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## SENATE COMMITTEE ON EDUCATION

Senator Connie Leyva, Chair

2019 - 2020 Regular

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**Bill No:** AB 3137 **Hearing Date:** July 29, 2020  
**Author:** Voepel  
**Version:** May 18, 2020  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Olgalilia Ramirez

**Subject:** Community colleges: California College Promise: members of the Armed Forces of the United States.

### SUMMARY

This bill requires California Community Colleges (CCC) to allow a student who is a member of the Armed Forces of the United States who is called to active duty to withdraw from participation in the California College Promise fee waiver program and resume receipt of the waiver once they return from duty without penalty.

### BACKGROUND

Existing law:

- 1) Authorizes the governing board of each community college district to charge each student \$46 per unit per semester. Exempts the following from paying the prescribed fee:
  - a) Students enrolled in specific public benefit non-credit programs.
  - b) Students enrolled in or receiving benefits from Temporary Assistance for Needy Families program (TANF), the Supplemental Security Income/State Supplementary Payment Program, or a general assistance program.
  - c) Students who demonstrate eligibility according to income standards established by regulations of the CCC Board of Governors.
  - d) Demonstrates financial need according to the methodology set forth in federal law or regulations for determining the expected family contribution of students seeking financial aid.
  - e) Homeless or formerly homeless youth, as defined.
  - f) Students who were the dependent or surviving spouse of any member of the California National Guard who died or was permanently disabled while in the line of duty or while in active service of the state.
  - g) Students who were the dependent or surviving spouse of a California

firefighter or law enforcement officer killed in the performance of their duties or who died as a result of performing duties related to law enforcement or fire suppression.

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

University of California, to provide priority enrollment and priority registration to any member or former member, as defined, of the Armed Forces of the United States, and who is a resident of California. Armed Forces of the United States is defined as the Air Force, Army, Coast Guard, Marine Corps, National Guard, Naval Militia, Navy, and the reserve components of each of those forces, including the California National Guard. (EC § 66025.8)

## ANALYSIS

This bill:

- 1) Requires the CCC to allow a student who is a member of the Armed Forces of the United States who is called to duty compelling the student to take a leave of absence pursuant to federal law, or to state-funded active duty on order by the Governor, to withdraw from participation in the California College Promise and resume participation in the program upon the student's return without losing program eligibility.
- 2) Prohibits the time during which a student was obliged to withdraw from counting toward the 2-year limit of that student's eligibility for participation in the California College Promise.
- 3) Defines for purposes of the section, "Armed Forces of the United States" to mean the United States Air Force, Army, Coast Guard, Marine Corps, and Navy, and the reserve components of each of those forces, and the California National Guard, the California State Guard and the California Naval Militia.

## STAFF COMMENTS

- 1) ***Need for the bill.*** The California College Promise Program allows CCCs to waive some or all tuition fees for first-time community college students enrolled in college full-time (12 credits or more) for up to two academic years. Annual tuition fees total \$1,380 at a CCC. According to the author, a concern arose from one of his constituents who was afraid they might lose their eligibility and funding from the College Promise Program if either the Governor or the President of the United States calls them to active duty. The author asserts, "our military personnel fight for the freedom of everyday America. The least we can do is ensure they do not lose their eligibility to a program like the California College Promise Program in order to achieve a California education."
- 2) ***Other aid available to military personnel and veterans.*** The California College Promise is one of several tuition relief programs available to individuals enrolled at a CCC. Additionally, active duty military and veterans may access federal aid programs specifically designed for services members such as the post-9/11 GI Bill and others. Absent this bill, service members who lose eligibility due to deployment could have tuition covered through other programs. This bill maintains eligibility of a specific tuition waiver program at the CCC known as the California College Promise for participants of that program who are called to active duty.

- 3) ***California National Guard called to duty during COVID crisis.*** COVID-19, also known as "coronavirus", is a respiratory illness caused by a novel virus that has spread worldwide. As of July 1, 2020, over 230,000 cases have been confirmed in California and over 6,000 individuals have died in the state. To mitigate the spread of the pandemic, virtually all schools and public higher education institutions in California closed their campuses in mid-March 2020, and those campuses remained closed through the end of the 2019-20 school year. In response, the vast majority transitioned "distance learning." Around the same time, counties implemented shelter-in-place strategies to reduce the number coronavirus cases. However, the coronavirus pandemic placed community charities in a difficult situation as the demand for food assistance spiked. In response to this issue, the Governor ordered the California National Guard to deploy to food banks across the state to help with food distribution. Shortly thereafter Governor Newsom activated the remaining California National Guard members to assist law enforcement with civil unrest in a handful of cities statewide. Presumably, community college students were among those members called to active duty and consequently could not finish the term potentially losing their fee waiver under the California College Promise Program. This bill may provide an avenue for those students to continue participation in the tuition waiver program.

**SUPPORT**

Los Angeles Community College Districts

**OPPOSITION**

None received.

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