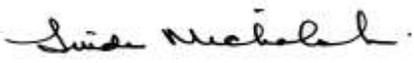




# The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS

DATE: September 9-10, 2013

SUBJECT: Financial Assistance Awards (PUBLIC HEARING)		Item Number: 3.1	
		Attachment: Yes	
CATEGORY:	Student Services and Special Programs	TYPE OF BOARD CONSIDERATION:	
Recommended By:	 Linda Michalowski, Vice Chancellor	Consent/Routine	
		First Reading	X
Approved for Consideration:	 Brice W. Harris, Chancellor	Action	
		Information	

**ISSUE:** To implement the fee waiver provisions of Senate Bill 1456, the Student Success and Support Act of 2012, through proposed changes to California Code of Regulations, title 5, section 58601 et seq.

**BACKGROUND:** Senate Bill 1456, signed by Governor Brown on September 27, 2012, provides a foundation to implement several recommendations from the Student Success Task Force. The bill requires that a student qualifying for a fee waiver meet minimum academic and progress standards adopted by the Board of Governors, and provides detailed requirements regarding the content, adoption and application of those standards.

**RECOMMENDATION:** The proposed regulations are presented to the Board of Governors for a first reading. It is recommended that the Board of Governors hold a public hearing for receipt of comments, both written and oral, which are offered concerning the proposed action. It is anticipated that the regulations will be presented to the board for adoption at its November 2013 meeting.

**ANALYSIS:** Recommendation 3.2 (B) from the Student Success Task Force was adopted into law with the passage of Senate Bill 1456. The law provides that the Board of Governors adopt minimum academic and progress standards for BOG Fee Waiver eligibility. While it does not prescribe what those standards are, it establishes significant limitations and requirements including that a student shall not lose fee waiver eligibility unless he or she has not met established standards for a period of no less than two consecutive terms. It also requires that colleges provide adequate consumer information about the policies, a process for re-establishing eligibility, and student notification and appeals processes. The law also includes several “intent” statements that have helped to shape the proposed regulations.

The Chancellor’s Office convened a Fee Waiver Workgroup to begin implementation discussions when Senate Bill 1456 was still undergoing revisions through the legislative process. The workgroup, which included representatives of faculty, students, chief student services officers, financial aid administrators, EOPS directors, admissions and records officers and institutional researchers, met a total of five times over an extended period. Its work interacted with that of the Enrollment Priorities Workgroup at several junctures, reflecting the intent of the Student Success Task Force that requirements for getting and retaining enrollment priority and requirements for BOG Fee Waiver eligibility work together to incentivize students to approach their education in ways most likely to lead to success.

The proposed regulations add section 58621, Loss of Eligibility to title 5. This section immediately follows current regulations regarding eligibility for fee waivers. The proposed regulations:

- Establish two consecutive primary terms of not meeting academic and/or progress standards as the trigger for loss of eligibility for the fee waiver.
- Provide an exemption for Foster Youth, who are recognized as having severe educational and financial barriers to success.
- Rely on existing probation regulations in section 55031(a) and (b) to define minimum academic and progress standards.
- Require districts to adopt and disseminate policies that ensure students are informed about the new requirements and about the student support services available to assist them.
- Contain references to new Student Success and Support Program regulations regarding essential student support services that must be provided by districts to at risk students.
- Require that students be notified of their probation status within 30 days of the end of the term for which the student did not meet academic or progress standards.
- Require that districts establish and publish written policies and procedures for appeals. Specify that valid appeals include changes in economic situations or evidence that the student was unable to obtain essential student support services from the campus.
- Tie the appeal process to that of the new Enrollment Priority regulations; a successful appeal of the loss of enrollment priority shall result in the restoration of fee waiver eligibility.

- Require that districts begin notification to students following the spring 2014 term and that all requirements are fully operational by fall 2015. The first loss of fee waiver eligibility shall not occur prior to fall 2015.

The regulation package also includes some technical clean-up language to address unrelated BOG Fee Waiver changes since the last rewrite of these sections in 1991.

The proposed regulation changes are included as Attachment 1.