

November 29, 2022 | Legislative, Audit, & Budget Committee

Update on State & Federal Legislation

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Sponsored Legislation

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[AB 1400 \(Bryan\)](#) – Chaptered

Summary: Refocuses the use of funds generated by the College Access Tax Credit from Cal Grant B recipients to California Community College transfer students from low-income backgrounds attending regionally accredited Historically Black Colleges and Universities (HBCUs) that have a transfer agreement with the California Community Colleges Chancellor's Office.

Students must indicate their intent to return to California after graduation as a condition of receiving the one-time grant of up to \$5,000.

[AB 1540 \(Fong, M.\)](#) – Chaptered

Summary: Requires community colleges and CSU campuses, and requests the UC and independent institutions of higher education, to accept the AB 540 affidavit provided by the Commission via the California Dream Act Application – effectively embedding the AB 540 affidavit into the Dream Act Application.

The bill also makes clear that institutions keep the ability to verify affidavits, and offer a campus-based form to students who do not apply for aid through the California Dream Act Application.

Lastly, the bill requires institutions to share the affidavit with campus departments to inform eligibility of student services.

Supported Legislation: Chaptered

Supported Legislation

AB 278 (Reyes) - **Chaptered**

Summary: Establishes the Dream Resource Center Grant Program as a four-year pilot under the administration of the CA Department of Education (CDE) to provide high school students, including undocumented students, with financial aid support, social services support, state-funded immigration legal services, academic opportunities, parent/family workshops, and more.

This bill requires CDE to award grants using a tiered point system that prioritizes local educational agencies in underserved areas, including rural areas, those that serve large number of English learners and pupils who are eligible for free or reduced-price meals.

SB 633 (Gonzalez) - **Chaptered**

Summary: Starting with the 2024–25 academic year, allows participating UC and CSU campuses to award DREAM Grants to eligible students if the institution's DREAM revolving loan program has unawarded funds at the end of the previous academic year.

Supported Legislation (continued)

AB 928 (Rendon) - **Chaptered**

Summary: Requires CDSS to update its CalFresh Data Dashboard on an annual basis (instead of over time) and as additional data become available about that population.

The Dashboard publishes data specific to students' receipt of CalFresh benefits to assist in monitoring information about access to CalFresh by students enrolled in an institution of higher education.

Supported Legislation: Held/Vetoed

Supported Legislation

AB 274 (Bryan) – Inactive File

Summary: Exempts any grant, award, scholarship, loan, or fellowship from consideration as income when determining CalWORKs eligibility or grant amounts, and requires the CA Department of Social Services (to the extent permitted by federal law, regulation, or guidance) to exercise a federal option to exclude, for purposes of calculating a household's income under CalFresh, income that the department excludes for CalWORKs.

AB 1393 (Calderon) – Held in suspense at Senate Appropriations

Summary: Requires the Commission to establish the Food Support Pilot Program for four years to provide food support grants to eligible students who submit a complete California Dream Act application and receive financial assistance under the California Dream Act. The bill also requires the Commission to conduct a survey the pilot's effectiveness.

Legislation with Direct Impact to the Commission: Chaptered

Legislation with Direct Impact

AB 91 (Alvarez) - **Chaptered**

Summary: Establishes a pilot program to allow low-income nonresident students residing in Mexico near the California-Mexico border region, to be eligible for in-state tuition rates at Cuyamaca College, Grossmont College, Imperial Valley College, MiraCosta College, Palomar College, San Diego City College, San Diego Mesa College, San Diego Miramar College, or Southwestern College.

The bill also requires that the CCC Board of Governors enters into an attendance agreement with a nationally or internationally accredited university in the State of Baja California, Mexico, that provides reciprocal rights to California residents attending a university in the State of Baja California that extends, to the extent reasonable, the same benefits provided to Mexican residents under this bill.

AB 789 (Berman) - **Chaptered**

Summary: Starting in the 2024-25 academic year, this bill requires institutions to develop and implement satisfactory academic progress (SAP) policies that are more flexible and in alignment with federal policy. The bill also requires a set of communication standards to students regarding SAP policies and appeals processes. Institutions are not prohibited from requiring a student on “financial aid probation,” as defined federally, to comply with the terms of the student’s academic plan in order to maintain financial aid eligibility.

Legislation with Direct Impact (continued)

SB 223 (Menjivar) – **Chaptered**

Summary: Allows the Commission on Teacher Credentialing to approve a professional preparation program offered by a local educational agency for candidates seeking a services credential with a specialization in pupil personnel services in the area of child welfare and attendance services, as long as it meets program quality and effectiveness standards.

SB 886 (Committee on Education) – **Chaptered**

Summary: This bill is the annual higher education omnibus clean-up bill. Specifically, this bill includes the following relevant provisions:

- Removes several mandated reports required of the Commission due to program defunding (Federal Family Education Loan Program, Assumption Program of Loans for Education, Graduate Assumption Program of Loans for Education, and the State Nursing Assumption Program of Loans for Education).
- Clarifies that an organization that is not part of a Regional Coordinating Organization (RCO), but that has a written partnership agreement with the Commission or a RCO, may offer free local and regional workshops through the Cash for College Program.

Legislation with Direct Impact to the Commission: Held/Vetoed

Legislation with Direct Impact

AB 238 (Muratsuchi) - Inactive File

Summary: Establishes the California Student Teacher Support Grant Program for the Commission on Teacher Credentialing to administer at the local educational agencies level. This program would compensate teacher candidates during their required 600-hour student teaching.

AB 376 (Villapudua) - **Vetoed**

Summary: Until January 1, 2028, this bill authorizes Cal Grant C awards to be used for entry-level driver training programs of less than 4 months, and requires the Commission to classify an institution as a “qualifying institution” if its driver training program has a graduation rate of at least 30%, is listed on the Federal Motor Carrier Safety Administration training provider registry, and has been approved by the Bureau for Private Postsecondary Education (BPPE).

This bill also requires the Commission to consult with the BPPE to submit a report to the Legislature by April 1, 2027 that includes several data points related to the impact of the pilot program.

AB 746 (Sanchez) - **Vetoed**

Summary: Removes research centers and institutions operated by public postsecondary institutions as allowable employers in the Learning-Aligned Employment Program, and instead broadens it to allow public campuses with learning-aligned employment opportunities that provide participating students with experience related to the student’s major, or career-related skills development.

Other Priority Tracked Legislation

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SB 544 (Laird) - Chaptered

Summary:

- Continues until January 1, 2026 flexibility provisions for remote meetings for state boards and commissions started during the COVID-19 pandemic, including:
 - Allow state bodies to hold open or closed teleconference meetings.
 - Requiring members to appear on camera
 - Allowing members of the public to directly address the state body during the teleconferenced meeting.
 - Require that a majority of the members of the state body be physically present at the same teleconference location – without disclosing the physical location of remote members.

Federal Updates

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New Speaker of the House –

- Congressman Mike Johnson (R-Louisiana) was voted in as the new Speaker of the House on October 25, 2023, succeeding Congressman Kevin McCarthy (R – CA).
- The Speaker's Office had been vacant since Congressman's McCarthy's ouster on October 3, 2023. A number of candidates emerged and withdrew during the 3-week vacancy.

Budget and Appropriations –

- Congress and President Biden reached agreement on a “laddered continuing resolution (CR)” on November 16, 2023, avoiding a government shutdown.
- This CR extends federal funding at current spending levels until January 19 for military construction, veterans' affairs, transportation, housing, and the Energy Department. The rest of the government – including education – would be funded until February 2.
- The CR also extends the 2018 Farm Bill through Sept. 30, 2024, allowing more time for Congress to pass a reauthorized Farm Bill.

Federal Updates (continued)

Proposed Federal Rulemaking Change to Temporary Assistance for Needy Families (TANF) by U.S. Department of Health and Human Services

- California is one of several states that use a portion of their TANF funding to support expenditures on state student aid.
- Two of seven proposals directly impact how states can use TANF toward supporting state student aid.
- Receiving a TANF-funded Cal Grant award can be used to establish CalFresh/SNAP eligibility (as an exemption to student eligibility rule)
- Proposal #1: Establishes a ceiling (200% federal poverty line) on the term “needy” for TANF
- Proposal #2: Clarifies when a TANF use of funds is “reasonably calculated to accomplish a TANF purpose”
 - TANF-funded “college scholarships” would be provided to “reasonable persons”
 - Uncertainty around states’ ability to provide TANF-funded scholarships to adults without children
- Commission has provided an initial analysis to key stakeholders and will submit public comment



Thank you!



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