*

28 69432. (a) (1) Cal Grant Program awards shall be known as
29 “Cal Grant A Entitlement Awards,” “Cal Grant B Entitlement
30 Awards,” *California Community College Expanded Entitlement*
31 *Awards*, “California Community College Transfer Entitlement
32 Awards,” “Competitive Cal Grant A and B Awards,” “Cal Grant
33 C Awards,” and “Cal Grant T Awards.”

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

39 (b) Maximum award amounts for students at independent
40 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, 2019–20, and 2020–21~~ 2015–16 to 2020–21 award years, *inclusive*, nine thousand eighty-four dollars (\$9,084) for new recipients.

(2) *For the 2021–22 award year, nine thousand two hundred twenty dollars (\$9,220) for new recipients.*

~~(2)~~

(3) For the ~~2021–22~~ 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 3,000, nine thousand ~~eighty-four~~ *two hundred twenty* dollars ~~(\$9,084)~~ (\$9,220) 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.

~~(3)~~

(4) For the ~~2022–23~~ 2023–24 award year:

1 (A) If the number of new unduplicated transfer students accepted
2 by independent institutions of higher education who have been
3 given associate degree for transfer commitments in the prior award
4 year meets or exceeds a target of 3,500, nine thousand ~~eighty-four~~
5 *two hundred twenty* dollars ~~(\$9,084)~~ (\$9,220) for new recipients.

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

11 ~~(4)~~

12 (5) For the ~~2023–24~~ 2024–25 award year and each award year
13 thereafter:

14 (A) If the number of new unduplicated transfer students accepted
15 by independent institutions of higher education who have been
16 given associate degree for transfer commitments in the prior award
17 year meets or exceeds the target specified in subdivision (h), nine
18 thousand ~~eighty-four~~ *two hundred twenty* dollars ~~(\$9,084)~~ (\$9,220)
19 for new recipients.

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

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

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

37 (g) The association representing the largest number of
38 independent institutions of higher education shall submit a report
39 relative to the implementation of this section to the Department

1 of Finance and the Legislature, in conformity with Section 9795
2 of the Government Code, on or before April 15 of each year.

3 (h) For the ~~2023–24~~ 2024–25 award year and each award year
4 thereafter, the target number of new unduplicated recipients
5 accepted by independent institutions of higher education who have
6 been given associate degree for transfer commitments shall be
7 equal to the number of new transfer students attending independent
8 institutions of higher education who were given associate degree
9 for transfer commitments in the prior award year, adjusted by the
10 percentage change in the total number of new transfer students
11 from the year two years prior, compared to the prior year.

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

14 *SEC. 20. Section 69432.9 of the Education Code is amended*
15 *to read:*

16 69432.9. (a) A Cal Grant applicant shall submit a complete
17 official financial aid application pursuant to Section 69433 and
18 applicable regulations adopted by the commission. Each pupil
19 enrolled in grade 12 in a California public school, including a
20 charter school, other than pupils who opt out as provided in
21 subdivision (d), shall be deemed to be a Cal Grant applicant.

22 (b) Financial need shall be determined to establish an applicant’s
23 initial eligibility for a Cal Grant award and a renewing recipient’s
24 continued eligibility using the federal financial need methodology
25 pursuant to subdivision (a) of Section 69506 and applicable
26 regulations adopted by the commission, and as established by Title
27 IV of the federal Higher Education Act of 1965, as amended (20
28 U.S.C. Sec. 1070 et seq.).

29 (1) “Expected family contribution,” with respect to an applicant
30 or renewing recipient, shall be determined using the federal
31 methodology pursuant to subdivision (a) of Section 69506 (as
32 established by Title IV of the federal Higher Education Act of
33 1965, as amended (20 U.S.C. Sec. 1070 et seq.)) and applicable
34 rules and regulations adopted by the commission.

35 (2) “Financial need” means the difference between the student’s
36 cost of attendance as determined by the commission and the
37 expected family contribution. The calculation of financial need
38 shall be consistent with Title IV of the federal Higher Education
39 Act of 1965, as amended (20 U.S.C. Sec. 1070 et seq.).

1 (3) (A) The minimum financial need required for receipt of an
2 initial and renewal Cal Grant A or C award shall be no less than
3 the maximum annual award value for the applicable institution,
4 plus an additional one thousand five hundred dollars (\$1,500) of
5 financial need.

6 (B) The minimum financial need required for receipt of an initial
7 and renewal Cal Grant B award shall be no less than seven hundred
8 dollars (\$700).

9 (4) *Notwithstanding paragraphs (2) and (3), for the 2020–21
10 and 2021–22 award years, a student with an initial or renewal
11 Cal Grant A award impacted by a change in the student’s living
12 status, from living on-campus to living off-campus or from living
13 on-campus to living at home, due to the COVID-19 pandemic,
14 shall have the student’s eligibility for the initial or renewal Cal
15 Grant A award calculated based on what it would have been had
16 the change in the student’s living status due to the COVID-19
17 pandemic not occurred.*

18 (c) (1) The commission shall require that a grade point average
19 be submitted to it for all Cal Grant A and B applicants, except for
20 those permitted to provide test scores in lieu of a grade point
21 average or as provided in subparagraph (B) of paragraph (4).

22 (2) ~~The~~ (A) *On or before January 1, 2025, the commission shall
23 require that any grade point average data required for eligibility
24 for student financial aid programs be submitted by local
25 educational agencies through the California Longitudinal Pupil
26 Achievement Data System established by Section 60900 for
27 transmittal to the California College Guidance Initiative. The
28 governing board of the Cradle-to-Career Data System shall be
29 responsible for developing a timeline to guide the commission’s
30 implementation of this paragraph.*

31 (B) (i) The commission shall require that a grade point average
32 be submitted to it electronically on a standardized form for all
33 grade 12 pupils at public schools, including charter schools, no
34 later than October 1 of each academic year, except for pupils who
35 have opted out as provided in subdivision (d). Social security
36 numbers shall not be included in the information submitted to the
37 commission. However, if the commission determines that a social
38 security number is required to complete the application for financial
39 aid, the school, school district, or charter school may obtain
40 permission from the parent or guardian of the pupil, or the pupil,

1 if the pupil is 18 years of age, to submit the pupil's social security
2 number to the commission.

3 ~~(3)~~

4 (ii) The commission shall require that each report of a grade
5 point average include a certification, executed under penalty of
6 perjury, by a school official, that the grade point average reported
7 is accurately reported. The certification shall include a statement
8 that it is subject to review by the commission or its designee.

9 ~~(4)(A) The~~

10 (iii) (I) The commission shall adopt regulations that establish
11 a grace period for receipt of the grade point average and any
12 appropriate corrections, and that set forth the circumstances under
13 which a student may submit a specified test score designated by
14 the commission, by regulation, in lieu of submitting a qualifying
15 grade point average.

16 ~~(B)~~

17 (II) Notwithstanding subparagraph ~~(A)~~, (B), for the 2021–22
18 award year, commission staff may waive the requirement to submit
19 a test score in lieu of a qualifying grade point average for a student
20 who does not have a grade point average and is unable to submit
21 a test score due to unavailability of designated testing due to the
22 COVID-19 pandemic. The commission shall require a student
23 seeking a waiver under this subparagraph to submit a signed
24 certification verifying they were prevented from taking and
25 submitting a test score in lieu of a qualifying grade point average
26 due to the COVID-19 pandemic. For purposes of consideration
27 for a Cal Grant A or B Entitlement award when applying with a
28 waiver under this subparagraph for the 2021–22 award year,
29 students shall have until May 16, 2021, to complete and submit
30 their financial aid application and signed certification verifying
31 they were prevented from taking and submitting a test score in lieu
32 of a qualifying grade point average.

33 (iv) *The requirements of this subparagraph shall become*
34 *inoperative upon the submission by the commission of any required*
35 *grade point average through the Cradle-to-Career Data System*
36 *pursuant to subparagraph (A).*

37 ~~(5)~~

38 (3) It is the intent of the Legislature that high schools and
39 institutions of higher education certify the grade point averages of

1 their students in time to meet the application deadlines imposed
2 by this chapter.

3 ~~(6)~~

4 (4) (A) It is the intent of the Legislature that the commission
5 make available to each high school and school district a report
6 identifying all grade 12 pupils within the high school or school
7 district, respectively, who have and have not completed the Free
8 Application for Federal Student Aid or the California Dream Act
9 ~~Application.~~ application.

10 (B) (i) *It is the intent of the Legislature that the commission*
11 *make available to each high school and school district a report*
12 *identifying all grade 12 pupils within the high school or school*
13 *district, respectively, who have and have not completed the Free*
14 *Application for Federal Student Aid or the California Dream Act*
15 *application.*

16 (ii) *The requirements of this subparagraph shall become*
17 *inoperative upon the submission by the commission of any required*
18 *grade point average through the Cradle-to-Career Data System*
19 *pursuant to subparagraph (A).*

20 (d) (1) The school district or charter school shall, no later than
21 January 1 of a pupil's grade 11 academic year, notify, in writing,
22 each grade 11 pupil and, for a pupil under 18 years of age, the
23 pupil's parent or guardian that, pursuant to subdivision (a), the
24 pupil will be deemed a Cal Grant applicant unless the pupil opts
25 out within a period of time specified in the notice, which shall not
26 be less than 30 days. The required notice shall indicate when the
27 school will first send grade point averages to the commission and
28 the submission deadline of October 1. The school district or charter
29 school shall provide an opportunity for the pupil to opt out of being
30 automatically deemed a Cal Grant applicant.

31 (2) Until a pupil turns 18 years of age, only a parent or guardian
32 may opt the pupil out. Once a pupil turns 18 years of age, only the
33 pupil may opt the pupil out and, if before the conclusion of the
34 notice period, the pupil may opt in over the prior decision of a
35 parent or guardian to opt out.

36 SEC. 21. *Section 69434 of the Education Code is amended to*
37 *read:*

38 69434. (a) A Cal Grant A award shall be used only for tuition
39 or student fees, or both, in a for-credit instructional program with
40 a length of not less than two academic years. Each student who

1 meets the Cal Grant A qualifications as set forth in this article shall
2 be guaranteed an award. The amount of any individual award is
3 dependent on the cost of tuition or fees, or both, at the qualifying
4 institution at which the student is enrolled. For each applicant, the
5 award amount shall not exceed the amount of the calculated
6 financial need.

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

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

20 (2) The student demonstrates financial need pursuant to Section
21 69433.

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

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

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

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

31 (7) The student meets the general Cal Grant eligibility
32 requirements set forth in Article 1 (commencing with Section
33 69430).

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

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

39 (2) A community college student participating in a baccalaureate
40 degree program pursuant to Article 3 (commencing with Section

1 78040) of Chapter 1 of Part 48 of Division 7 who meets the Cal
2 Grant A Entitlement Program criteria specified in this article shall
3 receive a Cal Grant A award for upper division coursework fees
4 pursuant to Section 66021.2.

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

9 (e) *Students receiving a Cal Grant A award pursuant to this*
10 *article who are not receiving an access award pursuant to*
11 *subdivision (d) and meet the qualifying criteria pursuant to*
12 *subdivision (a) of Section 69470 shall also receive an access award*
13 *pursuant to Article 10 (commencing with Section 69470).*

14 SEC. 22. *Section 69434.5 of the Education Code is amended*
15 *to read:*

16 69434.5. (a) An individual selected for a Cal Grant A award
17 who enrolls in a California community college may elect to have
18 the award held in reserve for a period not to exceed two academic
19 years, except that the commission may extend the period in which
20 the individual's award may be held in reserve for up to three
21 academic years if, in the commission's judgment, the rate of
22 academic progress has been as rapid as could be expected for the
23 personal and financial conditions that the student has encountered.
24 The commission shall, in this case, hold the award in reserve for
25 the additional year. Upon receipt of a request to transfer the award
26 to a tuition or ~~fee-charging~~ *fee-charging* qualifying institution, the
27 individual shall be eligible to receive the Cal Grant A award
28 previously held in reserve if, at the time of the request, the
29 individual meets all of the requirements of this article. Upon receipt
30 of the request, the commission shall reassess the financial need of
31 the award recipient. The commission may prescribe the forms and
32 procedures to be ~~utilized~~ *used* for the purposes of this section. A
33 recipient's years of eligibility for payment of benefits shall be
34 based upon the recipient's grade level at the time the award is
35 transferred to the tuition or ~~fee-charging~~ *fee-charging* qualifying
36 institution.

37 (b) (1) Individuals who are selected for a Cal Grant A award
38 that is held in reserve pursuant to this section and who meet the
39 qualifying criteria pursuant to subdivision (b) of Section ~~69465~~
40 *69465, or who meet the qualifying criteria pursuant to subdivision*

1 (a) of Section 69470, shall receive an award for access costs
2 pursuant to Article 9 (commencing with Section ~~69465~~) of Chapter
3 ~~1.7 of Part 42.~~ 69465) or Article 10 (commencing with Section
4 69470), as applicable.

5 (2) The access award referenced in paragraph (1) shall be
6 provided annually to a qualifying individual during the period of
7 time that the individual's Cal Grant A award is held in reserve and
8 upon transfer to a tuition or ~~fee-charging~~ fee-charging qualifying
9 institution, provided that the individual continues to meet the
10 qualifying criteria pursuant to subdivision (b) of Section ~~69465~~.
11 69465, or meet the qualifying criteria pursuant to subdivision (a)
12 of Section 69470, as applicable.

13 SEC. 23. Section 69435 of the Education Code is amended to
14 read:

15 69435. (a) (1) A Cal Grant B award shall be used only for
16 tuition, student fees, and access costs in a for-credit instructional
17 program that is not less than one academic year in length.

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

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

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

1 ~~69465)~~; 69465), or if the recipient meets the qualifying criteria
2 pursuant to subdivision (a) of Section 69470, the amount of the
3 award provided pursuant to Article 10 (commencing with Section
4 69470). These amounts may be adjusted in the annual Budget Act.

5 SEC. 24. Article 3.5 (commencing with Section 69435.5) is
6 added to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the
7 Education Code, to read:

8
9 Article 3.5. California Community College Expanded
10 Entitlement Program
11

12 69435.5. (a) Commencing with the 2021–22 academic year,
13 a student who was not awarded a Cal Grant A or B award pursuant
14 to Article 2 (commencing with Section 69434) or Article 3
15 (commencing with Section 69435) at the time of the student's high
16 school graduation but will be enrolled at a California community
17 college during the award year and meets all of the criteria set
18 forth in subdivision (b) shall be entitled to a Cal Grant A or B
19 award.

20 (b) (1) To receive a Cal Grant A award under this article, an
21 applicant shall be enrolled at a California community college
22 during the award year and meet all of the requirements of Article
23 2 (commencing with Section 69434), with the exception of
24 paragraphs (1) and (8) of subdivision (b) of Section 69434.
25 However, in lieu of meeting the grade point average requirement
26 set forth in paragraph (3) of subdivision (b) of Section 69434, an
27 applicant may submit a community college or college grade point
28 average of at least 2.4 on a 4.0 scale.

29 (2) To receive a Cal Grant B award under this article, an
30 applicant shall be enrolled at a California community college
31 during the award year and meet all of the requirements of Article
32 3 (commencing with Section 69435), with the exception of
33 paragraphs (1) and (8) of subdivision (a) of Section 69435.3.
34 However, in lieu of meeting the grade point average requirements
35 of paragraph (3) of subdivision (a) of Section 69435.3, a student
36 may do either of the following:

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

39 (B) Reestablish the student's grade point average by completing
40 at least 16 cumulative units of credit for academic coursework at

1 *an accredited California community college, as defined by the*
2 *commission, by regulation, with at least a 2.0 community college*
3 *grade point average.*

4 *(c) (1) The commission shall use the standardized student*
5 *financial aid application described in Section 69432.9.*

6 *(2) An official financial aid application shall be submitted*
7 *pursuant to Section 69432.9 and submitted or postmarked no later*
8 *than September 2 of the academic year for which funds would be*
9 *applied.*

10 *(d) Cal Grant A and B awards shall be used only for the*
11 *purposes set forth in Article 2 (commencing with Section 69434)*
12 *and Article 3 (commencing with Section 69435), respectively.*

13 *(e) (1) A student who receives an award under this article may*
14 *subsequently transfer to a University of California or California*
15 *State University campus and remain eligible to receive the award,*
16 *if the student meets all other requirements of this article and the*
17 *general Cal Grant eligibility requirements set forth in Article 1*
18 *(commencing with Section 69430).*

19 *(2) A student who receives an award under this article and*
20 *subsequently transfers to an independent institution of higher*
21 *education or a private for-profit postsecondary educational*
22 *institution shall not remain eligible to receive an award under this*
23 *article. The student shall remain eligible to apply for a California*
24 *Community College Transfer Entitlement Award under Article 4*
25 *(commencing with Section 69436) or a Competitive Cal Grant A*
26 *or B award under Article 5 (commencing with Section 69437), if*
27 *the student meets all requirements of the relevant article and the*
28 *general Cal Grant eligibility requirements set forth in Article 1*
29 *(commencing with Section 69430).*

30 *(f) (1) An individual selected for a Cal Grant A award who*
31 *enrolls in a California community college may elect to have the*
32 *award held in reserve for a period not to exceed two academic*
33 *years, except that the commission may extend the period in which*
34 *the individual's award may be held in reserve for up to three*
35 *academic years if, in the commission's judgment, the rate of*
36 *academic progress has been as rapid as could be expected for the*
37 *personal and financial conditions that the student has encountered.*
38 *The commission shall, in this case, hold the award in reserve for*
39 *the additional year. Upon receipt of a request to transfer the award*
40 *to a University of California or California State University campus,*

1 *the individual shall be eligible to receive the Cal Grant A award*
2 *previously held in reserve if, at the time of the request, the*
3 *individual meets all of the requirements of this article. Upon receipt*
4 *of the request, the commission shall reassess the financial need of*
5 *the award recipient. The commission may prescribe the forms and*
6 *procedures to be used for purposes of this section. A recipient's*
7 *years of eligibility for payment of benefits shall be based upon the*
8 *recipient's grade level at the time the award is transferred to the*
9 *tuition or fee-charging qualifying institution.*

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

15 (B) *The access award referenced in subparagraph (A) shall be*
16 *provided annually to qualifying individuals during the period of*
17 *time that their Cal Grant A award is held in reserve and upon*
18 *transfer to a tuition or fee-charging qualifying institution, provided*
19 *that the individual continues to meet the qualifying criteria*
20 *pursuant to subdivision (b) of Section 69465.*

21 (3) (A) *Individuals selected for a Cal Grant A award that is*
22 *held in reserve pursuant to this subdivision who are not receiving*
23 *an award for access costs pursuant to paragraph (2) and meet the*
24 *qualifying criteria pursuant to subdivision (a) of Section 69470*
25 *shall receive an award for access costs pursuant to Article 10*
26 *(commencing with Section 69470).*

27 (B) *The access award referenced in subparagraph (A) shall be*
28 *provided annually to qualifying individuals during the period of*
29 *time that their Cal Grant A award is held in reserve and upon*
30 *transfer to a tuition or fee-charging qualifying institution, provided*
31 *that the individual continues to meet the qualifying criteria*
32 *pursuant to subdivision (a) of Section 69470.*

33 SEC. 25. *Section 69437 of the Education Code is amended to*
34 *read:*

35 69437. (a) *Commencing with the 2001–02 academic year, and*
36 *each academic year thereafter, there shall be established the*
37 *Competitive Cal Grant A and B award program for students who*
38 *did not receive a Cal Grant A or B entitlement award pursuant to*
39 *Article 2 (commencing with Section 69434), Article 3*
40 *(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~~ 2021–22 academic year, a total of ~~41,000~~ 13,000 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~~ The awards referenced in this subdivision are available to ~~all students, including California community college students,~~ *students who will be enrolled at an institution other than a California community college during the award year* and 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)

(2) If any awards are not distributed pursuant to ~~paragraphs (1) and (2)~~ *paragraph (1)* 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~~ 13,000 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. 26. 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.

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

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

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

13 (f) (1) An individual selected for a competitive Cal Grant A
14 award who enrolls in a California community college may elect
15 to have the award held in reserve for a period not to exceed two
16 academic years, except that the commission may extend the period
17 in which the individual's award may be held in reserve for up to
18 three academic years if, in the commission's judgment, the rate of
19 academic progress has been as rapid as could be expected for the
20 personal and financial conditions that the student has encountered.
21 The commission shall, in this case, hold the award in reserve for
22 the additional year. Upon receipt of a request to transfer the award
23 to a tuition or ~~fee-charging~~ *fee-charging* qualifying institution, the
24 individual shall be eligible to receive the Cal Grant A award
25 previously held in reserve if, at the time of the request, the
26 individual meets all of the requirements of this article. Upon receipt
27 of the request, the commission shall reassess the financial need of
28 the award recipient. The commission may prescribe the forms and
29 procedures to be ~~utilized~~ *used* for the purposes of this section. A
30 recipient's years of eligibility for payment of benefits shall be
31 based upon the recipient's grade level at the time the award is
32 transferred to the tuition or ~~fee-charging~~ *fee-charging* qualifying
33 institution. Any award so held in reserve shall only be counted
34 once toward the ~~41,000~~ *13,000* awards authorized by this article.

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

40 (3)

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

7 (3) (A) *Individuals selected for a Cal Grant A award that is*
8 *held in reserve pursuant to this subdivision who are not receiving*
9 *an award for access costs pursuant to paragraph (2) and meet the*
10 *qualifying criteria pursuant to subdivision (a) of Section 69470*
11 *shall receive an award for access costs pursuant to Article 10*
12 *(commencing with Section 69470).*

13 (B) *The access award referenced in subparagraph (A) shall be*
14 *provided annually to qualifying individuals during the period of*
15 *time that their Cal Grant A award is held in reserve and upon*
16 *transfer to a tuition or fee-charging qualifying institution, provided*
17 *that the individual continues to meet the qualifying criteria*
18 *pursuant to subdivision (a) of Section 69470.*

19 SEC. 27. Section 69465 of the Education Code is amended to
20 read:

21 69465. (a) For purposes of this article, “dependent child” or
22 “dependent children” means a child or children, as applicable,
23 under 18 years of age whose parent or legal guardian is the student,
24 if the child or all the children collectively receive more than 50
25 percent of their support from the student.

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

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

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

34 (c) Individuals identified by the commission as meeting
35 qualifying criteria pursuant to subdivision (b) and who are
36 receiving a Cal Grant A award or Cal Grant B award shall receive
37 a total annual access award not to exceed six thousand dollars
38 (\$6,000). This amount may be adjusted in the annual Budget Act.

39 (d) Individuals identified by the commission as meeting
40 qualifying criteria pursuant to subdivision (b) and who are

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

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

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

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

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

24 (1) The amount appropriated in the annual Budget Act, and any
25 other appropriation for purposes of this article, shall not exceed
26 ~~one hundred twenty-five million dollars (\$125,000,000):~~ *two*
27 *hundred fifty million dollars (\$250,000,000).*

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

36 *SEC. 28. Article 10 (commencing with Section 69470) is added*
37 *to Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education*
38 *Code, to read:*

1
2 *Article 10. Awards for Foster Youth and Former Foster Youth*

3
4 69470. (a) Commencing with the 2021–22 academic year, the
5 commission shall identify all foster youth and former foster youth,
6 as defined in subdivision (b) of Section 66025.9, who meet both
7 of the following qualifying criteria for the award year:

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

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

12 (b) Individuals identified by the commission as meeting
13 qualifying criteria pursuant to subdivision (a) and who are
14 receiving a Cal Grant A award or Cal Grant B award shall receive
15 a total annual access award not to exceed six thousand dollars
16 (\$6,000). This amount may be adjusted in the annual Budget Act.

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

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

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

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

1 (g) Notwithstanding subdivisions (b) and (c), both of the
2 following shall apply for purposes of this article:

3 (1) The amount appropriated in the annual Budget Act, and any
4 other appropriation for purposes of this article, shall not exceed
5 forty million dollars (\$40,000,000).

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

14 SEC. 29. Section 69617 of the Education Code is amended to
15 read:

16 69617. (a) (1) Subject to moneys appropriated by the
17 Legislature for the purposes of this section, the ~~Student Aid~~
18 ~~Commission~~ commission shall administer the Golden State Teacher
19 Grant Program. Under the program, the ~~Student Aid Commission~~
20 commission shall provide one-time grant funds of up to twenty
21 thousand dollars (\$20,000) to each student enrolled on or after
22 January 1, 2020, in a professional preparation program ~~within an~~
23 ~~accredited California institution of higher education~~ leading to a
24 preliminary teaching credential, approved by the Commission on
25 Teacher Credentialing, if the student commits to working in a
26 high-need field at a priority school for four years after the student
27 receives the teaching credential.

28 (2) Funds appropriated for the Golden State Teacher Grant
29 Program in the Budget Act of 2020 *and the Budget Act of 2021*
30 shall be available for encumbrance or expenditure by the
31 commission until June 30, ~~2023~~. 2024.

32 (3) Grant funds shall be used to supplement and not supplant
33 other sources of grant financial aid.

34 (b) The one-time grant funds issued pursuant to this section
35 shall not exceed the amount appropriated for the Golden State
36 Teacher Grant Program in the Budget Act of ~~2020~~. 2020 *and the*
37 *Budget Act of 2021*.

38 (c) (1) A grant recipient shall agree to teach in a high-need field
39 at a priority school for four years and shall have five years, upon
40 completion of the recipient's professional preparation program, to

1 meet that obligation. Except as provided in paragraph (4), a grant
2 recipient shall agree to repay the state 25 percent of the total
3 received grant funds annually, up to full repayment of the received
4 grant funds, for each year the recipient fails to do one or more of
5 the following:

6 (A) Be enrolled in or have successfully completed a teacher
7 preparation program approved by the Commission on Teacher
8 Credentialing.

9 (B) While enrolled in the teacher preparation program, maintain
10 good academic standing.

11 (C) Upon completion of the teacher preparation program, satisfy
12 the state basic skills proficiency test requirement pursuant to
13 Sections 44252 and 44252.5.

14 (D) Complete the required teaching service following
15 completion of the recipient's teacher preparation program.

16 (2) Nonperformance of the commitment to teach in a high-need
17 field at a priority school for four years shall be certified by the
18 State Department of Education.

19 (3) Nonperformance of the commitment to earn a preliminary
20 teaching credential in a high-need field shall be certified by the
21 Commission on Teacher Credentialing to the Student Aid
22 Commission.

23 (4) Any exceptions to the requirement for repayment shall be
24 defined by the ~~Student Aid Commission~~, *commission*, and may
25 include, but shall not necessarily be limited to, counting a school
26 year towards the required four-year teaching requirement if a grant
27 recipient is unable to complete the school year when any of the
28 following occur:

29 (A) The grant recipient has completed at least one-half of the
30 school year.

31 (B) The employer deems the grant recipient to have fulfilled
32 the grant recipient's contractual requirements for the school year
33 for the purposes of salary increases, probationary or permanent
34 status, and retirement.

35 (C) The grant recipient was not able to teach due to the financial
36 circumstances of the school district, including a decision to not
37 reelect the employee for the next succeeding school year.

38 (D) The grant recipient has a condition covered under the federal
39 Family and Medical Leave Act of 1993 (29 U.S.C. Sec. 2601 et
40 seq.) or similar state law.

1 (E) The grant recipient was called or ordered to active duty
2 status for more than 30 days as a member of a reserve component
3 of the Armed Forces of the United States.

4 (d) ~~The Student Aid Commission~~ *commission* may use up to
5 1.5 percent of funding appropriated for purposes of this section
6 for outreach and administration.

7 (e) For purposes of this section, “high-need field” means any
8 of the following:

9 (1) Bilingual education.

10 (2) Mathematics or science, technology, engineering, and
11 mathematics (STEM), including computer science and career
12 technical education in STEM areas.

13 (3) Science.

14 (4) Special education.

15 (5) Multiple subject instruction.

16 (6) *Transitional kindergarten*.

17 ~~(6)~~

18 (7) Other subjects as designated annually by the Commission
19 on Teacher Credentialing based on an analysis of the availability
20 of teachers in California pursuant to Section 44225.6.

21 (f) (1) A “priority school” means a school with ~~a high~~
22 ~~percentage, as determined by the Commission on Teacher~~
23 ~~Credentialing in consultation with the State Department of~~
24 ~~Education, of teachers holding emergency-type permits over the~~
25 ~~last three years, based on the most recent data available to the~~
26 ~~Commission on Teacher Credentialing and the State Department~~
27 ~~of Education. 55 percent or more of its pupils being unduplicated~~
28 ~~pupils, as defined in subdivision (b) of Section 42238.02.~~

29 (2) ~~The Commission on Teacher Credentialing~~ *commission*, in
30 *coordination with the State Department of Education*, shall publish
31 a list of priority schools by January 1 of each year for which
32 ~~moneys have~~ *money has* been appropriated by the Legislature to
33 support grants pursuant to this section.

34 ~~(3) For purposes of this section, “emergency-type permits”~~
35 ~~include, but not are limited to, any of the following:~~

36 ~~(A) Provisional internships.~~

37 ~~(B) Short-term staff permits.~~

38 ~~(C) Credential waivers.~~

39 ~~(D) Substitute permits.~~

1 (g) The commission may adopt regulations necessary for the
2 implementation of ~~this~~ the Golden State Teacher Grant program.

3 (h) *The commission shall conduct an evaluation of the Golden*
4 *State Teacher Grant Program to determine the effectiveness of*
5 *teacher preparation programs in recruiting, developing support*
6 *systems for, and retaining special education, bilingual education,*
7 *and science, technology, engineering, and mathematics teachers*
8 *and teachers of color. The commission shall provide, with respect*
9 *to the evaluation, a report to the Department of Finance and the*
10 *appropriate fiscal and policy committees of the Legislature on or*
11 *before December 31, 2025, and every two years thereafter.*

12 SEC. 30. Article 9 (commencing with Section 69670) is added
13 to Chapter 2 of Part 42 of Division 5 of Title 3 of the Education
14 Code, to read:

15
16 *Article 9. Golden State Education and Training Grant Program*
17 *Act*
18

19 69670. (a) *This article shall be known as the Golden State*
20 *Education and Training Grant Program Act.*

21 (b) *For purposes of this article:*

22 (1) *“Commission” means the Student Aid Commission.*

23 (2) *“Grant” means a Golden State Education and Training*
24 *Grant awarded pursuant to this article.*

25 (3) *“Institution of higher education” means a campus or*
26 *extension center of the University of California, the California*
27 *State University, or the California Community Colleges.*

28 (4) *“Program” means the Golden State Education and Training*
29 *Grant Program established by this article.*

30 69671. (a) *From any funds appropriated by the annual Budget*
31 *Act or another statute for purposes of this article, the commission*
32 *shall administer the program, which is hereby established. Under*
33 *this program, the commission shall make available one-time grants*
34 *to California resident workers who have been displaced from their*
35 *employment due to the COVID-19 pandemic, are not already*
36 *accessing an educational or training program, can demonstrate*
37 *a financial need by meeting the income and asset qualifications,*
38 *established pursuant to subdivision (k) of Section 69432.7, to be*
39 *eligible for a Cal Grant A award, and agree to use the grant funds*
40 *for any of the following purposes:*

1 (1) *To access an educational program or qualified training*
2 *program at an institution of higher education.*

3 (2) *To obtain training from a provider that is included on the*
4 *state's Eligible Training Provider List.*

5 (b) (1) *The commission shall determine the amount of each*
6 *grant award so that no grant awarded under this article is less*
7 *than one thousand dollars (\$1,000), and no award exceeds two*
8 *thousand five hundred dollars (\$2,500). The commission shall*
9 *consider individual applicant financial need and educational or*
10 *training program costs in determining individual award amounts.*
11 *The commission shall prioritize available grants to participants*
12 *with incomes that are the greatest percentage less than the average*
13 *monthly family or individual income in calendar years 2018 and*
14 *2019 needed to meet the average living wage in the participant's*
15 *California county or metropolitan statistical area of the state, as*
16 *computed by the living wage calculation developed by the*
17 *Massachusetts Institute of Technology.*

18 (2) *The commission shall allocate at least one-half of the funding*
19 *appropriated in the annual Budget Act or another statute for*
20 *purposes of this article to provide grants to eligible individuals*
21 *who are caring for at least one dependent child under 18 years of*
22 *age in the calendar year of the application.*

23 (c) *In awarding grants to individuals pursuant to this article,*
24 *the commission shall do all of the following:*

25 (1) *Develop an application for prospective individuals to request*
26 *a grant. In developing the application, the commission shall*
27 *consider if the application process can be integrated within the*
28 *application process for the Free Application for Federal Student*
29 *Aid and the California Dream Act application.*

30 (2) *Verify that an applicant was displaced from the applicant's*
31 *employment due to the COVID-19 pandemic and meets the income*
32 *and asset criteria, established pursuant to subdivision (k) of Section*
33 *69432.7, to be eligible for a Cal Grant A award.*

34 (3) *Require an applicant to self-certify that they have been*
35 *unable to obtain employment that provides an average monthly*
36 *wage that is equal to, or greater than, the average monthly wage*
37 *received from their employment before the COVID-19 pandemic.*

38 (4) *Verify that the applicant was not enrolled in a training*
39 *program, college, or university at the time the applicant was*
40 *displaced from the applicant's employment.*

1 (5) *Ensure that, if a student opts to attend an institution of higher*
2 *education, the student's grant funding is used to supplement and*
3 *not supplant other sources of grant financial aid.*

4 (d) *Grants allocated by the commission under this article shall*
5 *be used to do either of the following:*

6 (1) *Support the costs to access an educational program offered*
7 *by an institution of higher education.*

8 (2) *Obtain training from a provider that is included on the*
9 *state's Eligible Training Provider List, and that has a demonstrated*
10 *track record of having the majority of its participants obtain*
11 *employment that pays at least a living wage, as calculated by the*
12 *Massachusetts Institute of Technology within one calendar year*
13 *of program completion.*

14 (e) *An eligible individual may request and receive no more than*
15 *one grant under this article.*

16 (f) *To the extent practicable, applicants determined to be eligible*
17 *for a grant under this article shall have their grants provided*
18 *directly to the institution of higher education of their choosing or*
19 *directly to the applicable training provider included on the state's*
20 *Eligible Training Provider List.*

21 (g) *The commission shall collaborate with institutions of higher*
22 *education to facilitate the offering of these grant opportunities*
23 *through campuses of those institutions. As a condition of making*
24 *these grants available to individuals through institutions of higher*
25 *education, those institutions shall comply with the applicable*
26 *programmatic requirements of subdivisions (a) to (f), inclusive,*
27 *and report the information necessary for the commission to*
28 *complete the report required pursuant to subdivision (i). To the*
29 *extent practicable, institutions of higher education shall match the*
30 *grant awards provided to individuals enrolling in an educational*
31 *program offered by the institution with any available institutional*
32 *aid.*

33 (h) *The commission may adopt regulations it deems necessary*
34 *for the implementation of this program. If the commission opts to*
35 *adopt regulations pursuant to this subdivision, these regulations*
36 *shall be adopted by December 31, 2021, and shall be adopted as*
37 *emergency regulations in accordance with the rulemaking*
38 *provisions of the Administrative Procedure Act (Chapter 3.5*
39 *(commencing with Section 11340) of Part 1 of Division 3 of Title*
40 *2 of the Government Code). For purposes of the Administrative*

1 *Procedure Act, including Section 11349.6 of the Government Code,*
2 *the adoption of those regulations shall be deemed to be an*
3 *emergency and necessary for the immediate preservation of the*
4 *public peace, health and safety, or general welfare,*
5 *notwithstanding subdivision (e) of Section 11346.1 of the*
6 *Government Code.*

7 *(i) No later than December 31, 2023, the commission shall*
8 *report to the Legislature, in compliance with Section 9795 of the*
9 *Government Code, and to the Governor on the number of grants*
10 *provided to an institution of higher education on behalf of a*
11 *grantee or to a training provider included on the state's Eligible*
12 *Training Provider List on behalf of a grantee.*

13 *(j) (1) The commission may use up to 1 percent of the amount*
14 *appropriated for purposes of this article to support its direct costs*
15 *in administering the program.*

16 *(2) Institutions of higher education administering this grant*
17 *program through their campuses may use up to 1 percent of the*
18 *amount allocated to their campuses for purposes of this section*
19 *to support direct costs to administer the program.*

20 *(3) The commission shall provide a portion of funds not to*
21 *exceed 1 percent of the amount appropriated for purposes of this*
22 *article to institutions of higher education administering this grant*
23 *program for purposes of promoting the program and attracting*
24 *eligible applicants in their respective communities.*

25 *(k) The Legislature finds and declares, within the meaning of*
26 *subsection (d) of Section 1621 of Title 8 of the United States Code,*
27 *that undocumented persons shall be eligible to receive grants*
28 *under this article.*

29 *(l) It is the intent of the Legislature to appropriate state funding*
30 *in the annual Budget Act or another statute to support the provision*
31 *of a grant award to any eligible resident who meets, or could meet*
32 *in a future year, the requirements for exemption from nonresident*
33 *tuition pursuant to subdivision (a) of Section 68130.5.*

34 *SEC. 31. The heading of Article 18 (commencing with Section*
35 *69950) of Chapter 2 of Part 42 of Division 5 of Title 3 of the*
36 *Education Code is amended to read:*

37
38 *Article 18. ~~California State Work-Study Program~~*
39 *Learning-Aligned Employment Program*
40

1 *SEC. 32. Section 69950 of the Education Code is repealed.*

2 ~~69950. The Legislature finds and declares all of the following:~~

3 ~~(a) Rising student costs for housing, food, books, supplies, and~~
4 ~~transportation, plus increases in student fees and tuition, require~~
5 ~~a corresponding commitment by the state to provide the financial~~
6 ~~aid necessary to offset these increases and ensure educational~~
7 ~~access and choice for eligible students.~~

8 ~~(b) Reductions in available federal student aid and stricter~~
9 ~~eligibility requirements for federal funding have increased the need~~
10 ~~for the state to reassess the adequacy of its student aid programs.~~

11 ~~(c) Increased reliance on student loans has resulted not only in~~
12 ~~escalating long-term indebtedness of youth entering the labor force,~~
13 ~~but has also increased default rates and concomitant government~~
14 ~~efforts to ensure lender and borrower accountability.~~

15 ~~(d) Institutional and employer contributions to work-study~~
16 ~~financial aid programs extend the availability and effectiveness of~~
17 ~~limited government financial aid funds.~~

18 ~~(e) Work-study programs exemplify a “self-help” approach to~~
19 ~~financial aid, whereby students develop self-reliance and discipline~~
20 ~~as well as work skills by earning at least a portion of their~~
21 ~~educational expenses.~~

22 *SEC. 33. Section 69950 is added to the Education Code, to*
23 *read:*

24 *69950. (a) As used in this article, unless the context requires*
25 *otherwise, the following definitions apply:*

26 *(b) “Program” means the Learning-Aligned Employment*
27 *Program created pursuant to this article.*

28 *(c) “Public postsecondary educational institution” or*
29 *“institution” means a campus of the University of California, the*
30 *California State University, or the California Community Colleges.*

31 *SEC. 34. Section 69951 of the Education Code is amended to*
32 *read:*

33 ~~69951. The California State Work-Study Program~~
34 ~~*Leaning-Aligned Employment Program*~~ is hereby created to provide
35 eligible college and university students with the opportunity to
36 earn money to help defray their educational costs, while gaining
37 ~~valuable experience in educationally beneficial or~~
38 ~~*education-aligned, career-related employment.*~~ *experience.* The
39 ~~California State Work-Study Program~~ *program* shall be
40 administered by the ~~Student Aid Commission.~~ *commission, in*

1 *consultation with the office of the President of the University of*
 2 *California, the office of the Chancellor of the California State*
 3 *University, and the office of the Chancellor of the California*
 4 *Community Colleges. The Legislature finds that the program*
 5 *furtheres the interests of the state, and specifically lessens the*
 6 *burdens of government by ensuring eligible college and university*
 7 *students can pursue higher education in the state.*

8 *SEC. 35. Section 69952 of the Education Code is amended to*
 9 *read:*

10 69952. (a) ~~Any~~ A postsecondary educational institution
 11 currently eligible to participate in state-funded student financial
 12 aid programs pursuant to this chapter or in federal financial aid
 13 programs ~~shall be is eligible to be selected and strongly encouraged~~
 14 ~~to participate in the California State Work-Study Program.~~
 15 ~~program.~~

16 (b) ~~Prior to~~ Before participating in the program, each institution
 17 shall sign an institutional agreement with ~~the Student Aid~~
 18 ~~Commission,~~ *commission* acknowledging its willingness to
 19 administer the program pursuant to this article and ~~program~~
 20 ~~regulations and guidelines adopted for that purpose by the~~
 21 ~~commission.~~ *guidance developed by the commission, in*
 22 *consultation with the office of the President of the University of*
 23 *California, the office of the Chancellor of the California State*
 24 *University, and the office of the Chancellor of the California*
 25 *Community Colleges. The agreement shall include the procedures*
 26 *that the institution shall use to ensure that each work-study*
 27 *learning-aligned employment position is related to the student's*
 28 *course area of study or career interests.*

29 (c) Each participating *public postsecondary educational*
 30 *institution shall be required, as a condition of participation in the*
 31 *program, to comply with such auditing or other fiscal reporting*
 32 *requirements as the commission commission, in consultation with*
 33 *the office of the President of the University of California, the office*
 34 *of the Chancellor of the California State University, and the office*
 35 *of the Chancellor of the California Community Colleges, may*
 36 *establish. These requirements shall be applied by the commission*
 37 *commission, in consultation with the office of the President of the*
 38 *University of California, the office of the Chancellor of the*
 39 *California State University, and the office of the Chancellor of the*
 40 *California Community Colleges, so as to ensure that no payments*

received by any private institution pursuant to this article are applied to any sectarian or denominational purpose, or to the general aid or support of the institution.

SEC. 36. Section 69954 of the Education Code is amended to read:

69954. (a) All of the following entities shall be eligible to employ students participating in the California State Work-Study Program: program:

(1) Public postsecondary educational institutions.

(a) Research centers and institutions operated by public postsecondary educational institutions, if their learning-aligned employment opportunities provide participating students with direct opportunities to participate in the research that is undertaken by the respective research centers and institutions.

(2)

(b) Public schools operated by school districts, county superintendents of schools, the Department of the Youth Authority, or the State Department of Education: department.

(3)

(c) Nonsectarian, nonpolitical organizations or corporations, whether nonprofit or profit-seeking for-profit enterprises licensed to conduct business in California: the state, if they are capable of providing participating students with full-time employment opportunities, or opportunities to connect with other employers capable of providing participating students with full-time employment opportunities, within their areas of study after graduation.

(4) Out-of-state employers licensed to conduct business in their home state, subject to the prior approval of the Student Aid Commission.

(b) Private postsecondary educational institutions shall not be eligible to employ students participating in the California State Work-Study Program.

SEC. 37. Section 69956 of the Education Code is amended to read:

69956. Any (a) A student from an underrepresented background satisfying all of the following criteria shall be eligible to participate in the California State Work-Study Program: program:

(a) Enrollment, or acceptance for enrollment,

1 (1) *Enrollment* on at least a half-time basis at a participating
2 *public* postsecondary educational institution.

3 ~~(b)~~

4 (2) Resident classification pursuant to Part 41 (commencing
5 with Section 68000).

6 ~~(c)~~

7 (3) Demonstrated maintenance of satisfactory academic progress
8 in a program leading to a degree or a certificate, as determined by
9 the *public* postsecondary educational institution in which the
10 student is enrolled, applying standards of eligibility for federal
11 financial aid. For purposes of this determination, homelessness,
12 as defined as a “homeless individual” within the meaning of the
13 federal McKinney-Vento Homeless Assistance Act (42 U.S.C.
14 Sec. 11302(a)), or as defined as a “homeless child or youth,” as
15 defined in subsection (2) of Section 725 of the federal
16 McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec.
17 11434a(2)), is an extenuating circumstance for students who are
18 unable to meet the requirements deemed to constitute “satisfactory
19 academic progress” at that institution that may be considered by
20 the institution to alter or excuse compliance with the progress
21 requirements.

22 ~~(d)~~

23 (4) Demonstrated financial need, as determined by the financial
24 aid office of the institution in which the student is enrolled pursuant
25 to the methodologies approved by the United States Department
26 of Education for use in awarding funds provided under Title IV
27 of the *federal* Higher Education Act of ~~1965~~ 1965, as amended.
28 If individual circumstances affect the ability of the student or the
29 student’s family to contribute to the student’s total financial
30 resources, the financial aid administrator may make reasonable
31 individualized adjustments to the computed total applicant
32 resources.

33 *(b) Each participating public postsecondary educational*
34 *institution shall prioritize for available learning-aligned*
35 *employment opportunities under the program an eligible student*
36 *who is a first generation college student, a current or former foster*
37 *youth, homeless, or at risk of being homeless. Each participating*
38 *institution shall further prioritize for available learning-aligned*
39 *employment opportunities an eligible student meeting this priority*

1 *criteria who is also majoring in a science, technology, engineering,*
2 *or mathematics discipline.*

3 *SEC. 38. Section 69958 of the Education Code is amended to*
4 *read:*

5 69958. (a) ~~Potential work-study positions may be located by~~
6 ~~the institution or by eligible students in cooperation with the~~
7 ~~institution. Each participating public postsecondary educational~~
8 ~~institution shall collaborate with local employers to identify~~
9 ~~learning-aligned employment opportunities that are located near~~
10 ~~the institution, aligned with the areas of study offered by the~~
11 ~~institution, and aligned with an eligible student's area of study.~~
12 ~~Each learning-aligned employment position located shall be~~
13 ~~critically identified by an institution shall be reviewed by the~~
14 ~~appropriate student financial aid and experiential education~~
15 ~~personnel institution's staff to determine whether it satisfies all of~~
16 ~~the conditions specified in Section 69960. To assist the institution~~
17 ~~in assessing the position, the employer shall submit a written~~
18 ~~statement to the institution that provides all of the following~~
19 ~~information:~~

20 (1) ~~The total number of positions available.~~

21 (2) ~~A job description of each available position, including the~~
22 ~~suggested rate of pay.~~

23 (3) ~~The skills required of the prospective work-study employee.~~

24 (4) ~~The educational benefits provided by the position.~~

25 (b) ~~Once the public postsecondary educational institution has~~
26 ~~approved the work-study position, identified a learning-aligned~~
27 ~~employment position, the employer and the institution, acting as~~
28 ~~the authorized agent of the Student Aid Commission, institution~~
29 ~~shall execute a written agreement that confirms the employer's~~
30 ~~eligibility to participate in the program and its willingness to~~
31 ~~comply with all program requirements, and specifies the~~
32 ~~responsibilities of each of the parties. The agreement shall be~~
33 ~~subject to annual renewal by mutual agreement of the institution~~
34 ~~and the employer.~~

35 (c) ~~Following execution of the agreement pursuant to subdivision~~
36 ~~(b), the employer may interview prospective work-study~~
37 ~~employees. students. The institution shall provide the employer~~
38 ~~and each applicant for the work-study learning-aligned employment~~
39 ~~position with adequate information to facilitate a proper placement.~~
40 ~~Provided that student's potential employment. If the priorities~~

specified in Section 69959 have been met, the employer may indicate ~~his or her~~ *the employer's* hiring preferences. An employer shall not discriminate between applicants on any basis listed in subdivision (a) of Section 12940 of the Government Code, as those bases are defined in Sections 12926 and 12926.1 of the Government Code, except as otherwise provided in Section 12940 of the Government Code, or subject any applicant to any other discriminatory practices prohibited by state or federal law.

SEC. 39. Section 69959 of the Education Code is amended to read:

69959. (a) ~~The~~ *Both of the* following priorities shall be followed at the time of job referral and placement:

(1) ~~The primary objective shall be to place a~~

(a) A student *shall only be placed* in an educationally beneficial position that relates to the student's ~~course area~~ *area* of study, career objective, or the exploration of career objectives. ~~Preference in awarding work-study positions shall be given to those students able to locate employment related to their academic program or potential career.~~

(2)

(b) The program shall include and emphasize placements for students ~~with off-campus, private, profit-making employers.~~ *employers that are capable of providing them with full-time employment opportunities, or opportunities to connect with other employers that are capable of providing them with full-time employment opportunities, within their areas of study after graduation.*

(3) ~~The program shall also include, pursuant to Section 69969.5, work-study positions to offer tutorial instruction to pupils in various pupil outreach activities, which may include, but need not be limited to, tutoring in core courses, pupil mentoring, curriculum development, and academic counseling during or after regular school hours.~~

(b) ~~It is the intent of the Legislature that each participating institution shall strive to place a significant number of students with off-campus private sector employers and public school districts. In evaluating an institution's progress in achieving placements with off-campus employers, the commission shall take into consideration the proximity of the campus to private sector~~

1 ~~jobs, local economic conditions, and other factors which may affect~~
2 ~~an institution's ability to place students in off-campus jobs.~~

3 *SEC. 40. Section 69960 of the Education Code is amended to*
4 *read:*

5 69960. The institution shall assure that each ~~work-study~~
6 *learning-aligned employment* position meets all of the following
7 conditions:

8 (a) The position shall be educationally beneficial or related to
9 a particular career interest or the exploration of career options.

10 (b) The work performed by the student shall not be related to
11 the activities of any sectarian organization or to any partisan or
12 nonpartisan political activities.

13 (c) The employment of a ~~work-study~~ *learning-aligned*
14 *employment* student shall not displace workers currently employed
15 by the participating employer, or impair existing contracts for
16 services. ~~No position filled by a work-study student shall have~~
17 ~~been occupied by a regular employee during the current or~~
18 ~~immediately preceding 12 months.~~

19 (d) The ~~work-study~~ *learning-aligned employment* position shall
20 not violate any applicable collective bargaining agreements, or fill
21 any vacancies due to a labor dispute.

22 (e) The student shall be paid at a comparable rate to that paid
23 for comparable positions within the employing organization. If
24 the employing organization has no comparable position, the student
25 shall be paid at a rate comparable to that paid by other
26 organizations in the field for work involving comparable duties
27 and responsibilities. The positions shall be compared on the basis
28 of the nature of the work performed and the background and skills
29 required for the position, and not upon the employee's part-time
30 or student status.

31 (f) The number of hours of *learning-aligned* employment the
32 student is allowed to work shall be determined by each *public*
33 *postsecondary educational* institution in accordance with its
34 standards and practices, taking into consideration the extent of the
35 student's financial need and the potential harm of the combination
36 of work and study hours on a student's satisfactory academic
37 progress. The employer shall provide the institution with an
38 accurate accounting of hours worked and wages earned.

39 (g) The total compensation received by the student shall not
40 exceed the total amount authorized by the institution.

(h) The employer shall provide the student with reasonable supervision.

(i) ~~No funds~~ *Funds* appropriated under this article shall *not* supplant any state, federal, or institutional funds used to support existing paid positions for students in profit or nonprofit organizations.

SEC. 41. Section 69962 of the Education Code is amended to read:

69962. A participating institution shall do ~~all~~ *both* of the following:

(a) ~~For each work-study employer, negotiate an agreement which specifies the~~ *Develop partnerships with employers willing to contribute resources toward a* percentage share of student compensation to be paid by the employer and by the ~~California State Work-Study Program,~~ *program,* respectively.

(1) (A) ~~For work-study learning-aligned employment positions with public educational institutions or nonprofit corporations, the program shall provide no more than 70~~ 90 percent of the student's compensation.

(B) *Notwithstanding subparagraph (A), if the direct employer is the University of California, the California State University, the California Community Colleges, or one of its respective campuses, the program may provide 100 percent of the student's compensation.*

(2) ~~For work-study learning-aligned employment positions with for-profit employers, the program shall provide no more than 50 percent of the student's compensation.~~

(b) ~~For each work-study learning-aligned employment position,~~ maintain all necessary records, including, but not limited to, need analysis documents, employer agreements, financial aid award documents, time sheets, and records of payments provided to the student.

SEC. 42. Section 69963 of the Education Code is amended to read:

~~69963. A participating institution may~~ *A participating public postsecondary educational institution is strongly encouraged to develop competency-based educational opportunities in order to grant academic credit for work performed in a* ~~work-study learning-aligned employment position.~~

1 *SEC. 43. Section 69964 of the Education Code is amended to*
2 *read:*

3 69964. (a) The program ~~shall~~ *may* include summer ~~work-study~~
4 ~~learning-aligned employment opportunities~~ in order to provide
5 ~~work-study learning-aligned employment~~ positions for eligible
6 students who *may* find it difficult to locate meaningful employment
7 because of a rigorous academic program that does not allow them
8 to work during the academic year or because they are required to
9 participate in an intensive work experience that satisfies academic
10 requirements.

11 (b) In addition to meeting the criteria specified in Section 69956,
12 to be eligible to participate in ~~the summer work-study program, a~~
13 ~~summer learning-aligned employment program opportunity, a~~
14 student shall be enrolled at least half-time in summer courses
15 required for completion of a degree or certificate, or accepted for
16 enrollment on at least a half-time basis for the following normal
17 academic term.

18 *SEC. 44. Section 69965 of the Education Code is repealed.*

19 ~~69965. (a) The Student Aid Commission, in consultation with~~
20 ~~the advisory committee designated pursuant to Section 69966,~~
21 ~~shall select postsecondary educational institutions to participate~~
22 ~~in the program. In evaluating applications from educational~~
23 ~~institutions, the commission shall primarily consider the following~~
24 ~~factors:~~

25 ~~(1) Administrative capability.~~

26 ~~(2) Ability to utilize available state funds.~~

27 ~~(b) The commission shall also consider:~~

28 ~~(1) Geographical distribution of participating institutions.~~

29 ~~(2) Segmental representation.~~

30 *SEC. 45. Section 69966 of the Education Code is repealed.*

31 ~~69966. The Student Aid Commission shall administer the~~
32 ~~California State Work-Study Program in consultation with an~~
33 ~~advisory committee. The membership of the advisory committee,~~
34 ~~which may be an existing advisory committee established by the~~
35 ~~commission, shall be representative of, but need not be limited to,~~
36 ~~financial aid and student employment administrators from each~~
37 ~~segment of postsecondary education, students, public schools,~~
38 ~~employers, the California Postsecondary Education Commission,~~
39 ~~and experiential education personnel.~~

1 *SEC. 46. Section 69967 of the Education Code is amended to*
2 *read:*

3 ~~69967. (a) The Student Aid Commission shall~~ *commission,*
4 *in consultation with the office of the President of the University*
5 *of California, the office of the Chancellor of the California State*
6 *University, and the office of the Chancellor of the California*
7 *Community Colleges, shall do all of the following:*

8 ~~(a) Adopt~~

9 ~~(1) Develop and post on its internet website any necessary rules,~~
10 ~~regulations,~~ *programmatic policies and guidelines to assist*
11 *participating employers and public postsecondary educational*
12 *institutions to administer operate the program.*

13 ~~(b) Ensure that student placements are consistent~~

14 ~~(2) Develop processes to facilitate public postsecondary~~
15 ~~educational institution compliance with the objectives priorities~~
16 ~~stated in Section 69959.~~

17 ~~(c) Monitor~~

18 ~~(3) Develop processes to facilitate the monitoring of institutional~~
19 ~~expenditures to ensure proper allocation and utilization of~~
20 ~~work-study use of program funds.~~

21 ~~(d)~~

22 ~~(b) At the close of each fiscal year, in a manner to be determined~~
23 ~~by the commission, the office of the President of the University of~~
24 ~~California, the office of the Chancellor of the California State~~
25 ~~University, and the office of the Chancellor of the California~~
26 ~~Community Colleges shall compile data regarding the population~~
27 ~~served by the program by their respective campuses during that~~
28 ~~fiscal year. year and provide the data to the commission.~~

29 ~~(e) Review the~~

30 ~~(c) The office of the President of the University of California,~~
31 ~~the office of the Chancellor of the California State University, and~~
32 ~~the office of the Chancellor of the California Community Colleges~~
33 ~~shall review the administrative practices of each of their respective~~
34 ~~participating institution campuses to ensure compliance with~~
35 ~~program requirements. The office of the President of the University~~
36 ~~of California, the office of the Chancellor of the California State~~
37 ~~University, and office of the Chancellor of the California~~
38 ~~Community Colleges are encouraged to use existing institutional~~
39 ~~compliance and auditing processes to verify program compliance.~~

40 ~~(f) Ensure that appropriate audits of the program are conducted.~~

1 ~~SEC. 47. Section 69968 of the Education Code is repealed.~~

2 ~~69968. (a) The receipt of any funding, or other participation,~~
3 ~~by any private institution under this article is authorized only to~~
4 ~~the extent that the funding or other participation is in compliance~~
5 ~~with Section 8 of Article IX, and Section 5 of Article XVI, of the~~
6 ~~California Constitution.~~

7 ~~(b) If any provision of this act or the application thereof to~~
8 ~~private institutions, or to any other person or circumstances, is~~
9 ~~held invalid, that invalidity shall not affect other provisions or~~
10 ~~applications of the act that can be given effect without the invalid~~
11 ~~provision or application, and to this end the provisions of this act~~
12 ~~are severable.~~

13 ~~SEC. 48. Section 69969 of the Education Code is repealed.~~

14 ~~69969. (a) It is the intent of the Legislature that funding for~~
15 ~~the purposes of the California State Work-Study Program be~~
16 ~~appropriated in the annual Budget Act.~~

17 ~~(b) Available funds shall be allocated to each participating~~
18 ~~institution by the commission, including a minimum administrative~~
19 ~~allowance for each institution.~~

20 ~~(c) The commission may provide a supplementary administrative~~
21 ~~allowance to institutions that reflects the additional costs of placing~~
22 ~~students with off-campus, private, profit-making employers and~~
23 ~~public school districts.~~

24 ~~SEC. 49. Section 69969 is added to the Education Code, to~~
25 ~~read:~~

26 ~~69969. (a) Funds appropriated in the annual Budget Act or~~
27 ~~another statute for purposes of the program shall be provided to~~
28 ~~the commission for allocation to participating public postsecondary~~
29 ~~educational institutions based on their share of students receiving~~
30 ~~a federal Pell Grant in the most recent prior fiscal year for which~~
31 ~~data is available for all program participants.~~

32 ~~(b) A participating public postsecondary educational institution~~
33 ~~may use no more than 5 percent of the funds it receives under the~~
34 ~~program on its administrative costs of participating in the program.~~

35 ~~(c) The commission may use up to one-half of 1 percent of the~~
36 ~~funds appropriated for purposes of this article on the costs of~~
37 ~~administering the program.~~

38 ~~(d) (1) Funds appropriated in the annual Budget Act or another~~
39 ~~statute for purposes of the program shall be available for~~

1 *encumbrance and expenditure by participating campuses until*
2 *June 30, 2031.*

3 (2) (A) *For the 2021–22 fiscal year, participating campuses of*
4 *a participating public postsecondary educational institution are*
5 *expected to collaborate with local employers to identify*
6 *learning-aligned employment positions pursuant to section 69958.*

7 (B) *Commencing no later than the 2022–23 fiscal year,*
8 *participating campuses of a participating public postsecondary*
9 *educational institution are expected to enable participating eligible*
10 *students to access available learning-aligned employment*
11 *opportunities identified pursuant to the requirements of this article.*

12 *SEC. 50. Section 69969.5 of the Education Code is repealed.*

13 ~~69969.5. (a) There is hereby established the Teaching Intern~~
14 ~~Program within the California Work-Study Program, whereby~~
15 ~~work-study funding shall be available, subject to funds being~~
16 ~~appropriated for that purpose, to offer tutorial instruction to pupils~~
17 ~~in various pupil outreach activities. The pupil outreach activities~~
18 ~~may include, but need not be limited to, tutoring in core courses,~~
19 ~~pupil mentoring, curriculum development, and academic counseling~~
20 ~~during or after regular school hours.~~

21 ~~(b) Any program that utilizes college students to tutor pupils~~
22 ~~and receives funding pursuant to this section, shall use the funding~~
23 ~~to increase the number of college students participating in the~~
24 ~~program.~~

25 ~~(c) This section shall become operative only if an appropriation~~
26 ~~is made for its purposes in the Budget Act of 1998.~~

27 *SEC. 51. Section 69996.2 of the Education Code is amended*
28 *to read:*

29 69996.2. *For the purposes of this article, unless the context*
30 *requires otherwise, the following terms have the following*
31 *meanings: definitions apply:*

32 (a) “Account” means a Scholarshare 529 account established
33 pursuant to this article under Article 19 (commencing with Section
34 ~~69980~~), or other child savings plan where applicable and
35 as determined by the board.

36 (b) “Beneficiary” ~~has the same meaning as “designated~~
37 ~~beneficiary,” as provided in Section 529(e)(1) of the Internal~~
38 ~~Revenue Code. is an eligible child receiving funds under the~~
39 ~~program.~~

1 (c) “Board” means the Scholarshare Investment Board created
2 pursuant to Section 69984.

3 (d) *“Enhanced deposit” means an initial or supplemental*
4 *contribution into a KIDS Account or another plan option*
5 *determined by the board pursuant to Section 69996.9.*

6 ~~(d)~~

7 (e) “Fund” means the California Kids Investment and
8 Development Savings Program Fund established pursuant to
9 subdivision (a) of Section 69996.6.

10 ~~(e)~~

11 (f) “Institution of higher education” has the same meaning as
12 “eligible educational institution,” as provided in Section 529(e)(5)
13 of the Internal Revenue Code.

14 ~~(f)~~

15 (g) “Internal Revenue Code” means the Internal Revenue Code
16 of 1986, as it is amended from time to time, if, as determined by
17 the board, the amendment is consistent with the purposes of this
18 article.

19 ~~(g)~~

20 (h) “KIDS Account” means an account in which designated
21 funding for eligible children is held.

22 ~~(h)~~

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

27 ~~(i)~~

28 (j) “Participant” means a parent or legal guardian of an eligible
29 child, or a parent or legal guardian of a child described in
30 subdivision (i) of Section 69996.3, or any private individual or
31 entity who contributes moneys to the program.

32 ~~(j)~~

33 (k) “Program” means the California Kids Investment and
34 Development Savings Program established pursuant to this article.

35 ~~(k)~~

36 (l) “Qualified higher education expenses” means the expenses
37 of attendance at an institution of higher education, as provided in
38 Section 529(e)(3) of the Internal Revenue Code. Notwithstanding
39 Section 529(c)(7) of the Internal Revenue Code, “qualified higher
40 education expenses” shall not include any tuition expenses in

1 connection with enrollment or attendance at an elementary or
2 secondary public, private, or religious school.

3 ~~(t)~~

4 (m) “Seed deposit” means an initial contribution into a KIDS
5 Account for a child born on or after ~~July 1, 2020~~; *a date determined*
6 *by the board*.

7 SEC. 52. Section 69996.3 of the Education Code is amended
8 to read:

9 69996.3. (a) (1) Each child born on or after ~~July 1, 2020~~; *a*
10 *date determined by the board pursuant to paragraph (2)* who is a
11 California resident at the time of birth is eligible for the program.

12 (2) *The date designated by the board for which eligibility*
13 *commences shall be no later than July 1, 2022.*

14 (b) No later than 90 days after a birth certificate is registered
15 for a child described in subdivision (a), the State Department of
16 Public Health shall provide the board with identifiable birth data
17 for the child in a file format as defined by the board. The birth data
18 shall include the child’s name and birth date and the name and
19 contact information of each parent of the child, including the
20 parent’s street address and, if provided to the department, the
21 parent’s mobile telephone number and email address. In addition,
22 upon request by the board, the department shall include, in the
23 birth data it provides to the board, information collected pursuant
24 to subparagraph (C) of paragraph (2) of subdivision (a) of Section
25 102426 of the Health and Safety Code. The department may
26 provide additional identifiable birth data to the board, upon request,
27 and upon a determination by the State Registrar, in consultation
28 with the board, that the data is necessary for administration of the
29 program. The birth data is confidential and shall not be disclosed
30 except as necessary for the program. No more than 90 days after
31 receiving the birth data from the department, the board shall notify
32 each parent of each eligible child about the program. The
33 notification shall include information on all of the following:

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

35 (2) The KIDS Account opened for the child pursuant to
36 subdivision (f).

37 (3) How the parent may establish a separate account pursuant
38 to Article 19 (commencing with Section 69980) and ~~contribution~~
39 ~~matching opportunities~~ *additional financial incentives* provided
40 pursuant to that article.

1 (c) The board shall make a child's designated balance in a KIDS
2 Account viewable by the child's parent or legal guardian through
3 a secured internet link.

4 (d) ~~The board may periodically inform a child's parent or legal~~
5 ~~guardian of the balance of a KIDS Account, including earnings~~
6 ~~designated for the child, shall establish rules and regulations for~~
7 *a program recipient child, and the child's parents or legal*
8 *guardians, to be notified of the moneys deposited and accrued in*
9 *the child's KIDS Account, and rules and regulations regarding*
10 *the establishment and operation of program components, including,*
11 *but not limited to, the claims process, necessary documentation,*
12 *deadlines for the claims, an appeals procedure, and any forfeiture*
13 *procedures. A KIDS Account recipient child and each of the child's*
14 *parents or legal guardians shall be informed of the establishment*
15 *of the child's KIDS Account, provided information on how the*
16 *parent or legal guardian may establish a separate account pursuant*
17 *to Article 19 (commencing with Section 69980), and provided*
18 *information on contribution matching opportunities for financial*
19 *incentives provided pursuant to that article.*

20 (e) The board shall translate program notifications and
21 information provided pursuant to subdivisions (b) to (d), inclusive,
22 into languages pursuant to Section 7295.2 of the Government
23 Code.

24 (f) Upon appropriation by the Legislature, the board shall
25 establish one or more accounts and shall make a separately
26 accounted-for seed deposit from the fund into a KIDS Account
27 established within an account in an amount determined by the
28 board. Each seed deposit shall be designated for a particular child
29 for whom the board receives birth data pursuant to subdivision
30 (b), if no parent or legal guardian has opted that child out of the
31 program. Moneys in a KIDS Account designated for a child,
32 including any investment earnings attributed to the amount of the
33 child's seed deposit since the date of the deposit as calculated by
34 the board, shall be used for the purpose of providing awards for
35 qualified higher education expenses associated with the attendance
36 of the child at an eligible institution of higher education. Each seed
37 deposit shall be at least twenty-five dollars (\$25). The board may
38 provide additional ~~seed funding~~ *financial incentives* designated
39 for a child into a KIDS Account if the parent or legal guardian of
40 the child engages with the KIDS Account 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 KIDS Account 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, *and the student self-certifying that they have resided in the state for at least one year immediately preceding the payment of qualified higher education expenses on the student's behalf*, the board shall make a payment to that institution in the amount of the seed-deposit *deposit, enhanced deposit, if applicable, and any additional financial incentives* 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, including, but not limited to, incentives targeting low-income households.

(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 is a current California resident under ~~10~~ six years of age who was ~~either~~ both of the following:

(A) ~~Born a California resident before July 1, 2020;~~ *on or after the date designated by the board for which eligibility commences.*

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

(j) (1) ~~If a KIDS Account established pursuant to this article, and its investment earnings, shall remain assets of, and owned by, the state until used for the payment of qualified higher education expenses at an institution of higher education, and funds shall remain invested until they are used for the purposes authorized by this article or until the recipient achieves 26 years of age, whichever occurs first.~~ If a beneficiary does not use any portion, or all, of the moneys intended for the beneficiary in a KIDS Account for a qualified higher education expense for any reason,

1 including the death or disability of the beneficiary, before the
2 beneficiary turns 26 years of age, all contributions made for the
3 beneficiary into the KIDS Account and any earnings from those
4 moneys shall be forfeited and deposited into the fund for the
5 program.

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

10 (3) *Moneys, less applicable penalties, collected pursuant to*
11 *Section 529 of the Internal Revenue Code not used within the time*
12 *period described in paragraph (1) shall revert to the fund after*
13 *the payment of any amount determined to be due to the federal*
14 *government as a result of the reversion.*

15 ~~(3)~~

16 (4) All contributions made into a KIDS Account for a child who
17 has opted out of the program pursuant to subdivision (b), including
18 any investment earnings attributed to the amount of the child's
19 seed deposit since the date of the deposit as calculated by the board,
20 shall be forfeited and deposited into the fund for the program in a
21 timely manner.

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

29 (l) The board may use up to 5 percent of state appropriations
30 provided for purposes of the program for administrative costs.
31 *Unless otherwise specified in the annual Budget Act, this*
32 *subdivision shall not apply to any one-time or ongoing local*
33 *assistance funds first appropriated in support of the program*
34 *beginning in the 2021–22 fiscal year.*

35 SEC. 53. *Section 69996.6 of the Education Code is amended*
36 *to read:*

37 69996.6. (a) The California Kids Investment and Development
38 Savings Program Fund is hereby established in the State Treasury.
39 Notwithstanding Section 13340 of the Government Code, *except*
40 *for moneys derived from the federal American Rescue Plan Act,*

1 moneys in the fund shall be continuously appropriated, without
2 regard to fiscal years, to the board for the program. The fund shall
3 be the initial repository of all appropriations, gifts, or other
4 financial assets received by the board in connection with operation
5 of the program.

6 (b) (1) Subject to available funding, the program shall be
7 ~~implemented before January 1, 2021.~~ *on or before July 1, 2022.*
8 The board may establish an implementation timeline for the
9 program based on available funding. If the board does not secure
10 adequate funds to implement the program before ~~January 1, 2021,~~
11 *July 2, 2022,* program implementation may be delayed while the
12 board makes good faith efforts to secure necessary funding. The
13 board may accept gifts, grants, awards, matching contributions,
14 interest income, and appropriations from individuals, businesses,
15 state and local governmental entities, and third-party sources for
16 the program on terms the board deems advisable.

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

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

31 (c) On or before ~~January 1, 2022,~~ *June 30, 2022, and annually*
32 *thereafter,* the board shall report to the Department of Finance and
33 the Legislature, pursuant to Section 9795 of the Government Code,
34 information pertaining to ~~the first year of the program's~~
35 ~~implementation. The report shall include~~ *include, at a minimum,*
36 ~~all of the following:~~

- 37 (1) Detailed program expenditure ~~information.~~ *information,*
38 *including the amount of funds expended to establish KIDS Accounts*
39 *pursuant to this article in the previous five fiscal years.*

1 (2) The number of KIDS Accounts opened and state and nonstate
2 contributions made to KIDS Accounts.

3 (3) Information about how parents were notified pursuant to
4 subdivision (b) of Section 69996.3.

5 (4) ~~Number~~ *The number* of parents or legal guardians who
6 engage with KIDS Accounts by verifying receipt of information
7 provided to them pursuant to paragraph (2) of subdivision (b) of
8 Section 69996.3, establishing separate accounts pursuant to Article
9 19 (commencing with Section 69980), or engaging with KIDS
10 Accounts by other means approved by the board.

11 (5) A description of the board's efforts and success in soliciting
12 philanthropic or nonstate money to support the program.

13 (6) A description of the board's marketing of the program.

14 (7) *The rate of investment return earned by the money authorized*
15 *by this article in the previous five fiscal years.*

16 (8) *To the extent that information is available and can be*
17 *disclosed without providing any opportunity to associate the*
18 *information with particular individuals, the board shall include*
19 *information on the ethnicity, gender, and family income of account*
20 *recipients.*

21 ~~(7)~~
22 (9) Recommendations for improving the program.

23 SEC. 54. Section 69996.7 is added to the Education Code,
24 immediately following Section 69996.6, to read:

25 69996.7. (a) *Funds appropriated pursuant to Schedule 1 of*
26 *Item 0954-162-8506 of Section 2.00 of the Budget Act of 2021*
27 *shall be used to support program enhanced deposits and to*
28 *establish KIDS Accounts for eligible children who do not already*
29 *have a KIDS Account established. For the 2021–22 fiscal year,*
30 *funds appropriated pursuant to Provision 2 of Item 0954-101-0001*
31 *of Section 2.00 of the Budget Act of 2021 shall be used to support*
32 *program enhanced deposits and to establish KIDS Accounts for*
33 *eligible children that are ineligible to receive funds appropriated*
34 *pursuant to Schedule 1 of Item 0954-162-8506 of Section 2.00 of*
35 *the Budget Act of 2021. Commencing with the 2022–23 fiscal year,*
36 *funds appropriated pursuant to Provision 2 of Item 0954-101-0001*
37 *of Section 2.00 of the annual Budget Act shall be used to support*
38 *program enhanced deposits and to establish KIDS Accounts for*
39 *eligible children who do not already have a KIDS Account*
40 *established.*

1 ***(b) All assets of the fund and moneys allocated to individual***
2 ***KIDS Accounts shall be considered to be owned by the state until***
3 ***used for the payment of qualified higher education expenses at an***
4 ***institution of higher education.***

5 ***(c) Deposits made to the fund or disbursements from the fund***
6 ***allocated to individual participant KIDS Accounts shall be invested***
7 ***through a Scholarshare 529 account or through another investment***
8 ***plan determined by the board.***

9 ***(d) This article shall not be construed to prevent any child from***
10 ***seeking private or other funding sources to supplement the amount***
11 ***of funds deposited in the child's KIDS Account.***

12 ***(e) Notwithstanding any other law, funds deposited and***
13 ***investment returns accrued in a KIDS Account established pursuant***
14 ***to this article shall augment and not supplant student financial***
15 ***aid from other public sources, and shall not be considered when***
16 ***calculating eligibility for student financial aid.***

17 ***(f) Notwithstanding any other law, funds deposited and***
18 ***investment returns accrued in a KIDS Account established pursuant***
19 ***to this article and claimed by a recipient pursuant to this article***
20 ***shall be exempt from state income tax liability.***

21 ***(g) To the extent permissible under federal law, funds deposited***
22 ***and investment returns accrued in a KIDS Account established***
23 ***pursuant to this article shall not be considered in the federal needs***
24 ***analysis for student financial aid, as they shall be considered an***
25 ***asset of the state until used for the payment of qualified higher***
26 ***education expenses at an institution of higher education.***

27 ***SEC. 55. Section 69996.8 is added to the Education Code, to***
28 ***read:***

29 ***69996.8. (a) The board may establish rules and regulations***
30 ***to ensure that money in a KIDS Account established pursuant to***
31 ***this article is disbursed directly to the institution of higher***
32 ***education indicated on the award recipient's claim form. These***
33 ***rules and regulations, if established, shall ensure that the program***
34 ***meets all applicable criteria for federal tax-deferral benefits,***
35 ***federal tax-exempt benefits, or both.***

36 ***(b) Moneys in the fund or in KIDS Accounts authorized under***
37 ***this article are nontransferable to any person other than the award***
38 ***recipient or any other entity than the institution of higher education***
39 ***indicated on the award recipient's claim form, and may only be***
40 ***used for the purposes stated in this article. Moneys in the fund or***

1 *in KIDS Accounts authorized by this article shall not be pledged*
2 *as collateral for any loan.*

3 *(c) The board shall request each KIDS Account recipient or*
4 *their parent or legal guardian to voluntarily report personal*
5 *information about the award recipient, including, but not limited*
6 *to, ethnicity, gender, and family income. The board shall compile*
7 *and retain that information in a confidential manner so that the*
8 *personal information of any award recipient is not publicly*
9 *disclosed in a manner that may be associated with a particular*
10 *individual.*

11 *SEC. 56. Section 69996.9 is added to the Education Code, to*
12 *read:*

13 *69996.9. (a) (1) For the 2021–22 fiscal year, through the*
14 *program, all of the following shall occur:*

15 *(A) Each pupil entering grades 1 to 12, inclusive, in the 2021–22*
16 *fiscal year who meets the requirements to be considered an*
17 *unduplicated pupil for purposes of paragraph (1) of subdivision*
18 *(b) of Section 2574 or paragraph (1) of subdivision (b) of Section*
19 *42238.02 and who is enrolled at a school district, public charter*
20 *school, or other local educational agency, shall have a KIDS*
21 *Account established on the pupil’s behalf, unless the pupil’s KIDS*
22 *Account has already been established pursuant to Section 69996.3,*
23 *and shall receive an enhanced deposit into the pupil’s KIDS*
24 *Account in the amount of five hundred dollars (\$500).*

25 *(B) In addition to the amount allocated pursuant to*
26 *subparagraph (A), the KIDS Account of each eligible pupil who*
27 *is also a foster youth, as defined under subdivision (b) of Section*
28 *42238.01, shall receive an enhanced deposit of an additional five*
29 *hundred dollars (\$500).*

30 *(C) In addition to the amount allocated pursuant to*
31 *subparagraphs (A) and (B), the KIDS Account of each eligible*
32 *pupil who is also a homeless pupil meeting the definition of*
33 *“homeless children and youths” in subsection (2) of Section 725*
34 *of the federal McKinney-Vento Homeless Assistance Act (42 U.S.C.*
35 *Sec. 11434a(2)) shall receive an enhanced deposit of an additional*
36 *five hundred dollars (\$500).*

37 *(2) Commencing with the 2022–23 fiscal year, through the*
38 *program, all of the following shall occur:*

39 *(A) Each pupil who meets all of the following conditions shall*
40 *have a KIDS Account opened on their behalf, unless their account*

1 *has already been established pursuant to Section 69996.3, and*
2 *shall receive an enhanced deposit into their KIDS Account in the*
3 *amount of five hundred dollars (\$500):*

4 *(i) The pupil is entering first grade in the applicable fiscal year.*

5 *(ii) The pupil meets the requirements to be considered an*
6 *unduplicated pupil for purposes of paragraph (1) of subdivision*
7 *(b) of Section 2574 or paragraph (1) of subdivision (b) of Section*
8 *42238.02.*

9 *(iii) The pupil is enrolled at a school district, public charter*
10 *school, or other local educational agency.*

11 *(B) In addition to the amount allocated pursuant to*
12 *subparagraph (A), the KIDS Account of each pupil who meets the*
13 *requirements of subparagraph (A) and is also a foster youth, as*
14 *defined under subdivision (b) of Section 42238.01, shall receive*
15 *an enhanced deposit of an additional five hundred dollars (\$500).*

16 *(C) In addition to the amount allocated pursuant to*
17 *subparagraphs (A) and (B), the KIDS Account of each pupil who*
18 *meets the requirements of subparagraph (A) and is also a homeless*
19 *pupil under the definition of “homeless children and youths” in*
20 *subsection (2) of Section 725 of the federal McKinney-Vento*
21 *Homeless Assistance Act (42 U.S.C. Sec. 11434a(2)) shall receive*
22 *an enhanced deposit of an additional five hundred dollars (\$500).*

23 *(D) For pupils for whom a KIDS Account has already been*
24 *established pursuant to Section 69996.3 and who are also eligible*
25 *for an enhanced deposit pursuant to this paragraph, the enhanced*
26 *deposit shall be deposited in the KIDS Account in which funding*
27 *for that pupil is currently held.*

28 *(3) A pupil who receives an enhanced deposit into their KIDS*
29 *Account pursuant to paragraph (1) or (2) may only have one*
30 *enhanced deposit made into their existing or newly established*
31 *KIDS Account pursuant to this article. A pupil shall not have more*
32 *than one KIDS Account established for them pursuant to this*
33 *article.*

34 *(b) (1) The board shall collaborate with the State Department*
35 *of Education, or other relevant governmental agencies, to identify*
36 *eligible pupils for the purpose of establishing KIDS Accounts or*
37 *making an enhanced deposit into existing KIDS Accounts pursuant*
38 *to this section. To the extent feasible, the State Department of*
39 *Education shall annually provide necessary data using census day*
40 *data in a secure manner for the board to fulfill its obligations*

1 pursuant to this article, including, but not necessarily limited to,
2 eligible pupils' names, pupil identification, birth dates, grade
3 levels, contact information of parents or legal guardians, and
4 eligibility information. For purposes of this subdivision, the
5 information received by the board shall be considered necessary
6 to facilitate the establishment or enhancement of KIDS Accounts,
7 or the establishment of a notification process for parents or legal
8 guardians of eligible pupils.

9 (2) The board shall comply with federal and state laws to protect
10 individual privacy, including, but not limited to, the Information
11 Practices Act of 1977 (Chapter 1 (commencing with Section 1798)
12 of Title 1.8 of Part 4 of Division 3 of the Civil Code) and all of the
13 following federal statutes:

14 (A) The Family Educational Rights and Privacy Act of 1974
15 (Public Law 93-380, as amended).

16 (B) The Health Insurance Portability and Accountability Act of
17 1996 (Public Law 104-191, as amended).

18 (C) The Higher Education Act of 1965 (Public Law 89-329, as
19 amended).

20 (3) Notwithstanding any other law, individual records or source
21 data associated with the establishment of a KIDS Account pursuant
22 to this article shall not be subject to disclosure under the California
23 Public Records Act (Chapter 3.5 (commencing with Section 6250)
24 of Division 7 of Title 1 of the Government Code).

25 (c) The Legislature finds and declares that undocumented
26 persons are eligible for KIDS Accounts within the meaning of
27 subsection (d) of Section 1621 of Title 8 of the United States Code.

28 (d) It is the intent of the Legislature to appropriate state funding
29 in the annual Budget Act to support the establishment of a KIDS
30 Account for any eligible pupil who meets, or could meet in a future
31 year, the requirements to be exempt from nonresident tuition
32 pursuant to subdivision (a) of Section 68130.5.

33 SEC. 57. Section 70022 of the Education Code is amended to
34 read:

35 70022. (a) (1) Subject to an available and sufficient
36 appropriation, an undergraduate student enrolled in the California
37 State University or the University of California, or a community
38 college student enrolled in upper division coursework of a
39 community college baccalaureate program, described in Article 3
40 (commencing with Section 78040) of Chapter 1 of Part 48 of

1 Division 7, who meets the requirements of paragraph ~~(2)~~ (3) is
2 eligible for a scholarship award as described in ~~that paragraph~~.
3 *paragraph (2).*

4 ~~(2) Each academic year,~~ (A) *For the 2013–14 to the 2021–22*
5 *academic year, inclusive, except as provided in paragraphs (3) and*
6 ~~(4),~~ (4) *and (5), an eligible student shall receive a scholarship*
7 *award in an amount that, combined with other federal, state, or*
8 *institutionally administered student grants or fee waivers received*
9 *by an eligible student, is up to 40 percent of the amount charged*
10 *to that student in that academic year for mandatory systemwide*
11 *tuition and fees, or for an eligible community college student, up*
12 *to 40 percent of the amount charged to that student in upper*
13 *division fees for a community college baccalaureate degree*
14 *program, if all of the following requirements in paragraph (3) are*
15 *met, to the satisfaction of the commission, each academic year:*
16 *year.*

17 (B) *Commencing with the 2022–23 academic year, except as*
18 *provided in paragraph (5), an eligible student shall receive a*
19 *scholarship award in an amount that equals the difference between*
20 *their cost of attendance as determined by the commission and the*
21 *sum of the following amounts:*

22 (i) *Other federal, state, and institutionally administered student*
23 *scholarships, grants, or fee waivers.*

24 (ii) *Seven thousand eight hundred ninety-eight dollars (\$7,898),*
25 *reflecting an expected student contribution toward cost of*
26 *attendance from work earnings or other resources. Commencing*
27 *with the 2024–25 award year, the commission shall annually adjust*
28 *this amount based on the percentage change in the minimum wage,*
29 *pursuant to paragraph (1) of subdivision (c) of Section 1182.12*
30 *of the Labor Code.*

31 (iii) *Notwithstanding Section 69506, for dependent students*
32 *with an annual household income exceeding one hundred thousand*
33 *dollars (\$100,000), 33 percent of the parents' contribution from*
34 *adjusted available income, as determined using the federal*
35 *methodology established by Title IV of the federal Higher*
36 *Education Act of 1965, as amended (20 U.S.C. Sec. 1087mm et*
37 *seq.), and applicable rules and regulations adopted by the*
38 *commission.*

1 (3) (A) A student shall be eligible to receive an award if all of
2 the following requirements are met, to the satisfaction of the
3 commission, each academic year:

4 ~~(A)~~

5 (B) The student's annual household income does not exceed
6 one hundred fifty thousand dollars (\$150,000). For awards
7 distributed for the 2016–17 academic year and subsequent
8 academic years, the commission shall annually adjust the maximum
9 income level set under this subparagraph in accordance with the
10 percentage changes in the cost of living within the meaning of
11 paragraph (1) of subdivision (e) of Section 8 of Article XIII B of
12 the California Constitution. For purposes of this article, annual
13 household income shall be calculated in a manner that is consistent
14 with the requirements applicable to the
15 Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program
16 (Chapter 1.7 (commencing with Section 69430)) and Section
17 69506.

18 ~~(B)~~

19 (C) Beginning with awards distributed in the 2015–16 academic
20 year, the student's household asset level shall not exceed one
21 hundred fifty thousand dollars (\$150,000). For awards distributed
22 in the 2016–17 academic year and subsequent academic years, the
23 commission shall annually adjust the maximum household asset
24 level set under this subparagraph in accordance with the percentage
25 changes in the cost of living within the meaning of paragraph (1)
26 of subdivision (e) of Section 8 of Article XIII B of the California
27 Constitution. For purposes of this article, student's household asset
28 level shall be calculated in a manner that is consistent with the
29 requirements applicable to the
30 Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program
31 (Chapter 1.7 (commencing with Section 69430)) and Section
32 69506.

33 ~~(C)~~

34 (D) The student satisfies the eligibility requirements for a Cal
35 Grant award pursuant to Section 69433.9, except that a student
36 who is exempt from nonresident tuition under Section 68130.5
37 shall not be required to satisfy the requirements of subdivision (a)
38 of Section 69433.9.

39 ~~(D)~~

40 (E) The student is exempt from paying nonresident tuition.

~~(E)~~

(F) The student completes and submits a Free Application for Federal Student Aid (FAFSA) application. The FAFSA must be submitted or postmarked by no later than March 2. If the student is not able to complete a FAFSA application, the student may satisfy this subparagraph by submitting an application determined by the commission to be equivalent to the FAFSA application for purposes of this article by March 2.

~~(F)~~

(G) The student makes a timely application or applications for all other federal, state, or institutionally administered grants or fee waivers for which the student is eligible.

~~(G)~~

(H) The student maintains satisfactory academic progress in a manner that is consistent with the requirements applicable to the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program pursuant to subdivision (m) of Section 69432.7.

~~(H)~~

(I) The student is pursuing ~~his or her~~ *the student's* first undergraduate baccalaureate degree or has completed a baccalaureate degree and has been admitted to, and is enrolled in, a program of professional teacher preparation at an institution approved by the ~~California~~ Commission on Teacher Credentialing.

~~(I)~~

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

~~(3)~~

(4) (A) ~~The~~ *For each academic year from 2013–14 to 2021–22, inclusive, the* percentages specified in paragraph (2) shall be reduced by 0.6-percent increments per one thousand dollars (\$1,000) of annual household income in excess of one hundred thousand dollars (\$100,000), to a minimum 10 percent, provided that no scholarship award shall be provided to a student with an annual household income exceeding one hundred fifty thousand dollars (\$150,000). Beginning with award calculations for the 2016–17 academic year, and for subsequent academic years, the commission shall annually adjust the income levels specified in this subparagraph by the percentage change in the cost of living within the meaning of paragraph (1) of subdivision (e) of Section 8 of Article XIII B of the California Constitution and shall adjust the incremental reduction accordingly to ensure that a minimum

1 of 10 percent of mandatory systemwide tuition and fees for an
2 academic year are awarded. This reduction shall be in addition to
3 any reduction required by Section 70023.

4 (B) Notwithstanding subparagraph (A), *for each academic year*
5 *from 2013–14 to 2021–22, inclusive*, for any student who qualifies
6 for a scholarship award of at least one dollar (\$1), the minimum
7 annual scholarship amount for full-time enrollment is ninety dollars
8 (\$90).

9 ~~(4)~~

10 (5) (A) For the 2014–15, 2015–16, and 2016–17 academic
11 years, the maximum amount of a student's scholarship award shall
12 be 35 percent, 50 percent, and 75 percent, respectively, of the total
13 scholarship award amount that the student would otherwise be
14 eligible to receive.

15 (B) *Commencing with the 2022–23 academic year, the maximum*
16 *amount of a student's scholarship award shall be determined by*
17 *the percentage determined pursuant to subparagraph (C) of the*
18 *total scholarship award amount that the student would otherwise*
19 *be eligible to receive.*

20 (C) *The commission shall annually determine the percentage*
21 *required for purposes of subparagraph (B) by taking the amount*
22 *appropriated for the purposes of this program for the applicable*
23 *award year and dividing that by the sum of the projected amount*
24 *computed for all eligible students pursuant to subparagraph (B)*
25 *of paragraph (2) for the applicable award year.*

26 (b) In order for students enrolled in their respective segments
27 to remain eligible to receive a scholarship award under this article,
28 the University of California and the California State University
29 shall not supplant their respective institutional need-based grants
30 with the funds provided for scholarships under this article, and
31 shall maintain their funding amounts at a level that, at a minimum,
32 is equal to the level maintained for undergraduate students during
33 ~~the 2013–14~~ 2021–22 academic year.

34 (c) The University of California and the California State
35 University shall report on the implementation of this article as part
36 of the report made pursuant to Section 66021.1.

37 (d) A Middle Class Scholarship Program award authorized
38 pursuant to this article shall be defined as a full-time equivalent
39 grant. An award to a part-time student shall be a fraction of a
40 full-time ~~grant, as~~ grant. *For each academic year from 2013–14*

1 to 2021–22, inclusive, an award to a part-time student shall be
 2 determined by the proportionate amount charged for systemwide
 3 tuition and fees. Commencing with the 2022–23 academic year,
 4 an award to a part-time student shall be approximately
 5 proportional to the student’s unit load, as determined by the
 6 commission. A part-time student shall not be discriminated against
 7 in the selection of Middle Class Scholarship Program awards. For
 8 purposes of this section, “full-time student” and “part-time student”
 9 have the same meaning as specified in subdivision (f) of Section
 10 69432.7.

11 SEC. 58. Section 70023 of the Education Code is amended to
 12 read:

13 70023. (a) For each academic year, the commission shall
 14 determine an amount sufficient, when combined with other federal,
 15 state, or institutionally administered student-grants scholarships,
 16 grants, or fee waivers received by eligible students from other
 17 sources, to provide scholarships to eligible students in the amounts
 18 described in paragraphs ~~(2) and (3)~~ (2), (4), and (5) of subdivision
 19 (a) of Section 70022. The University of California, the California
 20 State University, and the Office of the Chancellor of the California
 21 Community Colleges shall provide the commission with any
 22 financial aid data that are necessary for the determination of these
 23 amounts.

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

31 (c) The commission may adopt regulations necessary to carry
 32 out the purposes of this article under subdivision (b) as emergency
 33 regulations in accordance with Chapter 3.5 (commencing with
 34 Section 11340) of Part 1 of Division 3 of Title 2 of the Government
 35 Code. For purposes of the Administrative Procedure Act, including
 36 Section 11349.6 of the Government Code, the adoption of those
 37 regulations shall be deemed to be an emergency and necessary for
 38 the immediate preservation of the public peace, health and safety,
 39 or general welfare, notwithstanding subdivision (e) of Section
 40 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 four million three hundred forty-five thousand dollars (\$104,345,000).

(F) For the 2019–20 fiscal year, ~~and for each fiscal year thereafter, one hundred seventeen million dollars (\$117,000,000);~~
one hundred sixteen million five hundred fifty-seven thousand dollars (\$116,557,000).

(G) *For the 2020–21 fiscal year, one hundred sixteen million nine hundred fifty-six thousand dollars (\$116,956,000).*

(H) *For the 2021–22 fiscal year, 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) *Commencing with the 2022–23 fiscal year, the annual appropriation to the commission to carry out the purposes of this section and Section 70022 shall be determined in the annual Budget Act.*

1 ~~(3)~~

2 (4) It is the intent of the Legislature that any savings realized
3 from changes made to the allocations under this subdivision by a
4 bill providing for appropriations related to the Budget Bill for the
5 2015–16 fiscal year shall be used to support higher education.

6 ~~(4)~~

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

13 ~~(5)~~

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

16 ~~(6)~~

17 (7) (A) Beginning with the Governor’s Budget proposal for the
18 2014–15 fiscal year, and in the Governor’s Budget for each fiscal
19 year thereafter, the Department of Finance shall include a fund
20 condition statement for the Middle Class Scholarship Fund for the
21 fiscal year of the proposed budget and the two immediately
22 preceding fiscal years prepared in accordance with existing law.

23 (B) Upon order of the Director of Finance and ~~commencing~~
24 ~~with the 2013–14 fiscal year, for the 2013–14 to 2021–22 fiscal~~
25 ~~years, inclusive,~~ if the May Revision projects a budget deficit for
26 the next fiscal year, the amount specified in paragraph (1) for the
27 fiscal year for which the budget deficit is projected may be reduced
28 by up to 33 percent.

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

32 *SEC. 59. Section 76300 of the Education Code is amended to*
33 *read:*

34 76300. (a) The governing board of each community college
35 district shall charge each student a fee pursuant to this section.

36 (b) (1) The fee prescribed by this section shall be forty-six
37 dollars (\$46) per unit per semester, effective with the summer term
38 of the 2012 calendar year.

39 (2) The board of governors shall proportionately adjust the
40 amount of the fee for term lengths based upon a quarter system,

1 and also shall proportionately adjust the amount of the fee for
2 summer sessions, intersessions, and other short-term courses. In
3 making these adjustments, the board of governors may round the
4 per unit fee and the per term or per session fee to the nearest dollar.

5 (c) For the purposes of computing apportionments to community
6 college districts pursuant to Section 84750.4 or 84750.5, as
7 applicable, the board of governors shall subtract, from the total
8 revenue owed to each district, 98 percent of the revenues received
9 by districts from charging a fee pursuant to this section.

10 (d) The board of governors shall reduce apportionments by up
11 to 10 percent to any district that does not collect the fees prescribed
12 by this section.

13 (e) The fee requirement does not apply to any of the following:

14 (1) Students enrolled in the noncredit courses designated by
15 Section 84757.

16 (2) California State University or University of California
17 students enrolled in remedial classes provided by a community
18 college district on a campus of the University of California or a
19 campus of the California State University, for whom the district
20 claims an attendance apportionment pursuant to an agreement
21 between the district and the California State University or the
22 University of California.

23 (3) Students enrolled in credit contract education courses
24 pursuant to Section 78021, if the entire cost of the course, including
25 administrative costs, is paid by the public or private agency,
26 corporation, or association with which the district is contracting
27 and if these students are not included in the calculation of the
28 full-time equivalent students (FTES) of that district.

29 (f) The governing board of a community college district may
30 exempt special part-time students admitted pursuant to Section
31 76001 from the fee requirement.

32 (g) (1) The fee requirements of this section shall be waived for
33 any student who meets all of the following requirements:

34 (A) Meets minimum academic and progress standards adopted
35 by the board of governors, which fulfill the requirements outlined
36 in this paragraph and paragraphs (2) to (5), inclusive. Any
37 minimum academic and progress standards adopted pursuant to
38 this section shall be uniform across all community college districts
39 and campuses. These standards shall not include a maximum unit
40 cap, and community college districts and colleges shall not impose

1 requirements for fee waiver eligibility other than the minimum
2 academic and progress standards adopted by the board of governors
3 and the requirements of subparagraph (B).

4 (B) Meets one of the following criteria:

5 (i) At the time of enrollment, is a recipient of benefits under the
6 Temporary Assistance for Needy Families program, the
7 Supplemental Security Income/State Supplementary Payment
8 Program, or a general assistance program.

9 (ii) Demonstrates eligibility according to income standards
10 established by regulations of the board of governors.

11 (iii) Demonstrates financial need in accordance with the
12 methodology set forth in federal law or regulation for determining
13 the expected family contribution of students seeking financial aid.

14 (iv) At the time of enrollment, is a homeless youth or a former
15 homeless youth as defined in subdivision (b) of Section 66025.9.

16 (2) (A) The board of governors, in consultation with students,
17 faculty, and other key stakeholders, shall consider all of the
18 following in the development and adoption of minimum academic
19 and progress standards pursuant to subparagraph (A) of paragraph
20 (1):

21 (i) Minimum uniform academic and progress standards that do
22 not unfairly disadvantage financially needy students in pursuing
23 their education.

24 (ii) Criteria for reviewing extenuating circumstances and
25 granting appeals that, at a minimum, take into account and do not
26 penalize a student for circumstances outside the student's control,
27 such as reductions in student support services or changes to the
28 economic situation of the student.

29 (iii) A process for reestablishing fee waiver eligibility that
30 provides a student with a reasonable opportunity to continue or
31 resume the student's enrollment at a community college.

32 (B) To ensure that students are not unfairly impacted by the
33 requirements of subparagraph (A) of paragraph (1), the board of
34 governors shall establish a reasonable implementation period that
35 commences no sooner than one year from adoption of the minimum
36 academic and progress standards, or any subsequent changes to
37 these standards, pursuant to subparagraph (A) of paragraph (1)
38 and that is phased in to provide students adequate notification of
39 this requirement and information about available support resources.

(3) It is the intent of the Legislature that minimum academic and progress standards adopted pursuant to subparagraph (A) of paragraph (1) be implemented only as campuses develop and implement the student support services and interventions necessary to ensure no disproportionate impact to students based on ethnicity, gender, disability, or socioeconomic status. The board of governors shall consider the ability of community college districts to meet the requirements of this paragraph before adopting minimum academic and progress standards, or any subsequent changes to these standards, pursuant to subparagraph (A) of paragraph (1).

(4) It is the intent of the Legislature to ensure that a student shall not lose fee waiver eligibility without a community college campus first demonstrating a reasonable effort to provide a student with adequate notification and assistance in maintaining the student's fee waiver eligibility. The board of governors shall adopt regulations to implement this paragraph that ensure all of the following:

(A) Students are provided information about the available student support services to assist them in maintaining fee waiver eligibility.

(B) Community college district policies and course catalogs reflect the minimum academic and progress standards adopted pursuant to subparagraph (A) of paragraph (1) and that appropriate notice is provided to students before the policies are put into effect.

(C) A student does not lose fee waiver eligibility unless the student has not met minimum academic and progress standards adopted pursuant to subparagraph (A) of paragraph (1) for a period of no less than two consecutive academic terms.

(5) The board of governors shall provide notification of a proposed action to adopt regulations pursuant to this subdivision to the appropriate policy and fiscal committees of the Legislature in accordance with the requirements of paragraph (1) of subdivision (a) of Section 70901.5. This notification shall include, but not be limited to, all of the following:

(A) The proposed minimum academic and progress standards and information detailing how the requirements of paragraphs (1) to (4), inclusive, have been or will be satisfied.

(B) How many students may lose fee waiver eligibility by ethnicity, gender, disability, and, to the extent relevant data is available, by socioeconomic status.

1 (C) The criteria for reviewing extenuating circumstances,
2 granting appeals, and reestablishing fee waiver eligibility pursuant
3 to paragraph (2).

4 (h) The fee requirements of this section shall be waived for any
5 student who, at the time of enrollment, is a dependent or surviving
6 spouse who has not remarried, of any member of the California
7 National Guard who, in the line of duty and while in the active
8 service of the state, was killed, died of a disability resulting from
9 an event that occurred while in the active service of the state, or
10 is permanently disabled as a result of an event that occurred while
11 in the active service of the state. "Active service of the state," for
12 the purposes of this subdivision, refers to a member of the
13 California National Guard activated pursuant to Section 146 of
14 the Military and Veterans Code.

15 (i) The fee requirements of this section shall be waived for any
16 student who is the surviving spouse or the child, natural or adopted,
17 of a deceased person who met all of the requirements of Section
18 68120.

19 (j) The fee requirements of this section shall be waived for any
20 student in an undergraduate program, including a student who has
21 previously graduated from another undergraduate or graduate
22 program, who is the dependent of any individual killed in the
23 September 11, 2001, terrorist attacks on the World Trade Center
24 and the Pentagon or the crash of United Airlines Flight 93 in
25 southwestern Pennsylvania, if that dependent meets the financial
26 need requirements set forth in Section 69432.7 for the Cal Grant
27 A Program and either of the following applies:

28 (1) The dependent was a resident of California on September
29 11, 2001.

30 (2) The individual killed in the attacks was a resident of
31 California on September 11, 2001.

32 (k) A determination of whether a person is a resident of
33 California on September 11, 2001, for purposes of subdivision (j)
34 shall be based on the criteria set forth in Chapter 1 (commencing
35 with Section 68000) of Part 41 of Division 5 for determining
36 nonresident and resident tuition.

37 (l) (1) "Dependent," for purposes of subdivision (j), is a person
38 who, because of the person's relationship to an individual killed
39 as a result of injuries sustained during the terrorist attacks of
40 September 11, 2001, qualifies for compensation under the federal

1 September 11th Victim Compensation Fund of 2001 (Title IV
2 (commencing with Section 401) of Public Law 107-42).

3 (2) A dependent who is the surviving spouse of an individual
4 killed in the terrorist attacks of September 11, 2001, is entitled to
5 the waivers provided in this section until January 1, 2013.

6 (3) A dependent who is the surviving child, natural or adopted,
7 of an individual killed in the terrorist attacks of September 11,
8 2001, is entitled to the waivers under subdivision (j) until that
9 person attains 30 years of age.

10 (4) A dependent of an individual killed in the terrorist attacks
11 of September 11, 2001, who is determined to be eligible by the
12 California Victim Compensation Board, is also entitled to the
13 waivers provided in this section until January 1, 2013.

14 (m) (1) It is the intent of the Legislature that sufficient funds
15 be provided to support the provision of a fee waiver for every
16 student who demonstrates eligibility pursuant to subdivisions (g)
17 to (j), inclusive.

18 (2) From funds provided in the annual Budget Act, the board
19 of governors shall allocate to community college districts, pursuant
20 to this subdivision, an amount equal to 2 percent of the fees waived
21 pursuant to subdivisions (g) to (j), inclusive. From funds provided
22 in the annual Budget Act, the board of governors shall allocate to
23 community college districts, pursuant to this subdivision, an
24 amount equal to ninety-one cents (\$0.91) per credit unit waived
25 pursuant to subdivisions (g) to (j), inclusive. It is the intent of the
26 Legislature that funds provided pursuant to this subdivision be
27 used to support the determination of financial need and delivery
28 of student financial aid services, on the basis of the number of
29 students for whom fees are waived. It also is the intent of the
30 Legislature that the funds provided pursuant to this subdivision
31 directly offset mandated costs claimed by community college
32 districts pursuant to Commission on State Mandates consolidated
33 Test Claims 99-TC-13 (Enrollment Fee Collection) and 00-TC-15
34 (Enrollment Fee Waivers). Funds allocated to a community college
35 district for determination of financial need and delivery of student
36 financial aid services shall supplement, and shall not supplant, the
37 level of funds allocated for the administration of student financial
38 aid programs during the 1992–93 fiscal year.

39 (n) (1) *A community college district may use available*
40 *emergency relief funds provided by the federal government to*

1 *waive the fee requirements established pursuant to this section for*
2 *a student who has not paid the fee due to the impacts of the*
3 *COVID-19 pandemic.*

4 *(2) A community college district may use the authorization*
5 *established pursuant to this subdivision only to waive the fees of*
6 *students that are unpaid due to the impacts of the COVID-19*
7 *pandemic. A participating community college district shall first*
8 *waive the unpaid fees of low-income students and students from*
9 *underrepresented communities.*

10 ~~(n)~~

11 *(o) The board of governors shall adopt regulations implementing*
12 *this section.*

13 *SEC. 60. Section 78052 of the Education Code is amended to*
14 *read:*

15 78052. (a) It is the intent of the Legislature that community
16 college districts develop and implement zero-textbook-cost degrees
17 *and develop open educational resources for courses* to reduce the
18 overall cost of education for students and decrease the time it takes
19 students to complete degree programs.

20 (b) For purposes of this section, the following terms have the
21 following meanings:

22 (1) “Chancellor” means the Chancellor of the California
23 Community Colleges.

24 (2) “Chancellor’s office” means the Office of the Chancellor
25 of the California Community Colleges.

26 (3) “Degree” means a zero-textbook-cost degree.

27 (4) “Open educational resources” means high-quality teaching,
28 learning, and research resources that reside in the public domain
29 or have been released pursuant to an intellectual property license
30 that permits their free use and repurposing by others, and may
31 include other resources that are legally available and free of cost
32 to students. Open educational resources include, but are not limited
33 to, full courses, course materials, modules, textbooks,
34 faculty-created content, streaming videos, tests, software, and any
35 other tools, materials, or techniques used to support access to
36 knowledge.

37 (5) “Zero-textbook-cost degrees” means community college
38 associate degrees or career technical education certificates earned
39 entirely by completing courses that eliminate conventional textbook
40 costs by using alternative instructional materials and

1 methodologies, including open educational resources. *For purposes*
2 *of this paragraph, “zero-textbook-cost degrees” may include a*
3 *low-cost degree option if a no-cost equivalent option is not*
4 *available or cannot be developed.* Discretionary student printing
5 of instructional materials shall not be considered a cost as part of
6 this program.

7 (c) Of the funding appropriated in the annual Budget Act to
8 develop and implement degrees, the chancellor shall distribute
9 grants of up to two hundred thousand dollars (\$200,000) to a
10 community college district for each degree developed and
11 implemented within the district that contributes to the overall
12 ~~elimination~~ *elimination, or significant lowering*, of textbook costs
13 for students and aligns with the conditions for receipt of funds
14 specified in subdivision (d). The chancellor’s office shall ensure
15 that a grant does not result in the development or implementation
16 of duplicate degrees for a subject matter to avoid duplication of
17 effort and ensure the development and implementation of the
18 greatest number of degrees for the benefit of the greatest number
19 of students. The chancellor’s office may distribute the grants in
20 phases, including a planning phase and an implementation phase.

21 (d) As a condition of receiving funding appropriated in the
22 annual Budget Act to develop and implement degrees, a community
23 college district shall comply with all of the following:

24 ~~(1) Develop and implement a degree from an existing associate~~
25 ~~degree or develop and implement a new or existing career technical~~
26 ~~education certificate program, that has high value in the regional~~
27 ~~market, as a zero-textbook-cost certificate program.~~

28 *(1) Develop and implement one or more of the following*
29 *program pathways:*

30 *(A) An existing associate degree or career technical education*
31 *certificate program, prioritizing existing associate degrees for*
32 *transfer.*

33 *(B) A new associate degree or career technical education*
34 *certificate program that meets one of the following conditions:*

35 *(i) Has a high value in the regional market.*

36 *(ii) Meets an emerging regional business industry need.*

37 *(iii) Has high textbook costs.*

38 (2) In complying with paragraph (1), prioritize the development
39 and implementation of a degree from an existing associate degree
40 for transfer and, to the extent possible, prioritize the ~~adaption~~

1 *adaptation* of existing open educational resources through existing
2 open educational resources initiatives, or elsewhere, before creating
3 new content.

4 (3) Develop degrees with consideration for sustainability after
5 grant funding is exhausted, including how content is updated and
6 presented.

7 (4) Ensure compliance with the federal Americans with
8 Disabilities Act (Public Law 104-197) and the federal Copyright
9 Act of 1976 (Public Law 94-553).

10 (5) Develop and implement a minimum of one degree for each
11 grant received.

12 (6) Develop and implement a degree that other community
13 college districts can use or adapt, and post each degree, and the
14 contents of the degree, on the online clearinghouse of information
15 established pursuant to Item 6870-101-0001 of the Budget Act of
16 2016, or a successor ~~Internet Web site~~: *internet website*. All open
17 educational resources used as learning materials for a degree
18 developed pursuant to this section shall be added to the California
19 Digital Open Source Library established in Section 66408. Testing
20 and assessment materials posted online pursuant to this paragraph
21 shall be safeguarded to maintain the integrity of those materials.
22 This paragraph shall not be construed to prohibit faculty from
23 providing sample test and assessment materials to students.

24 (7) Ensure faculty shall have flexibility to update and customize
25 degree content as necessary within the parameters of this program.

26 (8) Ensure that the degree developed and implemented is clearly
27 identified in college catalogs and in class schedules.

28 (9) Provide the chancellor with all ~~planning~~ *legislatively*
29 *required report data, any planning, progress, and outcome*
30 *information associated with the grant, and any additional*
31 *information* that the chancellor determines necessary.

32 (10) Consult with the local academic senate of a college that
33 would implement a degree.

34 (11) (A) Use a multimember team approach, to develop and
35 implement a degree pursuant to this section, that includes faculty,
36 college administrators, and other content-focused staff, including,
37 but not limited to, librarians, instructional designers, and
38 technology experts, from the campus that would implement the
39 degree, other colleges of the community college system, and

1 interested campuses of the California State University and the
2 University of California. ~~Grant~~

3 (B) *Grant* recipients may use funds to obtain professional
4 development and technical assistance to assist in the development
5 of degrees.

6 (12) Strive to implement degrees ~~by the first term of the 2018–19~~
7 ~~academic year~~, *within three academic years of receiving funding*,
8 or sooner, as determined by the chancellor's office.

9 (e) *Of the funding appropriated in the annual Budget Act, the*
10 *chancellor may also distribute grants to a community college*
11 *district for the development and curation of open educational*
12 *resources for coursework. The chancellor's office shall determine*
13 *the amount of a grant for this purpose, but the grant amount shall*
14 *not exceed twenty thousand dollars (\$20,000).*

15 (f) *As a condition of receiving funding appropriated in the*
16 *annual Budget Act for the development and curation of open*
17 *educational resources for coursework, a community college district*
18 *shall comply with all of the following:*

19 (1) *Coordinate the development and curation of open*
20 *educational resources with efforts to develop and implement*
21 *degrees pursuant to subdivisions (c) and (d).*

22 (2) *In instances where the community college district does not*
23 *receive a grant pursuant to subdivision (c), the community college*
24 *district shall coordinate the development and curation of open*
25 *educational resources with existing open educational resources*
26 *initiatives and degree efforts. In addition, the community college*
27 *district shall develop and curate open educational resources for*
28 *coursework to be used for one or more of the following program*
29 *pathways:*

30 (A) *An existing associate degree or career technical education*
31 *certificate program, prioritizing existing associate degrees for*
32 *transfer.*

33 (B) *A new associate degree or career technical education*
34 *certificate program that meets one of the following conditions:*

35 (i) *Has high value in the regional market.*

36 (ii) *Meets an emerging regional business industry need.*

37 (iii) *Has high textbook costs.*

38 (3) *In complying with paragraph (2), to the extent possible,*
39 *prioritize the adaptation of existing open educational resources*

1 *for coursework through existing open educational resources*
2 *initiatives, or elsewhere, before creating new content.*

3 *(4) Ensure compliance with the federal Americans with*
4 *Disabilities Act (Public Law 104-197) and the federal Copyright*
5 *Act of 1976 (Public Law 94-553).*

6 *(5) Ensure all open educational resources developed pursuant*
7 *to this subdivision is added to the California Digital Open Source*
8 *Library established in Section 66408.*

9 *(6) Provide the chancellor with all required report data and*
10 *any planning, progress, and outcome information associated with*
11 *the grant.*

12 *(7) (A) Consult with the local academic senate of a community*
13 *college that would use open educational resources.*

14 *(B) Grant recipients may use funds to obtain professional*
15 *development and technical assistance to assist in the development*
16 *and curation of open educational resources for coursework.*

17 *(8) Strive to complete development and curation of open*
18 *educational resources for coursework within two academic years*
19 *of receiving funding, or sooner, as determined by the chancellor's*
20 *office.*

21 *(e)*

22 *(g) (1) The chancellor shall, by June 30, ~~2019~~, 2027, report to*
23 *the Legislature, the Legislative Analyst's Office, and the*
24 *Department of Finance on the development and implementation*
25 *of ~~degrees~~, degrees pursuant to subdivisions (c) and (d), and the*
26 *development and curation of open educational resources pursuant*
27 *to subdivisions (e) and (f), including, but not limited to:*

28 *(A) The number of degrees developed and implemented and*
29 *open educational resources developed and curated within each*
30 *~~district~~ district, disaggregated by college. Degrees shall also be*
31 *disaggregated by the number of degrees that eliminated textbook*
32 *costs and the number of degrees that significantly lowered textbook*
33 *costs.*

34 *(B) The estimated annual savings to ~~students~~. students.*

35 *(C) The number of students who completed a zero-textbook-cost*
36 *degree ~~program~~. program and accessed open educational*
37 *resources.*

38 *(D) Recommendations to increase, expand, or improve the*
39 *offering of ~~degrees~~. degrees and the use of open educational*
40 *resources.*

(2) A report pursuant to paragraph (1) shall be submitted to the Legislature in compliance with Section 9795 of the Government Code.

(f)

(h) (1) Of the funds appropriated in the annual Budget Act for this program, up to ~~10~~ 3 percent of the appropriation may be allocated by the chancellor's office to contract with a community college district to administer this program.

(2) The contract between the chancellor's office and the *community college* district shall reflect all of the following:

(A) The programmatic and administrative responsibilities that will be delegated to the district, including the programmatic requirements identified in subdivisions ~~(e), (d), and (e)~~: (c) to (g), *inclusive*.

(B) A requirement that the contracting district provide prebid conferences, either in person or via webinar, for interested grant applicants.

(C) Technical assistance to grant applicants and grantees.

(3) The contracting *community college* district may apply for, and receive, a grant to develop and implement a degree and have employees and administrators of the district participate as part of a multimember team approach pursuant to paragraph (11) of subdivision (d). To be eligible to receive a grant, the district shall maintain appropriate and transparent internal controls and processes to ensure that the district's contracted duties and responsibilities are clearly delineated, identified, and distinguished from the duties and responsibilities conferred upon the district as a grant applicant and recipient.

(4) Upon request of the chancellor's office, the contracted *community college* district shall provide the chancellor's office with an update on the status of the development and implementation of each degree within the ~~district~~: *district and the development and curation of open educational resources within the district*.

(5) Notwithstanding any other law, a contract between the chancellor's office 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 for the limited purpose of administering the program pursuant to this subdivision.

~~(g)~~

(i) Of the funds appropriated in the annual Budget Act for this program, funds not awarded in ~~the 2016–17~~ a fiscal year for which funds are appropriated may be awarded in the ~~2017–18~~ following fiscal year.

~~(h)~~

(j) The chancellor’s office shall award an initial round of grants no later than January ~~1, 2017~~. *1 of a fiscal year for which the funds are appropriated.*

SEC. 61. Section 84321.62 of the Education Code is amended to read:

84321.62. (a) Notwithstanding any other law that governs the regulations adopted by the Chancellor of the California Community Colleges to disburse funds, the payment of apportionments to community college districts pursuant to Section 84320 shall be adjusted, ~~commencing with~~ for the 2020–21 fiscal year, by the following:

(1) For the month of June, three hundred million dollars (\$300,000,000) shall be deferred to July.

(2) For the month of May, three hundred million dollars (\$300,000,000) shall be deferred to ~~August~~. *July.*

(3) For the month of April, three hundred million dollars (\$300,000,000) shall be deferred to ~~September~~. *July.*

(4) For the month of March, three hundred million dollars (\$300,000,000) shall be deferred to ~~October~~. *August.*

(5) For the month of February, two hundred fifty-three million two hundred forty-three thousand dollars (\$253,243,000) shall be deferred to ~~November~~. *August.*

(b) The sum of one billion four hundred fifty-three million two hundred forty-three thousand dollars (\$1,453,243,000) is hereby appropriated from the General Fund to the Board of Governors of the California Community Colleges for apportionments to community college districts, for expenditure ~~during the fiscal year~~ the payments are disbursed, *in the 2021–22 fiscal year* to be expended in accordance with the applicable schedules of Item 6870-101-0001 of Section 2.00 of the ~~applicable Budget Act. Act of 2020.~~

(c) Of the funds appropriated in subdivision (b), ~~three hundred million dollars (\$300,000,000)~~ *nine hundred million dollars (\$900,000,000)* shall be allocated in ~~each of the months of July,~~

~~August, September, and October and two hundred fifty-three million two hundred forty-three thousand dollars (\$253,243,000) July and five hundred fifty-three million two hundred forty-three thousand dollars (\$553,243,000) shall be allocated in November August of the 2021–22 fiscal year the payments are disbursed in satisfaction of the moneys deferred pursuant to subdivision (a).~~

(d) (1) The chancellor may adjust the monthly schedule described in subdivision (a) *for the 2020–21 fiscal year* to increase the amount deferred in a specified month if it ensures a shorter time between a deferred payment and repayment.

(2) If adjusting the monthly schedule, the chancellor shall not exceed the total amount of deferred payments described in subdivision (a).

(e) Pursuant to Section 8.28 of the Budget Act of 2020, if the Director of Finance determines that there are sufficient federal funds provided to the state for the 2020–21 fiscal year that may be used to offset the deferral of payments in the amount specified in that section, the Director of Finance shall reduce the amounts reflected in subdivisions ~~(a), (b), and (c)~~: *(a) to (c), inclusive*. In reducing these amounts, the Director of Finance shall first reduce the amounts deferred from any months occurring earliest in the 2020–21 fiscal year.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, *one hundred forty-four million six hundred five thousand dollars (\$144,605,000) of the appropriations appropriation made by subdivision (b) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202, for the 2019–20 fiscal year in which the payments are disbursed, year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2019–20 fiscal year in which the payments are disbursed. year.*

~~(g) This section shall become operative on December 15, 2020.~~

(g) *For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, one billion seventy-eight million eight hundred fifty-eight thousand dollars (\$1,078,858,000) of the appropriation made by subdivision (b) shall be deemed to be “General Fund revenues appropriated for*

community college districts,” as defined in subdivision (d) of Section 41202, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2020–21 fiscal year.

(h) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, two hundred twenty-nine million seven hundred eighty thousand dollars (\$229,780,000) of the appropriation made by subdivision (b) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202, for the 2021–22 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202, for the 2021–22 fiscal year.

SEC. 62. 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,

1 appropriations for the California Community Colleges programs
2 or purposes.

3 (4) It is the intent of the Legislature that for the 2020–21 fiscal
4 year, 70 percent of funding for the Student Centered Funding
5 Formula is for the base allocation provided to districts, 20 percent
6 is for the supplemental allocation provided to districts, and 10
7 percent is for student success allocation provided to districts.

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

18 (2) For purposes of this section, unless otherwise specified in
19 the annual Budget Act, the cost-of-living adjustment shall be the
20 percentage change in the annual average value of the Implicit Price
21 Deflator for State and Local Government Purchases of Goods and
22 Services for the United States, as published by the United States
23 Department of Commerce for the 12-month period ending in the
24 third quarter of the prior fiscal year.

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

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

29 (2) For the 2019–20 fiscal year, four thousand nine dollars
30 (\$4,009).

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

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

37 (A) Each community college district shall receive a basic
38 allocation based on the number of colleges and comprehensive
39 centers in the community college district that is consistent with
40 the basic allocation formula established by the board of governors

1 pursuant to paragraph (2) of subdivision (d) of Section 84750.5 as
2 of the 2015–16 fiscal year.

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

8 (C) Notwithstanding the rate in subdivision (c), for community
9 college districts that had higher rates used to calculate their
10 2017–18 general purpose apportionments, the following rates shall
11 be used to calculate their base allocations:

12 (i) For the 2018–19 fiscal year, as follows:

13 (I) For Foothill-De Anza Community College District, the rate
14 shall be no less than three thousand seven hundred forty-five dollars
15 (\$3,745).

16 (II) For Lake Tahoe Community College District, the rate shall
17 be no less than three thousand eight hundred eighteen dollars
18 (\$3,818).

19 (III) For Lassen Community College District, the rate shall be
20 no less than three thousand seven hundred ninety-four dollars
21 (\$3,794).

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

24 (V) For MiraCosta Community College District, the rate shall
25 be no less than three thousand seven hundred thirty-four dollars
26 (\$3,734).

27 (VI) For San Francisco Community College District, the rate
28 shall be no less than three thousand seven hundred fifty-six dollars
29 (\$3,756).

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

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

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

1 (X) For West Kern Community College District, the rate shall
2 be no less than four thousand nine hundred thirty-four dollars
3 (\$4,934).

4 (ii) For the 2019–20 fiscal year, as follows:

5 (I) For Foothill-De Anza Community College District, the rate
6 shall be no less than four thousand twenty-eight dollars (\$4,028).

7 (II) For Lake Tahoe Community College District, the rate shall
8 be no less than four thousand one hundred seven dollars (\$4,107).

9 (III) For Lassen Community College District, the rate shall be
10 no less than four thousand eighty-one dollars (\$4,081).

11 (IV) For Marin Community College District, the rate shall be
12 no less than four thousand five hundred eighty-three dollars
13 (\$4,583).

14 (V) For MiraCosta Community College District, the rate shall
15 be no less than four thousand sixteen dollars (\$4,016).

16 (VI) For San Francisco Community College District, the rate
17 shall be no less than four thousand forty dollars (\$4,040).

18 (VII) For San Jose-Evergreen Community College District, the
19 rate shall be no less than four thousand twenty-seven dollars
20 (\$4,027).

21 (VIII) For Santa Monica Community College District, the rate
22 shall be no less than four thousand sixty-two dollars (\$4,062).

23 (IX) For South Orange Community College District, the rate
24 shall be no less than four thousand one hundred fifteen dollars
25 (\$4,115).

26 (X) For West Kern Community College District, the rate shall
27 be no less than five thousand three hundred seven dollars (\$5,307).

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

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

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

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

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

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

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

21 (E) For the calculation of the three-year rolling average for the
22 base allocation for the 2020–21 fiscal year, the sum of funded
23 credit FTES for the 2019–20 fiscal year, as adjusted for shifts in
24 summer enrollment between fiscal years, may be used in place of
25 funded credit FTES for the 2020–21 fiscal year.

26 (3) In addition to the amounts computed pursuant to paragraphs
27 (1) and (2), each community college district shall receive an
28 allocation based on credit base revenues associated with funded
29 FTES generated by students who meet the requirements of
30 subdivision (a) of Section 84810.5 and special admit students
31 pursuant to Sections 76002, 76003, and 76004. FTES generated
32 by students who meet the requirements of subdivision (a) of Section
33 84810.5 and special admit students pursuant to Sections 76002,
34 76003, and 76004 shall be multiplied by a community college
35 district's applicable credit revenue rate computed for the 2017–18
36 fiscal year pursuant to Section 84750.5, as that section read on
37 January 1, 2018, as adjusted for 2018–19 fiscal year cost-of-living
38 adjustment and other base adjustments, and adjusted for the
39 changes in the cost-of-living and other base adjustments in
40 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, nine hundred forty-eight dollars (\$948).

(C) (i) 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.

(ii) For the calculation of the supplemental allocation for the 2020–21 fiscal year, data from the 2018–19 fiscal year, for purposes of paragraphs (2), (3), and (4), may be used in place of data from the 2019–20 fiscal year.

(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.

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

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

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

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

13 (I) For the 2018–19 fiscal year, four hundred forty dollars
14 (\$440).

15 (II) For the 2019–20 fiscal year, five hundred fifty-nine dollars
16 (\$559).

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

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

29 (II) For the calculation of the three-year rolling average for the
30 student success allocation for the 2020–21 fiscal year, data from
31 the 2018–19 fiscal year, for purposes of subparagraphs (B), (C),
32 (D), (E), and (F), may be used in place of data from the 2019–20
33 fiscal year.

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

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

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

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

16 (II) Chancellor's office approved credit certificates requiring
17 16 or more units granted may be used to compute these points if
18 the chancellor's office adopts regulations authorizing the approval
19 and issuance of certificates requiring 16 or more units.

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

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

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

38 (iii) The chancellor's office may reduce a community college
39 district's transfer points if a community college district enters into,
40 or expands, a transfer partnership with a private for-profit college

1 that does not meet the qualifications to offer its students federal
2 financial aid.

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

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

14 (ia) The student has an enrollment record in a community college
15 district in the year prior to the prior year.

16 (ib) The student has completed 12 or more semester units, or
17 the equivalent, systemwide through the end of the prior year.

18 (ic) The student does not have an enrollment record systemwide
19 in the prior year.

20 (id) The student enrolled in a four-year university in the prior
21 year.

22 (ie) The student has completed 12 or more semester units, or
23 the equivalent, in the community college district in the year prior
24 to the prior year.

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

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

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

1 (I) For the 2018–19 fiscal year, one hundred eleven dollars
2 (\$111).

3 (II) For the 2019–20 fiscal year, one hundred forty-one dollars
4 (\$141).

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

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

17 (II) For the calculation of the three-year rolling average for the
18 equity component of the student success allocation for the 2020–21
19 fiscal year, data from the 2018–19 fiscal year, for purposes of
20 subparagraphs (B) and (C), may be used in place of data from the
21 2019–20 fiscal year.

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

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

37 (ii) Each community college district shall receive, for each
38 student identified pursuant to clause (i), points for one of the
39 following, with the community college district receiving points
40 based on the outcome that would generate the highest number of

1 points and with the points counted only if the student was enrolled
2 in the community college district in the academic year in which
3 the award was granted:

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

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

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

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

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

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

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

35 (IV) One and one-half points for each student who obtains a
36 regional living wage within one year of community college
37 completion, based on the three-year rolling average for this metric
38 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 2025–26 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 seven 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 seven 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 seven 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

1 to the sum of subdivisions (d), (e), and (f), or computed pursuant
2 to this subdivision shall result in the associated reduction beginning
3 in the year following the initial year of decreases, adjusted for
4 changes in the cost-of-living adjustment.

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

11 (h) For the fiscal years 2018–19 to ~~2023–24~~, 2024–25, inclusive,
12 each community college district whose increase in 2017–18 general
13 purpose apportionment funding computed pursuant to Section
14 84750.5, compared to apportionment funding computed pursuant
15 to this section, is less than the year-over-year cost-of-living
16 adjustments applicable to those fiscal years, shall receive
17 discretionary resources in an amount needed to ensure that the
18 community college district receives no less than its 2017–18
19 general purpose apportionment funding computed pursuant to
20 Section 84750.5 adjusted for annual year-over-year cost-of-living
21 adjustments.

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

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

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

36 (k) It is the intent of the Legislature to allow for changes to the
37 criteria and standards developed pursuant to subdivisions (a) and
38 (h) in order to recognize increased operating costs and to improve
39 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

1 tax districts, the Student Equity and Achievement Program, shall
2 be available to implement the activities required pursuant to this
3 paragraph.

4 (3) If a community college district is identified as needing
5 further assistance to make progress towards achieving specified
6 goals, the chancellor's office, with the approval from the board of
7 governors, may direct the community college district to use up to
8 1 percent of the district's apportionments allocation on technical
9 assistance and professional development to support efforts to meet
10 the district's efforts towards their goals.

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

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

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

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

39 (6) (A) On or before July 1, 2022, the chancellor's office shall
40 report to the Legislature and the Department of Finance, consistent

1 with Section 9795 of the Government Code, a description on how
2 community college districts are making progress on advancing the
3 goals outlined in the system’s strategic vision plan.

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

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

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

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

19 (2) “Chancellor’s office” means the Office of the Chancellor
20 of the California Community Colleges.

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

24 *SEC. 63. Part 53.5 (commencing with Section 88750) is added*
25 *to Division 7 of Title 3 of the Education Code, to read:*

26
27 **PART 53.5. PATHWAYS TO LAW SCHOOL PROGRAMS**
28

29 88750. (a) *Upon appropriation in the annual Budget Act or*
30 *another statute, the office of the Chancellor of the California*
31 *Community Colleges shall allocate funding to community colleges*
32 *for the purpose of expanding pathways to law school programs,*
33 *which may include, but is not limited to, all of the following:*

34 (1) *Supporting opportunities for dual enrollment partnerships*
35 *between community colleges and local high school law academies.*

36 (2) *Implementing partnerships with the California State*
37 *University system that incorporate associate degree for transfer*
38 *pathways that will prepare students for a career in the legal*
39 *profession.*

1 (3) *Expanding existing transfer agreements with the University*
2 *of California that will prepare students for a career in the legal*
3 *profession.*

4 (4) *Providing student advising and guidance to help participants*
5 *in the Community College Pathway to Law School initiative*
6 *successfully transfer into the California State University or the*
7 *University of California.*

8 (b) *The Board of Governors of the California Community*
9 *Colleges, or its authorized designees, may contract with a*
10 *third-party entity for the purpose of providing administrative*
11 *support for the expansion of pathways to law school programs.*

12 (c) (1) *On or before July 1, 2025, the Office of the Chancellor*
13 *of the California Community Colleges shall submit a report to the*
14 *appropriate budget and policy committees of the Legislature*
15 *regarding outcomes resulting from the use of funds pursuant to*
16 *this section, including, but not limited to, the number of students*
17 *participating in pathways to law school programs, the*
18 *demographics, graduation, and success rates of those students,*
19 *and transfer pathways established.*

20 (2) *This subdivision shall remain in effect only until January 1,*
21 *2026, and as of that date is repealed.*

22 SEC. 64. *Section 89007.7 of the Education Code is repealed.*

23 ~~89007.7. (a) The Legislature finds and declares both of the~~
24 ~~following:~~

25 ~~(1) That the California State University Early Start Program~~
26 ~~was adopted pursuant to Executive Order No. 1048 at the May~~
27 ~~2010 meeting of the Trustees of the California State University~~
28 ~~(CSU) with the stated goal of facilitating a student's graduation~~
29 ~~through changes in policies on fulfilling entry-level proficiencies~~
30 ~~in mathematics and English.~~

31 ~~(2) That the Office of the Chancellor of the California State~~
32 ~~University issued Executive Order No. 1110 in August 2017, which~~
33 ~~makes significant changes to the California State University's~~
34 ~~assessment and placement policies and remediation-related~~
35 ~~strategies in mathematics and English, including the California~~
36 ~~State University Early Start Program.~~

37 ~~(b) On January 1, 2014, the Legislative Analyst's Office, in~~
38 ~~consultation with CSU, shall submit a report to the Legislature~~
39 ~~detailing the impact of the CSU Early Start Program on student~~
40 ~~mathematics and English proficiency. The report to the Legislature~~

1 required by this subdivision shall include, but not necessarily be
2 limited to, all of the following:

3 (1) Information on how the CSU Early Start Program increases
4 successful remediation rates as compared to the remediation rates
5 that existed in the 2010–11 academic year.

6 (2) Information on how the CSU Early Start Program expedites
7 the student remediation process, or otherwise reduces the length
8 of time that students spend on remediation.

9 (3) Demographic information on participants in the CSU Early
10 Start Program, including information relating to race or ethnicity,
11 eligibility for financial aid, geographic origins, and other pertinent
12 data.

13 (4) The number of enrollees in the CSU Early Start Program,
14 counted statewide and by campus, including the number who
15 eventually earned credit from the program.

16 (5) As observed one year after participating in the CSU Early
17 Start Program, counted statewide and by campus, how many
18 enrollees became proficient, how many enrollees did not remediate
19 successfully, and how many enrollees were disenrolled from CSU.

20 (c) By December 1, 2021, the Legislative Analyst's Office shall
21 submit a report to the Legislature detailing the impact of policy
22 changes required pursuant to California State University Executive
23 Order No. 1110, including changes in the proportion and number
24 of incoming freshmen who have been identified as in need of
25 remediation, and the proportion and number who have persisted
26 at the university past their freshman year, and the proportion and
27 number who have graduated from the university.

28 (d) This section shall become inoperative on July 1, 2021, and,
29 as of January 1, 2022, is repealed.

30 *SEC. 65. Section 89780 of the Education Code is repealed.*

31 89780. (a) Funding provided to the California State University
32 in the annual budget act to provide summer term financial aid to
33 any student who is eligible for state financial aid and who is a
34 California resident, including students who receive an exemption
35 from nonresident tuition pursuant to Section 68130.5, shall be
36 suspended on December 31, 2021, unless the condition described
37 in subdivision (b) occurs.

38 (b) The suspension described in subdivision (a) shall not take
39 effect if the estimates of General Fund revenues and expenditures
40 for the 2021–22 and 2022–23 fiscal years, as determined pursuant

1 to Section 12.5 of Article IV of the California Constitution, that
2 accompany the May Revision required to be released by May 14,
3 2021, pursuant to Section 13308 of the Government Code contain
4 a determination by the Director of Finance that estimated annual
5 General Fund revenues exceed estimated General Fund
6 expenditures for the 2021–22 and 2022–23 fiscal years by an
7 amount equal to or greater than the sum total of all General Fund
8 appropriations for all programs subject to suspension.

9 (e) It is the intent of the Legislature to consider alternative
10 solutions to restore the program described in subdivision (a) if the
11 suspension described in subdivision (a) takes effect.

12 *SEC. 66. Section 92060 of the Education Code is repealed.*

13 92060. (a) Funding provided to the University of California
14 in the annual budget act to provide summer term financial aid to
15 any student who is eligible for state financial aid and who is a
16 California resident, including students who receive an exemption
17 from nonresident tuition pursuant to Section 68130.5, shall be
18 suspended on December 31, 2021, unless the condition described
19 in subdivision (b) occurs.

20 (b) The suspension described in subdivision (a) shall not take
21 effect if the estimates of General Fund revenues and expenditures
22 for the 2021–22 and 2022–23 fiscal years, as determined pursuant
23 to Section 12.5 of Article IV of the California Constitution, that
24 accompany the May Revision required to be released by May 14,
25 2021, pursuant to Section 13308 of the Government Code contain
26 a determination by the Director of Finance that estimated annual
27 General Fund revenues exceed estimated General Fund
28 expenditures for the 2021–22 and 2022–23 fiscal years by an
29 amount equal to or greater than the sum total of all General Fund
30 appropriations for all programs subject to suspension.

31 (c) It is the intent of the Legislature to consider alternative
32 solutions to restore the program described in subdivision (a) if the
33 suspension described in subdivision (a) takes effect.

34 *SEC. 67. Section 92103 is added to the Education Code, to*
35 *read:*

36 92103. (a) For purposes of this section, the following
37 definitions apply:

38 (1) “Capital project” means any of the following:

39 (A) The design, construction, or equipping of academic facilities
40 to address seismic and life safety needs, enrollment growth, or

1 *modernization of out-of-date facilities, and the renewal or*
2 *expansion of infrastructure to serve academic programs.*

3 *(B) The design, construction, or equipment of new student*
4 *housing or acquisition or conversion of commercial properties*
5 *into student housing.*

6 *(C) Deferred maintenance of academic or other facilities and*
7 *related infrastructure.*

8 *(D) Any other capital expenditure, defined by subparagraph*
9 *(A) or (D) of paragraph (2) of subdivision (b) of Section 92493,*
10 *or capital outlay project, defined in paragraph (1) of subdivision*
11 *(b) of Section 92494, funded or financed, in whole or in part, by*
12 *public funds appropriated on or after July 1, 2017.*

13 *(2) “Cost” means any payment made on an as-you-go basis, or*
14 *made to service debt of any kind or to secure or fund the payment*
15 *of any type of bond financing or other form of debt.*

16 *(3) “Prospective certification” means a written document signed*
17 *on behalf of the Regents of the university that contains the*
18 *following commitment:*

19 *“With respect to the following capital*
20 *project(s): _____ at the following*
21 *site(s): _____ [name each building,*
22 *facility, or other location by name or street address]: the University*
23 *of California hereby certifies that if the University of California*
24 *receives appropriated or other public funds as defined by Section*
25 *92103 of the Education Code to pay for costs associated with the*
26 *above-described capital project(s) in the following year: _____,*
27 *at all times thereafter, for as long as the University of California*
28 *uses or maintains any operational role, or maintains any*
29 *ownership, coownership, or other property right related to that*
30 *building, facility, or its adjacent grounds, the University of*
31 *California shall directly employ all persons who perform cleaning,*
32 *maintenance, groundskeeping, food service, or other work*
33 *traditionally performed by persons with University of California*
34 *Service Unit (SX) job classifications. I am authorized by the*
35 *Regents of the University of California to acknowledge that as a*
36 *condition of receiving public funds for the capital project(s), the*
37 *University of California is making a binding and enduring*
38 *commitment to thereafter employ directly all persons who perform*
39 *service work at the site(s) benefiting from the investment of public*
40 *funds.”*

1 (4) *“Public funds” means any of the following:*

2 (A) *Each sum of money appropriated or allocated to the*
3 *university by the Legislature to fund or finance, in whole or in*
4 *part, one or more capital projects, regardless of whether or not*
5 *the sum is allocated to a specific line item.*

6 (B) *Funds generated from the issuance of bonds of any type, or*
7 *of any instrument, note, debenture, securities, or other evidence*
8 *of indebtedness by the state, any political subdivision of the state*
9 *including the university, or by any private entity pursuant to a*
10 *contract with the university, that is intended to fund or finance, in*
11 *whole or in part, one or more capital projects.*

12 (C) *Each sum of money appropriated, allocated, loaned, or*
13 *awarded as a grant to the university to build design, construct, or*
14 *equip new student housing or acquire and convert commercial*
15 *projects into student housing.*

16 (D) *Each sum of money appropriated, allocated, loaned, or*
17 *awarded as a grant to the university to expand its size or scope,*
18 *by acquiring property, or by building, renovating, or expanding*
19 *facilities, infrastructure, campuses, medical centers, clinics, or*
20 *laboratories at any location in the state.*

21 (5) (A) *“Retrospective certification” means a written document*
22 *signed on behalf of the Regents of the university that includes an*
23 *audit conducted by an independent third party. The document shall*
24 *include compliance with subparagraph (B) or compliance with*
25 *subparagraphs (C) and (D) for each site on which a former or*
26 *ongoing capital project was funded, in whole or in part, by public*
27 *funds.*

28 (B) *Third-party verification that the university has directly*
29 *employed all those who have performed service work at the site*
30 *since the year in which the site benefited from an allocation of*
31 *public funds for a capital project.*

32 (C) *Identification of the number of contract workers, if any,*
33 *who performed work at the site of any former, new, or ongoing*
34 *capital project at the same site, the names of each of those workers,*
35 *their classifications, their start and end dates, and all hours they*
36 *worked for the university’s benefit.*

37 (D) *Third-party verification that the university has complied*
38 *with this section and the terms of prior certification, and if not,*
39 *the specific actions, if any, that the university has taken to remedy*
40 *any audit findings of noncompliance. For any findings of*

1 *noncompliance, the third-party verification shall include a*
2 *demonstration by the university that it has made the necessary*
3 *changes to be in compliance.*

4 (6) “Service work” means all cleaning, maintenance,
5 groundskeeping, food service or other work traditionally performed
6 by persons with University of California Service Unit (SX) job
7 classifications.

8 (7) “Site” means the building, facility, or property where a
9 capital project is located, including all adjacent grounds, that is
10 owned, leased, leased back, or operated, in whole or in part, by
11 the university, including a location developed in partnership with
12 one or more private entities contracting with the university.

13 (8) “University” means the University of California.

14 (b) (1) Effective immediately, and for each fiscal year, as a
15 condition of receiving public funds to pay costs associated with
16 any new or ongoing capital project, the university shall complete
17 a prospective certification of direct employment for service work.
18 For each capital project at a site on which the university has
19 previously received public funds for a capital project and is
20 required to directly employ workers who perform service work
21 pursuant to this section or Section 92495, the university shall also
22 complete a retrospective certification. On or before September 1
23 of each fiscal year, the university shall submit each prospective
24 and retrospective certification to the Department of Finance and
25 the Joint Legislative Budget Committee and post the certifications
26 on its internet website.

27 (2) The university shall complete and submit the required
28 certifications pursuant to paragraph (1) before, and as a condition
29 of, the university’s receipt of any public funds on or after the
30 operative date of this section for any capital project.

31 (c) If the university seeks or has sought funds for one or more
32 capital projects without submission of required certifications in
33 accordance with subdivision (b), or without prior review for
34 approval by the Department of Finance in accordance with the
35 requirements of Section 92495 in effect for the 2020–21 fiscal
36 year, the university shall provide to the Controller, and post on
37 the university’s internet website, a list that identifies the amount
38 of public funds appropriated to each of those capital projects, the
39 site of each of those capital projects, and each of the applicable

1 *prospective and retrospective certifications required by subdivision*
2 *(b) before submitting a claim to the Controller for payment.*

3 *(d) Notwithstanding any other law, the Controller shall hold*
4 *all public funds appropriated, allocated, loaned, or awarded to*
5 *the university for each capital project, or group of capital projects,*
6 *in a special deposit fund established pursuant to Section 16370 of*
7 *the Government Code, and shall make payment on a university*
8 *claim or warrant for a capital project only upon receiving a copy*
9 *from the university of the required prospective and retrospective*
10 *certifications for the capital project.*

11 *(e) The university shall not use or pledge any public funds to*
12 *pay costs associated with a capital project before providing the*
13 *prospective and retrospective certification of direct employment*
14 *for service work and complying with the requirements of this*
15 *section and Section 92495, as applicable.*

16 *(f) (1) The university may proceed with a new or ongoing*
17 *capital project only after submitting the certifications required by*
18 *this section to the Controller and posting them on the university's*
19 *internet website.*

20 *(2) This subdivision does not apply to, and shall not restrict,*
21 *the performance of work pursuant to a contract and paid for, in*
22 *whole or in part, out of public funds previously provided to the*
23 *university, when the work is either of the following:*

24 *(A) Construction, alteration, demolition, installation, or repair*
25 *work, including work performed during the design, preconstruction,*
26 *and postconstruction phases of construction.*

27 *(B) Carpentry, electrical, plumbing, glazing, painting, and other*
28 *craft work designed to preserve, protect, or keep any publicly*
29 *owned facility in a safe and continuously usable condition,*
30 *including repairs, cleaning, and other operations on machinery*
31 *and other equipment permanently attached to the building or real*
32 *property as fixtures.*

33 *(g) The requirements of this section, and subdivisions (c) to (e),*
34 *inclusive, of Section 92495, shall be given full force and effect and*
35 *shall not be deemed irreconcilable with, superseded by, repealed*
36 *by implication, or otherwise inapplicable unless funds are*
37 *appropriated for a capital project in an annual Budget Act or other*
38 *statute that expressly and affirmatively states that the Legislature*
39 *intends for the university to outsource service work at the site after*
40 *it has benefited from the use of the public funds appropriated for*

1 *that capital project. The Budget Act of 2021 shall be implemented*
2 *in accordance with this section.*

3 *(h) Prior authorization or prior partial funding of a capital*
4 *project, without submission of required certification in accordance*
5 *with subdivision (b) or without prior review for approval by the*
6 *Department of Finance in accordance with the requirements of*
7 *Section 92495, shall not obviate the application of the certification*
8 *and approval requirements of this section or Section 92495 with*
9 *respect to that project.*

10 *(i) This section shall not require the Legislature to make an*
11 *appropriation from the General Fund in any specific amount to*
12 *support the university.*

13 *(j) All reporting, certification requirements, approval*
14 *procedures, and other provisions of this section shall apply to all*
15 *General Fund support appropriations capital projects, regardless*
16 *of whether those projects involve academic or nonacademic*
17 *facilities. This subdivision does not authorize appropriations for*
18 *capital projects for nonacademic facilities.*

19 *SEC. 68. Article 6.4 (commencing with Section 92657) is added*
20 *to Chapter 6 of Part 57 of Division 9 of Title 3 of the Education*
21 *Code, to read:*

22
23 *Article 6.4. Animal Shelter Assistance Act*
24

25 *92657. The Legislature finds and declares all of the following:*

26 *(a) In 1998, the State of California enacted Senate Bill 1785*
27 *(Chapter 752 of the Statutes of 1998) to create new minimum*
28 *standards for California animal shelters and establish the state's*
29 *policy that no adoptable or treatable animal should be euthanized.*

30 *(b) Since 1998, many California communities have made*
31 *meaningful strides to reduce the deaths of homeless animals. Public*
32 *and private sources have funded more low-cost programs for dog*
33 *and cat spaying and neutering. Animal shelters have sought to*
34 *modernize their facilities and practices to keep animals healthier*
35 *during their time at the shelter. Public education campaigns have*
36 *promoted the importance of adopting pets, and a growing number*
37 *of private rescue groups have been formed, increasing the degree*
38 *to which they assist shelters in finding new homes for animals.*

39 *(c) Although the number of deaths in California's animal*
40 *shelters fell from more than 500,000 in 1998 to an estimated*

1 180,000 in 2018, the state's longstanding policy goal has not yet
2 been achieved in every community.

3 (d) The University of California houses the nation's premier
4 animal sheltering research, service, and teaching program. The
5 shelter medicine program at the University of California, Davis
6 promotes a welfare-centric, life-saving approach to the
7 management of animals in shelters, focused on prevention and
8 grounded in science. The program has been working with shelters
9 across California since its inception, providing advice covering
10 facility design, shelter management, animal husbandry, and myriad
11 veterinary health issues that are unique to sheltering environments.

12 (e) With an intentional focus on and partnership with
13 communities around California, the state will be well positioned
14 to achieve the state's policy goal that no adoptable or treatable
15 animal should be euthanized.

16 92658. (a) It is the intent of the Legislature that a five-year
17 program, which shall be known as the Animal Shelter Assistance
18 Program, be established to support the state's policy goal that no
19 adoptable or treatable animal is euthanized, and that the program
20 be administered by the University of California pursuant to all of
21 the following principles:

22 (1) The program shall provide support to all California animal
23 shelters in the form of outreach, regional conferences, and
24 provision of web-based resources based on current best practices.
25 Best practices may include, but is not limited to, all of the
26 following:

27 (A) Reducing intake by providing other solutions to keep animals
28 safe and healthy in their homes, which may include spay or neuter
29 as part of that approach, as well as vaccination, microchipping,
30 and setting up technology and communication to help pet owners
31 rehome their own pets instead of taking them to a shelter.

32 (B) Improving animal health and care in the shelter, which may
33 include adequate housing, good ventilation, appropriate treatment
34 and isolation facilities as well as good husbandry practices to help
35 animals stay healthy, lower costs, and increase adoptions.

36 (C) Removing barriers to live outcomes, which may include
37 technology, staffing and capacity solutions, and expanding spay
38 or neuter capacity to keep up with outflow. This may also include
39 systems to reunite lost pets and developing an adoption presence
40 in the community.

1 (2) *The program shall offer in-person assessments and in-depth*
2 *online training to California city, county, or city and county animal*
3 *control agencies or shelters, societies for the prevention of cruelty*
4 *to animals, and humane societies, upon request and as feasible.*

5 (3) *As a supplement to its outreach and programmatic support,*
6 *the program shall administer a grant program to aid*
7 *implementation of best practices in California animal shelters. All*
8 *funds shall be awarded on the basis of need as determined by an*
9 *open, competitive process that ensures objectivity, fairness, and*
10 *sustainability. All California city, county, or city and county animal*
11 *control agencies or shelters, societies for the prevention of cruelty*
12 *to animals, and humane societies shall have access and opportunity*
13 *to voluntarily compete for the funds. The program shall do all of*
14 *the following:*

15 (A) *Develop criteria, procedures, and accountability measures*
16 *as may be necessary to implement the grant program.*

17 (B) *Administer the grant program to ensure that priority is given*
18 *to underserved populations, including both urban and rural areas*
19 *and low-income communities, where achievement of the state's*
20 *goal that no adoptable or treatable animal is euthanized has not*
21 *yet been met.*

22 (C) *In developing criteria, procedures, and accountability*
23 *measures, include a focus on preventing pet overpopulation, such*
24 *as measures to offer no or low cost spay or neuter services.*

25 (4) *For purposes of this section, a society for the prevention of*
26 *cruelty to animals or a humane society shall be a California*
27 *corporation, duly incorporated in the State of California, in active*
28 *status, as described on the business search page of the Secretary*
29 *of State's internet website, and exempt from federal income*
30 *taxation as an organization described in Section 501(c)(3) of the*
31 *Internal Revenue Code.*

32 (5) *For purposes of this section, the program is encouraged to*
33 *prioritize assistance for California city, county, or city and county*
34 *animal control agencies or shelters, societies for the prevention*
35 *of cruelty to animals, and humane societies that are current on*
36 *relevant data reporting required under law, and that offer the*
37 *greatest likely return on one-time investment of state funds.*

38 (b) *In designing and promoting the services outlined in*
39 *subdivision (a), the program shall seek input from relevant*
40 *stakeholders to ensure that program services and grants effectively*

1 reach a wide geography throughout the state, and that regions in
2 northern, central, and southern California, including both urban
3 and rural areas, are adequately considered, with an emphasis on
4 addressing the lifesaving needs within these regions.

5 (c) The program may give additional consideration to working
6 with communities that do any of the following:

7 (1) Seek to maximize the number of animals whose lives can be
8 saved.

9 (2) Demonstrate partnerships among public, private, corporate,
10 or nonprofit entities.

11 (3) Emphasize volunteer engagement and community outreach
12 components for purposes of increasing the sustainability of the
13 program's investments.

14 (d) (1) On or before March 31, 2023, the University of
15 California shall report to the relevant policy and fiscal committees
16 of the Legislature and the Department of Finance on the program.
17 At a minimum, the report shall include all of the following
18 information:

19 (A) The amount spent on each type of activity set forth in
20 paragraphs (1) to (3), inclusive, of subdivision (a).

21 (B) Pursuant to paragraph (1) of subdivision (a), a summary
22 of the outreach activities that were supported by funds.

23 (C) Pursuant to paragraph (2) of subdivision (a), a list of
24 shelters that received in-person assessments and in-depth training.

25 (D) Pursuant to paragraph (3) of subdivision (a), a list of grant
26 recipients, along with each recipient's grant amount, the amount
27 of matching funds, if any, and a description of the funded activities.

28 (E) An analysis of the program's impact on the number of
29 animals that are euthanized for all shelters participating in the
30 activities described in paragraphs (2) and (3) of subdivision (a).
31 The analysis shall include annual data on the number of animals
32 that were euthanized at least five years preceding the establishment
33 of the program and throughout the duration of the program. To
34 the extent possible, the analysis shall use the best available data
35 to estimate the number of treatable and adoptable animals that
36 are euthanized in the state. The University of California, Davis
37 Koret Shelter Medicine program may require any data from
38 program participants as needed to complete this analysis.

39 (F) A long-term plan to sustain any improvements in euthanized
40 rates once the one-time funding expires and continue progressing

1 toward the state's policy objective that no adoptable or treatable
2 animal be euthanized.

3 (G) Financial information on the University of California, Davis
4 Koret Shelter Medicine program, including funding by source,
5 spending by program and function, and end-of-year fund balances.
6 The report shall include this information for the 2018–19 through
7 2023–24 fiscal years.

8 (2) On or before March 31, 2026, the University of California
9 shall submit a second report to the relevant policy and fiscal
10 committees of the Legislature and the Department of Finance on
11 the program. At a minimum, the report shall include all of the
12 information described in paragraph (1).

13 (e) Subject to the conditions and requirements established
14 elsewhere in statute, the State Department of Public Health and
15 the Department of Food and Agriculture shall provide to the
16 program, upon proper request, data that will help ensure effective
17 administration of the program.

18 (f) Toward these ends, the Legislature requests the Regents of
19 the University of California to establish the Animal Shelter
20 Assistance Program and direct the University of California, Davis
21 Koret Shelter Medicine Program to administer the program
22 pursuant to, and consistent with, the principles and goals stated
23 in this article.

24 SEC. 69. Chapter 16 (commencing with Section 93000) is
25 added to Part 57 of Division 9 of Title 3 of the Education Code,
26 to read:

27
28 CHAPTER 16. NONRESIDENT ENROLLMENT
29

30 93000. (a) It is the intent of the Legislature that the Regents
31 of the University of California adopt a policy that limits the share
32 of nonresident students at every campus to no more than 18 percent
33 of the campus' undergraduate enrollment.

34 (b) It is the intent of the Legislature that each campus that
35 reduces nonresident enrollment pursuant to subdivision (a) enroll
36 a like amount of resident undergraduate students.

37 (c) It is the intent of the Legislature to provide annual
38 appropriations to assist the University of California in gradually
39 making progress toward achieving this policy at the University of
40 California, Berkeley, the University of California, Los Angeles,

1 *and the University of California, San Diego campuses. It is further*
2 *the intent of the Legislature that appropriations for this purpose*
3 *specify both of the following:*

4 *(1) The target reduction in nonresident undergraduate*
5 *enrollment for these campuses to be achieved with the appropriated*
6 *funds.*

7 *(2) If the actual reduction in nonresident undergraduate*
8 *enrollment for these campuses in any academic year is less than*
9 *the target reduction specified in the Budget Act appropriation for*
10 *that year, the Department of Finance shall adjust the University*
11 *of California's budget appropriation by the portion of the*
12 *appropriation attributable to each student under the target*
13 *reduction level.*

14 *(d) (1) On or before January 31 in each year of the*
15 *implementation period, the University of California shall report*
16 *to the Department of Finance and the budget committees of the*
17 *Legislature on both of the following:*

18 *(A) The share of undergraduate enrollment that is nonresident*
19 *by campus, including the total enrollment of undergraduate*
20 *resident students by campus and the total enrollment of*
21 *undergraduate nonresident students by campus.*

22 *(B) A fiscal estimate of the projected cost to make further*
23 *progress for the following fiscal year.*

24 *(2) The university may fulfill these information requirements*
25 *as part of other existing reports, where possible.*

26 *SEC. 70. Section 94892.6 of the Education Code is amended*
27 *to read:*

28 *94892.6. (a) (1) ~~For each graduate completing a program on~~
29 *~~or after January 1, 2020, at an~~ An institution approved to operate*
30 *by the ~~bureau, the institution~~ bureau shall collect and retain all of*
31 *the following data:**

32 *(A) For each graduate completing a program on or after*
33 *January 1, 2020:*

34 ~~(A)~~

35 *(i) Individual identifying information for each graduate of the*
36 *institution sufficient to match to wage data from the Employment*
37 *Development Department pursuant to Section 1095 of the*
38 *Unemployment Insurance Code.*

39 ~~(B)~~

40 *(ii) The program the graduate was enrolled in.*

(C)

(iii) The graduate's student loan debt information reported under subdivision (g) of Section 74112 of Title 5 of the California Code of Regulations, if that information applies to the student.

(B) *Other information determined by the bureau to be warranted for the purpose of inclusion in the Cradle-to-Career Data System established pursuant to Article 2 (commencing with Section 10860) of Chapter 8.5 of Part 7 of Division 1 of Title 1.*

(2) All social security numbers or federal taxpayer identification numbers collected pursuant to subparagraph (A) of paragraph (1) shall be reported by an institution solely for the purposes set forth in this section, and shall not be disclosed by an institution to any third party other than the ~~bureau and~~ bureau, the Employment Development ~~Department~~ Department, and the Cradle-to-Career Data System established pursuant to Article 2 (commencing with Section 10860) of Chapter 8.5 of Part 7 of Division 1 of Title 1, unless the disclosure is *otherwise* required by law.

(b) (1) An institution shall report information collected pursuant to subdivision (a) to the bureau annually according to a schedule and in a format determined by the bureau. The bureau shall match the data reported by institutions pursuant to this section with wage data from the Employment Development Department pursuant to Section 1095 of the Unemployment Insurance Code.

(2) The bureau shall provide the data reported by institutions pursuant to this section to ~~the~~ *both of the following*:

(A) *The Employment Development Department for the purpose of fulfilling federal reporting requirements outlined in Section 116(d)(4)(a) of the federal Workforce Innovation and Opportunity Act (Public Law 113-128), to the extent permitted by state and federal laws and regulations.*

(B) *The Cradle-to-Career Data System, as required by Cradle-to-Career Data System data providers pursuant to Section 10871.*

(3) The bureau shall make available on its internet website the relevant program-level and institution-level statistics, presented in terms of easily understood labor market measures and consistent with all pertinent state and federal privacy laws, regarding the earnings levels of graduates and the student debt information reported under subdivision (g) of Section 74112 of Title 5 of the

1 California Code of Regulations, if that information applies to the
2 student.

3 (4) Labor market outcome data for each program and institution
4 shall, at a minimum, provide data relating to graduates at two years
5 and at five years after their graduation.

6 (5) This subdivision shall not be operative until the Director of
7 Consumer Affairs certifies that the bureau's information technology
8 system has been updated and is capable of processing data as
9 required by this section. The bureau shall notify institutions when
10 this certification has occurred. An institution shall have 120 days
11 from the date it receives notification from the bureau to comply
12 with this section.

13 (c) When sufficient data is reported and publicly available under
14 this section, it is the intent of the Legislature to review the process
15 by which institutions are required to collect and report employment
16 data and reduce duplicative efforts.

17 *SEC. 71. Chapter 5.7 (commencing with Section 99275) is*
18 *added to Part 65 of Division 14 of Title 3 of the Education Code,*
19 *to read:*

20

21 *CHAPTER 5.7. CALIFORNIA BENCH TO SCHOOL*
22 *INITIATIVE*

23

24 99275. (a) *The California Bench to School Initiative is hereby*
25 *established to create the California Institute on Law, Neuroscience,*
26 *and Education to promote a collaborative focus on neuroscience,*
27 *law, education, and social justice to improve literacy outcomes in*
28 *school settings for youth.*

29 (b) *The institute shall include the Memory and Aging Center of*
30 *the University of California, San Francisco (UCSF), the UCSF/UC*
31 *Hastings Consortium on Law, Science, and Health Policy, and the*
32 *UC/CSU California Collaborative for Neurodiversity and*
33 *Learning. The institute shall be charged with the development,*
34 *implementation, and management of the initiative in collaboration*
35 *and partnership with the Office of Youth and Community*
36 *Restoration.*

37 (c) *As used in this chapter:*

38 (1) *"Initiative" means the California Bench to School Initiative*
39 *established in subdivision (a).*

1 (2) “Institute” means the California Institute on Law,
2 Neuroscience, and Education created pursuant to subdivision (a).

3 (3) “UC Hastings” means the UC Hastings College of the Law.

4 (4) “UCSF” means the University of California, San Francisco.

5 (5) “UC/CSU California Collaborative for Neurodiversity and
6 Learning” means the collaboration between the University of
7 California, Los Angeles, and California State University, managed
8 by the University of California, Los Angeles.

9 99276. (a) The institute shall perform all of the following
10 duties:

11 (1) Provide comprehensive analysis of the overlap of science
12 and society by expanding interdisciplinary research on the legal
13 implications of new scientific knowledge in neuroscience.

14 (2) Promote and conduct interdisciplinary research on
15 socioeconomic factors, such as trauma, abuse, social exclusion,
16 discrimination, poverty, homelessness, and neglect.

17 (3) Develop interdisciplinary research protocols and approaches
18 to expand the capacity of specialists in different fields to work
19 together.

20 (4) Provide an annual report to the Legislature, in compliance
21 with Section 9795 of the Government Code, on the initiative’s
22 programmatic objectives and budget expenditures.

23 (5) Conduct longitudinal studies related to the success of teacher
24 preparation and development, pupil interventions, and educational
25 outcomes.

26 (b) The UC/CSU California Collaborative for Neurodiversity
27 and Learning shall develop curriculum, provide teacher training,
28 professional development, and classroom interventions.

29 99277. (a) Upon receiving funding for purposes of this chapter,
30 UCSF, UC Hastings, and the UC/CSU California Collaborative
31 on Neurodiversity and Learning shall each appoint one member
32 from the respective institutions. This group shall be charged with
33 the development and oversight of the initiative, and shall function
34 as the institute’s management committee. The management
35 committee shall be permitted, but not obligated, to retain a
36 program director to assist in the implementation of the initiative.

37 (b) An advisory board, with its title and members to be named
38 by the institute, shall be established to serve as an oversight body
39 for the initiative in order to monitor progress and provide
40 leadership from the perspectives of their respective participating

1 organizations, departments, and divisions, and to facilitate
2 collaboration among researchers, practitioners, administrators,
3 legislators, and community stakeholders. The advisory board shall
4 provide expertise and support to the management committee. The
5 membership of the advisory board shall be constituted as set forth
6 in subdivision (b). The advisory board shall be a check on
7 accountability in order to ensure that the initiative is meeting its
8 goals. The advisory board shall also conduct a fiscal review of
9 the distribution of funds to ensure alignment with the goals of the
10 initiative.

11 (c) The members of the advisory board shall be representatives
12 from the following institutions, organizations, agencies, and
13 groups:

14 (1) UCSF.

15 (2) UC Hastings.

16 (3) The UC/CSU California Collaborative for Learning and
17 Neurodiversity.

18 (4) The Mental Health Services Oversight and Accountability
19 Commission.

20 (5) A member of the Assembly selected by the Speaker of the
21 Assembly.

22 (6) A senator selected by the President pro Tempore of the
23 Senate.

24 (7) Community representatives, including formerly
25 justice-involved persons and their family members, selected by the
26 Governor, the Speaker of the Assembly, and the President pro
27 Tempore of the Senate.

28 (d) The advisory board shall meet twice per year, with the
29 potential for additional working group meetings. At each meeting,
30 the advisory board shall participate in a review of reports,
31 including updates on research, practice, and policy efforts, as well
32 as fiscal reporting.

33 SEC. 72. The heading of Part 1 (commencing with Section
34 32000) is added to Division 14.8 of the Food and Agricultural
35 Code, to read:

36
37 **PART 1. ANIMAL FACILITIES AND SHELTERS**

38
39 SEC. 73. Part 2 (commencing with Section 32100) is added to
40 Division 14.8 of the Food and Agricultural Code, to read:

1
2 **PART 2. CALIFORNIA VETERINARY EMERGENCY TEAM**
3 **PROGRAM**
4

5 32100. *This part shall apply to the University of California*
6 *only to the extent that the Regents of the University of California,*
7 *by resolution, make any of these provisions applicable to the*
8 *university.*

9 32101. (a) *The University of California, Davis, School of*
10 *Veterinary Medicine shall develop a program called the California*
11 *Veterinary Emergency Team. The program shall assist in the*
12 *support and training of a network of government agencies,*
13 *nongovernmental organizations, and individuals to assist in the*
14 *evacuation and care of household and domestic animals and*
15 *livestock in emergencies statewide, including disaster*
16 *preparedness, response, recovery, and mitigation. The program*
17 *shall also conduct or support research on best practices for the*
18 *evacuation and care of the animals in disasters.*

19 (b) *The program shall ensure that the training and the care*
20 *provided by or coordinated by the program are at levels that are*
21 *consistent with those standards generally accepted within the*
22 *veterinary profession. The program shall deploy responders to*
23 *oversee the network volunteers and ensure accepted practices are*
24 *implemented in the field during emergencies.*

25 (c) *The University of California, Davis, School of Veterinary*
26 *Medicine, the secretary, and the Director of Emergency Services*
27 *shall develop a memorandum of understanding for the university*
28 *to consult with the secretary and the director regarding the*
29 *coordination of the program's activities with the state government's*
30 *disaster response practices and the deployment of the program's*
31 *participants during disasters. The memorandum of understanding*
32 *shall outline program metrics.*

33 (d) *The program shall provide a progress report every three*
34 *years on the activities outlined in the memorandum of*
35 *understanding to the secretary and the Director of Emergency*
36 *Services.*

37 (e) *For purposes of this part, "program" means the California*
38 *Veterinary Emergency Team.*

1 32102. *Funds made available for purposes of this part shall*
2 *not be considered an offset to any other state funds appropriated*
3 *to the University of California.*

4 SEC. 74. *Section 8334.1 is added to the Government Code,*
5 *immediately following Section 8334, to read:*

6 8334.1. (a) *On or before July 1, 2022, each state agency shall*
7 *provide to the California State Library postaward data for every*
8 *grant administered by the state agency. This data shall include,*
9 *but is not limited to, all of the following:*

10 (1) *The number of grants awarded per grant opportunity.*

11 (2) *All of the following for each awarded grant:*

12 (A) *Recipient name.*

13 (B) *Recipient type.*

14 (C) *Amount awarded to the recipient.*

15 (D) *Beginning and end dates of the project funded by the grant.*

16 (E) *Descriptive purpose of the application awarded the grant.*

17 (F) *Geographic location served.*

18 (b) *As used in this section, the following definitions apply:*

19 (1) *“Geographic location served” means the geographic region*
20 *of the state served by the grant, including the designated local*
21 *jurisdiction.*

22 (2) *“Recipient name” means the recipient of the grant.*

23 (3) *“Recipient type” means the nonprofit organization, tribal*
24 *government, business, or individual awarded the grant.*

25 SEC. 75. *Section 20662 of the Public Contract Code, as*
26 *amended by Section 24 of Chapter 23 of the Statutes of 2017, is*
27 *amended to read:*

28 20662. (a) *The Chancellor of the California Community*
29 *Colleges is authorized to enter into a contract or other agreement*
30 *with the governing board of any community college district*
31 *whereby the district performs services or acts as a fiscal agent on*
32 *behalf of the California Community Colleges, without advertising*
33 *for or inviting bids for contracts or other agreements that are no*
34 *more than twenty million dollars (\$20,000,000). For existing*
35 *contracts or other agreements that the Chancellor of the California*
36 *Community Colleges has entered into with the governing board*
37 *of any community college district pursuant to this section, the*
38 *contract or other agreement may be renewed without advertising*
39 *for or inviting bids, regardless of the amount. This section shall*
40 *apply only when the funds for the contract or agreement are in*

1 satisfaction of the state obligation to provide funding pursuant to
2 Section 8 of Article XVI of the California Constitution.

3 (b) This section shall become inoperative on July 1, ~~2022~~, 2023,
4 and, as of January 1, ~~2023~~, 2024, is repealed.

5 *SEC. 76. Section 20662 of the Public Contract Code, as added*
6 *by Section 25 of Chapter 23 of the Statutes of 2017, is amended*
7 *to read:*

8 20662. (a) The Chancellor of the California Community
9 Colleges is authorized to enter into a contract or other agreement
10 with the governing board of any community college district
11 whereby the district performs services or acts as a fiscal agent on
12 behalf of the California Community Colleges. This section shall
13 apply only when the funds for the contract or agreement are in
14 satisfaction of the state obligation to provide funding pursuant to
15 Section 8 of Article XVI of the California Constitution.

16 (b) This section shall become operative on July 1, ~~2022~~, 2023.

17 *SEC. 77. Section 1095 of the Unemployment Insurance Code*
18 *is amended to read:*

19 1095. The director shall permit the use of any information in
20 the director's possession to the extent necessary for any of the
21 following purposes, and may require reimbursement for all direct
22 costs incurred in providing any and all information specified in
23 this section, except information specified in subdivisions (a) to
24 (e), inclusive:

25 (a) To enable the director or the director's representative to
26 carry out their responsibilities under this code.

27 (b) To properly present a claim for benefits.

28 (c) To acquaint a worker or their authorized agent with the
29 worker's existing or prospective right to benefits.

30 (d) To furnish an employer or their authorized agent with
31 information to enable the employer to fully discharge their
32 obligations or safeguard their rights under this division or Division
33 3 (commencing with Section 9000).

34 (e) To enable an employer to receive a reduction in contribution
35 rate.

36 (f) To enable federal, state, or local governmental departments
37 or agencies, subject to federal law, to verify or determine the
38 eligibility or entitlement of an applicant for, or a recipient of, public
39 social services provided pursuant to Division 9 (commencing with
40 Section 10000) of the Welfare and Institutions Code, or Part A of

1 Subchapter IV of the federal Social Security Act (42 U.S.C. Sec.
2 601 et seq.), when the verification or determination is directly
3 connected with, and limited to, the administration of public social
4 services.

5 (g) To enable county administrators of general relief or
6 assistance, or their representatives, to determine entitlement to
7 locally provided general relief or assistance, when the
8 determination is directly connected with, and limited to, the
9 administration of general relief or assistance.

10 (h) To enable state or local governmental departments or
11 agencies to seek criminal, civil, or administrative remedies in
12 connection with the unlawful application for, or receipt of, relief
13 provided under Division 9 (commencing with Section 10000) of
14 the Welfare and Institutions Code or to enable the collection of
15 expenditures for medical assistance services pursuant to Part 5
16 (commencing with Section 17000) of Division 9 of the Welfare
17 and Institutions Code.

18 (i) To provide any law enforcement agency with the name,
19 address, telephone number, birth date, social security number,
20 physical description, and names and addresses of present and past
21 employers, of any victim, suspect, missing person, potential
22 witness, or person for whom a felony arrest warrant has been
23 issued, when a request for this information is made by any
24 investigator or peace officer as defined by Sections 830.1 and
25 830.2 of the Penal Code, or by any federal law enforcement officer
26 to whom the Attorney General has delegated authority to enforce
27 federal search warrants, as defined under Sections 60.2 and 60.3
28 of Title 28 of the Code of Federal Regulations, as amended, and
29 when the requesting officer has been designated by the head of
30 the law enforcement agency and requests this information in the
31 course of and as a part of an investigation into the commission of
32 a crime when there is a reasonable suspicion that the crime is a
33 felony and that the information would lead to relevant evidence.
34 The information provided pursuant to this subdivision shall be
35 provided to the extent permitted by federal law and regulations,
36 and to the extent the information is available and accessible within
37 the constraints and configurations of existing department records.
38 Any person who receives any information under this subdivision
39 shall make a written report of the information to the law

1 enforcement agency that employs the person, for filing under the
2 normal procedures of that agency.

3 (1) This subdivision shall not be construed to authorize the
4 release to any law enforcement agency of a general list identifying
5 individuals applying for or receiving benefits.

6 (2) The department shall maintain records pursuant to this
7 subdivision only for periods required under regulations or statutes
8 enacted for the administration of its programs.

9 (3) This subdivision shall not be construed as limiting the
10 information provided to law enforcement agencies to that pertaining
11 only to applicants for, or recipients of, benefits.

12 (4) The department shall notify all applicants for benefits that
13 release of confidential information from their records will not be
14 protected should there be a felony arrest warrant issued against
15 the applicant or in the event of an investigation by a law
16 enforcement agency into the commission of a felony.

17 (j) To provide public employee retirement systems in California
18 with information relating to the earnings of any person who has
19 applied for or is receiving a disability income, disability allowance,
20 or disability retirement allowance, from a public employee
21 retirement system. The earnings information shall be released only
22 upon written request from the governing board specifying that the
23 person has applied for or is receiving a disability allowance or
24 disability retirement allowance from its retirement system. The
25 request may be made by the chief executive officer of the system
26 or by an employee of the system so authorized and identified by
27 name and title by the chief executive officer in writing.

28 (k) To enable the Division of Labor Standards Enforcement in
29 the Department of Industrial Relations to seek criminal, civil, or
30 administrative remedies in connection with the failure to pay, or
31 the unlawful payment of, wages pursuant to Chapter 1
32 (commencing with Section 200) of Part 1 of Division 2 of, and
33 Chapter 1 (commencing with Section 1720) of Part 7 of Division
34 2 of, the Labor Code.

35 (l) To enable federal, state, or local governmental departments
36 or agencies to administer child support enforcement programs
37 under Part D of Title IV of the federal Social Security Act (42
38 U.S.C. Sec. 651 et seq.).

39 (m) To provide federal, state, or local governmental departments
40 or agencies with wage and claim information in its possession that

1 will assist those departments and agencies in the administration
2 of the Victims of Crime Program or in the location of victims of
3 crime who, by state mandate or court order, are entitled to
4 restitution that has been or can be recovered.

5 (n) To provide federal, state, or local governmental departments
6 or agencies with information concerning any individuals who are
7 or have been:

8 (1) Directed by state mandate or court order to pay restitution,
9 fines, penalties, assessments, or fees as a result of a violation of
10 law.

11 (2) Delinquent or in default on guaranteed student loans or who
12 owe repayment of funds received through other financial assistance
13 programs administered by those agencies. The information released
14 by the director for the purposes of this paragraph shall not include
15 unemployment insurance benefit information.

16 (o) To provide an authorized governmental agency with any
17 and all relevant information that relates to any specific workers'
18 compensation insurance fraud investigation. The information shall
19 be provided to the extent permitted by federal law and regulations.
20 For purposes of this subdivision, "authorized governmental agency"
21 means the district attorney of any county, the office of the Attorney
22 General, the Contractors' State License Board, the Department of
23 Industrial Relations, and the Department of Insurance. An
24 authorized governmental agency may disclose this information to
25 the State Bar of California, the Medical Board of California, or
26 any other licensing board or department whose licensee is the
27 subject of a workers' compensation insurance fraud investigation.
28 This subdivision shall not prevent any authorized governmental
29 agency from reporting to any board or department the suspected
30 misconduct of any licensee of that body.

31 (p) To enable the Director of Consumer Affairs, or the director's
32 representative, to access unemployment insurance quarterly wage
33 data on a case-by-case basis to verify information on school
34 administrators, school staff, and students provided by those schools
35 who are being investigated for possible violations of Chapter 8
36 (commencing with Section 94800) of Part 59 of Division 10 of
37 Title 3 of the Education Code.

38 (q) To provide employment tax information to the tax officials
39 of Mexico, if a reciprocal agreement exists. For purposes of this
40 subdivision, "reciprocal agreement" means a formal agreement to

1 exchange information between national taxing officials of Mexico
2 and taxing authorities of the State Board of Equalization, the
3 Franchise Tax Board, and the Employment Development
4 Department. Furthermore, the reciprocal agreement shall be limited
5 to the exchange of information that is essential for tax
6 administration purposes only. Taxing authorities of the State of
7 California shall be granted tax information only on California
8 residents. Taxing authorities of Mexico shall be granted tax
9 information only on Mexican nationals.

10 (r) To enable city and county planning agencies to develop
11 economic forecasts for planning purposes. The information shall
12 be limited to businesses within the jurisdiction of the city or county
13 whose planning agency is requesting the information, and shall
14 not include information regarding individual employees.

15 (s) To provide the State Department of Developmental Services
16 with wage and employer information that will assist in the
17 collection of moneys owed by the recipient, parent, or any other
18 legally liable individual for services and supports provided pursuant
19 to Chapter 9 (commencing with Section 4775) of Division 4.5 of,
20 and Chapter 2 (commencing with Section 7200) and Chapter 3
21 (commencing with Section 7500) of Division 7 of, the Welfare
22 and Institutions Code.

23 (t) To provide the State Board of Equalization with employment
24 tax information that will assist in the administration of tax
25 programs. The information shall be limited to the exchange of
26 employment tax information essential for tax administration
27 purposes to the extent permitted by federal law and regulations.

28 (u) This section shall not be construed to authorize or permit
29 the use of information obtained in the administration of this code
30 by any private collection agency.

31 (v) The disclosure of the name and address of an individual or
32 business entity that was issued an assessment that included
33 penalties under Section 1128 or 1128.1 shall not be in violation
34 of Section 1094 if the assessment is final. The disclosure may also
35 include any of the following:

36 (1) The total amount of the assessment.

37 (2) The amount of the penalty imposed under Section 1128 or
38 1128.1 that is included in the assessment.

39 (3) The facts that resulted in the charging of the penalty under
40 Section 1128 or 1128.1.

1 (w) To enable the Contractors' State License Board to verify
2 the employment history of an individual applying for licensure
3 pursuant to Section 7068 of the Business and Professions Code.

4 (x) To provide any peace officer with the Division of
5 Investigation in the Department of Consumer Affairs information
6 pursuant to subdivision (i) when the requesting peace officer has
7 been designated by the chief of the Division of Investigation and
8 requests this information in the course of and as part of an
9 investigation into the commission of a crime or other unlawful act
10 when there is reasonable suspicion to believe that the crime or act
11 may be connected to the information requested and would lead to
12 relevant information regarding the crime or unlawful act.

13 (y) To enable the Labor Commissioner of the Division of Labor
14 Standards Enforcement in the Department of Industrial Relations
15 to identify, pursuant to Section 90.3 of the Labor Code, unlawfully
16 uninsured employers. The information shall be provided to the
17 extent permitted by federal law and regulations.

18 (z) To enable the Chancellor of the California Community
19 Colleges, in accordance with the requirements of Section 84754.5
20 of the Education Code, to obtain quarterly wage data, commencing
21 January 1, 1993, on students who have attended one or more
22 community colleges, to assess the impact of education on the
23 employment and earnings of students, to conduct the annual
24 evaluation of district-level and individual college performance in
25 achieving priority educational outcomes, and to submit the required
26 reports to the Legislature and the Governor. The information shall
27 be provided to the extent permitted by federal statutes and
28 regulations.

29 (aa) To enable the Public Employees' Retirement System to
30 seek criminal, civil, or administrative remedies in connection with
31 the unlawful application for, or receipt of, benefits provided under
32 Part 3 (commencing with Section 20000) of Division 5 of Title 2
33 of the Government Code.

34 (ab) To enable the State Department of Education, the University
35 of California, the California State University, and the Chancellor
36 of the California Community Colleges, pursuant to the
37 requirements prescribed by the federal American Recovery and
38 Reinvestment Act of 2009 (Public Law 111-5), to obtain quarterly
39 wage data, commencing July 1, 2010, on students who have
40 attended their respective systems to assess the impact of education

on the employment and earnings of those students, to conduct the annual analysis of district-level and individual district or postsecondary education system performance in achieving priority educational outcomes, and to submit the required reports to the Legislature and the Governor. The information shall be provided to the extent permitted by federal statutes and regulations.

(ac) To provide the Agricultural Labor Relations Board with employee, wage, and employer information, for use in the investigation or enforcement of the Alatorre-Zenovich-Dunlap-Berman Agricultural Labor Relations Act of 1975 (Part 3.5 (commencing with Section 1140) of Division 2 of the Labor Code). The information shall be provided to the extent permitted by federal statutes and regulations.

(ad) (1) To enable the State Department of Health Care Services, the California Health Benefit Exchange, the Managed Risk Medical Insurance Board, and county departments and agencies to obtain information regarding employee wages, California employer names and account numbers, employer reports of wages and number of employees, and disability insurance and unemployment insurance claim information, for the purpose of:

(A) Verifying or determining the eligibility of an applicant for, or a recipient of, state health subsidy programs, limited to the Medi-Cal program provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code, and the Medi-Cal Access Program provided pursuant to Chapter 2 (commencing with Section 15810) of Part 3.3 of Division 9 of the Welfare and Institutions Code, when the verification or determination is directly connected with, and limited to, the administration of the state health subsidy programs referenced in this subparagraph.

(B) Verifying or determining the eligibility of an applicant for, or a recipient of, federal subsidies offered through the California Health Benefit Exchange, provided pursuant to Title 22 (commencing with Section 100500) of the Government Code, including federal tax credits and cost-sharing assistance pursuant to the federal Patient Protection and Affordable Care Act (Public Law 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), when the verification or determination is directly connected with, and

1 limited to, the administration of the California Health Benefit
2 Exchange.

3 (C) Verifying or determining the eligibility of employees and
4 employers for health coverage through the Small Business Health
5 Options Program, provided pursuant to Section 100502 of the
6 Government Code, when the verification or determination is
7 directly connected with, and limited to, the administration of the
8 Small Business Health Options Program.

9 (2) The information provided under this subdivision shall be
10 subject to the requirements of, and provided to the extent permitted
11 by, federal law and regulations, including Part 603 of Title 20 of
12 the Code of Federal Regulations.

13 (ae) To provide any peace officer with the Investigations
14 Division of the Department of Motor Vehicles with information
15 pursuant to subdivision (i), when the requesting peace officer has
16 been designated by the Chief of the Investigations Division and
17 requests this information in the course of, and as part of, an
18 investigation into identity theft, counterfeiting, document fraud,
19 or consumer fraud, and there is reasonable suspicion that the crime
20 is a felony and that the information would lead to relevant evidence
21 regarding the identity theft, counterfeiting, document fraud, or
22 consumer fraud. The information provided pursuant to this
23 subdivision shall be provided to the extent permitted by federal
24 law and regulations, and to the extent the information is available
25 and accessible within the constraints and configurations of existing
26 department records. Any person who receives any information
27 under this subdivision shall make a written report of the
28 information to the Investigations Division of the Department of
29 Motor Vehicles, for filing under the normal procedures of that
30 division.

31 (af) Until January 1, 2020, to enable the Department of Finance
32 to prepare and submit the report required by Section 13084 of the
33 Government Code that identifies all employers in California that
34 employ 100 or more employees who receive benefits from the
35 Medi-Cal program (Chapter 7 (commencing with Section 14000)
36 of Part 3 of Division 9 of the Welfare and Institutions Code). The
37 information used for this purpose shall be limited to information
38 obtained pursuant to Section 11026.5 of the Welfare and
39 Institutions Code and from the administration of personal income
40 tax wage withholding pursuant to Division 6 (commencing with

1 Section 13000) and the disability insurance program and may be
2 disclosed to the Department of Finance only for the purpose of
3 preparing and submitting the report and only to the extent not
4 prohibited by federal law.

5 (ag) To provide, to the extent permitted by federal law and
6 regulations, the Student Aid Commission with wage information
7 in order to verify the employment status of an individual applying
8 for a Cal Grant C award pursuant to subdivision (c) of Section
9 69439 of the Education Code.

10 (ah) To enable the Department of Corrections and Rehabilitation
11 to obtain quarterly wage data of former inmates who have been
12 incarcerated within the prison system in order to assess the impact
13 of rehabilitation services or the lack of these services on the
14 employment and earnings of these former inmates. Quarterly data
15 for a former inmate's employment status and wage history shall
16 be provided for a period of one year, three years, and five years
17 following release. The data shall only be used for the purpose of
18 tracking outcomes for former inmates in order to assess the
19 effectiveness of rehabilitation strategies on the wages and
20 employment histories of those formerly incarcerated. The
21 information shall be provided to the department to the extent not
22 prohibited by federal law.

23 (ai) To enable federal, state, or local government departments
24 or agencies, or their contracted agencies, subject to federal law,
25 including the confidentiality, disclosure, and other requirements
26 set forth in Part 603 of Title 20 of the Code of Federal Regulations,
27 to evaluate, research, or forecast the effectiveness of public social
28 services programs administered pursuant to Division 9
29 (commencing with Section 10000) of the Welfare and Institutions
30 Code, or Part A of Subchapter IV of Chapter 7 of the federal Social
31 Security Act (42 U.S.C. Sec. 601 et seq.), when the evaluation,
32 research, or forecast is directly connected with, and limited to, the
33 administration of the public social services programs.

34 (aj) (1) To enable the California Workforce Development
35 Board, the Chancellor of the California Community Colleges, the
36 Superintendent of Public Instruction, the Department of
37 Rehabilitation, the State Department of Social Services, the Bureau
38 for Private Postsecondary Education, the Department of Industrial
39 Relations, the Division of Apprenticeship Standards, the
40 Department of Corrections and Rehabilitation, the Prison Industry

1 Authority, the Employment Training Panel, and a chief elected
2 official, as that term is defined in Section 3102(9) of Title 29 of
3 the United States Code, to access any relevant quarterly wage data
4 necessary for the evaluation and reporting of their respective
5 program performance outcomes as required and permitted by
6 various local, state, and federal laws pertaining to performance
7 measurement and program evaluation under the federal Workforce
8 Innovation and Opportunity Act (Public Law 113-128); the
9 workforce metrics dashboard pursuant to paragraph (1) of
10 subdivision (i) of Section 14013; the Adult Education Block Grant
11 Program consortia performance metrics pursuant to Section 84920
12 of the Education Code; the economic and workforce development
13 program performance measures pursuant to Section 88650 of the
14 Education Code; and the California Community Colleges Economic
15 and Workforce Development Program performance measures
16 established in Part 52.5 (commencing with Section 88600) of
17 Division 7 of Title 3 of the Education Code. Disclosures under
18 this subdivision shall comply with federal and state privacy laws
19 that require the informed consent from program participants of
20 city and county departments or agencies that administer public
21 workforce development programs for the evaluation, research, or
22 forecast of their programs regardless of local, state, or federal
23 funding source.

24 (2) The department shall do all of the following:

25 (A) Consistent with this subdivision, develop the minimum
26 requirements for granting a request for disclosure of information
27 authorized by this subdivision regardless of local, state, or federal
28 funding source.

29 (B) Develop a standard application for submitting a request for
30 disclosure of information authorized by this subdivision.

31 (C) Approve or deny a request for disclosure of information
32 authorized by this subdivision, or request additional information,
33 within 20 business days of receiving the standard application. The
34 entity submitting the application shall respond to any request by
35 the department for additional information within 20 business days
36 of receipt of the department's request. Within 30 calendar days of
37 receiving any additional information, the department shall provide
38 a final approval or denial of the request for disclosure of
39 information authorized by this subdivision. Any approval, denial,

1 or request for additional information shall be in writing. Denials
2 shall identify the reason or category of reasons for the denial.

3 (D) Make publicly available on the department's internet website
4 all of the following:

5 (i) The minimum requirements for granting a request for
6 disclosure of information authorized by this subdivision, as
7 developed pursuant to subparagraph (A).

8 (ii) The standard application developed pursuant to subparagraph
9 (B).

10 (iii) The timeframe for information request determinations by
11 the department, as specified in subparagraph (C).

12 (iv) Contact information for assistance with requests for
13 disclosures of information authorized by this subdivision.

14 (v) Any denials for requests of disclosure of information
15 authorized by this subdivision, including the reason or category
16 of reasons for the denial.

17 (ak) (1) To provide any peace officer with the Enforcement
18 Branch of the Department of Insurance with both of the following:

19 (A) Information provided pursuant to subdivision (i) that relates
20 to a specific insurance fraud investigation involving automobile
21 insurance fraud, life insurance and annuity fraud, property and
22 casualty insurance fraud, and organized automobile insurance
23 fraud. That information shall be provided when the requesting
24 peace officer has been designated by the Chief of the Fraud
25 Division of the Department of Insurance and requests the
26 information in the course of, and as part of, an investigation into
27 the commission of a crime or other unlawful act when there is
28 reasonable suspicion to believe that the crime or act may be
29 connected to the information requested and would lead to relevant
30 information regarding the crime or unlawful act.

31 (B) Employee, wage, employer, and state disability insurance
32 claim information that relates to a specific insurance fraud
33 investigation involving health or disability insurance fraud when
34 the requesting peace officer has been designated by the Chief of
35 the Fraud Division of the Department of Insurance and requests
36 the information in the course of, and as part of, an investigation
37 into the commission of a crime or other unlawful act when there
38 is reasonable suspicion to believe that the crime or act may be
39 connected to the information requested and would lead to relevant
40 information regarding the crime or unlawful act.

(2) To enable the State Department of Developmental Services to obtain quarterly wage data of consumers served by that department for the purposes of monitoring and evaluating employment outcomes to determine the effectiveness of the Employment First Policy, established pursuant to Section 4869 of the Welfare and Institutions Code.

(3) The information provided pursuant to this subdivision shall be provided to the extent permitted by federal statutes and regulations.

(al) To provide the CalSavers Retirement Savings Board with employer tax information for use in the administration of, and to facilitate compliance with, the CalSavers Retirement Savings Trust Act (Title 21 of the Government Code). The information should be limited to the tax information the director deems appropriate, and shall be provided to the extent permitted by federal laws and regulations.

(am) (1) To enable the Joint Enforcement Strike Force as established by Section 329, and the Labor Enforcement Task Force, as established pursuant to Assembly Bill 1464 of the 2011–12 Regular Session (Chapter 21 of the Statutes of 2012), to carry out their duties.

(2) To provide an agency listed in subdivision (a) of Section 329 intelligence, data, including confidential tax and fee information, documents, information, complaints, or lead referrals pursuant to Section 15925 of the Government Code.

(an) To enable the Bureau for Private Postsecondary Education to access and use any relevant quarterly wage data necessary to perform the labor market outcome reporting data match pursuant to Section 94892.6 of the Education Code. The information provided pursuant to this subdivision shall be provided to the extent permitted by state and federal laws and regulations.

(ao) To enable the Cradle-to-Career Data System, as established by Article 2 (commencing with Section 10860) of Chapter 8.5 of Part 7 of Division 1 of Title 1 of the Education Code, to receive employment and earnings data and, as required of the director pursuant to Section 10871 of the Education Code, to provide information to the data system, to the extent permissible by federal laws and regulations.

SEC. 78. Item 6870-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

1	6870-101-0001—For local assistance, Board of Governors	
2	of the California Community Colleges (Proposition	
3	98).....	2,669,811,000
4		2,230,465,000
5	Schedule:	
6	(1) 5670015-Appportionments.....	1,243,174,000
7		803,828,000
8	(2) 5670019-Apprenticeship.....	43,649,000
9	(3) 5670023-Apprenticeship Training and	
10	Instruction.....	35,694,000
11	(4) 5675040-Student Equity and Achieve-	
12	ment Program.....	475,220,000
13	(5) 5675019-Student Financial Aid Admin-	
14	istration.....	75,618,000
15	(6) 5675027-Disabled Students.....	124,288,000
16	(7) 5675031-Student Services for Cal-	
17	WORKs Recipients.....	46,941,000
18	(8) 5675035-Foster Care Education Pro-	
19	gram.....	5,654,000
20	(9) 5675045-Legal Services.....	10,000,000
21	(10) 5675061-Academic Senate for the	
22	Community Colleges.....	1,685,000
23	(11) 5675069-Equal Employment Opportu-	
24	nity.....	2,767,000
25	(12) 5675073-Part-Time Faculty Health In-	
26	surance.....	490,000
27	(13) 5675077-Part-Time Faculty Compensa-	
28	tion.....	24,907,000
29	(14) 5675081-Part-Time Faculty Office	12,172,000
30	Hours.....	102,172,000
31	(15) 5670035-Expand the Delivery of	
32	Courses through Technology.....	23,000,000
33	(16) 5675119-Economic Development.....	270,929,000
34	(17) 5675123-Transfer Education and Artic-	
35	ulation.....	779,000
36	(18) 5675023-Extended Opportunity Pro-	
37	grams and Services.....	132,691,000
38	(19) 5675115-Fund for Student Success.....	53,740,000
39	(20) 5675150-Campus Childcare Tax	
40	Bailout.....	3,645,000

1	(21) 5675156-Nursing Program Support.....	13,378,000
2	(24) 5675109-Institutional Effectiveness	27,500,000
3	(25) 5675098-Integrated Technology	41,890,000
4	Provisions:	
5	1. The funds appropriated in this item are for transfer by	
6	the Controller during the 2020–21 fiscal year to Sec-	
7	tion B of the State School Fund.	
8		
9	1.5 (a) The funds appropriated in Schedule (1) reflect a	
10	deferral of \$662,119,000 to the 2021–22 fiscal	
11	year.	
12	(b) The funds appropriated in Schedule (1) also reflect	
13	a deferral of \$791,124,000 to the 2021–22 fiscal	
14	year. Pursuant to Section 8.28, if federal legisla-	
15	tion is enacted to provide additional funding to	
16	the state for the 2020–21 fiscal year, the Director	
17	of Finance shall determine whether the federal	
18	legislation will make available additional federal	
19	funds to offset the deferral described in this sub-	
20	division.	
21	(c) (1) To implement the monthly deferral schedule	
22	for community college districts pursuant to	
23	subdivision (a) of Section 84321.62 of the	
24	Education Code, the Chancellor’s Office may	
25	transfer appropriations from schedules within	
26	this item that provide categorical program	
27	funding and that are being deferred to	
28	Schedule (1) of this item.	
29	(2) If exercising the authority described in para-	
30	graph (1), the Chancellor’s Office shall first	
31	defer appropriations from apportionments in	
32	Schedule (1) before transferring appropri-	
33	ations from schedules within this item that	
34	provide categorical program funding.	
35	(d) The transfers authorized by this provision shall	
36	be implemented through notification to appropri-	
37	ate staff at the State Controller’s Office and De-	
38	partment of Finance.	
39	2. (a) The funds appropriated in Schedule (1) shall be	
40	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), \$0 shall be used to increase statewide growth of full-time equivalent students (FTES).
 - (2) Of the funds appropriated in Schedule (1), \$0 shall be used to reflect a cost-of-living adjustment of 0 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.
- (d) Of the funds appropriated in Schedule (1), \$81,372,000 shall be allocated to support the California College Promise pursuant to Article 3 (commencing with Section 76396) of Chapter 2 of Part 47 of Division 2 of Title 3 of the Education Code.

- 1 (e) Of the funds appropriated in Schedule (1),
2 \$50,000,000 shall be used to hire new full-time
3 faculty for community college districts to increase
4 their percentage of full-time faculty, toward
5 meeting the 75 percent full-time faculty target.
6 The Chancellor's Office of the California Com-
7 munity Colleges shall consult with representatives
8 from the Department of Finance, the Legislature,
9 and the Legislative Analyst's Office before dis-
10 tributing these funds to community college dis-
11 tricts.
- 12 3. (a) The funds appropriated in Schedule (2) shall be
13 available pursuant to Article 3 (commencing with
14 Section 79140) of Chapter 9 of Part 48 of Division
15 7 of Title 3 of the Education Code.
- 16 (b) Pursuant to Section 79149.3 of the Education
17 Code, the reimbursement rate shall be \$6.44 per
18 hour.
- 19 (c) Of the funds appropriated in Schedule (2),
20 \$15,000,000 shall be used for the California Ap-
21 prenticeship Initiative pursuant to Section 79148.1
22 of the Education Code. Funds appropriated pur-
23 suant to this subdivision shall be available for
24 encumbrance or expenditure until June 30, 2026.
- 25 4. (a) The funds appropriated in Schedule (3) shall be
26 available pursuant to Article 8 (commencing with
27 Section 8150) of Chapter 1 of Part 6 of Division
28 1 of Title 1 of the Education Code.
- 29 (b) Pursuant to Section 8152 of the Education Code,
30 the reimbursement rate shall be \$6.44 per hour.
- 31 5. The funds appropriated in Schedule (4) shall be appor-
32 tioned to community college districts pursuant to
33 Section 78222 of the Education Code.
- 34 6. (a) Of the funds appropriated in Schedule (5):
35 (1) Not less than \$14,977,000 is available to
36 provide \$0.91 per unit reimbursement to
37 community college districts for the provision
38 of California College Promise Grants pur-
39 suant to paragraph (2) of subdivision (m) of
40 Section 76300 of the Education Code.

- (2) Not less than \$15,141,000 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) 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.
- (4) 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.
- (5) 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).
- (6) 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 2020–21 fiscal year shall be determined in this act.

- 1 (7) Not more than \$5,000,000 shall be for ongoing
2 ing maintenance, subscription, and training
3 costs for financial aid technology advancements
4 and innovations that streamline the financial
5 aid verification process and enable
6 colleges to more efficiently process state and
7 federal financial aid grants. It is the intent of
8 the Legislature that system improvements
9 supported by this funding have the effect of
10 reducing the manual processing of financial
11 aid applications, thereby enabling financial
12 aid program staff to provide additional technical
13 assistance and guidance to students
14 seeking financial aid. The Chancellor's Office
15 shall determine the methodology for allocating
16 these funds to community college
17 districts.
- 18 (8) (A) \$5,300,000 shall be allocated to a community
19 college district to conduct a statewide media
20 campaign to promote the following message: (i) the California
21 Community Colleges are affordable, (ii)
22 financial aid is available to cover fees
23 and help with books and other costs, and
24 (iii) an interested student should contact
25 the student's local community college
26 financial aid office. The campaign
27 should target efforts to reach low-income
28 and disadvantaged students who must
29 overcome barriers in accessing postsecondary
30 education. The community college
31 district awarded the contract shall
32 consult regularly with the Chancellor of
33 the California Community Colleges and
34 the Student Aid Commission.
- 35 (B) Of the amount identified in subparagraph
36 (A), \$2,500,000 shall be allocated to expand:
37 (i) outreach for students from non-
38 English speaking households and bilingual
39 households, (ii) marketing and out-
40

reach 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.

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

- 1 served by the Coast and Kern Community
2 College Districts.
- 3 8. (a) The funds appropriated in Schedule (7) shall be
4 allocated pursuant to Article 5 (commencing with
5 Section 79200) of Chapter 9 of Part 48 of Division
6 7 of Title 3 of the Education Code.
- 7 (b) Of the amount appropriated in Schedule (7):
- 8 (1) \$9,488,000 is for childcare, except that a
9 community college district may request that
10 the chancellor approve the use of funds for
11 other purposes.
- 12 (2) No less than \$5,060,000 shall be used to
13 provide direct workstudy wage reimburse-
14 ment for students served under this program,
15 and \$633,000 is available for campus job
16 development and placement services.
- 17 9. The funds appropriated in Schedule (8) shall be allo-
18 cated to community college districts to provide foster
19 and relative or kinship care education and training
20 pursuant to Article 8 (commencing with Section
21 79420) of Chapter 9 of Part 48 of Division 7 of Title
22 3 of the Education Code. A community college district
23 shall ensure that education and training required pur-
24 suant to paragraphs (12) and (13) of subdivision (g)
25 of Section 16519.5 of the Welfare and Institutions
26 Code receive priority.
- 27 10. The funds appropriated in Schedule (9) shall be allo-
28 cated to a community college district to contract with
29 the State Department of Social Services in order to
30 contract with organizations qualified pursuant to
31 Chapter 5.6 (commencing with Section 13300) of Part
32 3 of Division 9 of the Welfare and Institutions Code
33 to provide services pursuant to that chapter to persons
34 on California community college campuses. Use of
35 these funds shall be included in updates provided to
36 the Legislature on the State Department of Social
37 Services' immigration programs.
- 38 11. Of the amount appropriated in Schedule (10), \$685,000
39 is available to support the Academic Senate of the
40 California Community Colleges course identification

1 numbering system efforts and shall be subject to the
2 requirements of subparagraph (B) of paragraph (5) of
3 subdivision (b) of Section 70901 of the Education
4 Code.

- 5 12. The funds in Schedule (13) shall be allocated to in-
6 crease compensation for part-time faculty. Funds shall
7 be allocated to districts based on the total actual num-
8 ber of FTES in the previous fiscal year, with an adjust-
9 ment to the allocations provided to small districts.
10 These funds shall be used to assist districts in making
11 part-time faculty salaries more comparable to full-time
12 salaries for similar work, as determined through col-
13 lective bargaining in each community college district.
14 If a community college district achieves parity between
15 compensation for full-time faculty and part-time fac-
16 ulty, funds received pursuant to this provision may be
17 used for any other educational purpose.

- 18 13. (a) Of the funds appropriated in Schedule (14),
19 \$90,000,000 shall be available on a one-time basis to
20 support part-time faculty office hours.

21 (b) The funds provided pursuant to subdivision (a)
22 shall be available for encumbrance or expenditure
23 until June 30, 2024.

- 24 14. Of the funds appropriated in Schedule (15):

25 (a) By September 1 of each fiscal year, up to
26 \$3,000,000 shall be disbursed by the Office of the
27 Chancellor of the California Community Colleges
28 to one or more community college districts to
29 provide textbooks or digital course content to in-
30 mates under the jurisdiction of the Department of
31 Corrections and Rehabilitation who are enrolled
32 in one or more California Community College
33 courses. The provision of this material is expected
34 to enable community college districts to provide
35 instruction to incarcerated adults.

- 36 (1) To the extent possible, community college
37 districts providing textbooks or digital course
38 content pursuant to this subdivision are en-
39 couraged to first use open educational re-
40 sources.

- 1 (2) Notwithstanding any other law, a contract
2 between the Office of the Chancellor of the
3 California Community Colleges and a com-
4 munity college district for purposes of this
5 subdivision is not subject to any competitive
6 bidding requirements of Section 10340 of the
7 Public Contract Code.
- 8 (c) \$20,000,000 shall be allocated to the Chancellor
9 of the California Community Colleges to increase
10 the number of courses available through the use
11 of technology, provide alternative methods for
12 students to earn college credit, and support the
13 California Virtual Campus Distance Education
14 Program. These funds may be used to pay for a
15 consistent learning management system to help
16 implement this program. The chancellor shall
17 ensure, to the extent possible, that the following
18 conditions are satisfied:
- 19 (1) These courses can be articulated across all
20 community college districts.
- 21 (2) These courses are made available to students
22 systemwide, regardless of the campus at
23 which a student is enrolled.
- 24 (3) Students who complete these courses are
25 granted degree-applicable credit across com-
26 munity colleges.
- 27 (4) These funds shall be used for those courses
28 that have the highest demand, fill quickly,
29 and are prerequisites for many different de-
30 grees.
- 31 15. Of the funds appropriated in Schedule (16):
- 32 (a) \$22,929,000 is available for the following purpos-
33 es:
- 34 (1) Funds shall be allocated for programs that
35 target investments in priority and emergent
36 sectors, including statewide and/or regional
37 centers, hubs, collaborative communities,
38 advisory bodies, and short-term grants. Short-
39 term grants may include industry-driven re-
40 gional 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.
- (2) 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.
- (3) Up to 10 percent may be allocated for state-level technical assistance, including statewide network leadership, organizational development, coordination, and information and support services.
- (b) \$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.
16. (a) \$81,000 of the funds appropriated in Schedule (17) shall be used to support the Historically Black Colleges and Universities (HBCU) Transfer Pathway program, which helps develop transfer guarantee agreements that help facilitate a smooth transition for students from the California Community Colleges to partnered HBCU institutions.
- (b) (1) \$698,000 of the funds appropriated in Schedule (17) shall be used to support transfer and articulation projects and common course numbering projects.
- (2) 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.
17. (a) Of the funds appropriated in Schedule (18):

- 1 (1) \$115,867,000 shall be used pursuant to Arti-
2 cle 8 (commencing with Section 69640) of
3 Chapter 2 of Part 42 of Division 5 of Title 3
4 of the Education Code. Funds provided in
5 this item for Extended Opportunity Programs
6 and Services shall be available to students on
7 all campuses within the California Communi-
8 ty Colleges system.
- 9 (2) \$16,824,000 shall be used for funding, at all
10 colleges, the Cooperative Agencies Resources
11 for Education program in accordance with
12 Article 4 (commencing with Section 79150)
13 of Chapter 9 of Part 48 of Division 7 of Title
14 3 of the Education Code. The chancellor shall
15 allocate these funds to local programs on the
16 basis of need for student services.
- 17 (b) Of the amount allocated pursuant to subdivision
18 (a), no less than \$4,972,000 shall be available to
19 support additional textbook assistance grants to
20 community college students.
- 21 18. The funds appropriated in Schedule (19) shall be used
22 for the following purposes:
- 23 (a) \$1,984,000 shall be used for the Puente Project
24 to support up to 75 colleges. These funds are
25 available if matched by \$200,000 of private funds
26 and if the participating community colleges and
27 University of California campuses maintain their
28 1995–96 fiscal year support level for the Puente
29 Project. All funding shall be allocated directly to
30 participating districts in accordance with their
31 participation agreement.
- 32 (b) Up to \$2,539,000 is for the Mathematics, Engi-
33 neering, Science Achievement (MESA) program.
34 A community college district is required to spend
35 \$1 from local or other resources for every \$1 re-
36 ceived pursuant to this subdivision.
- 37 (c) No less than \$1,836,000 is for the Middle College
38 High School Program. With the exception of
39 special part-time students at the community col-
40 leges 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 \$2,581,000 is for the Umoja program.
- (e) 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 appropriated in this item 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.
- (f) \$10,000,000 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 Office of the Chancellor of the California Community Colleges.
- (g) (1) Colleges shall establish ongoing partnerships with community organizations that have a tradition of helping populations experiencing homelessness to provide wraparound services and rental subsidies for homeless and housing insecure students. \$9,000,000 of the funds appropriated in Schedule (19) may be used for, but are not limited to, the following authorized activities:
 - (A) Connecting students with community case managers who have knowledge and

1 expertise in accessing safety net re-
2 sources.

3 (B) Establishing ongoing emergency housing
4 procedures, including on-campus and
5 off-campus resources.

6 (C) Providing emergency grants that are
7 necessary to secure housing or to prevent
8 the imminent loss of housing.

9 (2) Funding shall be allocated to campuses based
10 on demonstrated need.

11 (3) “Homeless” and “housing insecure” mean
12 students who lack a fixed, regular, and ade-
13 quate nighttime residence. This includes stu-
14 dents who are:

15 (A) Sharing the housing of other persons due
16 to loss of housing, economic hardship,
17 or a similar reason.

18 (B) Living in motels, hotels, trailer parks, or
19 camping grounds due to the lack of alter-
20 native adequate accommodations.

21 (C) Living in emergency or transitional
22 shelters.

23 (D) Abandoned in hospitals.

24 (E) Living in a primary nighttime residence
25 that is a public or private place not de-
26 signed for or ordinarily used as a regular
27 sleeping accommodation for human be-
28 ings.

29 (F) Living in cars, parks, public spaces,
30 abandoned buildings, substandard hous-
31 ing, bus or train stations, or similar set-
32 tings.

33 (4) By July 15 of each year, the Office of the
34 Chancellor of the California Community
35 Colleges shall submit a report to the Director
36 of Finance and, in conformity with Section
37 9795 of the Government Code, to the Legis-
38 lature regarding the prior year use of these
39 funds, including the number of coordinators
40 hired, the number of students served by

campus, the distribution of funds by campus,
a description of the types of programs funded,
and other relevant outcomes, such as the
number of students who were able to secure
permanent housing, and whether students
receiving support remained enrolled at the
institution or graduated.

- (i) \$5,800,000 shall be allocated by the Chancellor's Office to community colleges to support Dreamer Resource Liaisons and student support services, including those related to career pathways and economic mobility, for immigrant students, pursuant to Section 66021.8 of the Education Code.
19. The funds appropriated in Schedule (20) shall be allocated by the chancellor to community college districts that levied childcare 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 childcare 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 childcare and development programs.
20. 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.
21. 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

1 in faculty recruitment and hiring practices as well as
2 systemwide training, monitoring, and compliance ac-
3 tivities.

4 24. (a) Of the amount appropriated in Schedule (24):

5 (1) (A) \$7,500,000 may be used by the Chancel-
6 lor of the California Community Col-
7 leges to provide technical assistance to
8 community college districts that
9 demonstrate low performance in any area
10 of operations. It is the intent of the Leg-
11 islature that technical assistance
12 providers be contracted in a cost-effec-
13 tive manner, that they primarily consist
14 of experts who are current and former
15 employees of the California Community
16 Colleges, and that they provide technical
17 assistance consistent with the vision for
18 the California Community Colleges.

19 (B) Technical assistance funded pursuant to
20 this paragraph that is initiated by the
21 chancellor may be provided at no cost
22 to the community college district. If a
23 community college district requests
24 technical assistance, the district is re-
25 quired to spend at least \$1 from local or
26 other resources for every \$2 received, as
27 determined by the chancellor.

28 (2) (A) \$20,000,000 may be used by the chancel-
29 lor to provide regional and online work-
30 shops and trainings to community col-
31 lege personnel to promote statewide pri-
32 orities, including, but not limited to,
33 strategies to improve student achieve-
34 ment; strategies to improve community
35 college operations; and system leader-
36 ship training to better coordinate plan-
37 ning and implementation of statewide
38 initiatives in alignment with the Board
39 of Governors of the California Commu-
40 nity Colleges' Vision for Success. 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 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 this provision.

(B) Funding available pursuant to this paragraph may be used by the chancellor to coordinate with community college districts to conduct policy research, and 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).

25. (a) The funds appropriated in Schedule (25) shall be allocated by the Chancellor of the California Community Colleges 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) shall be available for allocations to districts to maintain technology capabilities.

SEC. 79. Item 6870-121-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6870-121-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98)	123,100,000
	23,100,000
Schedule:	
(1) 5670015—Apportionments.....	100,000,000
(2) 5675109-Institutional Effectiveness.....	
(1)	20,000,000
(3) 5675019-Student Financial Aid Admin-	
(2) istration.....	3,100,000

Provisions:

1. The funds appropriated in this item are for transfer by the Controller during the 2020–21 fiscal year to Section B of the State School Fund.
2. (a) ~~The funds appropriated in Schedule (1) shall be apportioned to community college districts on a one-time basis to provide emergency financial assistance to low-income community college students~~
- (b) ~~The Office of the Chancellor of the California Community Colleges shall allocate funds to community college districts based on the head-count number of students in the district that receive a fee waiver pursuant to Section 76300 of the Education Code, as well as those who meet all the requirements for an exemption from paying nonresident tuition pursuant to Section 68130.5 of the Education Code and meet the income criteria applicable to the California Dream Act application, using the most recent fiscal year for which these data are available for all community college districts.~~
- (c) ~~Grants may be available to community college students who self-certify that they meet the following conditions:~~
 - (1) ~~The student is currently enrolled in at least 6 semester units, or the quarterly equivalent.~~
 - (2) ~~The student is able to demonstrate an emergency financial aid need, including loss of employment, and that they either currently qualify as low-income by meeting requirements to receive a fee waiver pursuant to Section 76300 of the Education Code, or is projected to receive a fee waiver pursuant to Section 76300 of the Education Code for the upcoming semester or quarter.~~
 - (3) ~~The student either (A) earned a grade point average of at least 2.0 in one of their previous three semester terms or in one of their previous four quarter terms, or (B) is a disabled~~

student that is receiving additional support or services through a community college's disabled students programs and services.

(d) In providing an emergency financial aid grant to an applying student, to the extent that data is readily available to the district, a community college district may verify (1) that the student is enrolled in at least 6 semester units, or the quarterly equivalent, (2) if the student is currently receiving a fee waiver pursuant to Section 76300 of the Education Code, (3) if the student meets all the requirements for an exemption from paying non-resident tuition pursuant to Section 68130.5 of the Education Code and meets the income criteria applicable to the California Dream Act application, and (4) if the student meets the required 2.0 grade point average or is receiving additional support or services through a community college's disabled students programs and services.

(e) The Office of the Chancellor may provide guidance to community college districts to implement this provision.

3. The funds appropriated in Schedule (2) (1) shall be allocated by the Office of the Chancellor of the California Community Colleges to support efforts to increase student retention rates and enrollment by primarily engaging former community college students that may have withdrawn from college due to the impacts of COVID-19, as well as with current community college students that may be hesitant to remain in college due to the impacts of COVID-19 and prospective students that may be hesitant to enroll in a community college due to COVID-19. The Chancellor's Office may allocate up to 10% of the funds provided for the purposes of this provision to support statewide recruitment and retention efforts.
4. The funds appropriated in Schedule (3) (2) shall be allocated by the Office of the Chancellor of the California Community Colleges to community college districts to support campus efforts to increase student

applications in the CalFresh program. Funds may be used to create outreach materials, host events, support equipment needs, and support application assistance, including hiring staff and student workers to assist students applying for CalFresh and understanding how to use their CalFresh benefits. The Office of the Chancellor shall report back to the Department of Finance and relevant committees of the Legislature by December 1, 2021, as to how funds were distributed to campuses, how funds were used, and how many students applied for CalFresh as a result of these activities.

SEC. 80. Item 6980-101-0001 of Section 2.00 of the Budget Act of 2020 is amended to read:

6980-101-0001—For local assistance, Student Aid Commission.....	2,218,435,000
	2,218,733,000

Schedule:

(1) 5755-Financial Aid Grants Program.....	2,653,541,000
	2,653,839,000

(2) Reimbursements to 5755-Financial Aid Grants Program.....	–435,106,000
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Provisions:

1. The funds appropriated in this item are for costs of all of the following:
 - (a) The Cal Grant Program, pursuant to Chapter 1.7 (commencing with Section 69430) of Part 42 of Division 5 of Title 3 of the Education Code.
 - (b) The Law Enforcement Personnel Dependents Scholarship Program, pursuant to Section 4709 of the Labor Code.
 - (c) The Assumption Program of Loans for Education, pursuant to Article 5 (commencing with Section 69612) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.
 - (d) The State Nursing Assumption Program of Loans for Education (SNAPLE), pursuant to Article 1

- (commencing with Section 70100) of Chapter 3 of Part 42 of Division 5 of Title 3 of the Education Code.
 - (e) The Middle Class Scholarship Program, pursuant to Article 22 (commencing with Section 70020) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.
 - (f) The Cash for College Program, pursuant to Article 3.5 (commencing with Section 69551) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.
 - (g) The Student Opportunity and Access Program (Cal-SOAP), pursuant to Article 4 (commencing with Section 69560) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code.
- 1.5. (a) Of the amount appropriated in this item, \$7,500,000 is to fund the activities pursuant to Article 5.5 (commencing with Section 69438) of Chapter 1.7 of Part 42 of Division 5 of Title 3 of the Education Code.
 - (b) Of the amount appropriated in this item, \$15,000,000 in reimbursement authority is to support grants to students in a professional preparation program leading to a preliminary teaching credential that would be used in the high need field of special education through the Golden State Teacher Grant Program established pursuant to Section 69617 of the Education Code.
2. Notwithstanding any other law, the maximum Cal Grant award for:
 - (a) New recipients attending private, for-profit institutions that are not accredited by the Western Association of Schools and Colleges as of July 1, 2020, shall be \$4,000.
 - (b) New recipients attending private, for-profit institutions that are accredited by the Western Association of Schools and Colleges as of July 1, 2020, shall be \$8,056.
 - (c) New recipients attending private, nonprofit institutions shall be \$9,084.

- 1 (d) All recipients receiving Cal Grant B access awards
- 2 shall be \$1,648.
- 3 (e) All recipients receiving Cal Grant C tuition and
- 4 fee awards shall be \$2,462.
- 5 (f) All recipients attending community colleges re-
- 6 ceiving Cal Grant C book and supply awards shall
- 7 be \$1,094.
- 8 (g) All recipients not attending community colleges
- 9 receiving Cal Grant C book and supply awards
- 10 shall be \$547.
- 11 (h) All University of California student recipients
- 12 receiving Cal Grant awards shall be the amount
- 13 approved for mandatory systemwide tuition and
- 14 fees by the Regents of the University of California
- 15 for the 2020–21 academic year.
- 16 (i) All California State University student recipients
- 17 receiving Cal Grant awards shall be the amount
- 18 approved for mandatory systemwide tuition and
- 19 fees by the Trustees of the California State Uni-
- 20 versity for the 2020–21 academic year.
- 21 3. Notwithstanding Provision 2 of this item and any
- 22 other law:
- 23 (a) All Cal Grant A award recipients attending a
- 24 University of California or California State Uni-
- 25 versity and who have a dependent child or depen-
- 26 dent children shall also receive an access award.
- 27 The maximum amount of this access award shall
- 28 be \$6,000.
- 29 (b) All Cal Grant B access award recipients attending
- 30 a University of California, California State Uni-
- 31 versity, or California Community College and
- 32 who have a dependent child or dependent children
- 33 shall have a maximum access award of \$6,000.
- 34 (c) All Cal Grant C book and supply award recipients
- 35 attending a California Community College and
- 36 who have a dependent child or dependent children
- 37 shall have a maximum book and supply award of
- 38 \$4,000.
- 39 4. Notwithstanding any other law, the Department of
- 40 Finance may authorize an augmentation, from the

Special Fund for Economic Uncertainties established pursuant to Section 16418 of the Government Code, of the amount appropriated in this item to make Cal Grant awards, pursuant to Chapter 1.7 (commencing with Section 69430) of Part 42 of Division 5 of Title 3 of the Education Code. No augmentation may be authorized pursuant to this provision sooner than 30 days after the Department of Finance provides notice of the intended augmentation to the chairpersons of the committees in each house of the Legislature that consider appropriations.

5. Notwithstanding any other law, the Department of Finance may authorize a loan from the General Fund for cashflow purposes, in an amount not to exceed \$125,000,000, provided that:

- (a) The loan is to meet cash needs resulting from a delay in the receipt of reimbursements from federal Temporary Assistance for Needy Families (TANF) funds.
- (b) The Student Aid Commission has received confirmation from the State Department of Social Services that there are no available TANF resources that could be advanced to them.
- (c) The loan is for a short-term need and shall be repaid within 90 days of the loan's origination date.
- (d) Interest charges may be waived pursuant to subdivision (e) of Section 16314 of the Government Code.

SEC. 81. Item 6980-101-3263 of Section 2.00 of the Budget Act of 2020 is amended to read:

6980-101-3263—For local assistance, Student Aid Commission,	
payable from the College Access Tax Credit Fund.....	782,000
	1,542,000
Schedule:	
(1) 5755-Financial Aid Grants Program.....	782,000
	1,542,000

Provisions:

1. The funds appropriated in this item shall be used to make a supplemental award of up to \$12 to any student who receives a Cal Grant B Access Award in the 2020–21 award year.

SEC. 82. (a) For the 2021–22 fiscal year, the sum of five hundred eleven million fourteen thousand dollars (\$511,014,000) is hereby appropriated from the General Fund to the Board of Governors of the California Community Colleges for allocation to community college districts for the following purposes:

(1) Scheduled maintenance and special repairs of facilities. The Chancellor of the California Community Colleges shall allocate funds to community college districts on the basis of actual reported full-time equivalent students, and may establish a minimum allocation per community college district. As a condition of receiving and expending these funds for maintenance or special repairs, a community college 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 community college district's compliance with its resolution shall be reviewed under the annual audit of the community college district.

(2) Hazardous substances abatement, cleanup, and repairs.

(3) Architectural barrier removal projects that meet the requirements of the federal Americans with Disabilities Act (42 U.S.C. 12101 et seq.) and seismic retrofit projects limited to seven hundred fifty-two thousand dollars (\$752,000).

(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, if 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 pursuant to subdivision (a) are available for replacement of instructional equipment and library

1 materials. The funds provided for instructional equipment and
2 library materials shall not be used for personal services costs or
3 operating expenses. The Chancellor of the California Community
4 Colleges shall allocate funds to community college districts on the
5 basis of actual reported full-time equivalent students, and may
6 establish a minimum allocation per community college district. A
7 district's compliance with its resolution shall be reviewed under
8 the annual audit of that district.

9 (c) Funds appropriated pursuant to this section shall be
10 available for encumbrance or expenditure until June 30, 2023.

11 (d) For purposes of making the computations required by
12 Section 8 of Article XVI of the California Constitution, five hundred
13 nine million two hundred fifty-four thousand dollars
14 (\$509,254,000) of the appropriation made pursuant to subdivision
15 (a) shall be deemed to be "General Fund revenues appropriated
16 for community college districts," as defined in subdivision (d) of
17 Section 41202 of the Education Code, for the 2020–21 fiscal year,
18 and included within the "total allocations to school districts and
19 community college districts from General Fund proceeds of taxes
20 appropriated pursuant to Article XIII B," as defined in subdivision
21 (e) of Section 41202 of the Education Code, for the 2020–21 fiscal
22 year.

23 (e) For purposes of making the computations required by Section
24 8 of Article XVI of the California Constitution, one million seven
25 hundred sixty thousand dollars (\$1,760,000) of the appropriation
26 made pursuant to subdivision (a) shall be deemed to be "General
27 Fund revenues appropriated for community college districts," as
28 defined in subdivision (d) of Section 41202 of the Education Code,
29 for the 2019–20 fiscal year, and included within the "total
30 allocations to school districts and community college districts
31 from General Fund proceeds of taxes appropriated pursuant to
32 Article XIII B," as defined in subdivision (e) of Section 41202 of
33 the Education Code, for the 2019–20 fiscal year.

34 SEC. 83. (a) For the 2021–22 fiscal year, the sum of fifty
35 million dollars (\$50,000,000) is hereby appropriated from the
36 General Fund to the Board of Governors of the California
37 Community Colleges for allocation to community colleges to
38 support the continued implementation of a guided pathways
39 program pursuant to the California Community College Guided
40 Pathways Grant Program established pursuant to Part 54.81

1 (commencing with Section 88920) of Division 7 of Title 3 of the
2 Education Code. The funds appropriated pursuant to this
3 subdivision shall be expended in furtherance of the goals identified
4 in the Vision for Success, adopted by the Board of Governors of
5 the California Community Colleges in 2017.

6 (b) Notwithstanding paragraph (1) of subdivision (a) of Section
7 88922 of the Education Code, up to 5 percent of the funds
8 appropriated pursuant to subdivision (a) may be used for statewide
9 assistance and programmatic support to implement this section.

10 (c) Funds appropriated in subdivision (a) shall be allocated as
11 grants to participating community colleges pursuant to the
12 methodology described in subdivision (b) of Section 88922 of the
13 Education Code.

14 (d) (1) Before the office of the Chancellor of the California
15 Community Colleges may award grant funds to a participating
16 community college, the community college shall demonstrate its
17 continued commitment to implement a guided pathways framework
18 by updating and submitting to the office of the Chancellor of the
19 California Community Colleges a work plan outlining the
20 community college's commitment to implement a guided pathways
21 program for all entering students and integrate existing student
22 success programs operating at the community college, including,
23 but not limited to, the Student Equity and Achievement Program
24 established pursuant to Section 78222 of the Education Code, the
25 associate degrees for transfer program, the Zero-Textbook-Cost
26 Degree Grant Program established pursuant to Article 4
27 (commencing with Section 78050) of Chapter 1 of Part 48 of
28 Division 7 of Title 3 of the Education Code, the Adult Education
29 Program established pursuant to Article 9 (commencing with
30 Section 84900) of Chapter 5 of Part 50 of Division 7 of Title 3 of
31 the Education Code, and the Strong Workforce Program
32 established pursuant to Part 54.5 (commencing with Section 88820)
33 of Division 7 of Title 3 of the Education Code.

34 (2) If the office of the Chancellor of the California Community
35 Colleges determines that a community college has not previously
36 met the requirements of subdivision (c) of Section 88922 of the
37 Education Code or the requirements of paragraph (1), the
38 community college may access available technical assistance
39 opportunities to meet the requirements.

1 (e) (1) *On or before July 1, 2023, the office of the Chancellor*
2 *of the California Community Colleges shall report to the Director*
3 *of Finance and the Legislature, pursuant to Section 9795 of the*
4 *Government Code, to provide an updated summary of each*
5 *community college’s progress toward implementing its work plan*
6 *submitted pursuant to paragraph (1) of subdivision (d), including*
7 *the share of each community college’s students engaged in guided*
8 *pathways activities and practices and the community college’s*
9 *alignment of course offerings with student education plans.*

10 (2) *The report required in paragraph (1) shall include*
11 *recommendations on any statutory or regulatory changes necessary*
12 *to improve the ability of community colleges to implement their*
13 *locally developed guided pathways programs.*

14 (f) *Funds appropriated to this section shall be available for*
15 *encumbrance or expenditure until June 30, 2026.*

16 (g) *For purposes of making the computations required by*
17 *Section 8 of Article XVI of the California Constitution, the*
18 *appropriation made pursuant to subdivision (a) shall be deemed*
19 *to be “General Fund revenues appropriated for community college*
20 *districts,” as defined in subdivision (d) of Section 41202 of the*
21 *Education Code, for the 2020–21 fiscal year, and included within*
22 *the “total allocations to school districts and community college*
23 *districts from General Fund proceeds of taxes appropriated*
24 *pursuant to Article XIII B,” as defined in subdivision (e) of Section*
25 *41202 of the Education Code, for the 2020–21 fiscal year.*

26 SEC. 84. (a) *For the 2021–22 fiscal year, the sum of one*
27 *hundred million dollars (\$100,000,000) is hereby appropriated*
28 *from the General Fund to the Board of Governors of the California*
29 *Community Colleges for allocation to community colleges to*
30 *support efforts to increase student retention rates and enrollment*
31 *by primarily engaging former community college students who*
32 *may have withdrawn from a community college due to the impacts*
33 *of the COVID-19 pandemic, current community college students*
34 *who may be hesitant to remain enrolled at a community college*
35 *due to the impacts of the COVID-19 pandemic, and prospective*
36 *students who may be hesitant to enroll at a community college due*
37 *to the impacts of the COVID-19 pandemic. A community college*
38 *may use funds allocated pursuant to this subdivision to provide a*
39 *fiscal incentive for students to reenroll, or for prospective students*
40 *to enroll, at the community college.*

1 ***(b) In considering an allocation methodology to community***
2 ***colleges, the office of the Chancellor of the California Community***
3 ***Colleges shall consider a factor that allocates additional funds to***
4 ***community colleges that have observed the most significant***
5 ***percentage declines in enrollment due to the impacts of the***
6 ***COVID-19 pandemic.***

7 ***(c) The office of the Chancellor of the California Community***
8 ***Colleges may allocate up to 10 percent of the funds appropriated***
9 ***in subdivision (a) to support statewide recruitment and retention***
10 ***efforts.***

11 ***(d) For purposes of making the computations required by***
12 ***Section 8 of Article XVI of the California Constitution, the***
13 ***appropriation made pursuant to subdivision (a) shall be deemed***
14 ***to be “General Fund revenues appropriated for community college***
15 ***districts,” as defined in subdivision (d) of Section 41202 of the***
16 ***Education Code, for the 2020–21 fiscal year, and included within***
17 ***the “total allocations to school districts and community college***
18 ***districts from General Fund proceeds of taxes appropriated***
19 ***pursuant to Article XIII B,” as defined in subdivision (e) of Section***
20 ***41202 of the Education Code, for the 2020–21 fiscal year.***

21 ***SEC. 85. (a) For the 2021–22 fiscal year, the sum of one***
22 ***hundred fifteen million dollars (\$115,000,000) is hereby***
23 ***appropriated from the General Fund to the Board of Governors***
24 ***of the California Community Colleges for providing grants to***
25 ***community college districts to develop zero-textbook-cost degrees,***
26 ***which may include specified low-cost degrees, using open***
27 ***educational resources pursuant to the Zero-Textbook-Cost Degree***
28 ***Grant Program established pursuant to Article 4 (commencing***
29 ***with Section 78050) of Chapter 1 of Part 48 of Division 7 of Title***
30 ***3 of the Education Code. Funds appropriated pursuant to this***
31 ***section may also be used for the curation of open educational***
32 ***resources for courses.***

33 ***(b) As a condition of receiving funding to develop and implement***
34 ***zero-textbook-cost degrees, a community college district shall***
35 ***strive to implement degrees within three academic years of***
36 ***receiving funding, or sooner, as determined by the office of the***
37 ***Chancellor of the California Community Colleges.***

38 ***(c) Funds appropriated pursuant to this section shall be***
39 ***available for encumbrance or expenditure until June 30, 2026.***

(d) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 86. (a) For the 2021–22 fiscal year, the sum of one hundred million dollars (\$100,000,000) is hereby appropriated from the General Fund to the Board of Governors of the California Community Colleges for allocation to community college districts to support students in addressing food insecurity, including meal donation programs, food pantries serving students, CalFresh enrollment, or other means of directly providing nutrition assistance to students. The funds shall also be used to assist homeless and housing-insecure students in securing stable housing.

(b) The funds appropriated pursuant to subdivision (a) shall be available for encumbrance until June 30, 2024.

(c) On or before January 1, 2025, the office of the Chancellor of the California Community Colleges shall submit a report to the Department of Finance and relevant policy and fiscal committees of the Legislature regarding the use of the funds appropriated pursuant to subdivision (a), and the report may be combined with the report required pursuant to subparagraph (B) of paragraph (1) of Provision 17 of Item 6870-101-0001 of Section 2.00 of the Budget Act of 2021. The report shall include, but is not necessarily be limited to, all of the following information:

(1) The amount of funds allocated pursuant to this section to each community college district.

(2) A descriptive summary of how the funds were spent, including other funds used to supplement the amount allocated pursuant to this section.

(3) A description of the types of programs in which community college districts invested the funds they were allocated pursuant to this section.

(4) A list of community college districts that accept or plan to accept electronic benefit transfer.

1 (5) *A list of community college districts that participate or plan*
2 *to participate in the CalFresh Restaurant Meals Program*
3 *established pursuant to Section 2020 of Title 7 of the United States*
4 *Code.*

5 (6) *A list of community college districts that offer or plan to*
6 *offer emergency housing or assistance with long-term housing*
7 *arrangements.*

8 (7) *A description of how community college districts leveraged*
9 *or coordinated with other state or local resources to address*
10 *housing and food insecurity, student mental health, and digital*
11 *equity.*

12 (8) *A qualitative analysis describing how funds appropriated*
13 *pursuant to this section reduced food insecurity and homelessness*
14 *among students, improved student mental health and digital equity,*
15 *and, if feasible, how the funds impacted student outcomes such as*
16 *student persistence or completion.*

17 (9) *Other findings and best practices implemented by community*
18 *college districts.*

19 (d) *For purposes of making the computations required by*
20 *Section 8 of Article XVI of the California Constitution, the*
21 *appropriation made pursuant to subdivision (a) shall be deemed*
22 *to be “General Fund revenues appropriated for community college*
23 *districts,” as defined in subdivision (d) of Section 41202 of the*
24 *Education Code, for the 2020–21 fiscal year, and included within*
25 *the “total allocations to school districts and community college*
26 *districts from General Fund proceeds of taxes appropriated*
27 *pursuant to Article XIII B,” as defined in subdivision (e) of Section*
28 *41202 of the Education Code, for the 2020–21 fiscal year.*

29 SEC. 87. (a) *For the 2021–22 fiscal year, the sum of twenty*
30 *million dollars (\$20,000,000) is hereby appropriated from the*
31 *General Fund to the Board of Governors of the California*
32 *Community Colleges for allocation to community college districts*
33 *to support the implementation of best practices for success in*
34 *promoting equal employment opportunity and faculty and staff*
35 *diversity at California community colleges, using the multiple*
36 *methods model identified by the office of the Chancellor of the*
37 *California Community Colleges’s Equal Employment Opportunity*
38 *and Diversity Advisory Committee.*

39 (b) *Funds appropriated pursuant to this section shall be*
40 *available for encumbrance or expenditure until June 30, 2023.*

(c) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 88. (a) For the 2021–22 fiscal year, the sum of twenty million dollars (\$20,000,000) is hereby appropriated from the General Fund to the Board of Governors of the California Community Colleges to strengthen the alignment of the community colleges with workforce initiatives administered by the California Workforce Development Board.

(b) (1) Of the funds appropriated pursuant to subdivision (a), ten million dollars (\$10,000,000) shall be used by the Chancellor of the California Community Colleges to award grants through a grant process developed by the office of the Chancellor of the California Community Colleges to support community colleges that are participating as partners, or seeking to become partners, in the California Workforce Development Board’s High Road Training Partnerships and High Road Construction Careers, including the High Road Training Partnerships and High Road Construction Careers funded pursuant to Provision 5 of Item 7120-101-0001 of Section 2.00 of the Budget Act of 2021.

(2) A community college receiving a grant pursuant to paragraph (1) shall focus on integrating community college priorities into High Road Training Partnership and High Road Construction Career programs, including, but not limited to, awarding credit for prior learning, creating work-based learning opportunities, providing academic and career supports, and providing an on-ramp to credit pathways that lead to industry-valued credentials or degrees.

(3) The grants funds awarded pursuant to paragraph (1) may be used for, but may not necessarily be limited to, the following:

(A) Personnel costs for employer engagement and partnership management activities.

(B) Program outreach and recruitment activities.

1 (C) Costs of program development, program materials,
2 instruction, student job placement, coaching, and support activities.

3 (D) Training costs.

4 (E) Participant fees.

5 (F) Reasonable program operation costs.

6 (c) (1) Of the funds appropriated pursuant to subdivision (a),
7 ten million dollars (\$10,000,000) shall be used by the Chancellor
8 of the California Community Colleges to award grants through a
9 grant process developed by the office of the Chancellor of the
10 California Community Colleges to support community colleges
11 participating in regional equity and recovery partnerships, which
12 are regional partnerships of community college consortia and
13 regionally organized local workforce development boards intended
14 to connect workers most impacted by the COVID-19 pandemic to
15 high-quality jobs in target and growth industry sectors, including
16 regional equity and recovery partnerships funded pursuant to
17 Provision 6 of Item 7120-101-0001 of Section 2.00 of the Budget
18 Act of 2021.

19 (2) A participating community college receiving a grant
20 pursuant to paragraph (1) shall focus on integrating community
21 college priorities into programs identified and developed by
22 regional equity and recovery partnerships, including, but not
23 limited to, awarding credit for prior learning, creating work-based
24 learning opportunities, providing academic and career supports,
25 and providing an on-ramp to credit pathways that lead to
26 industry-valued credentials or degrees.

27 (3) The grant funds awarded pursuant to paragraph (1) may be
28 used for, but are not necessarily limited to, all of the following:

29 (A) Personnel costs for employer engagement and partnership
30 management activities.

31 (B) Program outreach and recruitment activities.

32 (C) Costs of program customization and development, program
33 materials, student job placement, coaching, and support activities.

34 (D) Instruction and training costs.

35 (E) Participant fees.

36 (F) Reasonable program operation costs.

37 (d) The office of the Chancellor of the California Community
38 Colleges may use up to 5 percent of the funds appropriated for
39 purposes of subdivisions (b) and (c) to provide technical assistance
40 to support the capacity of community colleges working to integrate

community college priorities into the California Workforce Development Board’s High Road Training Partnerships and High Road Construction Careers and regional equity and recovery partnerships.

(e) Funds appropriated pursuant to this section shall be available for encumbrance or expenditure until June 30, 2026.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 89. (a) For the 2021–22 fiscal year, the sum of twenty million dollars (\$20,000,000) is hereby appropriated from the General Fund to the Board of Governors of the California Community Colleges for allocation to community college districts to support a systemwide effort to, or as grants to community college districts to support district efforts to, provide culturally competent professional development for community college faculty, including in leveraging 21st century technology to improve learning outcomes.

(b) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 90. (a) As used in this section, “LGBTQ+” means lesbian, gay, bisexual, transgender, queer, and plus.

(b) For the 2021–22 fiscal year, the sum of ten million dollars (\$10,000,000) is hereby appropriated from the General Fund to the Board of Governors of the California Community Colleges for

1 allocation by the office of the Chancellor of the California
2 Community Colleges to community college districts to provide
3 additional funds to support LGBTQ+ students. In allocating funds
4 to participating community college districts, the chancellor's office
5 shall do all of the following:

6 (1) Enter into agreements with participating community college
7 districts to provide additional funds to support LGBTQ+ students.

8 (2) Provide grants of up to five hundred thousand dollars
9 (\$500,000) for participating community college districts based on
10 the proportional share of students they serve and equity metrics
11 to ensure that small rural colleges are also able to access to the
12 grants. Participating community college districts may encumber
13 the funds over a five-year period.

14 (c) Participating community college districts shall use this
15 funding to provide needed services, based on best practices, to
16 LGBTQ+ students. Community college districts may use the funds
17 for the following services at the colleges they maintain:

18 (1) LGBTQ+ centers.

19 (2) Development of safe zones and providing safe zone training.

20 (3) Mental health services.

21 (4) Housing insecurity services.

22 (5) LGBTQ+ learning communities.

23 (6) Support for gay and straight alliance clubs.

24 (7) LGBTQ+ curriculum development.

25 (8) Lavender graduation.

26 (9) Workshops or speaker series.

27 (10) Other proven initiatives.

28 (d) A participating community college shall provide a report to
29 the office of the Chancellor of the California Community Colleges
30 that reflects a plan regarding how it anticipates expending funds
31 received pursuant to this section.

32 (e) The office of the Chancellor of the California Community
33 Colleges shall report to the Legislature, pursuant to Section 9795
34 of the Government Code, on the use of funds appropriated pursuant
35 to this section commencing one year after grants have been
36 awarded to community college districts. The report shall include,
37 but is not limited to, the number of colleges receiving funds, the
38 amount per college, how colleges plan to use these funds, and any
39 recommendations for future state funding to support the purposes
40 of this section.

(f) For purposes of making the computations required by Section 8 of Article XVI of the California Constitution, the appropriation made pursuant to subdivision (a) shall be deemed to be “General Fund revenues appropriated for community college districts,” as defined in subdivision (d) of Section 41202 of the Education Code, for the 2020–21 fiscal year, and included within the “total allocations to school districts and community college districts from General Fund proceeds of taxes appropriated pursuant to Article XIII B,” as defined in subdivision (e) of Section 41202 of the Education Code, for the 2020–21 fiscal year.

SEC. 91. (a) For the 2021–22 fiscal year, the sum of seventy-two million eight hundred fifty-two thousand dollars (\$72,852,000) is hereby appropriated from the General Fund to the Board of Governors of the California Community Colleges to be allocated as follows:

(1) One million dollars (\$1,000,000) for allocation to Reedley College to support its aviation program. Funds may be used to support expansion and relocation of the flight science and aviation maintenance technology programs to Reedley Airport and allow the purchase of the necessary modular buildings, furnishings, training equipment, aircraft, and aircraft parts.

(2) Three million five hundred thousand dollars (\$3,500,000) for allocation to MiraCosta College to support the Cooperative Education Reskilling and Training Program. Funds may be used to support short-term programs offering disadvantaged and unemployed adults the opportunity to reskill while gaining on-the-job experience through paid internships.

(3) Six million six hundred thousand dollars (\$6,600,000) for allocation to Rio Hondo College to support the Water Reservoir Project. Funds may be used to support installing a new water tank and replacing the underground hot water piping system on the campus.

(4) Two million dollars (\$2,000,000) for allocation to the Riverside Community College District to support the Military Articulation Platform. Funds may be used to support expansion of the program to translate military experience and training into college credit at Riverside City College and other colleges.

(5) Three million dollars (\$3,000,000) for allocation to Palo Verde College. Funds may be used to support construction costs

1 *for the Palo Verde College Child Development Center Relocation*
2 *and Expansion Project.*

3 (6) *One million dollars (\$1,000,000) for allocation to Chaffey*
4 *College to support the CORE Academy. Funds may be used to*
5 *support employment training, mentoring, and a pipeline to job*
6 *placement for low-income individuals to enter the fields of property*
7 *management, property maintenance, and other related industries.*

8 (7) *Three million dollars (\$3,000,000) for allocation to the*
9 *InTech Center at Chaffey College to support and equip a welding*
10 *training facility that will offer the Iron and Steel Workers*
11 *certification.*

12 (8) *Six million dollars (\$6,000,000) for allocation to Bakersfield*
13 *College to expand and implement workforce training programs.*
14 *Funds may be used for the following purposes:*

15 (A) *Expansion of the Rural Health Equity and Learning*
16 *collaborative.*

17 (B) *Expansion of the certified nursing assistant and registered*
18 *nurse programs.*

19 (C) *Provision of nursing scholarships for those students who*
20 *volunteered to serve their community in vaccination clinics.*

21 (D) *Expansion of the Allied Health Simulation Laboratory.*

22 (E) *Expansion of the radiology technology mammography and*
23 *sonography programs.*

24 (F) *Addition of the Mental Health Worker Certificate.*

25 (G) *Addition of postpandemic student health and wellness*
26 *services.*

27 (H) *Provision of educational services to prevent chronic illness*
28 *among at-risk rural residents.*

29 (9) *Seven hundred ten thousand dollars (\$710,000) for*
30 *allocation for the following:*

31 (A) *Three hundred fifty-five thousand dollars (\$355,000) for*
32 *allocation to the College of the Siskiyous to support its nursing*
33 *program. Funds may be used to supplement salaries for full-time*
34 *faculty.*

35 (B) *Three hundred fifty-five thousand dollars (\$355,000) for*
36 *allocation to Shasta College to support its nursing program. Funds*
37 *may be used to supplement salaries for full-time faculty.*

38 (10) *Four million fifteen thousand dollars (\$4,015,000) for*
39 *allocation to the San Bernardino Community College District to*
40 *support a partnership with KVCR TV.*

1 (11) Five hundred thousand dollars (\$500,000) for allocation
2 to the College of the Redwoods to support its nursing program.
3 Funds may be used to support facilities construction, simulations,
4 lab equipment, research technology, and other educational
5 opportunities provided through its nursing program.

6 (12) Four hundred thousand dollars (\$400,000) for allocation
7 to Rio Hondo College to support its situational simulation training
8 center. Funds may be used to purchase virtual reality equipment
9 and to support the cost of curriculum development in response to
10 Senate Bill 230 (Chapter 285 of the Statutes of 2019) and other
11 emergencies.

12 (13) Five million dollars (\$5,000,000) for allocation by the
13 office of the Chancellor of the California Community Colleges to
14 community college districts to expand pathways to law school
15 programs through the Community College Law School Initiative
16 .

17 (14) One million dollars (\$1,000,000) for allocation to the San
18 Jose-Evergreen Community College District to support planning
19 and community engagement to explore ideas for development of
20 vacant land owned by the district.

21 (15) Thirty-five million one hundred twenty-seven thousand
22 dollars (\$35,127,000) for allocation to the San Diego College of
23 Continuing Education to support the renovation and remodel of
24 the historical theater and community room at the Educational
25 Cultural Complex building.

26 (b) For purposes of making the computations required by
27 Section 8 of Article XVI of the California Constitution, the
28 appropriations made pursuant to this section shall be deemed to
29 be “General Fund revenues appropriated for community college
30 districts,” as defined in subdivision (d) of Section 41202 of the
31 Education Code, for the 2020–21 fiscal year, and included within
32 the “total allocations to school districts and community college
33 districts from General Fund proceeds of taxes appropriated
34 pursuant to Article XIII B,” as defined in subdivision (e) of Section
35 41202 of the Education Code, for the 2020–21 fiscal year.

36 SEC. 92. The Legislature finds and declares that Section 8 of
37 this act, which adds Section 10872 to the Education Code, imposes
38 a limitation on the public’s right of access to the meetings of public
39 bodies or the writings of public officials and agencies within the
40 meaning of Section 3 of Article I of the California Constitution.

1 Pursuant to that constitutional provision, the Legislature makes
2 the following findings to demonstrate the interest protected by this
3 limitation and the need for protecting that interest:

4 To protect the privacy of the state's pupils, whose academic
5 achievement data is collected and analyzed in an effort to improve
6 the elementary, secondary, and postsecondary educational
7 segments that are so vital to the economy of this state and the
8 well-being of its residents, it is necessary to limit public access to
9 the records of the Cradle-to-Career Data System.

10 SEC. 93. The Legislature finds and declares that Section 56
11 of this act, which adds Section 69996.9 to the Education Code,
12 imposes a limitation on the public's right of access to the meetings
13 of public bodies or the writings of public officials and agencies
14 within the meaning of Section 3 of Article I of the California
15 Constitution. Pursuant to that constitutional provision, the
16 Legislature makes the following findings to demonstrate the interest
17 protected by this limitation and the need for protecting that
18 interest:

19 To protect the privacy of the state's pupils with child savings
20 accounts established under the California Kids Investment and
21 Development Savings Program, it is necessary to limit public
22 access to individual records or source data associated with the
23 establishment of these accounts.

24 SEC. 94. For purposes of Section 15 of this act, the Legislature
25 finds and declares all of the following:

26 (a) California students are struggling to meet their basic needs
27 and are facing housing insecurity, including homelessness, and
28 food insecurity at alarming rates.

29 (b) A report released in March 2019 by the office of the
30 Chancellor of the California Community Colleges and the Hope
31 Center for College, Community, and Justice found that 19 percent
32 of the survey's respondents experienced homelessness in the
33 previous year, 60 percent of respondents were housing insecure
34 in the previous year, and 50 percent of respondents were food
35 insecure in the prior 30 days.

36 (c) Some groups of students are disproportionately impacted
37 by basic needs insecurity. Students of color, first-generation college
38 students, financial aid recipients, former foster youth, and student
39 parents are at much higher risk.

(d) *Basic needs insecurity has a direct impact on student academic success. Students experiencing basic needs insecurity are much more likely to not buy textbooks, to miss, drop, or fail classes, and to withdraw from school entirely. In addition, these students consistently report high levels of stress and other mental health issues, which negatively impact academic performance and health in general.*

(e) *Addressing Homelessness and Housing Insecurity in Higher Education, a book that provides research-based information and tools for educators and higher education professionals to build effective institutional supports for college students facing housing insecurity, found all of the following:*

(1) *“Understanding how basic needs insecurity exists on and around your campus is an important first step. In order to develop a more fully informed understanding of students’ unmet basic needs on your campus, we recommend that you use a mix of survey data collection to learn about the size and scope of the issues as well as using interviews and focus groups to illustrate the experiences from the viewpoints of students. Additionally, you can include institutional data you previously gathered about student demographics, financial aid use, and the cost of living that may be helpful for expanding the findings of your institution’s evaluation.”*

(2) *“Students who need support often have a difficult time finding and accessing supports on campus. Campuses can have complex interlocking or disconnected systems that can be difficult to negotiate while managing the stress of homelessness. Students must traverse through complicated financial aid processes and seek appropriate campus support services, while managing courses and other responsibilities.”*

(3) *“A centralized and coordinated effort can more easily be publicized in a way that all students can benefit. Developing a coordinated strategy increases the likelihood that students, faculty, and staff can more easily access the various forms of support.”*

(4) *“Research and anecdotal feedback indicate that students who have a single point of contact experienced feelings of campus connection, care, and success in their university communities. Additionally, single point of contact staff can destigmatize students’ use of on-campus supportive services.”*

1 (5) “We recommend creating an integrated approach that
2 includes housing and food insecurity programming working
3 collaboratively. Both services should be in a centrally located
4 space on campus. Students applying to one service should be given
5 information about the other services.”

6 (6) “Having a web presence with information about services
7 available is important. Students may resist disclosing their
8 circumstances to another person, but they may feel more confident
9 in doing so if they have had the opportunity to explore available
10 resources electronically. Creating a webpage with available
11 resources as well as short stories normalizing students’
12 circumstances can be a helpful tool in identifying students who
13 need support.”

14 (f) Community colleges have begun taking steps to meet the
15 basic needs of their students through food pantries, housing-related
16 efforts, and other services and resources. However, students have
17 expressed that the current system is often fragmented, with no
18 single point of contact tasked with overseeing existing basic needs
19 services and resources.

20 (g) Some community colleges are already moving in the
21 direction of a more coordinated and integrated approach.

22 SEC. 95. (a) For purposes of Section 63 of this act, the
23 Legislature finds and declares all of the following:

24 (1) The state’s attorney workforce does not accurately represent
25 the diversity of the state, which can significantly impact
26 administration of justice, access to appropriate representation,
27 and workplace satisfaction.

28 (2) According to the statistics published by the State Bar of
29 California, despite significant growth in the proportion of attorneys
30 who are women and people of color over the past 30 years,
31 California’s attorney population does not reflect the state’s
32 diversity, with Latinos being particularly underrepresented.

33 (3) Additionally, according to the State Bar of California’s
34 “First Annual Report Card on the Diversity of California’s Legal
35 Profession,” White attorneys account for nearly 70 percent of
36 California’s active licensed attorney population, while people of
37 color constitute 60 percent of the state’s population.

38 (4) These same statistics are reflected in the judicial branch.
39 While there has been increased focus on diversity within the ranks
40 of justices and judges, White judges account for nearly 66 percent

1 *of justices in the trial courts, courts of appeal, and the California*
2 *Supreme Court.*

3 *(5) A statewide initiative was established in 2011 through the*
4 *California Partnership Academies focused on high school law*
5 *academies, with a specific mission of building a diverse educational*
6 *pipeline from high school to law school. Brought together through*
7 *a unique partnership between the State Department of Education*
8 *and the State Bar of California, this pipeline has expanded to*
9 *include higher education partners with the creation of the*
10 *Community College Pathway to Law School initiative. In 2015,*
11 *California LAW (Leadership, Access, Workforce) Pathways was*
12 *formed to merge both statewide.*

13 *(6) Since its inception, California LAW Pathways has grown to*
14 *include agreements with 21 high school law academies, 30*
15 *community colleges, 10 undergraduate four-year universities, and*
16 *10 law schools.*

17 *(7) California LAW Pathways is designed to fit seamlessly into*
18 *the existing educational system.*

19 *(8) California LAW Pathways uses the framework of the highly*
20 *effective California Partnership Academies for underrepresented*
21 *students, and is designed to align with the “Vision for Success”*
22 *of the office of the Chancellor of the California Community*
23 *Colleges.*

24 *(9) There are currently more than 700 community college*
25 *students and 3,000 high school pupils enrolled in the program*
26 *statewide. Of these high school pupils, 87 percent are*
27 *underrepresented minorities and the program has a 98-percent*
28 *graduation rate.*

29 *(10) California LAW Pathways creates a model pipeline to help*
30 *close the diversity gap in the state’s attorney workforce population.*

31 *(b) Therefore, it is the intent of the Legislature to enable more*
32 *students to participate in pathways to law school programs and*
33 *diversify the future workforce in the state.*

34 *SEC. 96. If the Commission on State Mandates determines that*
35 *this act contains costs mandated by the state, reimbursement to*
36 *local agencies and school districts for those costs shall be made*
37 *pursuant to Part 7 (commencing with Section 17500) of Division*
38 *4 of Title 2 of the Government Code.*

39 *SEC. 97. This act is a bill providing for appropriations related*
40 *to the Budget Bill within the meaning of subdivision (e) of Section*

1 *12 of Article IV of the California Constitution, has been identified*
2 *as related to the budget in the Budget Bill, and shall take effect*
3 *immediately.*

4 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
5 ~~changes relating to the Budget Act of 2021.~~